2024 Work Program

F. Environmental Protection (carried over from 2023) The Commission proposes to review zoning and other regulations pertaining to environmental protection based on Comprehensive Plan policies.

Work program 1. Develop an environmental review checklist as part of the development evaluation process to identify potential environmental impacts of development proposals.

Existing and Proposed language

Section 42-30 Zoning Permits

(f) Any application for zoning permit for major improvements shall submit with the zoning permit application an acceptable location plan drawn at a scale of not more than one inch to 50 feet. Such location plan shall include the following information:

a. The name of the property owner, the name of the surveyor or engineer who prepared the plan, zoning and present use of adjacent parcels; departing property lines, minimum setback lines, north arrow; the source of the boundary; the source of the topography, date of the drawing and dates of any revisions;

b. The location and health of trees with a 4 inch caliper or larger, identification of indigenous and invasive plants.

c. A landscape plan showing retained and proposed trees and shrubs by species, planting areas, open or grass areas, canopy cover (based on 10-year growth) and planned protection measures to be employed.

d. An exterior lighting plan showing location, height, type of light standard.

e. Sewer and water lines and proposed connections.

f. Location of proposed exterior generators, pumps, HVAC equipment.

g. Proposed grading supplemented by spot elevations as necessary to demonstrate adequate drainage. Any modification of existing drainage patterns shall be noted on the plan;

h. Location and dimensions of all existing and proposed improvements;

i. Provision and schedule for the adequate control of stormwater, including the location, size, type and grade of all ditches, swales and other improvements;

j. Provision for adequate erosion and sedimentation control, including stabilization of the site at the completion of construction;

k. Any other information regarding the subject property or adjoining properties as may be necessary for the enforcement of this chapter as determined by the zoning administrator; and

l. Locations, dimensions, descriptions and instrument numbers for all easements located on the subject property.

Sec 30-65 Required Contents Of Preliminary Subdivision Plats (environmental information)

1. *Existing site conditions*. The preliminary plat shall illustrate the following conditions:
   a. Existing topography with a maximum of five-foot contour interval.
   b. Location of existing driveways and access points on the subject property and within 200 feet of the site.
   c. Location of 100-year floodplain as shown on the most recent Federal Emergency Management Agency (FEMA) maps.

d. All overland watercourses and drainage structures within the subdivision or within 100 feet of the subdivision.
e. Indication of areas of tree cover on the property.
f. Identification of all existing slopes greater than or equal to 15 percent, and further delineation of slopes greater than or equal to 25 percent.

2. *Graphic requirements*. The following graphic elements shall be provided:
   a. Location, right-of-way width and typical pavement section of all proposed streets, driveways and parking courts along with proposed street names.
   b. The proposed lot and yard requirements with approximate dimensions lot areas and tentative lot numbers.
   c. Preliminary plans for water, storm and sanitary sewer systems for the subdivision, including any off-site improvements.
   d. All proposed connections to existing water lines, sewer lines and storm drainage structures.
   e. Preliminary layout of provisions or facilities for collection and discharge of surface drainage.
   f. Preliminary plans for erosion and sedimentation control measures.
   g. A soil overlay map at a scale of not less than one inch to 200 feet with accompanying narrative.
   h. Location and size of existing and proposed public open spaces within and adjacent to the subdivision.
   i. Location and size of all parcels of land and easements proposed to be dedicated for public use and the conditions of each dedication, including temporary dedications.
   j. Location and size of required buffer yards.
   k. Proposed modifications to 100-year floodplains.
   l. Identification of tree protection areas within the subdivision.
   m. Location of proposed streetlights.

Sec 30-97 Required Contents Of Final Site Plans

1. *General requirements*.
2. *Project tabulations*.
   a. Gross acreage of the development to the nearest one-tenth of an acre.
   b. Number of lots.
   c. Number of parking spaces required and provided.
   d. Proposed permitted uses by square footage and total square footage of proposed buildings.
   e. Landscaping area tabulations for all landscaped areas required by article X of the zoning ordinance.
   f. Height of building(s) and number of floors.
   g. Minimum yard requirements on each boundary line.
   h. Provided yard requirements on each boundary line.
   i. Minimum buffer yard required on each boundary line.
   j. Provided buffer yard on each boundary line.
   k. Percentage of lot covered by:
   l. Buildings.
   m. Impervious surfaces, including parking and loading areas, drive aisles, and sidewalks.
   n. Landscaping and landscape areas required by article X of the zoning ordinance.
   o. Proposed floor area ratio (FAR).
3. *Existing site conditions.* The final site plan shall illustrate the following conditions:
   a. Existing topography with maximum of two-foot contour intervals.

b. Location and dimensions of existing driveways and access points on the property and within 200 feet of the site.
c. Location of 100-year floodplain as shown on the most recent Federal Emergency Management Agency (FEMA) maps.
d. All overland watercourses and drainage structures within the development or within 100 feet of the development.
e. Identification of areas of tree cover on the property, including areas where tree protection or preservation measures are to be taken. All trees with a diameter of eight inches or greater shall be individually located and identified on the plan.
f. Identification of all existing slopes between 15 and 25 percent and further delineation of slopes greater than 25 percent.
g. Identification and location of known areas of contamination, remediation, and other adverse environmental conditions of the property, and locations of all known below-ground structures including, but not limited to, wells, sewage disposal systems, utilities and fuel tanks within 100 feet of the subject property.

4. *Graphic requirements.* The following graphic elements shall be provided:
   a. Proposed grading shall be shown along with proposed elevations of the finished grade at all building corners, high points, low points and all other appropriate locations necessary to define the finish grade.
   b. Storm drainage pipes and structures shall be shown with sizes and elevations indicated.
   c. Plans and profiles shall be provided for all proposed water, sanitary and storm sewer facilities.
   d. Location, type size and height of all fencing, screening and retaining walls shall be included with all necessary details for construction.
   e. All off-street parking areas and spaces, indicating the type of surfacing, size and angle of stalls, widths of aisles and a specific schedule showing the required number of parking spaces and the number of spaces proposed.
   f. A landscape plan in accordance with article X of the zoning ordinance showing the location and type of all existing trees, identifying trees to be saved and those to be removed. The location, type number and size of all proposed landscaping material shall be indicated.
   g. A soil overlay map at a scale of not less than one inch equals 200 feet with accompanying narrative.
   h. Location and size of existing and proposed public open spaces within and adjacent to the development.
   i. The type and location of each buffer yard proposed with a listing of proposed and required plantings.
   j. Location and details of proposed site lighting and streetlights.

5. *Other information*.
   a. A type II geotechnical report shall be submitted with all final site plans. The report shall be prepared under the direction of and certified by a professional engineer licensed in the commonwealth with experience in geotechnical engineering. The report shall meet all requirements for a type II report as specified in the Loudoun County Facility Standards Manual, latest edition.
   b. Final site plans shall consider the following general criteria and shall include sufficient information necessary to determine compliance with the following:
      1) *Water systems*. Public water systems shall be designed and constructed in compliance with the standards and specifications of Loudoun Water, the Town of Lovettsville, and/or the Virginia Department of Health, as applicable.

2) *Sanitary sewer systems*. Public sanitary sewer systems shall be designed and constructed in compliance with the standards and specifications of Loudoun Water, the Town of Lovettsville, and/or the Virginia Department of Health, as applicable.
3) *Storm drainage systems*. Provisions shall be made for public storm drainage improvements, and stormwater management facilities shall be designed and installed in accordance with the standards and specifications of the Virginia Department of Transportation and the Loudoun County Facilities Standards Manual, latest edition. Appropriate documentation and calculations demonstrating compliance with these standards and with the Virginia Stormwater Management Act and Regulations, as applicable, shall be submitted as part of the site plan for the development.
4) *Erosion control, floodplain management and environmental protection*. The final site plans shall include appropriate provisions the protection of soil and water, including, but not limited to, an erosion and sediment control plan, tree preservation and protection plan, a plan for the protection of jurisdiction wetlands and watercourses against the effects of construction and development, a plan for mitigating against the effects of inundation of land by floodwaters in accordance with applicable town and county ordinances and the Loudoun County Facilities Standards Manual, latest edition.
5) *Transportation system and circulation network*. Final site plans shall include plans, specifications and details necessary for the review and approval of public streets, parking lots and courts, including entrances, drive aisles and loading areas, public sidewalks, bikeways and pedestrian trails in accordance with the Loudoun County Facilities Standards Manual, latest edition, and the standards and specifications of the Virginia Department of Transportation, as applicable.

Work Program 2. Amend requirements in Sec. 30-127 with respect to tree retention and establish standards for native vegetation and habitat protection. Maximize preservation of existing healthy native species of trees and encourage regular pruning and maintenance of trees to protect their health. Promote the use of native species of vegetation of appropriate sizes and require the use of native species in buffers and landscaping.

Existing and proposed language.

Chapter 30 Subdivisions
Sec 30-127 Tree Preservation And Landscaping

(a) A minimum of 80% of existing tree cover within any proposed subdivision or development outside the designed improvements and grading of the property shall be preserved.

(b) Every subdivision or development shall retain existing, healthy native trees, measuring eight inches or more in diameter at breast height, including but not limited to those lying adjacent to existing street rights-of-way and within existing or proposed common areas and public parks, to the fullest extent practicable. All such trees and tree preservation areas shall be identified and labeled as such on the landscape plan of the subdivision or development.

(c) No excavation, embankment, subsurface disturbance, or construction activity shall take place within an area equal to one foot of horizontal distance for each inch of trunk diameter of any tree to be retained. No impervious surface may be located within 12 feet of any such tree. Adequate tree protection measures shall be taken during construction.

(d) If the preservation of trees required in subsections (b) and (c) above means the off-street parking requirement(s) of the zoning district cannot be complied with, the number of parking spaces required may be reduced by approval of an exception in accordance with section 30-33.

(Ord. of 3-2-2000, § 4.8; Ord. No. 2016-11-0001, 11-17-2016)

Work program 3. Incorporate the International Dark-Sky Association's Dark Sky principals for outdoor lighting into Town zoning and subdivision ordinance standards and use the International Dark-Sky Association's Dark Sky standards for Town projects and activities where practical.

Dark Sky principals:



Existing and proposed language.

Sec 42-257 Purpose; Specific Requirements For All Commercial Uses

Commercial, industrial, and certain residential zoning districts are established to accommodate a variety of commercial, industrial and service-related activities within specific areas of the town. All commercial and industrial uses shall be subject to the following standards:

Lighting requirements.

1. Canopy or roof fascia of any size or dimension shall not be internally lighted.
2. All site lighting, if any, shall utilize fully shielded cutoff fixtures and be designed and focused to prohibit glare onto adjacent properties.
3. **Exterior lighting will have a light temperature of 3000 Kelvin or less.**
4. **All exterior lighting will be extinguished after business hours with the exception of security lighting.**
5. **Security lighting shall be motion activated at a distance not exceeding the nearest property line.**

Work Program 4. Encourage the inclusion of internal open space in all new development.

Existing and **proposed** language.

The Zoning Ordinance requires open space in the following zoning districts:

CRA-1 Minimum open space area: A minimum of 45 percent of the [net] site area shall be provided in open space. For the purpose of calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplains, slopes greater than 25 percent and wetlands. Additional open space shall be provided in a sufficient amount that the maximum lot yield or maximum residential density is not exceeded based on the overall area of the parcel(s) to be subdivided or developed, excluding floodplains, public roads dedications and private access and alleyway easements, slopes greater than 25 percent and jurisdictional wetlands. Open space shall be preserved by means of a permanent open space easement or similar legal instrument acceptable to the town council.

R-1 Minimum open space area: A minimum of 35 percent of the net site area shall be provided as open space for all development projects creating more than 20 lots. For the purpose of open space calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplain, slopes greater than 25 percent and wetlands.

R-2 Minimum open space area: A minimum of 25 percent of the net site area shall be provided as open space for all development projects creating more than 20 lots. For the purpose of open space calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplain, steep slopes and wetlands.

R-3 Minimum open space area: A minimum of 25 percent of the net site area shall be provided as open space for all development projects creating more than 20 lots. For the purpose of open space calculations, net site area shall be determined as the total site area exclusive of public road dedications, private access easements and alleyways, floodplain, slopes in excess of 25 percent and wetlands.

R-C Open space:

1. A minimum of 25 percent of the net (excluding street right-of-way and floodplain) acreage of the entire development shall be provided as usable open space.
2. Open space shall comply with applicable regulations in article IX of this chapter, open space and recreational space.

T-C At least 25 percent of the town center residential area shall be reserved for open space and recreation available to the general public. Areas provided for landscaping, buffering and screening required by Article X of this chapter shall not qualify as required open space and recreation area. Open space shall be provided and maintained as required by subsection (m) of this section.

PIDD *Common open space requirements*. The common open space requirements shall be as approved on concept plan.

Sec 42-326 Usable Open Space

1. Minimum open space requirements for each district are found in articles VI and VII of this chapter, residential, commercial and light industrial district regulations.
2. A minimum of 50 percent of the required open space shall be usable open space; of that 50 percent required to be usable, such open space shall be located, designed for and capable of supporting:
    1. Recreational activities, including uses such as ball fields, soccer fields or other play fields;
    2. Multipurpose courts, tennis courts, basketball courts and similar facilities;
    3. Swimming pools, play lots, tot lots and playgrounds;
    4. Pedestrian and bicycle trails; and
    5. Similar active and passive recreational uses, including accessory uses thereto.
3. Definition.
    1. The term "usable open space" means an area that:
        a. Is not encumbered with any substantial structure;
        b. Is not devoted to any roadway, parking area or sidewalk;
        c. Is left in its natural or undisturbed state if wooded, except for the development of pedestrian trails;
        d. Is developed for ball fields, picnic areas or other similar facilities or is properly landscaped if not wooded at the time of development;
        e. Is capable of being used and enjoyed for the purposes of informal and unstructured recreation and relaxation;
        f. Is legally and practicably accessible to the residents of the development of which it is a part; and
        g. Contains land, no more than 25 percent of which lies in a floodplain or in an area containing slopes 15 percent or greater.

    This area may include buffers as required in article X of this chapter.

    2. The term "usable open space" does not include land which constitutes wetlands, stormwater management facilities, drainageways, floodplains and floodways.

Sec 42-327 Recreation Space

a. A minimum of 100 square feet of active recreation space shall be provided for each townhouse and garden apartment dwelling unit. The following are illustrative of the facilities that shall be deemed to serve active recreational needs:
    1. Tennis courts, swimming pools, sauna and exercise rooms;
    2. Meeting or activity rooms, within clubhouses;
    3. Basketball courts;
    4. Swings and slides and other play apparatus.
b. Each development shall satisfy its active recreation requirement by installing the types of recreational facilities most likely to be suited to, and used by, the residents in that development. At least 15 percent of the active recreation space shall consist of tot lots.
c. Each active recreation area shall be centrally located and easily and safely accessible to the residents of the development.
d. Each active recreation area shall be constructed on land that is relatively flat, dry and capable of serving the purposes by this article.

Work program 5. Encourage the use of energy-efficient technology for buildings through the development process, generally.

Work Program 6. Encourage and facilitate the installation of technologies and equipment aimed at improving energy efficiency and harnessing clean, renewable energy sources in homes and businesses located in the Town, including (but not limited to) solar, while minimizing the visual impacts of such equipment.

Work Program 7. Review and revise the Zoning and Subdivision Ordinances to incorporate the highest level of environmental protection through the development process.

Existing and proposed language

Sec 42-260 CI-1 Commercial And Limited Industrial/Flex District

(g) *Design standards*.

(7) The use of environmentally sustainable and energy-efficient building and/or site design, and related technologies such as rooftop solar, green roofs and micro wind turbines, shall be permitted within the CI-1 District provided their location, specifications and other pertinent details are included on the final site plan for the development. All such rooftop equipment visible from a public street shall be screened from view by a parapet wall not greater than five feet in height.

Sec 42-304 Solar Photovoltaic (PV) Systems

a. *Definitions*.
   1. Building-Integrated PV System: A solar photovoltaic system that is constructed as an integral part of a principal or accessory building or structure and where system replaces or substitutes for an architectural or structural component of the building or structure. replacing glass or traditional roofing materials, canopies, sunshades, or other building or structure systems.
   2. Building-Mounted PV System: A solar photovoltaic system wherein the solar cells are attached to a principal or an accessory structure.
   3. Ground-Mounted PV System: A solar photovoltaic system mounted on a structure, pole or series of poles constructed specifically to support the photovoltaic system and not attached to any other structure.

b. *Applicability*.
   1. Solar PV systems constructed prior to the effective date of this Ordinance are not required to meet the requirements of this Ordinance. Any expansion of or structural alteration to an existing solar PV system shall comply with the provisions of this Section.
   2. A building integrated system where the system replaces glass or traditional materials or solar-based architectural elements such as canopies, and awnings are not considered accessory uses and are not subject to the requirements of this Ordinance.

c. *Permitted Zoning Districts*.
   1. Building-mounted systems are permitted in all zoning districts as an accessory use to any permitted principal use on the same lot provided, they generate electricity for a use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.
   2. Ground-mounted systems shall be ~~limited to the CI-1 Commercial And Limited Industrial/Flex District~~ permitted in all districts provided they generate electricity for a

use on the same property rather than for commercial or utility generation purposes. Such systems may allow customers to receive a credit for surplus electricity.

d. *Location Within A Lot*.
   1. Building-mounted PV systems are permitted to face any rear, side, and front yard.
      (a) On an angled roof, the system must be installed at the same angle as the roof on which it is installed with a maximum distance between the roof and highest edge or surface of the system, measured perpendicular to the roof, of 6 inches.
      (b) The highest point of the system shall not exceed the highest point of the roof to which it is attached, and the lowest point shall not extend beyond the eaves of the building.
      (c) On a flat roof, the highest point of the system may extend up to two (2) feet above the roof to which it is attached on a residential building and up to six (6) feet above the roof to which it is attached on a nonresidential building. On nonresidential buildings, all such rooftop equipment visible from a public street shall be screened from view by a parapet wall not greater than five feet in height.
   2. Ground-mounted systems and ground-mounted equipment associated with either a building or ground-mounted system are subject to the accessory use or structure setback requirements in the zoning district in which the system is to be constructed. No part of the ground-mounted system shall extend into the required setbacks due to a tracking system or other adjustment of solar PV related equipment or parts.
   3. A PV system shall be permitted on a nonconforming building or lot so long as there is no expansion of the nonconformance and so long as it complies with the other provisions of this Ordinance.

e. *Design and Installation Standards*.
   1. All PV systems shall require a building permit. All solar PV systems are subject to compliance with applicable performance standards detailed elsewhere in the Zoning Ordinance.
   2. For building-mounted systems, all framing, piping, control devices and wiring must be painted to match the color of the roof or the element upon which it is installed.
   3. For ground-mounted systems, all exterior electrical lines must be buried. The solar PV system must be constructed to comply with the most recent fire code.
   4. No signs or graphic content may be displayed on the PV system except the manufacturer's badge, safety information and equipment specification information.

(Ord. 2021-07-0002, 7-29-2021, Ord. 2023-08-0004, 8-30-2023)

Work Program 8. Ensure the provision of adequate landscaping and buffering between incompatible residential and non-residential uses on site plans and require that buffering be incorporated to reflect the ultimate build-out of the adjoining residential or non-residential properties.

Existing and proposed language

ARTICLE 42-X LANDSCAPING, BUFFERING AND SCREENING

Sec 42-360 Applicability

(a) This article shall apply to all site plans and subdivision construction drawings submitted for approval pursuant to chapter 30 of the town Code subsequent to the effective date of the ordinance from which this chapter is derived.

(b) This article shall apply to any conditional use permit or zoning map amendment submitted for approval pursuant to article II of this chapter, subsequent to the effective date of the ordinance from which this chapter is derived, for which landscaping, buffering or screening are required in accordance with subsections (a) or (c) of this section or by the terms or conditions of such approval. A landscape plan meeting the requirements of this chapter shall be submitted at the time an application is filed for the site plan or subdivision construction drawings associated with the conditional use permit or zoning map amendment, unless no such plans or drawings are required for the use or activity, in which case the landscape plan shall be submitted for approval as part of the conditional use permit or zoning map amendment application.

(c) This article shall apply to the construction or expansion of any parking lot for which a site plan is required pursuant to chapter 30 of the town Code and for which parking lot landscaping is required in accordance with section 42-363.

(Ord. of 9-21-2006, § 6-1; Ord. No. 2014-10-0002, 10-9-2014; Ord. No. 2019-08-0001, 8-22-2019)

Sec 42-361 Purpose And Intent

The purpose of this article is to facilitate the creation of a convenient, attractive and harmonious community to preserve the character of the town and to preserve and promote the health, safety and general welfare of the public.

(Ord. of 9-21-2006, § 6-2; Ord. No. 2014-10-0002, 10-9-2014; Ord. No. 2019-08-0001, 8-22-2019)

Sec 42-362 Landscaping Plan And Maintenance

(a) All landscaping required by this article shall be identified on a landscaping plan and reviewed along with other plans by the town prior to installation. For any conditional use permit or zoning map amendment associated with a proposed use or activity, the planning commission may recommend, and the town council may approve a modification or alternative to the landscaping, buffering, or screening required by this article where conditions are deemed to warrant approval of the same. Consideration and approval of modifications and alternatives by the town shall be in accordance with section 42-369 below.

(b) All landscaping required by this article shall be installed per the approved landscaping plan. All plants and other materials required by the approved plan shall be maintained by the property owner in a state of good repair and shall be replaced or repaired promptly as appropriate.

Sec 42-363 Parking Lot Landscaping

1. All parking areas with five or more spaces shall provide perimeter parking lot landscaping outside of the parking area of the lot.
2. Parking lots adjacent to public streets shall provide a continuous landscape area of not less than ten feet in width located between the parking lot and property line. The landscape area shall be planted at a rate of one tree for every ~~50~~ **40** feet of frontage, plus three shrubs for every 50 feet of frontage. A minimum of 75 percent of the trees provided shall be canopy trees, except when overhead utility lines may prohibit the planting of such trees.
3. Parking lots adjacent to lands not in the right-of-way of a street shall provide a continuous landscape area five feet in width, located between the parking area and the property line. The landscape area shall be planted at a rate of one tree for every 50 feet of frontage, plus three shrubs for every 50 feet of frontage. A minimum of 75 percent of the trees provided shall be canopy trees.
4. All parking lots with ten spaces or more shall provide interior parking lot landscaping. Such landscaping shall be in addition to any planting or landscaping within six feet of a building, required perimeter landscaping and required screening. A minimum landscape area of five percent of the gross parking lot area shall be provided within the parking area. The gross area of the parking lot shall include all designated parking spaces and areas designated for ingress and egress. Landscape areas shall have a minimum dimension of ten feet. Trees shall be provided at the rate of one tree for every ten parking spaces, with a minimum of one tree provided.
5. Plant materials at entrances shall be located so as to maintain safe sight distances in accordance with the Virginia Department of Transportation standards.

(Ord. of 9-21-2006, § 6-4; Ord. No. 2014-10-0002, 10-9-2014)

Sec 42-364 Buffering And Screening

1. Certain uses, when adjoining each other, are incompatible and create conflict that may be reduced or eliminated by appropriate measures. Buffering between incompatible uses minimizes these conflicts and the adverse impact of incompatible development. These provisions are intended to provide adequate buffer areas between incompatible land uses in all zoning districts, except where the incompatibility arises from an existing nonconforming use.
2. Buffer yards are to be used for the planting of landscape material. Buffer yards shall not be used for the storage of materials, buildings, parking lots or loading areas for vehicles or equipment. Driveways and entrances connecting adjacent parking lots or developments may interrupt the required buffer yard. Minimal utility crossings shall be permitted within buffer yards.
3. Buffer yards may be provided in the area required for setbacks by the zoning district requirements. Where the required buffer yard exceeds the required setback for the zoning district, the required buffer yard shall be provided.
4. The buffer area requirements are based on the compatibility between the proposed use and that of the adjoining property the following table 6-1 identifies the minimum buffer area that is required to be provided:

5. Table 6-1. Minimum Buffer Area Required

Adjoining Use / Proposed Use	SFD	SFA	MF	Institution (schools and churches)	Office	C-1 Retail Commercial Building footprint < 4,000 sf	C-2 Retail Commercial Building footprint > 4,000 sf	Industrial * see also Section 42-260
Single-family detached		~~B~~**A**	B	~~B~~**A**	B	**B**	C	C
Single-family attached	~~B~~**A**		B	~~B~~**A**	B	**B**	C	C
Multifamily	B	B		~~B~~**A**	B	**B**	C	C
Institutional Schools and churches	B	B	B		~~B~~**A**	**A**	C	C
Office	B	B	B	~~B~~**A**			C	C
C-1 Community Commercial	~~C~~ A	~~C~~ A	~~C~~ A	~~C~~	~~C~~			
C-2 Mixed Use Business	C	C	C	B		**A**		
CI-1 Industrial	C	C	C	C	C	**C**	~~C~~ B	

6. Plant materials are required per square foot of required buffer area as shown in table 6-2 in this subsection for types A, B and C.

Table 6-2. Buffers (Area Width and Plant Requirements)

		Required Planting			
Type	Width (in feet)	Canopy Trees (in square feet)	Understory Trees (in square feet)	Evergreen Trees (in square feet)	Shrubs (in square feet)
A	10	1/1,000	1/500		1/500
B	25	1/1,000	1/500	1/500	1/100
C	35	1/1,000	1/500	1/500	1/100

7. Berms are encouraged within buffer yards. ~~Where the minimum width of a buffer area is at least 25 feet, t The~~ A Type C buffer area may be reduced ~~by~~ **to twenty** five feet with the

provision of a berm at least four feet higher than the elevation of the adjacent ground. Slopes on the berm shall not exceed 3.0:1. Number of required plantings shall be based on the reduced yard area.

8. A six-foot tall opaque fence (board-on-board) or architectural block wall may be substituted for ~~one third~~ **one half** of the required buffer yard and the plant material reduced accordingly as long as the purpose of reducing or eliminating the conflict between uses and adverse impact is met (For example, a six-foot wall may not reduce the adverse impact of parking lot lights). **Required landscaping shall be placed between the fence or wall and the property line.**

9. All loading areas, dumpsters, maintenance areas and equipment and similar areas are to be screened from view from all public streets and adjoining properties **by a six-foot opaque fence, wall or structure**.

(Ord. of 9-21-2006, § 6-5; Ord. No. 2014-10-0002, 10-9-2014)

Sec 42-365 Tree Canopy Coverage

1. Any project subject to the provisions of this article shall be subject to the tree canopy requirements set out in this section. Tree cover requirements may be met by providing landscaping in the form of residential lot planting, parking lot landscaping, street planting and buffer yard planting. For purposes of tree canopy coverage, the total site area may be reduced by the area to be dedicated for public street purposes.

   Table 6-3. Required Tree Canopy Cover (at ten-year maturity)

Development Type	Percent of Area>
Residential	15
Commercial, industrial and institutional	10

2. Existing tree cover within any proposed development shall be retained to the greatest extent possible and taken fully into account in the design of the improvements, site grading and calculation of tree canopy requirement. Existing trees used to meet the tree canopy coverage must be at least four-inch caliper, **a native species,** in healthy condition and ~~be~~ protected from all construction activity.

3. For any conditional use permit associated with a proposed use or activity, the planning commission may recommend, and the town council may impose reasonable conditions with respect to the tree canopy coverage requirements of this section in order to ensure that the tree canopy coverage is preserved and maintained to the maximum extent practicable in accordance with the purpose and intent of this section.

(Ord. of 9-21-2006, § 6-6; Ord. No. 2014-10-0002, 10-9-2014; Ord. No. 2019-08-0001, 8-22-2019)

Sec 42-366 Street Trees

(a) Canopy ~~and understory~~ trees shall be provided adjacent to right-of-way in a manner that will enhance streets throughout the town.

(b) For all lots, one street tree, as identified in Table 6-8 shall be planted for every 40 feet of street frontage.

Sec 42-367 Minimum Specification For Plant Materials

(a) All plants shall be well branched and well formed, sound, vigorous, healthy, free from disease and trunk wounds, and have a healthy, normal and unbroken root system. All plants shall comply with the American Association of Nurserymen's Standards and conform to the representative species.

(b) All plant materials installed to meet the requirements of this chapter shall meet the following minimum size requirements at the time of planting:
Table 6-4. Minimum Planting Size Requirements

Street and canopy trees	Caliper: 2 1/2-inch minimum
Understory trees	Height: 6-foot minimum
Evergreen trees	Height: 6-foot minimum
Shrubs	Height: 18-inch minimum

The planting of all trees shall be done in accordance with the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers and the Virginia Chapter of the American Society of Landscape Architects.

Sec 42-370 Monitoring And Enforcement

1. The enforcement of the provisions of this section shall be the responsibility of the administrator. Any violation of this section is a civil violation as described in section 42-35(d).
2. No occupancy permit shall be signed until the trees, plants, and other screening materials required by this article have been installed.
3. If the weather prohibits the installation of the required tree, plant or screening materials at the time of occupancy, the applicant may, at his option, post a cash bond for the installation of the required plants and installation costs. The bond shall be supported by an estimate by a landscape contractor of the cost of installing such landscaping and a letter expressing the intent of the contractor to install the required plants. If the required landscaping is not installed within six months, the bond shall be forfeited to the town to use for planting of the required materials.
4. The property owner shall be responsible for the maintenance, repair and replacement of all landscape materials, fences and walls required by this section.
5. All landscape materials shall be kept in healthy condition free of disease and infestation. All fences and walls shall be maintained in a safe and attractive condition.
6. The property owner shall, upon written notice of the administrator, repair or replace any landscape materials, fencing or walls not meeting the requirements of this chapter within 30 days.