

Article 8. LANDSCAPING & TREE PROTECTION

8.1 Landscape Plan

- A. Applicability:** A landscape plan shall be required prior to any site disturbance. The plan must contain the information detailed in Article 16.5. Minor changes or additions to existing development or approved plans may submit an abbreviated site plan. An abbreviated site plan shall be allowed when a proposed change is physically limited to only a portion of the site. The Administrator shall determine when an abbreviated site plan may be submitted for a detailed site plan and what items must be included.
- B. Revisions to Approved Landscape Plans:** Due to lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to planting plans may be approved by the Administrator 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., large canopy tree, small tree, evergreen, or shrub) and have the same general design characteristics (mature height, crown spread) as the materials being replaced.
 4. Decisions of the Administrator regarding alternate methods of compliance may be appealed to the Planning Board.
- C. Alternative Plans**
1. The Administrator shall review the alternate proposal and advise the applicant of the disposition of the request within 15 working days of submission by the applicant. An appeal of the staff's decision may be made to the Planning Board.
 2. Requests for a delay in complying with this Ordinance due to poor weather conditions for planting will be considered following written request directed to the Administrator in accordance with Section 8.6.E.2.

8.2 General Provisions

- A. Existing Vegetation, Fences, Walls, and Berms:** The use of existing trees or shrubs to satisfy the landscaping requirements of this Section is strongly encouraged. Existing significant vegetation within the landscaped area shall be preserved and credited toward standards for the type of perimeter landscaping required, unless otherwise approved by the Town of Fletcher at the time of site plan approval. Existing berms, walls, or fences within the landscaped area but not including chain link fencing, may be used to fulfill the standards for the type of perimeter landscaping required, provided that these elements are healthy and/or in a condition of good repair. Other existing site features within the required perimeter landscaped area which do not otherwise function to meet the standards for the required landscaping shall be screened from the view of other properties or removed, as determined during review and approval of the site plan.

- B. Installation of New Vegetation and Other Features:** New plant material should complement existing vegetation native to the site. If existing significant vegetation and other site features do not fully meet the standards for the type of landscaping required, then additional vegetation and/or site features (including fences) shall be planted or installed within the required landscaping area. The use of indigenous, native and/or regionally grown species of trees, shrubs, vines, groundcovers and perennials is encouraged in order to make planted areas compatible with existing native habitats.
- C. Grading and Development in Required Landscape Areas:** The required landscaping shall not contain any development, impervious surfaces, or site features that do not function to meet these standards or that require removal of existing significant vegetation. No grading, development, or land-disturbing activities shall occur within this area if forest canopy, specimen trees, or significant vegetation exists within the transition yard, unless approved by the Administrator. If grading within a transition yard is proposed, slopes of 3:1 or less are encouraged to ensure the proper transition of grades to the adjacent property and to facilitate landscaping and maintenance.
- D. Easements & Right-of-Ways:** Nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the consent of the Town and the easement holder at the time of site plan approval.
- E. Protection during Surveying:** No tree greater than twelve (12) inches in diameter at breast height (DBH) located on public property or within a required tree protection area shall be removed for the purpose of surveying without an approval from the Administrator.
- F. Tree Trimming:** The Public Works Director is authorized to remove and/or trim trees and shrubs from public properties and public rights-of- ways. North Carolina Department of Transportation is authorized to remove and or trim trees and shrubs in the public right of ways owned by the State of North Carolina. Approval is required to trim a tree more than 25 percent of its overall canopy in a tree save area, required landscaping area, or transition yard.
- G. Pre-Construction Conference:** Prior to the commencement of any activities requiring a building or zoning permit an on-site pre-construction conference shall take place with the developer and the Administrator to review procedures for the protection and management of all protected landscape elements identified on the landscape protection plan.

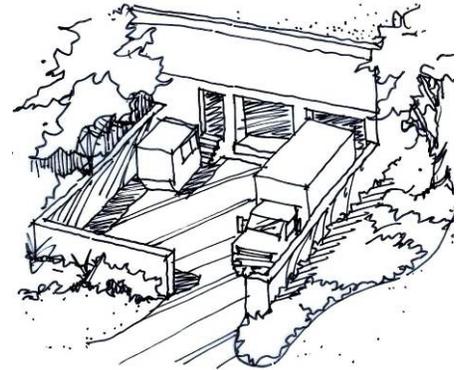
8.3 Street Tree Plantings

Street trees shall be installed within and along public rights-of-way as certain types of development occur. The landscaped area within the right of way between the curb and the sidewalk within which the street trees are planted shall be known as a planting strip. A planting area outside of but parallel to the right of way shall be known as a street yard. Street tree planting areas should allow for the identification of buildings and land uses.

- A.** All commercial, institutional, and multi family development, as well as major subdivisions, shall be required to have street trees along all public right-of-ways per the requirements of Sections 2.7 and 12.4.
- B.** Each planting strip and/or street yard shall have minimum width of six (6) feet in width and a maximum width of twenty-five (25) feet. See Section 2.7 for specific street yard and planting strip requirements for developments in C-1 and C-2 districts.
- C.** Street trees shall not be required in alleys.
- D.** 100 square feet of pervious ground area per large canopy tree shall be provided unless irrigation is installed.
- E.** Impervious surfaces, such as driveways, within a street yard or planting strip shall not exceed 25% of the required street yard, except that not more than two (2) twenty-five (25) foot driveways may be permitted for any lot having street frontage of less than 200 feet in length.
- F.** Large Canopy Trees shall be installed at a minimum average distance of 40 feet on-center. Where overhead utilities exist prior to development, Small Trees may be substituted.
- G.** Street trees shall be placed at least eight (8) feet from light poles and ten feet from electrical transformers in order to allow these utilities to be safely serviced (small trees may be placed within five feet of such devices).
- H.** Street trees shall be deciduous hardwoods from the Landscape Trees list in Section 8.13 and shall meet the standards set forth in the American Standard for Nursery Stock by the American Association of Nurserymen as well as the criteria set forth in Section 8.6.
- I.** Adequate wheel stops or curbs shall be installed for the protection of required trees and plantings that are within five (5) feet of a parking area or driveway. Wheel stops or curbs shall be a minimum of six (6) inches in height and shall be anchored to the ground, and may be concrete, rot-resistant heavy timbers or other effective materials.

8.4 Screening of Open Storage, Above Ground Utilities, Loading Areas, and Dumpsters

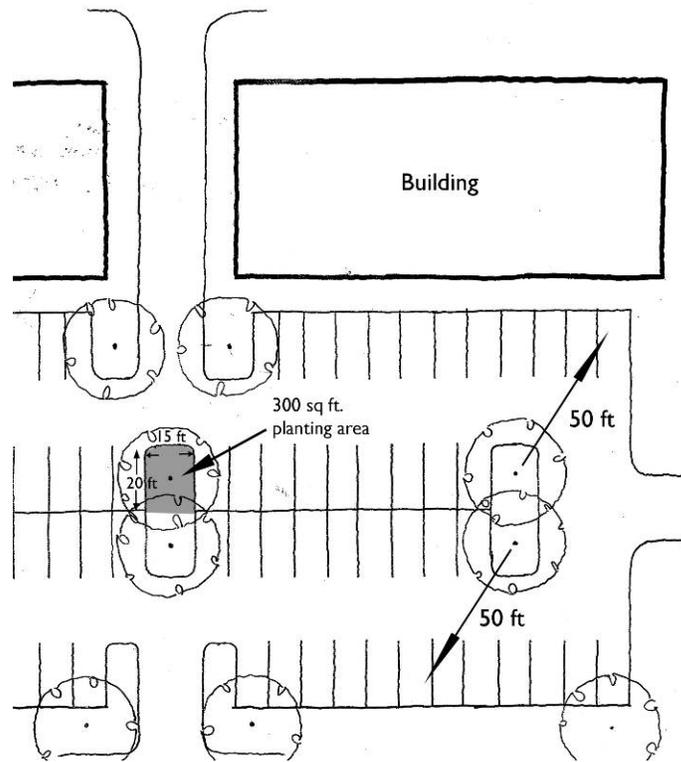
- A. **Applicability:** Any open storage of merchandise, equipment, materials or goods other than those on display for retail sales, above ground utilities, loading areas, and dumpsters areas shall be screened from view from any street right-of-way.
- B. **Performance Standard:** All outside storage, dumpsters, and loading areas must be placed at the rear of buildings. Effective screening devices may include solid decorative brick walls, wood fences, earth berms, tight evergreen hedges which shall reach the required height within two (2) years of planting, or any combination of the above.



Images depicting appropriate screening requirements of loading areas (above) and dumpsters (below).

8.5 Parking Lot Landscaping

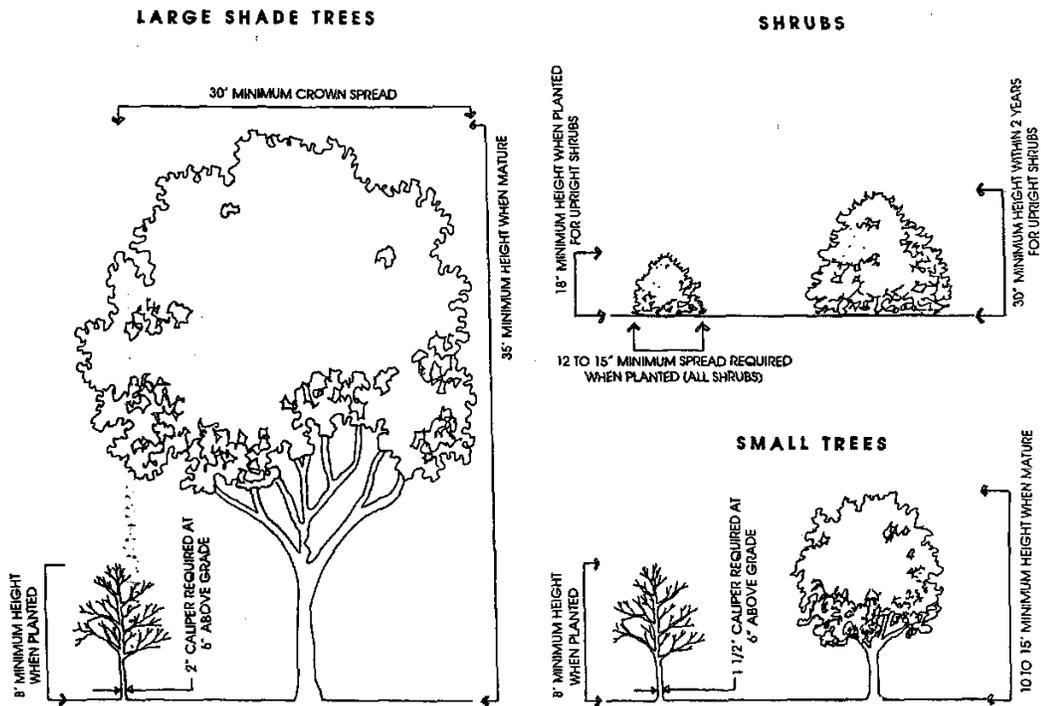
- A. **Applicability:** Interiors of all parking areas with more than 16 parking spaces.
- B. **Minimum Plantings:** No parking space shall be more than fifty (50) feet from the base of a large canopy tree. Trees shall be located within planting areas (i.e. islands) meeting the requirements of sub-section C below.
- C. **Landscaped Areas:** Landscaped areas within parking lots shall be separated from parking spaces, driveways, and maneuvering areas by an eighteen (18) inch standard curb designed to minimize damage by vehicles to plants located in the landscaped area. For an area to be considered as satisfying the landscaping provision of this Ordinance, it must contain a minimum area of 300 sq ft of contiguous and landscaped growing area and having a minimum dimension of seven feet. Such landscaped area shall be planted or mulched with no bare ground.
- D. **Performance Standard:** This type functions as a tree ceiling over a parking area providing shelter from sun and rain and minimizing the impact of runoff by providing “green” surface area on which to collect. Large canopy trees shall be planted in a manner that provides shade for the entire parking area at maturity. All landscaped areas shall be separated from parking spaces. The use of differing species around the parking area is encouraged to promote diversity in the overall urban tree canopy. The use of existing vegetation to satisfy this requirement is encouraged. Supplemental plantings may be required in addition to existing materials.



8.6 General Installation and Maintenance Standards

A. Plant Material Classifications:

1. **Large Canopy (Shade) Trees:** Large canopy trees must be a locally adapted species with an expected mature height of thirty-five (35) feet or greater and an expected mature crown spread of at least thirty (30) feet or greater. Large canopy trees, existing or planted, must be a minimum of 8 feet high, and have a minimum caliper of 2 inches measured 6 inches above grade. Canopy trees may be deciduous or evergreen. Evergreen trees shall not be less than 6' in height with a minimum 2 inch caliper. Multi-stemmed trees shall have at least 3 stalks and 8' in height.
2. **Small Trees:** All required small trees must be a minimum of 8 feet high and have a minimum caliper of 1 1/2 inches measured 6 inches above grade. When mature, small trees should be 10 to 15 feet or higher. Small trees may be deciduous or evergreen.
3. **Shrubs:** Upright shrubs must be a minimum of 18 inches tall when planted and must reach a minimum height of 30 inches within 2 years. All shrubs must have a minimum spread of 12 to 15 inches when planted. At least fifty percent (50%) of the required shrubs must be evergreen.
4. **Groundcover:** All required groundcover type plants must be a minimum of 1-1/2 to 2-1/2 inch pots with a four (4) inch minimum length. Groundcover must be planted with on-center spacing equivalent to the average mature spread for each particular species.

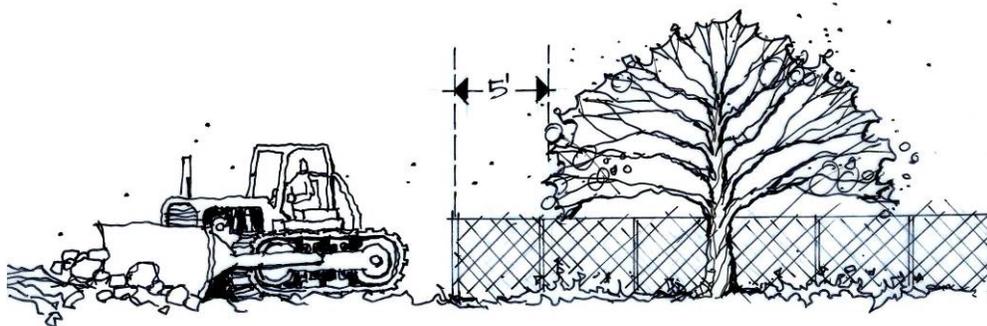


B. Standards for New Plantings

1. Landscaping should be of sufficient size so that mature appearance will be achieved within three to five years of installation.
2. Where new landscape materials are to be installed, the type of material used shall be complimentary to plant materials existing on the property and on adjoining properties. The use of drought tolerant vegetation that is native to the area is encouraged to reduce dependency upon irrigation.
3. All portions of the landscaping area not planted with shrubs and trees or covered by a wall or other screening device shall be planted with ground cover and/or grass, or covered with natural mulch with a minimum depth of two (2) inches.
4. All new plant material shall be of good quality, free from disease, installed in a sound manner, properly guyed and staked at the time of planting, mulched (3-4 inch layer) and meet the standards set forth in the American Standard for Nursery Stock by the American Association of Nurserymen. Contractor shall warrant all new plant material for 1 year from time of installation. The selection of plants, planting methods, minimum height, root ball and container size, number of branches, and width, shall conform to the American Standard for Nursery Stock published by the American Association of Nurserymen for that type of tree or shrub at the time of installation.
5. Plant species shall be from the approved species lists in Section 8.13.
6. Groves of trees are encouraged. Adequate drainage and mulching shall be provided for planting medians and islands. Each large canopy tree shall be provided with a minimum pervious ground area of 300 square feet for root growth and should be planted on slopes not to exceed 4:1 horizontal to vertical distance. All tree installations shall be in accordance with Town of Fletcher Standard Specifications.
7. Installation and construction practices shall be utilized which preserve and replace existing topsoil or amend the soil to reduce compaction.
8. Where large maturing trees are required and overhead utility lines exist, small maturing trees planted 1 per 20 linear feet shall be substituted with the approval of the Administrator.
9. All large required shrubs at installation shall be at least three (3) gallons in container size and three (3) feet above ground level and shall reach the height required for performance within two (2) to four (4) years after installation. Small shrubs shall be at least two (2) gallons in container size and two (2) feet above ground level and shall reach the height required for performance within three (3) to five (5) years. Installation and construction practices shall be utilized which preserve existing topsoil or amend the soil to reduce compaction.
10. No trees or shrubs shall be planted within the sight distance triangle at an intersection, or driveway access point.

C. Protection of Existing Vegetation During Construction:

1. Protective barricades shall be placed around all trees designated to be saved, prior to the start of development activities or grading. Protective barricades shall remain in place until development activities are completed. The following is recommended:



- a. Barricades may consist of 2"x 4" posts with 1"x 4" rails, orange safety fence, or a similar treatment and shall remain in place until development activities are complete.
 - b. The barricaded area shall remain free of all building materials, stockpiled soil or other construction debris.
 - c. Construction traffic, storage of vehicles and materials, and grading shall not take place within the protective areas of the existing trees.
 - d. Barricades shall be erected at a recommended minimum distance from the base of protected trees according to the following standards:
 - (1) **For trees 10" or less in caliper:** Place at a minimum distance of 10' from the base of each protected tree, or outside the dripline, whichever is greater.
 - (2) **For trees greater than 10" in caliper:** Place at a minimum distance equal to 10' from the base of a protected tree plus an additional 1' for each additional 1" in caliper greater than 10" in caliper, or outside the dripline, whichever is greater.
2. Construction access to a site should occur where an existing or proposed entrance/exit is located.
 3. Land disturbance within a tree dripline is discouraged except for driveway access points, sidewalks, curb and gutter.
 4. Where grading within a tree dripline cannot be avoided, cut and fill shall be limited to ¼ to ½ of the area within the dripline, and tree roots must be pruned

with clean cuts at the edge of the disturbed area. (No fill shall be placed within the dripline of a tree without venting to allow air and water to reach the roots.)

5. Storage of construction materials and any other construction activities that contribute to the compaction should be limited to areas of the site within the limits of construction.

D. Irrigation

The use of irrigation is permitted in all required landscaping areas as required by this Article. The use of moisture metering devices and automatic timers is required. The use of xeriscape practices and drip irrigation is also encouraged, unless otherwise required.

1. The use of irrigation systems of lawn turf is generally discouraged but may be permitted if connected to a private well, other private water source, or public reclaimed water system.
2. If automatic irrigation systems are permitted, moisture sensor regulators, soil moisture regulators, or drip irrigation shall be used.
3. Irrigation systems may connect to the main water connection for the building unless otherwise restricted through other Town ordinances or policies.

E. Installation Time and Permitted Delays

1. **Time Limit:** All landscaping, mulching and seeding, shall be completed in accordance with the approved site plan prior to issuance of a Certificate of Occupancy for the site.
2. **Requests for Delay:** Requests for a delay in complying with this Section due to poor weather or planting conditions will be considered following a written request directed to the Administrator. Certificates of Occupancy will be issued with the approval of a request for planting delay, if deemed reasonable. Such request for a delay shall note the timeframe during which the planting shall be completed. A bond shall be posted in accordance with Subpart 3 below. Failure to comply will result in penalties provided for in Section 8.6.H and Article 17.
 - a. Extensions may be granted due to unusual environmental conditions such as drought, ice, over saturated soil (deep mud), or inappropriate planting, provided that the developer or the property owner provide the Town with a surety bond ensuring the installation of the remaining landscape materials. In such cases, the Town may authorize Henderson County to issue a Temporary Certificate of Occupancy for a period of 30 to 180 days, relative to the next planting season. Exceptions may be granted due to circumstances beyond the developer's or property owner's control, such as incomplete construction or utility work to occur in a proposed landscaped area within 30 days after expected site completion. Exceptions may be granted provided that the developer or property owner submits a letter from the utility company to the Town stating the estimated installation date, and provides a cash bond to ensure installation of the required landscaping. In such cases, the Town of Fletcher may authorize Henderson County to

issue a Temporary Certificate of Occupancy for a period not to exceed 30 days.

- b. Exceptions may be granted due to circumstances beyond the developer's or property owner's control, such as incomplete construction or utility work to occur in a proposed landscaped area within 30 days after expected site completion. Exceptions may be granted provided that the developer or property owner submits a letter from the utility company to the Town stating the estimated installation date, and provides a cash bond to ensure installation of the required landscaping. In such cases, the Town of Fletcher may authorize Henderson County to issue a temporary Certificate of Occupancy for a period not to exceed 30 days.
3. **Bonds:** Any bond posted as surety for exceptions bond shall be accompanied by documentation of the estimated cost of the remaining landscaping to be completed. This documentation may be a landscaping contractor's bid or contract, a nurseryman's bill, or a similar document. The amount of the bond shall be one and one-quarter (1.25) times the cost of the plant material yet to be installed, based on the highest estimate received. The Administrator is authorized to release part of any security posted as the improvements are completed and approved by the Town of Fletcher. Such funds shall be released within ten (10) days after planting has been completed and approved by the Administrator. Once the time has matured on the Temporary Certificate of Occupancy the Town of Fletcher has the authority to cash such bond in and complete the work.

F. Maintenance

1. **Maintenance Responsibility:** The owners of the property shall be responsible for the preservation and maintenance of all vegetation and physical features required by this Section in a healthy growing condition, for replacing them when necessary, and for keeping the area free of refuse and debris. All plant materials should be allowed to reach their mature size and maintained at their mature size. All required landscaped areas shall be free of refuse and debris in accordance with the site or subdivision and shall be maintained so as to prevent debris from washing onto streets and sidewalks.
2. **Inspection of Sites:** The Administrator may inspect the site once a year after the issuance of a permanent certificate of occupancy in order to ensure compliance with the approved site plan and to ensure that the landscape is properly maintained. The Administrator may issue a Notice of Violation to comply with the provisions of this ordinance if warranted upon an inspection under the provisions of Article 17 of this Ordinance.

A Certificate of Occupancy shall not be issued unless the landscaping required under this Article is installed in accordance with these standards and in accordance with the approved site plan or subdivision plat.

G. Replacement of Disturbed and Damaged Vegetation

The disturbance of any landscaped area or vegetation required by this Code shall constitute a violation of the site or sketch plan. All disturbed landscaped areas and vegetation shall be replanted to meet the standards of this section as well as the approved site or sketch plan.

1. Where the vegetation that has been disturbed or damaged existed on the site at the time the development was approved, all replacement vegetation shall meet the standards set forth in this section taking into account any unique site conditions and significant vegetation remaining within the landscaped area. Required trees, vegetation, or other landscaping that die shall be removed and replaced with new vegetation of equal or greater in size.
2. Existing vegetation required to be preserved that has been damaged or destroyed during the course of development activity shall be subject to civil penalty and replaced in accordance with the requirements of this section.
3. A revegetation plan shall 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 Fletcher may require equal amounts of new vegetation to be installed equal to the size of the vegetation removed.
4. Replacement consists of one or a combination of any of the following measures:
 - a. Replant according to the requirements of this Article. A replanting plan denoting the proposed installation shall be submitted to the Administrator for approval.
 - b. 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.
 - (1) Any tree with a caliper of at least 15 inches that is damaged or removed shall 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.
 - (2) Trees damaged or destroyed less than 15 inches in diameter shall be replaced to satisfy the performance criteria of this section.
 - (3) Understory plantings may also be required to restore the buffer performance criteria for the disturbed area.
5. A revegetation plan denoting the proposed installation shall be submitted to the Administrator for approval. The Administrator may elect to present the revegetation plan to the TRC for final approval. This requirement may be modified by the Administrator based upon site conditions.

6. For all other cases where existing vegetation is damaged or removed, the type and amount of replacement vegetation required shall be of the type and amount that is necessary to provide the type of landscaping required under this Article.
7. 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 as permitted by the Administrator.

H. Penalties

1. Any act constituting a violation of this Article resulting in the destruction or removal of vegetation shall subject the landowner to a civil penalty for every square foot of area for damaged or destroyed vegetation, not to exceed \$30,000. In addition, trees that are destroyed shall be replaced in accordance with an approved re-vegetation plan.
2. It shall be the duty of the property owner to demonstrate that the development activities are in accordance with the permit issued. Unless otherwise specified in this Article, the Town of Fletcher shall enforce the provisions of this Article in accordance with the procedures, penalties, and remedies described in Article 17.
3. Stop work orders shall also apply for damaged and/or destroyed vegetation, interior significant growth, landscape, transition yards, or tree save areas.

I. Emergencies

In the case of emergencies such as windstorms, ice storms, fire, or other disasters, the requirements of this Ordinance may be waived by the Town 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. This shall not be interpreted to be a general waiver of the intent of this Ordinance.

8.7 Alternative Methods of Compliance

It is not the intent of this section to prevent the use of a material not specifically prescribed in this section, especially whenever a stream, natural rock formation, or other physiographic obstacles make conventional compliance extraordinarily difficult or impossible. Alternative materials and methods may, therefore, be utilized to satisfy these requirements, provided that any proposed alternative is suitable for the purpose intended, and is at least the equivalent of that specifically prescribed by this section in quality, effectiveness, durability, hardness, and performance. The Administrator shall approve any alternative methods of compliance and may require that sufficient evidence and data be submitted to substantiate any claim that may be made in this regard.

8.8 Nonconforming Landscaping

- A. If there is a change of use or an expansion to the heated square footage of an existing use, the lot shall fully comply with all street yard landscaping and screening requirements.

- B. Expansions to the parking area or loading areas which increase the total area more than 40 percent shall be required to comply with all applicable parking and loading area landscaping and screening.

8.9 Transition Yards

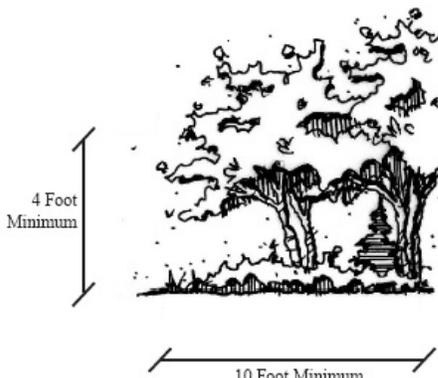
- A. **Required Transition Yards:** A transition yard is intended to give spatial separation and to decrease visual contact between incompatible uses. Transition yards shall be required in accordance with the table below when any use is being established on a property that abuts an existing developed lot or less intense zoning district. In circumstances where a more intense proposed use abuts a residential use within any zoning category, a Type A transition yard shall be required.

Transition yards are intended to be constructed along the perimeter of the property; however, when there is irregular topographic conditions such as the perimeter of the property is at a lower grade than the use being screened, the Administrator may require the relocation of the required transition yard in order to better serve its purpose.

		<i>Adjacent Zoning District</i>							
		R-1 and R-1A	R-2	R-3	NBD	CBD	C-1	C-2	M-1
<i>District of Proposed Development</i>	R-1 and R-1A								
	R-2								
	R-3								
	NBD	A	A	A					
	CBD								
	C-1	B	B	B					
	C-2	C	C	C					
	M-1	D	D	D	D	D			

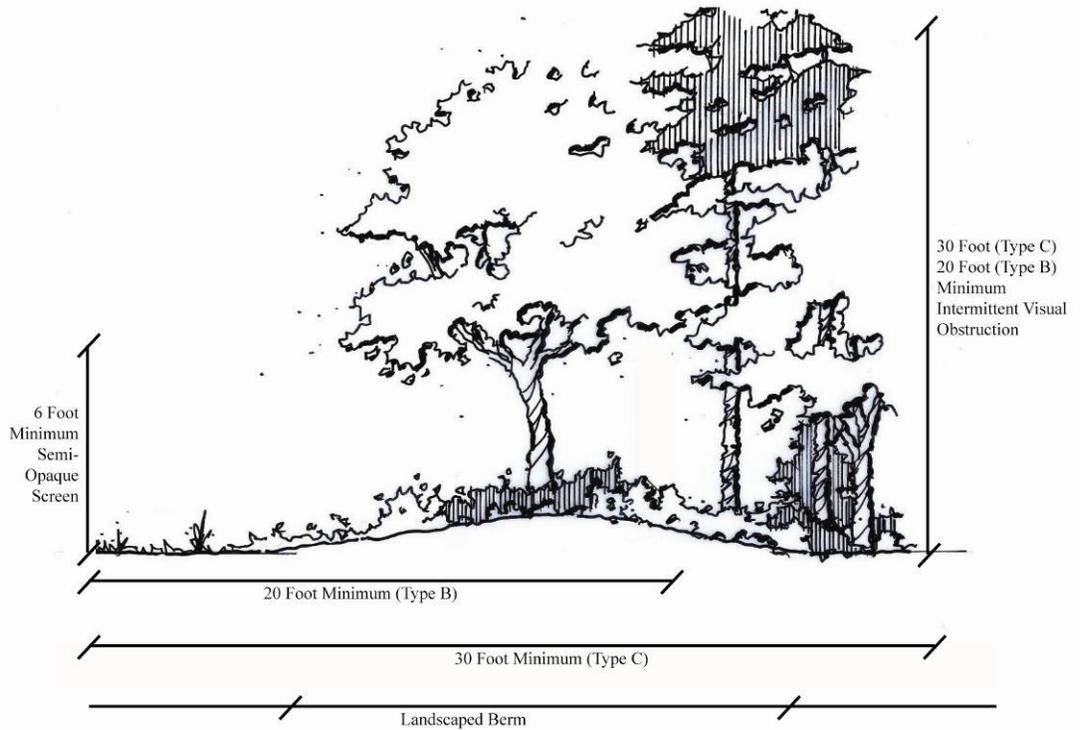
	Transition Yard not required by Proposed Development
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B. Transition Yard Types

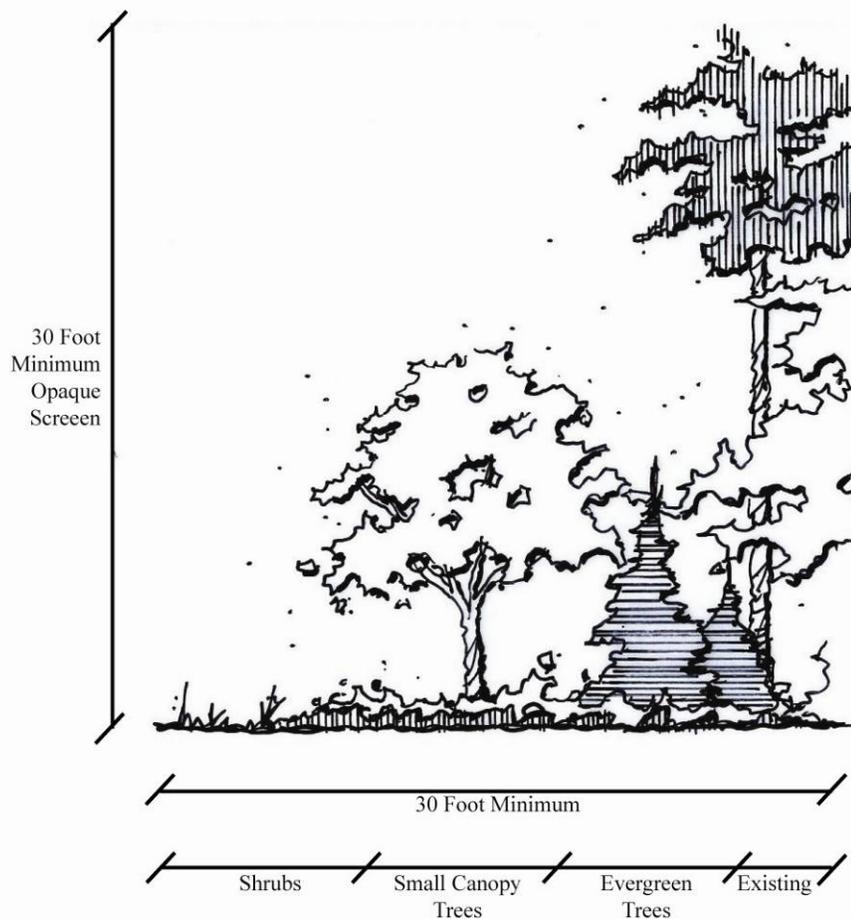
1. Type A Transition Yard	
a. Minimum Width	10 feet
b. Minimum Height & Opacity	Ground to 4 feet – <i>Semi-Opaque Screen</i>
c. Maximum Horizontal Openings	20 feet
d. Performance Standard	<p>A buffer which is ten (10) feet in width and contains screening materials which at maturity provide intermittent visual obstruction from the ground to a height of four (4) feet as well as intermittent visual obstruction from a height of four (4) feet up to a height of thirty (30) feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than twenty (20) feet in width upon the plants' maturity.</p> 

2. Type B Transition Yard	
a. Minimum Width	20 feet
b. Minimum Height & Opacity	Ground to 6 feet – <i>Semi-Opaque Screen</i> 6-30 feet – <i>Intermittent Visual Obstruction</i>
c. Maximum Horizontal Openings	15 feet – <i>Semi-Opaque Screen Areas</i> 20 feet – <i>Intermittent Visual Obstruction Areas</i>
d. Performance Standard	<p>A buffer which is twenty (20) feet in width and contains screening materials which at maturity provide semi-opacity from the ground to a height of six (6) feet, and intermittent visual obstruction from a height of six (6) feet up to a height of thirty (30) feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than twenty (20) feet in width; and vegetative screening materials within semi-opaque areas shall contain horizontal openings no greater than fifteen (15) feet in width upon the plants' maturity.</p>

3. Type C Transition Yard	
a. Minimum Width	30 feet
b. Minimum Height & Opacity	Ground to 6 feet – <i>Semi-Opaque Screen</i> 6-30 feet – <i>Intermittent Visual Obstruction</i>
c. Maximum Horizontal Openings	15 feet – <i>Semi-Opaque Screen Areas</i> 20 feet – <i>Intermittent Visual Obstruction Areas</i>
d. Performance Standard	A buffer which is fifty (30) feet in width and contains screening materials which at maturity provides semi-opacity from the ground to a height of six (6) feet, and intermittent visual obstruction from a height of six (6) height up to a height of thirty (30) feet. Vegetative screening materials within intermittent visual obstruction areas shall contain horizontal openings no greater than twenty (20) feet in width. Vegetative screening materials within semi-opaque areas shall contain no horizontal openings greater than fifteen (15) feet in width upon the plants' maturity.



4. Type D Transition Yard	
a. Minimum Width	30 feet
b. Minimum Height & Opacity	Ground to 30 feet – <i>Opaque</i>
c. Maximum Horizontal Openings	None permitted
d. Performance Standard	A buffer which is thirty (30) feet in width and contains screening materials which at maturity provides opacity from the ground to a height of thirty (30) feet. Vegetative screening materials within opaque areas shall contain no horizontal openings upon the plants' maturity.



- C. Fences, Walls, and Berms:** Fences, walls, or earthen berms may be substituted for all or a portion of the shrub requirement in all transition types. In addition, existing vegetation within the transition yard shall be maintained and may receive partial or total credit towards screening requirements. All berms, if provided, shall not exceed a slope with maximum rise of 1 ft to a run of 2 ft (a ratio of 1:2) and a maximum height of four feet. All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation or permanent slope retention device. Berms taller than 4 ft. shall be approved by the Administrator on a case by case basis.

8.10 Tree Protection

- A. Tree Save Areas (Optional):** Preservation of trees and existing vegetation is encouraged in accordance with the table below.

	Priority Tree Save Area	Recommended Protection
Tier 1	100 Year Floodplains Required Stream Buffers Required Transition Yard Slope Areas Greater than 25% Wetlands	All Vegetation and Soil to Remain Undisturbed <i>In some cases, limited disturbance may occur within the areas to be protected provided all necessary approvals are obtained. Such activities include, but are not limited to the following:</i> <ol style="list-style-type: none"> 1. Mitigation of development activities. 2. Restoration of previously disturbed areas. 3. Utility installations and emergency public safety activities. 4. Construction of a trail or pedestrian walkway that will provide public access. 5. Required Street or Driveway connections.
Tier 2	Front Setback Areas Required Landscaping Areas Required Open Space Slope Areas of 15-25%	All Trees Greater than 12" DBH <i>Replacement trees, if permitted, shall be planted at a rate of 1 tree per each 12" DBH</i>
Tier 3	All Other Locations	All Trees Greater than 24" DBH <i>Replacement trees, if permitted, shall be planted at a rate of 1 tree per each 12" DBH</i>

- B. Credits for Optional Preservation of Existing Trees in Parking Areas:** Trees that are saved in a parking lot area (other than those in Tier 1 or Tier 2 Tree Save Areas in Section A above) can be used towards the interior tree landscape requirement in Section 8.5. Note that each tree preserved will require a minimum pervious area around it equal to its drip line.

Size of Preserved Trees	Deduction from Required Plantings
For Each Tree 6-12" DBH	One (1) Required Parking Lot Tree
For Each Tree 13-24" DBH	Two (2) Required Parking Lot Trees
For Each Tree 25" DBH or Greater	Three (3) Required Parking Lot Trees

8.11 Purpose and Intent

Tree Protection and landscaping are essential components of the built urban form of the Town. The purpose of this section is to encourage the protection, preservation, installation, and long-term management of trees and shrubs within the Town of Fletcher.

Landscape requirements are intended to minimize potential nuisances such as visual impacts from adjacent properties; transmission, noise, dust, odor, litter, and glare of lights; provide for a separation of space and establish a sense of privacy, promote the preservation of open space, and to mitigate adverse grade changers between adjacent properties.

The appropriate use of existing and supplemental landscaping enhances the aesthetic appearance of new development and blends new development with the natural landscape. The use of native evergreen and deciduous plant materials blend the built environment with new construction while maintaining the aesthetic character of the Town.

Existing landscaping should be retained where possible to preserve the established tree canopy:

- A.** To promote ecological balance by contributing to the preservation of wildlife habitat, the promotion of natural diversity, air quality, groundwater recharge, energy conservation, and storm water runoff, while reducing noise, glare, and heat.
- B.** To encourage the preservation of existing trees and vegetation.
- C.** To provide adequate light and air and prevent the overcrowding of land.
- D.** To provide visual buffering and enhance the beautification of the Town.
- E.** To safeguard and enhance property values and to protect public and private investment.
- F.** To preserve, protect, and restore the unique identify and environment of the Town of Fletcher and preserve the economic base linked to the Town of Fletcher by such factors.
- G.** To conserve energy; and, to protect the public health, safety, and general welfare.

- H. To provide habitat for living things that might not otherwise be found in urban and suburban environments.

8.12 Applicability

- A. **New Development and Expansions:** These regulations shall apply to all newly developed properties as well as expansion or changes in use which result in the expansion of gross floor area of an existing building and/or parking and loading area of over 25%. Uses which expand over 25% shall be brought into full compliance for the entire project. All development plans shall comply with the provisions of this section.
- B. **Change of Use:** If the zoning district classification changes for an existing use or parcel, then the parcel shall comply with the landscaping requirements of this Article or, at a minimum, the intent of this Article as prescribed by the Administrator. The owner or developer may need to install additional plant material on the parcel in order to meet the intent of this Article, especially on developed sites, or to bring the parcel up to the standards for the type of perimeter landscaping which would be required under this Article.
- C. **Protection of Vegetation during Design:** Through the protection of trees and existing vegetation, the Town encourages new development to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to compliment the existing topography when practical.
- D. **Modifications to Standards:** Where necessary to accommodate creativity in site design, or where topographic or physical site conditions are not feasible, the Administrator may modify these requirements, provided that the type and amount of landscaping or other features are equivalent in effectiveness.

8.13 Required Plant List

Plants used to fulfill the provisions of this Article are required to be from the lists of approved plant species below. The Administrator may allow deviations from these species if an appropriate alternate species is determined to be suitable for a specific development site.

Shade Plants – No Direct Sunlight		
	Height	Variety
Evergreen	1'-4'	Taxus (Yew) with Pruning
		Tsuga (Hemlock) Dwarf Varieties
	4'-6'	See 1'-4' (above)
	6'-12'	See 1'-4' (above)
Broadleaved Evergreen	1'-4'	Acuba Nana
		Leucothoe (Dog Hobble)
	4'-6'	Acuba Japonica
		Mahonia Bealei (Oregon Grapeholly)
		Prunus Laurocerasus (Cherry Laurel)
	6'-12'	Mahonia Bealei (Oregon Grapeholly)
Virburnum Rhytidophyllum (Leatherleaf)		
Deciduous	1'-4'	Clethra Hummingbird
	4'-6'	Clethra Anifolia
		Kerria (Japanese Rose)
	6'-12'	Calycanthus (Sweet Shrub)
		Clethra Alinifolia (Summersweet)
		Clethra Acuminata (Cinnamon)

Partial Shade Plants – Filtered Sunlight All Day		
	Height	Variety
Evergreen	1'-4'	Tsuga (Hemlock) Dwarf Varieties
	4'-6'	Taxus (Yew)
		Tsuga Dwarf Varieties
	6'-12'	See 4'-6' (above)
Broadleaved Evergreen	1'-4'	Andromedia (Bog Rosemary)
		Acuba Nana
		Azalea
		Buxus Microphylla Dwarf Varieties
		Daphne
		Ilex Helleri
		Kalmia (Mt. Laurel) Dwarf Varieties

ARTICLE 8: TREE PROTECTION AND LANDSCAPING

Deciduous		Leucothoe (Dog Hobble)	
		Rhododendrum Dwarf Varieties	
	4'-6'	Acuba	
		Azalea	
		Euonymous	
		Ilex Crenata (Japanese Hollies)	
		Ilex Glabra (Inkberry)	
		Kalmia (Mountain Laurel)	
		Leucothoe (Dog Hobble)	
		Mahonia Bealei	
		Prunus Zabel	
		Prunus Schipaensis	
		Rhododendrum	
	6'-12'	Berberis Juliana (Wintergreen Barberry)	
		Camellia Sasanqua	
		Ilex (different varieties)	
		Mahonia Bealei	
		Rhododendrum	
	1'-4'	Clethra Hummingbird	
Fothergillia Gardenilli			
4'-6'		Euonymus Alatus Compactus	
		Fothgilla Major	
		Viburnum (Varieties: Eskimo, Cayuga, Summer Snowflake)	
6'-12'		Acre Palmatum	
		Calycanthus (Sweet Shrub)	
		Deciduous Azalea	
		Hamamelis (Witchhazel)	
		Hydrangea Quercifolia (Oakleaf)	
		Hydrangea Paniculata	
		Kerria (Japanese Rose)	
Viburnums (Various Varieties)			

ARTICLE 8: TREE PROTECTION AND LANDSCAPING

Full Sun Plants – More than 7 Hours of Direct Sunlight per Day		
	Height	Variety
Evergreen	1'-4'	Chamaecyparis Dwarf (False Cypress)
		Juniperus (Varieties: Blue Rug, Bar Harbour, Procumbens Nana)
		Pinus Mugho Dwarf Varieties
	4'-6'	Chamaecyparis Dwarf (Hinoki Cypress)
		Chamaecyparis (False Cypress)
		Juniperus (Varieties: Armstrong, Sea Gold, Gold Coast)
		Picea Glauca Conica
	6'-12'	Chaenomeles (Flowering Quince)
		Ilex Nellie R. Stevens (Note: 20' height with 15" spread)
Juniperus (Varieties: Robusta Green, Pfitzer Hetzi Glauca)		
Broadleaved Evergreen	1'-4'	Buxus Microphylla Dwarf Varieties
		Buxus Sempervirens "Suffruticosa" Dwarf
		Cotoneaster Dammeri (Bearberry Cotoneaster)
		Deutzia Nikko
		Ilex Helleri
		Nandina Dwarf Varieties
	4'-6'	Berberis Jullianae (Winter Barberry)
		Berberis Verruclosa (Warty Barberry)
		Ilex (Varieties: Dwarf Burford, Japanese Holly, Inkberry)
		Nandina (Heavenly Bamboo)
	6'-12'	Berberis Julianae (Wintergreen Barberry)
		Ilex (several varieties)
Prunus Schipkjaensis		
Deciduous	1'-4'	Berberis (Crimson Pygmy)
		Clethra (Hummingbird)
		Hydrangea Macrophylla
		Itea (Little Henry)
		Jasmine Nudiflorum (Winter or January)
		Spirea Dwarf Varieties
		Thyme
	4'-6'	Berberis (Rose Glow)
		Buddleia (Butterfly Bush)
		Callicarpa (Beautyberry)
		Cytisus (Scotch Broom)
		Euonymus Alatus
		Itea (Henry's Garnet)
		Sprea
		Vaccinium (Blueberry)

ARTICLE 8: TREE PROTECTION AND LANDSCAPING

	Viburnums (Several Varieties)
	Weigela
6'-12'	Acre Palmatum
	Aronia Arbutifolia (Chokeberry)
	Buddleia
	Clethra Acuminata
	Corylus Contorta (Harry Lauder's Walking Stick)
	Eleagus
	Forsythia
	Hamamelis (Witchhazel)
	Hisbiscu Syriacus
	Hydrangea Paniculata
	Kolkwitzia (Beauty Bush)
	Philadelphus (Mock Orange)
	Pyracantha
	Spirea
	Syringla (Lilac)
	Vaccinum Blueberry
	Viburnum (Pragense Semi-Evergreen)
Vitex (Chaste Tree)	
Weigela	

ARTICLE 8: TREE PROTECTION AND LANDSCAPING

Landscape Trees	
Variety	Height
Acer Griseum (Paperback Maple)	20'-30'
Acer Rubrum (Varieties: Red Sunset or October Glory)	45'-50'
Acer Saccharum (Sugar Maple)	50'-75'
Aesculus (Bottlebrush Buckeye)	8'-12'
Amelanchier (Serviceberry)	30'-35'
Betula Dura (Heat Birch)	30'-40'
Betula (Heritage Birch)	40'-60'
Betula (Riverbirch)	30'-40'
Carpinus (European Hornbeam)	20'-35'
Cedrus blue (Atlas Cedar)	
Cedrus Deodara	40'-50'
Cercidiphyllum Katusura	20'-30'
Cercis Redbud (Varieties: Forest Pansy and Eastern)	20'-30'
Chionanthus (Fringe Tree)	10'-15'
Cornus Alba (Coral Red)	10' with 10' Spread
Cornus Kousa (Japanese Dogwood)	20'
Cotinus (American Smoke Tree)	20'-35'
Crataegus Hawthorn	20'-35'
Franklinia Franklinia	20'-35'
Ginkgo Biloba	50'-80'
Halesia (Mountain Silverbell)	40'
Hamamelis (Witch Hazel) (Varieties: Arnold Promise, Barnstedt Gold, Diane, Jelena, Sunburst)	15'-20'
Koelreuteria (Golden Rain Tree)	30' with 30' Spread
Lagerstroemia (Varieties: Muskogee, Natchez)	
Liquidambar (American Sweetgum)	40'-50'
Magnolia (Little Gem)	
Oxydendrum (Sourwood)	20'-30'
Prunus Serrulata	15'-25'
Prunus Subhirtella (Pendula)	15'-20'
Quercus Nigra (Water Oak)	60'-70'
Quercus Phellos (Willow Oak)	60'-80'
Salix Capera (Pussy Willow)	12'-25'
Tsuga Canadensis (Canadian Hemlock)	70'-100'
Tsuga Caroliniana (Carolina Hemlock)	50'-60'