

Section 1. - Purpose and intent.

It is the intent of the City of Pineville to establish minimum standards to encourage and promote the maintenance and establishment of the unique wooded character of Pineville and to encourage the sustainable use and stewardship of the land; and to conserve and enhance properties and their value.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

Section 2. - Definitions.

*Access ways.* All weather surface for vehicular access to parking and loading spaces traversing a greenbelt on a development site.

*Buffer zone.* A visual screen of vegetation in conjunction with a non-living screening material for the purpose of providing a buffer between non-compatible land uses.

*Caliper.* The diameter of a tree trunk. Used to determine the minimum size of trees planted to fulfill this ordinance. For trees less than four inches in diameter, caliper is measured six inches above the ground. For trees between four inches and twelve inches in diameter, caliper is measured twelve inches above the ground.

*Diameter at Breast Height (DBH).* The caliper measurement taken at approximately four foot high on the trunk of the tree.

*Drip Line.* The outer edge of the foliage of a tree extending in all directions parallel to the ground.

*Ground Cover, Decorative.* Any mulch material (vegetative or mineral) that is used to cover the surface of the ground to prevent erosion or retain moisture.

*Ground Cover, Vegetative.* Plant material which reaches a maximum height of not more than twelve inches at maturity, including turf.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

Section 3. - Applicability.

Except as where specifically provided otherwise, the provisions of this ordinance shall apply to all new commercial development proposals for which construction will commence on or after adoption of this ordinance.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

Section 4. - General landscape/site requirements for commercial developments.

All new commercial developments shall comply with the following landscape and site requirements:

- (a) All buildings shall be set back the minimum distance in accordance with the requirements of the zoning district.
- (b) The setback area, except for approved drives, shall be landscaped with grass, trees and shrubs.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 5. - Overall landscaping and design standards for commercial developments.

- (a) All land within the development site not used for buildings or other structures, and not considered part of the vehicular use area, shall be considered green space and shall, at a minimum; contain grass or some other standard vegetative ground cover. Those green space areas abutting public right of way that do not contain trees, shrubs or vegetative ground cover shall be covered with turf grass from the street right of way to the building face or vehicular use area.
- (b) No vegetation shall be allowed to obstruct vision at vehicle intersections. On a corner building site in any district in which a front yard is required, no fence, wall, hedge, structure or planting more than three feet in height shall be erected, placed or maintained within the triangular area formed by the intersection street lines and a straight line connecting such street lines at points 30 feet from the point of intersection measured along such street lines.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 6. - Perimeter landscaping for commercial developments.

Within 6 feet from the street right of way, 2 1/2 inch caliper trees at least 10 feet in height shall be planted not more than 30 feet on center. Those plantings shall contain tall trees (as defined in the Pineville Tree Management Plan), with the exception that small trees shall be used under existing power lines (see Tree Management Plan). This is not meant to exclude planting of small trees and shrubs in conjunction with tall trees.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 7. - Interior landscape requirements for commercial developments.

- (a) Interior Landscape requirements in vehicular use areas shall be as follows: (These are minimum standards and may be exceeded).

There must be one 2 1/2 inch caliper tree at least 10 feet in height at the time of planting for every 15 parking spaces; credit will not be given for perimeter tree plantings. Trees may, however, be clustered in islands within the interior parking area as approved by the city horticulturist. The interior landscaped areas shall be raised and curbed with permanently anchored material at least 6 inches in height. Curb material may be concrete, natural stone or asphalt.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 8. - Buffer zone requirements for commercial developments.

- (a) Where commercial development abuts any part of a residential district, a buffer zone shall be required. The buffer shall be part of the yard requirements and run the entire length of the abutting lot line(s). The buffer shall be included in the landscape plan.

While the buffer can be a natural forest, vegetative screen or wooden fence, a natural forest is encouraged as being in keeping with the character and atmosphere of Pineville.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 9. - Site plan.

- (a) Developers proposing commercial developments shall be required to submit a site plan indicating the layout and design for the development, and a landscape plan for perimeter and interior landscaping and buffer areas before construction approval shall be given. All required plant materials shall be installed or preserved in accordance with this ordinance. The city horticulturist or city code enforcement department shall inspect the required landscaping to verify adherence to code.
- (b) The approved site and landscape plan shall constitute an agreement between the City of Pineville and the developer and shall become a legal instrument in enforcing site and landscaping requirements. Any disputes concerning final implementation of the site plan shall be resolved by referring to the city held site/landscape plan.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )

#### Section 10. - Landscape maintenance and replacement provisions for commercial developments.

- (a) Maintenance of vegetation—All trees, vegetation and screening required in commercial development or buffer zones, periphery and interior landscaped areas shall be preserved and maintained, and replaced when necessary.
- (b) The owner shall be responsible for the maintenance of required landscaping in good condition to present a healthy and attractive appearance; and said landscaped areas shall be kept free from refuse and debris.
- (c) Mulch shall be used on plant beds to prevent weed growth and maintain soil moisture. The use of cypress mulch is discouraged.
- (d) Plant materials shall be pruned as required to maintain good health.
- (e) Turf areas shall be mowed periodically in accordance with existing city ordinances.
- (f) All roadways, curbs and sidewalks shall be edged when necessary to prevent encroachment from adjacent grass areas.

( Ord. No. 1329-2004, § I, 7-13-2004 ; Ord. No. 1331-2004, § I, 9-14-2004 )