
3.27 LANDSCAPE AND BUFFER REQUIREMENTS

A. PURPOSE

This article is established for the purpose of regulating, controlling, preserving, and setting forth methods of continued maintenance assurances of all regulated vegetation located within the municipal limits of the town, and furthermore establishes authority to regulate and control the degree of impervious surfaces constructed on properties and the placement and configuration of fill soil and materials on properties located within said municipality.

B. AUTHORITY

North Carolina General Statutes 160A-174(a), 160D-923, 143-214.7, and 143-215.51 (G.S. 160A-174(a), 160D-923, 143-214.7 and 143-215.51).

C. BENEFITS OF TREES AND LANDSCAPING

1. The town finds it important to adopt an ordinance to preserve and protect trees since numerous benefits are derived from this practice, including the following:
 - a) Maintains the visual character of the community and contributes to the aesthetic quality of property and enhances its value.
 - b) Screens objectionable views within and between uses.
 - c) Reduces glare, heat, and assists in noise abatement, maintaining the climatic balance and decreasing wind velocity.
 - d) Contributes to the process of air purification and oxygen regeneration.
 - e) Assists in the stabilization and fertilization of soil and in the prevention of soil erosion.
 - f) Contributes to the process of groundwater recharge and stormwater runoff retardation and protecting against flood hazards and erosion.
 - g) Promotes energy conservation by maximizing the shading and cooling effects of trees.
 - h) Provides a haven for birds, reptiles, and mammals that in turn help control the insect population.
 - i) Provides nuts and fruits for wildlife.
 - j) Provides important psychological, sociological, and aesthetic counterpoints to the manmade urban setting.

D. APPLICABILITY

In order to adhere to the above-described functions, these regulations shall be applicable to any and all regulated vegetation and to all areas proposed for the reduction of ground absorption area through the construction of impervious surfaces and to all areas proposed for land elevation and modification of configuration by the deposition of fill soil or materials as specified herein or as may be described by subsequent applicable regulations of the town.

E. BUFFER YARD AND STREET YARD LANDSCAPING

1. For proposed new construction or expansion. A buffer yard, as defined herein, shall be provided for all new construction or expansion that is proposed in any amount equal to 50% or more of the current tax or appraised value. However, no buffer yard improvements shall be required for those portions of existing lot frontage used for driveways constructed in accordance with town regulations.

2. Required landscape types. It is required that buffer and street yards be landscaped by meeting the requirements of Type A—E set forth in this section. Any side or rear yard that abuts a residential use or residential district shall provide for a six (6) foot fence with 80% opacity. A landscaping/buffer yard information guide and plant selection list is available from the UDO Administrator.

Table 3.9 Buffer and Street Yard Types and Widths		
Buffer and Street yard Types	Uses	Buffer/Street Yard Size/width (feet)
Type A	Nonresidential use 10,000 square feet or less impervious surface or area	5
	Multifamily, planned unit development (3-5 units)	5
Type B	Multifamily, planned unit development (6 + units)	10
	Nonresidential use greater than 10,000 square feet of impervious surface or area	10
Type C	Industrial or manufacturing	15
Type D	Central business district (CBD), Commercial Transition district (CT) , new construction only	0
Type E	Single-family and two-family	0

- a) Type A. For every 50 linear feet, or fraction thereof, the buffer yard shall contain one (1) canopy tree or two (2) understory trees, and three (3) shrubs.
- b) Type B. For every 50 linear feet, or fraction thereof, the buffer yard shall contain two (2) canopy trees or four (4) understory trees, and six (6) shrubs.
- c) Type C. For every 50 linear feet, or fraction thereof, the buffer yard shall contain two (2) canopy trees or four (4) understory trees, and six (6) shrubs.
- d) Type D. For every 50 linear feet of frontage, or fraction thereof, the street yard shall contain one (1) understory tree with sidewalks or planters built within the sidewalk. Street yards located ~~within the CBD~~ shall include sidewalks with planting areas either adjacent to the curb or planters located within the sidewalk. ~~In the Central Business District~~, sidewalks and tree plantings will be required for all new construction.
 - i) [In the CBD any side or rear yard that abuts a residential district shall provide for a Type B landscape buffer yard.](#)
 - ii) [In the CZ any side or rear yard that abuts a residential use shall provide for a Type A landscape buffer yard.](#)
- e) Type E. For every 25 linear feet of frontage, or fraction thereof, the lot shall contain a minimum of one (1) tree. At planting each tree shall be a minimum of:
 - i) Six (6) feet tall.
 - ii) Two (2) inches in caliper.

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3. Preservation of vegetation. If vegetation exists in the proposed buffer yard area, the UDO Administrator may grant credit toward meeting buffer yard requirements for preservation of the vegetation provided their caliper or height is equal to or exceeds the specifications herein described.
 4. Planting and replacement of vegetation. All buffer yards shall be landscaped with a combination of live vegetation, ground cover, grass, trees, and/or shrubs. Vegetation to be planted pursuant to this section shall be indigenous with or compatible to the town area and be approved by the UDO Administrator.
 5. Minimum size at planting. All shrubs be 12 inches high, understory trees six (6) feet high, and canopy trees 2.5 inches caliper.

F. TREE/LANDSCAPE PLAN

1. Required. A tree/landscaping plan shall be required for all clearing, grading, or other earth disturbing activity proposals. The plan must contain the information set forth in this section (the required tree/landscape plan can be incorporated into any applicable development approval application).
2. Landscape plan submittal requirements. The landscape plan shall contain the following information:
 - a) General location, type, and quantity of existing plant materials.
 - b) Existing plant materials and areas to be left in natural state.
 - c) Methods and details for protecting existing plant materials during construction and the approved erosion control plan, if required.
 - d) Locations, size, and labels for all proposed plants.
 - e) Plant lists with common name, quantity, spacing, and size of all proposed landscape material at the time of planting.
 - f) Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courtyards or paved areas.
 - g) Planting and installation details as necessary to ensure conformance with all required standards.
 - h) Location and type of irrigation system, if applicable.
 - i) Location of any proposed buildings.
 - j) Layout of parking and traffic patterns.
 - k) Location of overhead and underground utilities.
 - l) Location of signage.
 - m) Connections to existing streets.
 - n) Zoning designation of adjacent properties.
 - o) Landscape plan shall be drawn to scale and include a north arrow and necessary interpretive legends.
3. Information guide and plant selection list. A landscaping/buffer yard information guide and plant selection list is available from the UDO Administrator.

(Ord. No. 24-1230, 7-9-2024)