

**Code of Ordinances, City of Richmond, Virginia
Abstracted April 2016**

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PART I CHARTER

Chapter 2. Powers

§ 2.03. Powers relating to public works, utilities and properties. Modified

In addition to the powers granted by other sections of this charter, the city shall have power:

(a) To lay out, open, extend, widen, narrow, establish or change the grade of, close, construct, pave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean and light streets, including limited access or express highways, alleys, bridges, viaducts, subways and underpasses, and make and improve walkways upon streets and improve and pave alleys within the city; and the city shall have the same power and authority over any street, alley or other public place ceded or conveyed to the city or dedicated or devoted to public use as over other streets, alleys and other public places.

...

Chapter 2 ADMINISTRATION

DIVISION 8. DEPARTMENT OF PUBLIC WORKS

Sec. 2-425. Created; composition.

The Department of Public Works shall consist of a Director and such bureaus, divisions, and other units as may be provided by the Charter, by ordinance, or by the orders of the Director consistent therewith.

(Code 1993, § 2-197; Code 2004, § 2-451)

Sec. 2-427. Duties.

The Department of Public Works shall be responsible for:

...

(10) The operation and maintenance of nurseries for flowers, vines, shrubs and trees for use in the public parks, grounds, streets, and ways of the City;

(11) The planting and care of all flowers, vines, shrubs and trees in the public parks, grounds, streets, and ways of the City;

(12) The sale or exchange of the surplus products of the City nurseries;

...

(Code 1993, § 2-199; Code 2004, § 2-453; Ord. No. 2004-181-201, § 1, 7-26-2004; Ord. No. 2004-360-330, § 1, 12-13-2004; Ord. No. 2008-28-48, § 1, 3-10-2008; Ord. No. 2010-21-67, § 2, 4-26-2010; Ord. No. 2014-59-97, § 3, 5-27-2014)

Cross reference— City-owned real estate, Ch. 8; Department of Public Works to be responsible for garbage collections, § 23-41.

Chapter 7 CEMETERIES

ARTICLE I. IN GENERAL

Sec. 7-18. Trees, shrubs or plants.

No tree, shrub or plant shall be planted or pruned in or removed from a cemetery, without the consent of the Director. The Director may plant, prune, remove or transplant any tree, shrub or plant in a cemetery or at any burial space or lot whenever it is necessary to do so in order to:

- (1) Economically maintain and care for burial spaces or lots;
- (2) Prevent the impairment of or interference with the use of other burial spaces or lots; or
- (3) Promote, preserve or improve the appearance and dignity of the cemetery.

(Code 1993, § 7-18; Code 2004, § 22-18)

ARTICLE II. CITY'S CEMETERIES

Sec. 7-53. Oakwood, Riverview, Maury and Mt. Olivet cemeteries.

(a) This section shall be applicable only in and to burial spaces in Oakwood Cemetery, Riverview Cemetery, Maury Cemetery and Mt. Olivet Cemetery and, in particular, to the area in Oakwood Cemetery designated Sections 80, 81, 82, 83 and F; the area in Riverview Cemetery designated Plot BB, Divisions 24, 25, 26 and 27; the area in Maury Cemetery designated Divisions 56, 69, 70A and 73; and the area in Mt. Olivet Cemetery designated Division 67, such areas being shown and so designated on the plans of such cemeteries on file in the Office of the Director. However, in the eastern one-half of Lot 61 of Section AA of Riverview Cemetery, the rules and regulations applicable to single grave burial spaces in cemeteries with respect to the number, height and size of monuments, tombstones and markers shall apply.

(b) In the cemeteries or parts of cemeteries mentioned in Subsection (a) of this section, there shall be compliance with the following:

- ...
- (2) No tree, shrub or plant of any kind shall be planted or maintained at or on burial spaces or lots.

...
(Code 1993, § 7-33; Code 2004, § 22-66)

Chapter 8 CITY-OWNED REAL ESTATE

ARTICLE I. IN GENERAL

Sec. 8-10. Same—Procedures.

The submission, evaluation, approval and implementation of proposals for naming or renaming City facilities shall comply with the procedures set forth below:

- ...
- (8) The provisions of this procedure shall not apply to the application of recognition for benches, trees, refuse cans, flagpoles, water fountains, or other similar items of personal property.

(Code 2004, § 26-10; Ord. No. 2004-35-64, § 1(8-18), 4-13-2004; Ord. No. 2004-360-330, § 1, 12-13-2004)

ARTICLE VIII. USE OF PUBLIC GROUNDS, PARKS, PLAYFIELDS AND PLAYGROUNDS

DIVISION 1. GENERALLY

Sec. 8-287. Cutting down any tree on City property prohibited.

It shall be unlawful for any person to cut down or cause to be cut down any tree on any City-owned real estate or in any City-owned right-of-way without the express

written permission of the Director of Public Works. Each tree so cut down or caused to be cut down shall constitute a separate offense under this section.
(Code 1993, § 8-226; Code 2004, § 26-404; Ord. No. 2009-1-19, § 1, 1-26-2009)

ARTICLE XII. MAINTENANCE AND REMOVAL OF TREES ON CITY-OWNED PROPERTY

Sec. 8-544. Urban Forestry Commission.

- (a) Established. There is hereby created and established an Urban Forestry Commission for the purpose of improving the City's urban forestry resources through policy development, advice, education and fundraising.
- (b) Composition; terms of office. The Commission shall consist of two non-voting members and nine voting members. The two non-voting members shall be the Director of Public Works and the Director of Community Development, or their designees. Of the nine voting members, three members shall be appointed by the Mayor and six members shall be appointed by the City Council. The members of the Commission shall represent a range of expertise necessary to fulfill the purpose and duties of the Commission. One member shall be a certified arborist, and one member shall be a registered certified landscape architect. Except for the certified arborist, all voting members shall be residents of the City. No voting member shall be an officer or employee of the City, and no member shall hold any contract with the City, or subcontract thereof, to provide goods or services relating to City-owned trees. The members of the Commission shall serve for terms of three years, except for the initial nine voting members, of whom three shall be appointed to one-year terms, three shall be appointed to two-year terms, and three shall be appointed to three-year terms, to facilitate the staggering of member terms. However, upon the expiration of a term of office, the member holding that office may continue to serve until a successor is appointed and qualified. Any vacancy shall be filled for the unexpired term in the same manner as provided in this subsection. All other aspects of the Commission and its membership not addressed in this article shall be governed by Chapter 2, Article V, Division 1.
- (c) Responsibilities and duties. The Commission shall fulfill the following responsibilities and duties:
- (1) Advise the Director of Public Works regarding rules, regulations and policies promulgated under the City's Municipal Tree Policy and any revisions thereof.
 - (2) Recommend to the Council any legislation, plans, policies and programs complementary to the intent and purpose of the City's Municipal Tree Policy.
 - (3) Facilitate the development and adoption of a tree maintenance and management plan for City-owned trees.
 - (4) Assist with public relations and education programs to increase public understanding of urban forestry issues, including programs developed by the Department of Public Works, the Tree Stewards, the Friends of Urban Forestry and civic associations.
 - (5) Work with interested private organizations to raise money for projects involving City-owned trees and programs developed by the Department of Public Works.
 - (6) Prepare and submit an annual report to the Council and make presentations on an annual basis and as requested by the Council.
 - (7) Ensure the continuation of the Commission's purpose by annually providing a list of qualified candidates for expiring terms, if any, for consideration by the Mayor and the Council by May 30 of each year.
 - (8) Develop and assist with the adoption of a more comprehensive Municipal Tree Policy and present progress reports on its efforts in this regard to the

Council's Land Use, Housing and Transportation Standing Committee upon the Committee's request.

(d) Rules of procedure. The Commission may adopt rules of procedure or bylaws not inconsistent with this division to govern the conduct of its meetings and operations.

The Commission may elect a Chairman and such other officers in accordance with the Commission's rules of procedure or bylaws.

(e) Committees of the Commission. Only members of the Commission shall be permitted to serve as members of any Committee of the Commission.

(f) Meetings. The Urban Forestry Commission shall hold regular monthly meetings and other meetings as needed.

(g) Administrative support. The Department of Community Development shall provide staff support and an employee to serve as Secretary to the Commission.

(Code 2004, § 26-650; Ord. No. 2009-174-184, § 1, 10-26-2009; Ord. No. 2010-63-70, § 1, 4-26-2010; Ord. No. 2011-102-113, § 1, 5-23-2011)

Cross reference— Boards, commissions, committees and other agencies, § 2-755 et seq.

Chapter 11 ENVIRONMENT

ARTICLE IV. REFUSE, LITTER AND WEED CONTROL

Sec. 11-105. Weeds and other vegetation.

(a) It shall be a misdemeanor for any person who owns or occupies property within the City to permit any grass, plant, bushes, weeds or any other vegetation 12 inches high or over, other than trees, shrubbery, agricultural plants, garden vegetables, flowers or ornamental plants, to exist on such property.

(b) It shall be a misdemeanor for any person who owns or occupies property within the City to permit the existence on such property of any live or dead hedge, shrub, tree or other vegetation, any part of which extends or protrudes into any street, sidewalk, public right-of-way, grass strip or alley so as to obstruct or impede or threaten the safe and orderly movement of persons or vehicles.

(c) It shall be a misdemeanor for any person who owns or occupies property within the City to permit any grass, plants, bushes, weeds or any other vegetation 12 inches high or over, other than trees, shrubbery, agricultural plants, garden vegetables, flowers or ornamental plants, to exist on any sidewalk, public right-of-way, or grass strip adjacent to such property or unimproved street or alley (to the centerline of such unimproved street or alley).

(d) It shall be a misdemeanor for any person who owns or occupies property within the City to fail to remove fallen trees, detached limbs, or branches, the accumulation of which is offensive, unwholesome, and unsightly.

(Code 1993, § 19-54; Code 2004, § 38-154)

Sec. 11-106. Unlawful nuisances.

(a) The following conditions, when allowed to exist on property, are hereby declared to be nuisances:

...

(3) Trees or parts thereof in danger of falling onto buildings, structures, vehicles or any public right-of-way;

...

(Code 2004, § 38-154.1; Ord. No. 2012-209-209, § 1, 12-10-2012)

State Law reference— Farming exemption, Code of Virginia, § 15.2-901(A)(3).

Chapter 14 FLOODPLAIN MANAGEMENT, EROSION AND SEDIMENT CONTROL, AND DRAINAGE

ARTICLE IV. CHESAPEAKE BAY PRESERVATION AREAS

DIVISION 1. GENERALLY

Sec. 14-181. - Definitions.

The following words and terms used in this article have the following meanings, unless the context clearly indicates otherwise. In addition, some terms not defined herein are defined in Section 62.1-44.15:68 of the Act, and are incorporated by reference herein.

Best management practice means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface water and groundwater systems from the impacts of land-disturbing activities.

Buffer area means an area of natural or established vegetation managed to protect other components of a resource protection area and State waters from significant degradation due to land disturbances.

Impervious cover means a surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to, roofs, buildings, streets, parking areas, and any concrete, asphalt or compacted gravel surface.

Silvicultural activities means forest management activities, including, but not limited to, the harvesting of timber, the construction of roads and trails for forest management purposes, and the preparation of property for reforestation that are conducted in accordance with the silvicultural best management practices developed and enforced by the State Forester pursuant to Code of Virginia, § 10.1-1105 and are located on property defined as real estate devoted to forest use under Code of Virginia, § 58.1-3230.

(Code 2004, § 50-302; Ord. No. 2014-116-89, § 2, 5-27-2014)

DIVISION 4. LAND USE AND DEVELOPMENT PERFORMANCE CRITERIA

Sec. 14-264. Development criteria for resource protection areas.

In addition to the general performance criteria set forth in Section 14-263, the criteria in this section are applicable in resource protection areas.

...

(5) *Permitted modifications of the buffer area.* In order to maintain the functional value of the buffer area, existing vegetation may be removed, subject to approval by the City, only to provide for reasonable sight lines, access paths, general woodlot management, and best management practices, including those that prevent upland erosion and concentrated flows of stormwater, as follows:

- a. Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that, where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff as specified in the Riparian Buffer Modification & Mitigation Guidance Manual, 2003, published by the Chesapeake Bay Local Assistance Division of the Department of Conservation and Recreation and as may be amended by the State from time to time.

- b. Any path shall be constructed and surfaced so as to effectively control erosion.
- c. Dead, diseased, or dying trees or shrubbery and noxious weeds (such as Johnson grass, kudzu, and multiflora rose) may be removed and thinning of trees may be allowed, pursuant to sound horticultural practices.
- d. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

...

(7) *Buffer area* requirements for intensely developed areas. In intensely developed areas, the City may exercise discretion regarding whether to require establishment of vegetation in the 100-foot wide buffer area. However, while the immediate establishment of vegetation in the buffer area may be impractical, the City shall give consideration to implementing measures that would establish vegetation in the buffer in these areas over time in order to maximize water quality protection, pollutant removal, and water resource conservation. Where buffers are to be established, they shall be designed in accordance with the standards established in the Riparian Buffer Modification & Mitigation Guidance Manual, 2003, prepared by the Chesapeake Bay Local Assistance Division of the Department of Conservation and Recreation and as may be amended by the Commonwealth of Virginia from time to time.

(Code 2004, § 50-332; Ord. No. 2014-116-89, § 2, 5-27-2014)

Chapter 19 OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE IV. - OFFENSES AGAINST PROPERTY

Sec. 19-78. - Destruction or removal of property.

(a) If any person unlawfully destroys, defaces, damages or removes without the intent to steal any property, real or personal, not such person's own, or breaks down, destroys, defaces, damages or removes without the intent to steal any monument or memorial for war veterans described in Code of Virginia, § 15.2-1812, any monument erected for the purpose of marking the site of any engagement fought during the War between the States, or for the purpose of designating the boundaries of the City or any tree marked for that purpose, such person shall be guilty of a Class 3 misdemeanor, provided that the court may, in its discretion, dismiss the charge if the locality or organization responsible for maintaining the injured property, monument, or memorial files a written affidavit with the court stating it has received full payment for the injury.

(b) If any person intentionally causes such injury, such person shall be guilty of a Class 1 misdemeanor if the value of or damage to the property, memorial or monument is less than \$1,000.00. The amount of loss caused by the destruction, defacing, damage or removal of such property, memorial or monument may be established by proof of the fair market cost of repair or fair market replacement value. Upon conviction, the court may order that the defendant pay restitution.

(Code 1993, § 20-52; Code 2004, § 66-112)

State Law reference— Injury to property, Code of Virginia, § 18.2-137 et seq.; action for damages to memorials for war veterans, Code of Virginia, § 15.2-1812.1.

ARTICLE XII. NEIGHBORHOOD SAFETY DISTRICTS

Sec. 19-491. Citizen activity.

Each plan shall provide for specific actions to be undertaken by residents organized within the neighborhood safety district to further the purposes of this article. Such activities may be undertaken with City support, if appropriate, and may include, but need not be limited to, the following:

- (1) Agreement by neighborhood groups, businesses, churches, schools, and other organizations that agree to clear debris, remove graffiti, paint walls, repair playground equipment, and plant trees and gardens at a specific street corner or park;
- (2) Agreement by residents to spend a set portion of a Saturday or weekend working to improve the physical appearance of their yards, homes, and adjacent areas;

...

(Code 2004, § 66-544; Ord. No. 2004-143-143, § 1(20-244), 5-24-2004)

Chapter 23 - SOLID WASTE

ARTICLE I. - IN GENERAL

Sec. 23-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Tree and shrubbery trimmings means waste accumulation of tree branches, tree limbs, parts of trees, bushes, shrubbery and cuttings or clippings created as refuse of trees or bushes.

Yard waste means waste accumulations of lawn, grass or shrubbery cuttings or clippings and leaves, free of dirt, rocks, large branches and bulky or noncombustible material.

(Code 1993, § 31-1; Code 2004, § 86-1)

Cross reference— Definitions generally, § 1-2.

Chapter 25 SUBDIVISION OF LAND

Sec. 25-222. Easements along side or rear in dwelling districts abutting expressway or toll road.

An easement at least ten feet in width, across which there shall be no right of access to or from subdivision lots, shall be provided along the side or rear of lots in dwelling districts established by or pursuant to Chapter 30 which abut an expressway or toll road. The easement shall be used for the cultivation of trees, shrubs or other vegetation of such character as will lessen the adverse effect of the movement of vehicles over such expressway or toll road upon the use of land for dwelling purposes. (Code 1993, § 26-48; Code 2004, § 94-176)

Chapter 28 UTILITIES

ARTICLE V. WATER

DIVISION 11. WATER CONSERVATION

Sec. 28-543. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Established landscape means landscape plants existing in an area after such period of time as to accomplish an establishment and maintenance of growth.

Landscape plant means any member of the kingdom plantae, including any tree, shrub, vine, herb, flower, succulent, ground cover or grass species that grows or has been planted outdoors.

New landscape means any landscape made up of plants or seeds planted in or transplanted to an area within such period of time as to accomplish a reasonable establishment and maintenance of growth.

(Code 1993, § 29-281; Code 2004, § 106-497)
Cross reference— Definitions generally, § 1-2.

Sec. 28-545. Voluntary conservation measures.

When voluntary water conservation measures are in effect, the Chief Administrative Officer shall request the general public, businesses and public agencies in the City to implement and comply with the following water use reduction measures:

- ...
- (8) Established landscape. Reduce watering as follows:
 - a. Odd property addresses (by last digit of address number): water unrestricted only on Tuesdays, Thursdays and Saturdays.
 - b. Even property addresses (by last digit of address number) and locations with no address number: water unrestricted only on Wednesdays, Fridays and Sundays.
 - c. Watering prohibited on Mondays.
 - d. Watering by bucket is unrestricted.
 - (9) New landscape. Water unrestricted during the first ten days after planting and shall conform to Subsection (8) of this section after the first ten days.

...

(Code 1993, § 29-283; Code 2004, § 106-499; Ord. No. 2004-360-330, § 1, 12-13-2004)

Sec. 28-546. Mandatory conservation measures.

When mandatory water conservation measures are in effect, the general public, businesses and public agencies shall comply with the following water use restrictions:

- ...
- (8) Established landscape. Reduce watering as follows:
 - a. Odd property addresses (by last digit of address number): water only on Tuesdays, Thursdays and Saturdays.
 - b. Even property addresses (by last digit of address number) and locations with no address number: water only on Wednesdays, Fridays and Sundays.
 - c. Watering prohibited on Mondays.
 - d. Watering by bucket is unrestricted.
 - (9) New landscape. Water unrestricted during the first ten days after planting and shall conform to Subsection (8) of this section after the first ten days.

...

(Code 1993, § 29-284; Code 2004, § 106-500)

ARTICLE VIII. STORMWATER

DIVISION 1. GENERALLY

Sec. 28-899. Definitions.

The following words and terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Best management practices means schedules of activities, prohibitions of practices, including both a structural or nonstructural practice, maintenance procedures, and other management practices to prevent or reduce the pollution of surface water and groundwater systems from the impacts of land-disturbing activities. Best management practices also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Impervious surface means a surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious cover includes, but is not limited to, roofs, buildings, streets, parking areas, and any concrete, asphalt or compacted gravel surface.

(Code 2004, § 106-805; Ord. No. 2009-60-83, § 1, 5-26-2009; Ord. No. 2013-139-136, § 2, 7-22-2013)

Cross reference— Definitions generally, § 1-2.

Chapter 30 ZONING

ARTICLE VI. SUPPLEMENTAL REGULATIONS

DIVISION 11. WIRELESS TELECOMMUNICATIONS FACILITIES, MICROWAVE RELAY STATIONS, AND RADIO AND TELEVISION BROADCAST ANTENNAS

Sec. 30-692.2. Standards applicable to all facilities and antennas.

(a) In addition to meeting minimum submission requirements for plan of development and building permit applications, requests for approval for wireless communications facilities shall include the following:

...
(3) Plans required for applications shall also clearly depict the following:

...
g. Landscape plans—minimum evergreen hedge for the base of the support structure and ground-mounted equipment, with additional trees for support structure screening.

...
(Code 1993, § 32-692.2; Code 2004, § 114-692.2)

ARTICLE VII. OFF-STREET PARKING AND LOADING REQUIREMENTS

DIVISION 2.1. OFF-STREET PARKING IMPROVEMENT REQUIREMENTS AND LANDSCAPING STANDARDS

Sec. 30-710.10. Intent.

The intent of this division is to facilitate the creation of a convenient, attractive and harmonious community; to conserve and protect natural resources, including air and water quality; to protect and enhance property values; and to promote public safety by providing internal landscaping, perimeter buffer, tree coverage and other

improvement standards for the development and maintenance of parking areas and parking lots in the City.
(Code 1993, § 32-710.10; Code 2004, § 114-710.10)

Sec. 30-710.12. Improvement of parking areas and parking lots.

Parking areas and parking lots containing five or more parking spaces shall be improved and maintained in accordance with the following:

- (1) Screening along interior lot lines in certain cases. Whenever a parking area or parking lot abuts or is situated within 50 feet of property in an R, RO, HO or I district, unless separated therefrom by an alley providing access to such parking area or parking lot, the parking area or parking lot shall be effectively screened from view from such property by evergreen vegetative material not less than 3½ feet in height at the time of installation or by an opaque structural fence or wall not less than four feet in height, provided that such parking area or parking lot need not be screened from an adjacent parking area or parking lot containing five or more parking spaces or from an adjacent loading area. Evergreen vegetative material intended to satisfy this subsection shall be planted at such intervals that will result in a continuous visual screen within one year of planting.

...
(Code 1993, § 32-710.12; Code 2004, § 114-710.12; Ord. No. 2011-33-53, § 1, 3-28-2011)

Sec. 30-710.13. Perimeter buffers: landscaping requirements.

Except as provided in Subsection (3) of this section, parking areas and parking lots containing five or more parking spaces shall be improved and maintained with landscaping in accordance with the requirements of this section as follows:

- (1) Treatment of required landscaped buffers. Treatment of required landscaped buffers shall be in accordance with the following:
 - a. Required landscaped buffers shall be provided with vegetative ground cover, trees, shrubs, other plant material, or any combination thereof, except where more specific requirements are set forth in Subsection (2) of this section. Mulch ground cover may be provided as a border or supplement to other vegetation in a required landscaped buffer. Pedestrian walkways incidental to landscaped buffers may be incorporated within such buffers when the other requirements of this Subsection (1)a are met.
 - b. All required landscaped buffers shall be protected from encroachment by motor vehicles by installation of curbs, wheel stops or other features which separate the landscaped buffer from areas improved for vehicle parking or circulation.

- (2) Landscaped buffers along streets. Landscaped buffers as set forth in Subsections (2)a through (2)d of this section shall be installed and maintained between all areas devoted to parking and all adjacent street lines, provided that approved driveways enabling access to abutting streets may extend through such buffers.

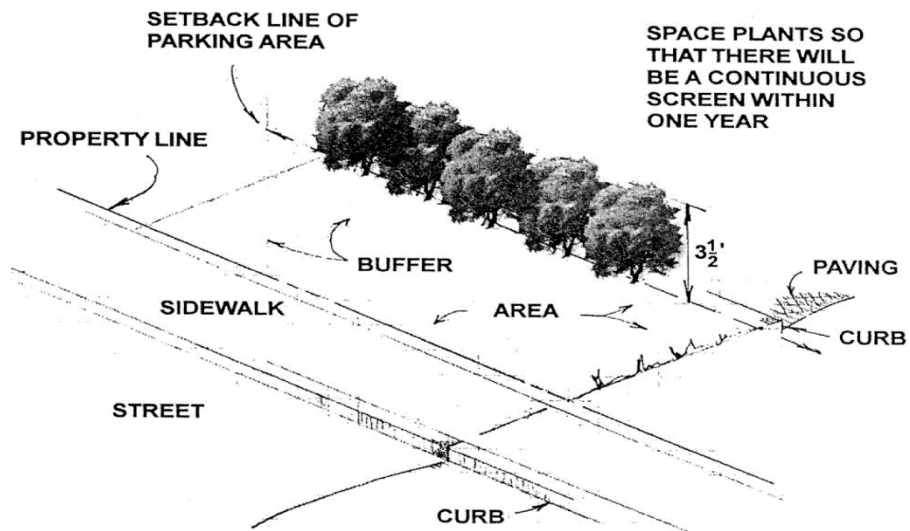
- a. Zoning districts and permitted buffer alternatives. The following table specifies the buffer and buffer alternatives that satisfy the landscaped buffer requirement in each zoning district. Where more than one buffer alternative is listed for a zoning district, any of the listed alternatives may be provided to satisfy the buffer requirement in that district:

Zoning Districts	Buffer Alternatives
------------------	---------------------

R, RO, HO, I	A, B, C, D
UB	F, G, H
B-2	E
UB-2, B-2, B-3	F, G, H, I, J
B-4, B-5, B-6, B-7	I, J
RF-1, RF-2	I, J
CM, DCC	I, J
OS	F
RP	F, G, H
M-1, M-2	J, K

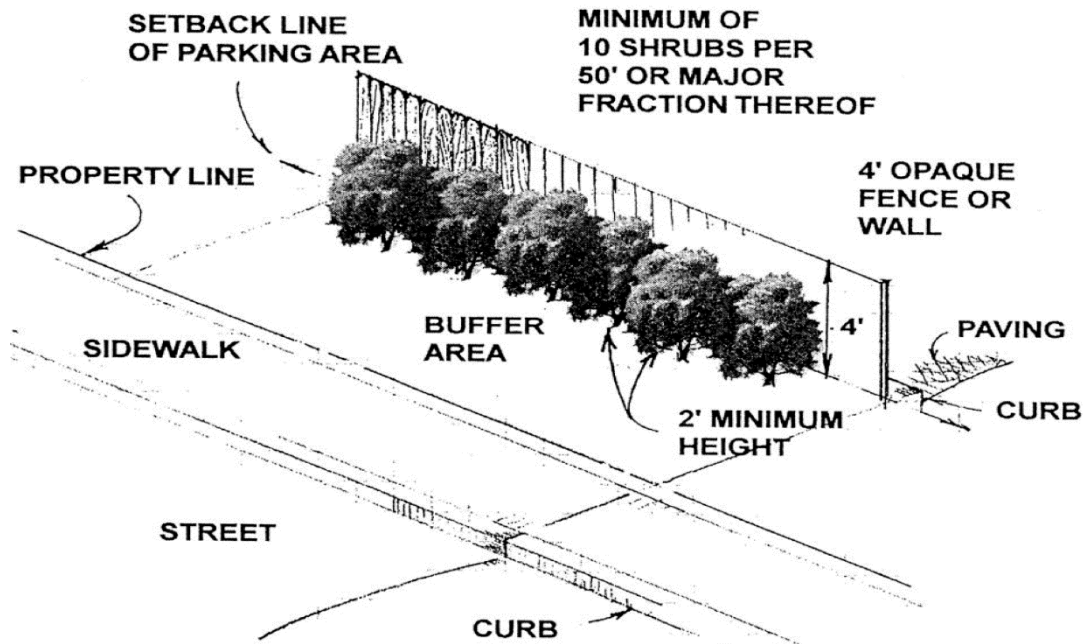
b. Description of buffer alternatives. The depth of and improvements required within each buffer alternative are as follows. In all cases, buffer alternatives are minimum requirements, and greater buffer depth, additional landscaping or additional fence or wall improvements may be provided:

1. Buffer "A," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an evergreen vegetative screen not less than 3½ feet in height at the time of installation placed along the setback line of the parking area. Evergreen vegetative material intended to satisfy this requirement shall be planted at such intervals that will result in a continuous visual screen within one year of planting.

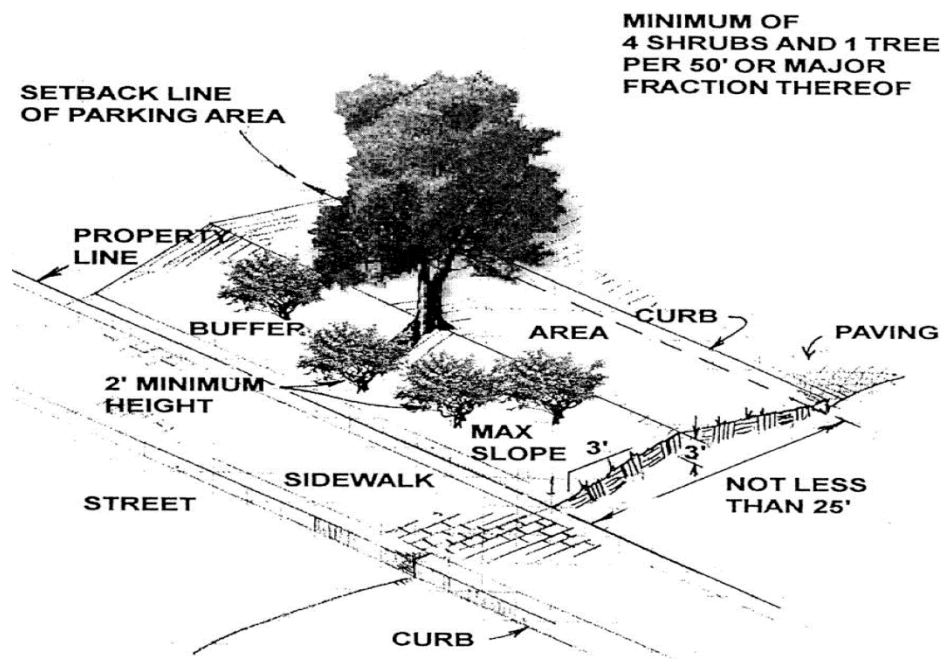


Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

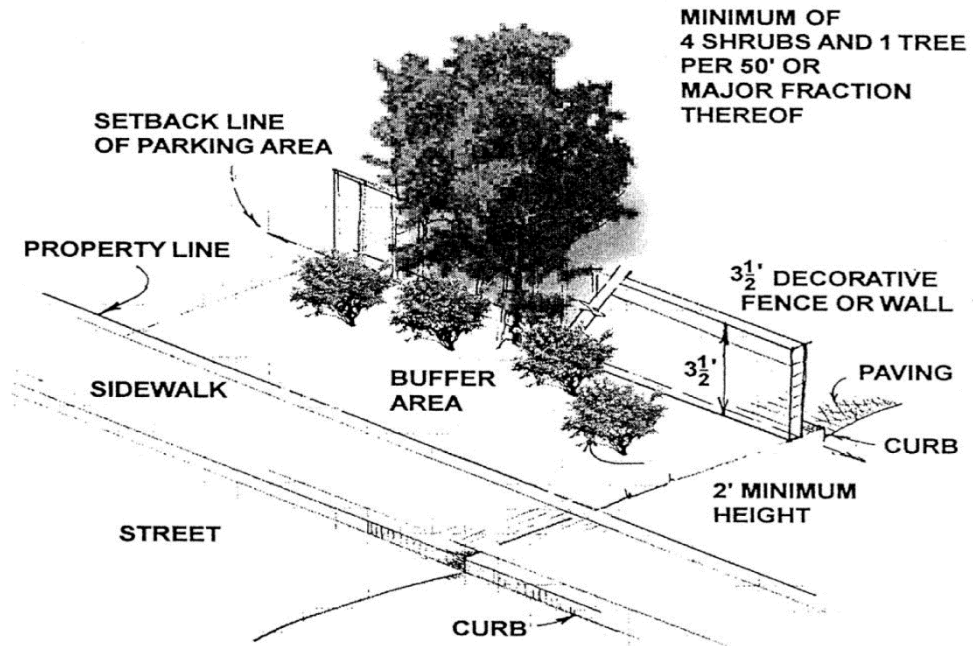
2. Buffer "B," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an opaque structural fence or wall not less than four feet in height placed along the setback line of the parking area and shall include shrubs located adjacent to such fence at a rate of not less than ten for each 50 linear feet or major fraction thereof of buffer along each street frontage.



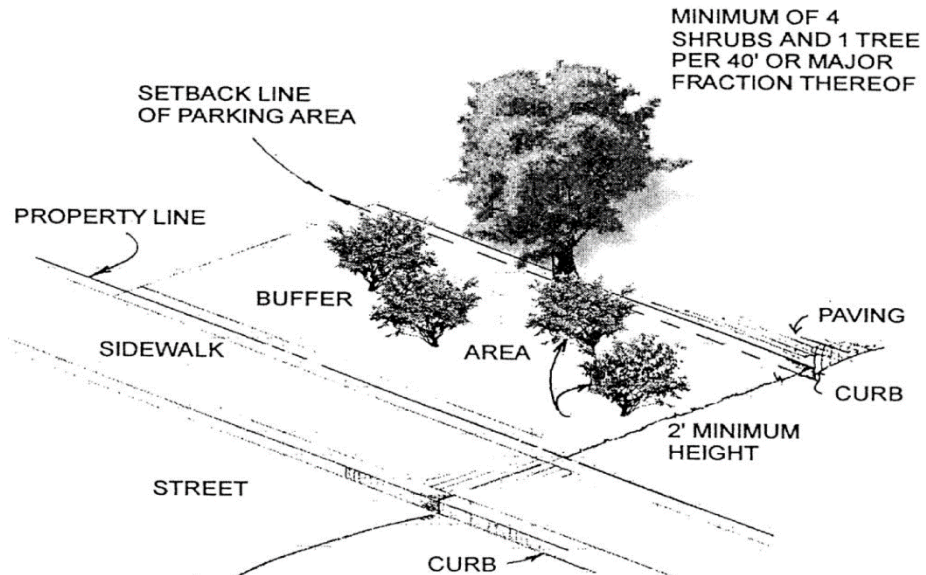
3. Buffer "C," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include a decorative fence or wall not less than 3½ feet in height placed along the setback line of the parking area and shall include trees and shrubs located adjacent to such fence at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.



4. Buffer "D," as shown below, shall have a depth of not less than 25 feet and shall consist of an earthen berm not less than three feet in height with slopes not greater than three feet horizontal for each one foot vertical and shall include trees and shrubs located on the top or street side of such berm at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

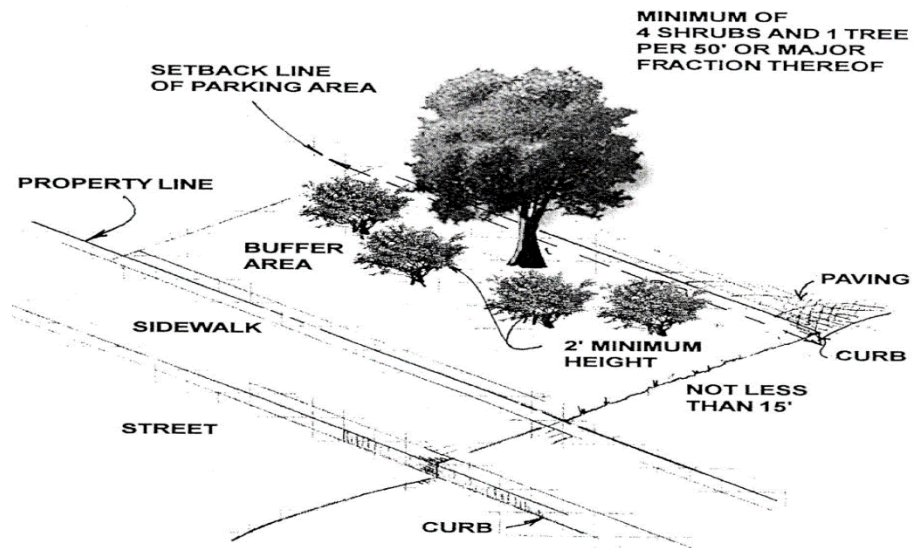


5. Buffer "E," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage. In any case where the applicable yard requirement along a street is five feet or less, the trees and shrubs required for buffer "E" may be substituted with the improvements specified for buffer "H," "I," or "J," provided that the applicable yard requirement is met.

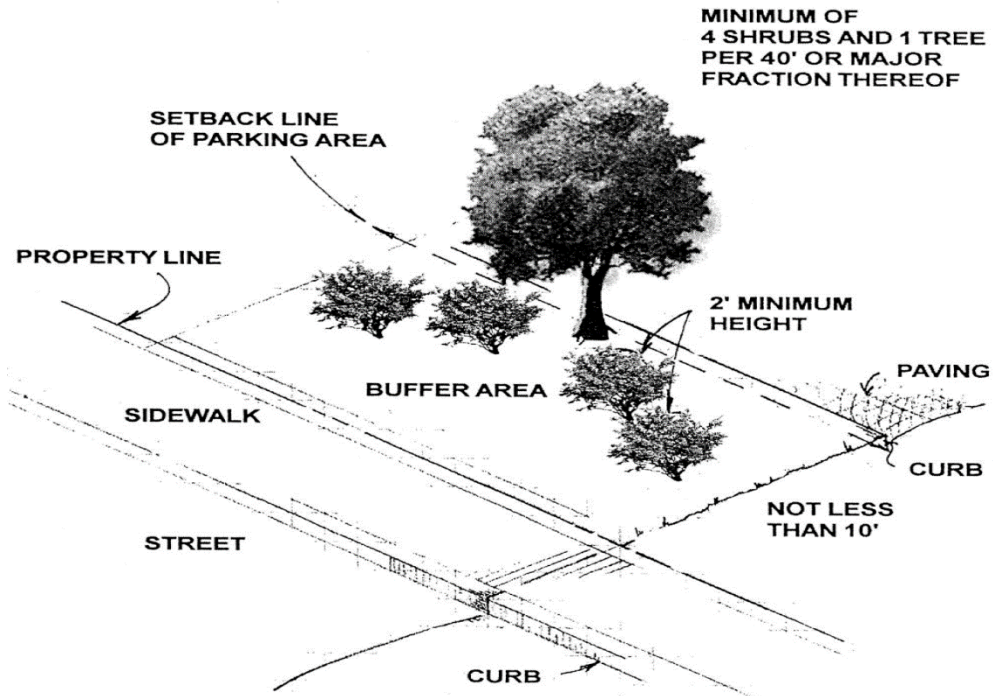


Buffer area depth dependent on yard requirement in district, but in no case less than five feet. Where yard requirement is five feet or less, trees and shrubs may be substituted as specified for buffers "H," "I," and "J."

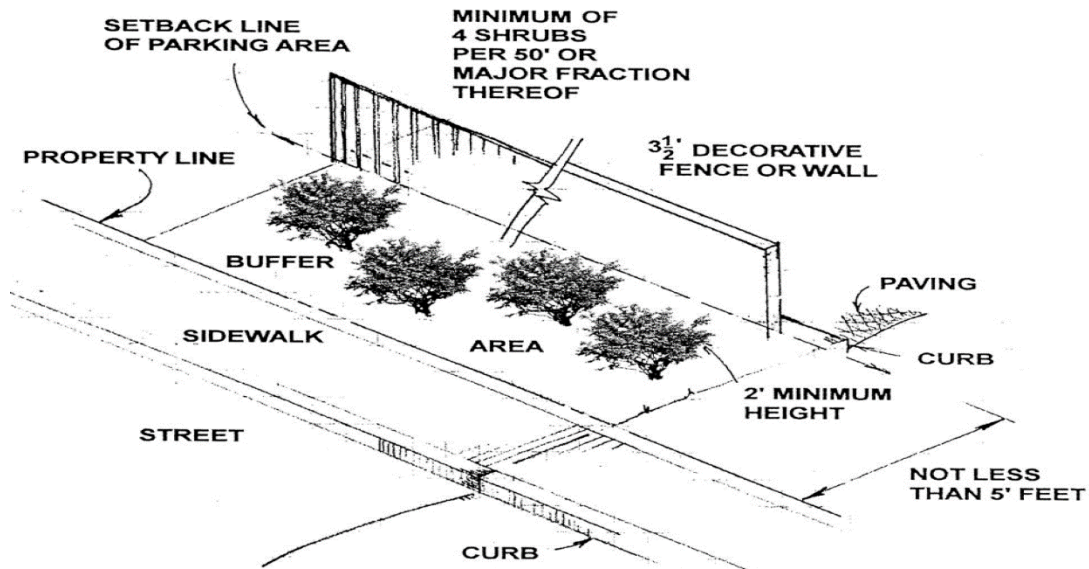
6. Buffer "F," as shown below, shall have a depth of not less than 15 feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.



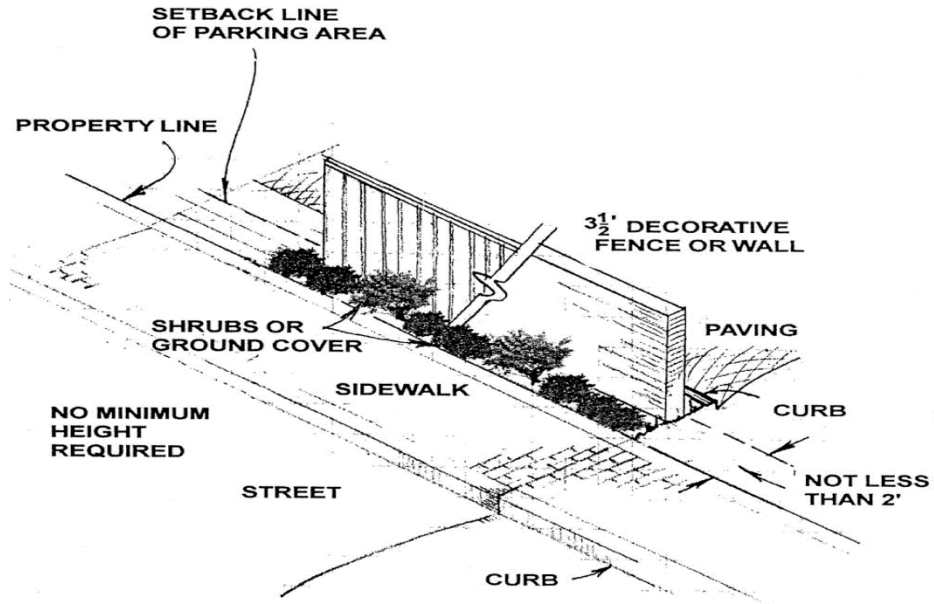
7. Buffer "G," as shown below, shall have a depth of not less than ten feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage.



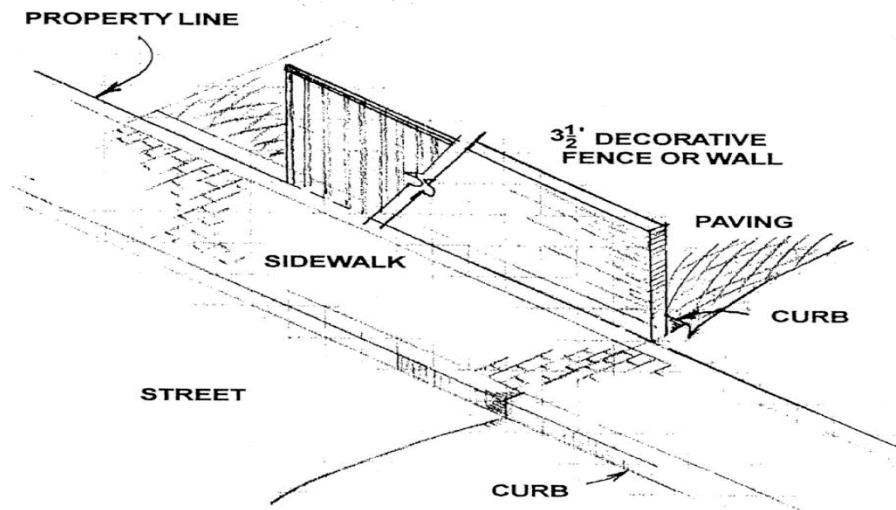
8. Buffer "H," as shown below, shall have a depth of not less than five feet and shall include a decorative fence or wall not less than 3½ feet in height and shrubs at a rate of not less four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.



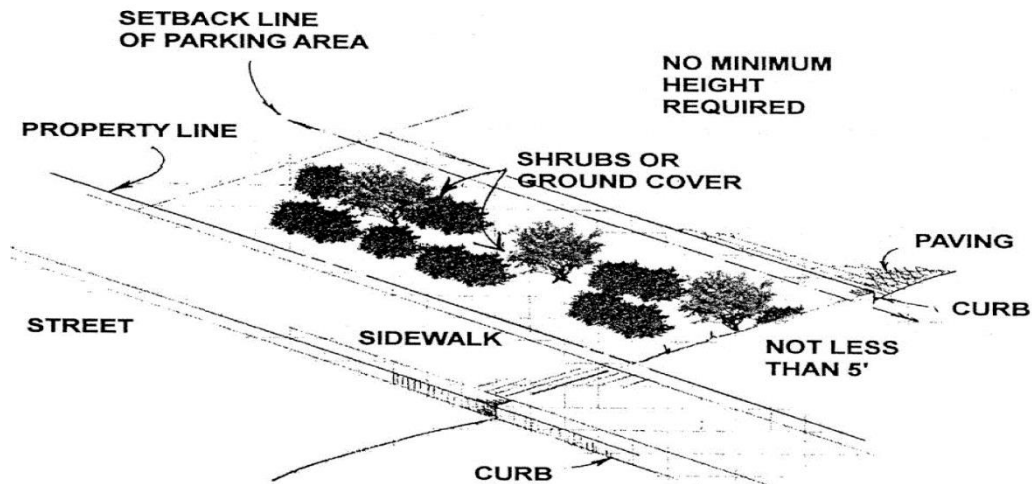
9. Buffer "I," as shown below, shall have a depth of not less than two feet and shall include a decorative fence or wall not less than 3½ feet in height and vegetative ground cover, shrubs or other plant material.



10. Buffer "J," as shown below, shall consist of a decorative fence or wall not less than 3 1/2 feet in height located at the edge of the area devoted to parking.



11. Buffer "K," as shown below, shall have a depth of not less than five feet and shall include vegetative ground cover, shrubs or other plant material.



c. Tree and shrub standards. Standards for trees and shrubs shall be as follows:

1. Trees to be credited toward buffer requirements shall be deciduous trees having a caliper of not less than 2½ inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than six feet at the time of installation. Healthy existing trees to be retained within a buffer area may be credited toward buffer requirements when such trees are shown on approved plans and are adequately protected during construction.
2. Trees to be credited toward buffer requirements shall be distributed as equally as practical throughout the length of the buffer, with consideration for the species of trees, topography, location of driveways and utilities and other physical conditions.
3. Shrubs to be credited toward buffer requirements shall be evergreen shrubs not less than two feet in height at the time of installation. Shrubs may be grouped in a manner appropriate to the species and need not be distributed equally throughout the length of the buffer.

...

(3) Landscaped buffers along interior lot lines. In addition to the screening requirements set forth in Section 30-710.12, parking areas and parking lots containing 30 or more parking spaces and parking areas containing five or more parking spaces serving uses with drive-up facilities or facilities for dispensing motor fuels shall be provided with landscaped buffers of not less than five feet in depth installed and maintained between all areas devoted to parking and all lot lines other than street lines, provided that approved driveways connecting properties or enabling access to abutting alleys may extend through such buffers.

(Code 1993, § 32-710.13; Code 2004, § 114-710.13; Ord. No. 2004-180-167, § 1, 6-28-2004; Ord. No. 2006-168-189, § 2, 7-10-2006; Ord. No. 2008-2-55, § 2, 3-24-2008; Ord. No. 2009-221-2010-9, § 1, 1-25-2010; Ord. No. 2010-19-31, § 3, 2-22-2010)

Sec. 30-710.14. Internal landscaping requirements.

Landscaped islands meeting the requirements of this section shall be provided within all parking areas and parking lots containing 30 or more parking spaces and within parking areas containing five or more parking spaces serving uses with drive-up facilities or facilities for dispensing motor fuels.

- ...
- (4) Improvement of required landscaped islands.
- a. Each required landscaped island shall contain not less than one deciduous tree having a caliper of not less than 2½ inches at the time of installation measured six inches above the ground.
 - b. In addition to required trees, landscaped islands shall be provided with vegetative ground cover, shrubs, other plant material, or any combination thereof. All portions of required landscaped islands not provided with vegetative ground cover or other plant material shall be mulched.

...

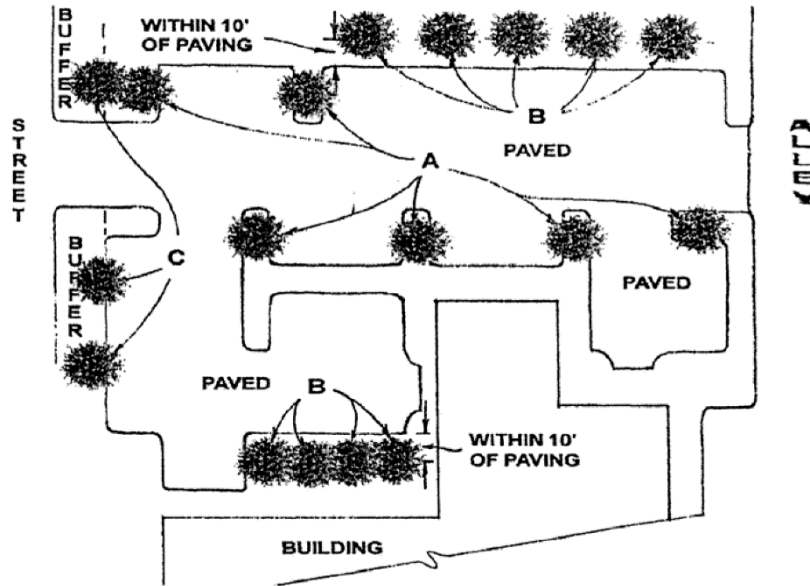
(Code 1993, § 32-710.14; Code 2004, § 114-710.14; Ord. No. 2004-180-167, § 1, 6-28-2004)

Sec. 30-710.15. Tree coverage requirements.

Parking areas and parking lots containing 30 or more parking spaces and parking areas containing five or more parking spaces serving uses with drive-up facilities or facilities for dispensing motor fuels shall be improved and maintained with trees in accordance with the requirements of this section.

- (1) Determining projected tree coverage. Projected tree coverage shall be determined in accordance with the City of Richmond Tree Canopy Chart which shall be adopted by resolution of the Planning Commission. Other tree species and larger trees not shown on the tree canopy chart may be given credit toward the tree coverage requirement when supporting data adequate to determine coverage is submitted to and accepted by the Zoning Administrator.
- (2) Minimum projected tree coverage. Trees shall be planted or existing trees shall be retained so as to provide a projected tree coverage at ten years from the date of plan approval as determined by the following formulas:
 - a. A parking area serving a use other than a use with drive-up facilities or facilities for dispensing motor fuels, or a parking lot, shall have a projected tree coverage area equivalent to not less than 30 square feet for each parking space contained in the parking area or parking lot.
 - b. A parking area serving a use with drive-up facilities or facilities for dispensing motor fuels shall have a projected tree coverage area equivalent to not less than 40 square feet for each parking space contained in the parking area.
- (3) Minimum tree sizes. Trees to be credited toward the tree coverage requirement shall meet the following standards at the time of installation:
 - a. Deciduous trees shall have a caliper of not less than 2½ inches measured six inches above the ground.
 - b. Evergreen trees shall be not less than six feet in height.
- (4) Location of trees to be credited. As shown below, trees to be credited toward the tree coverage requirement may be located:
 - a. Within landscaped islands meeting the requirements of Section 32-710.14; or
 - b. Between the area devoted to parking and a building on the same site, or between the area devoted to parking and a side or rear property

line, provided such trees are located within ten feet of the area devoted to parking; or
 c. Within that portion of a perimeter buffer lying within ten feet of the area devoted to parking, provided that trees required to meet perimeter buffer requirements shall not be credited toward the tree coverage requirement.



Location of Trees

(5) Retention of existing trees. Healthy existing trees to be retained may be credited toward the tree coverage requirement when such trees are located as specified in Subsection (4) of this section, are shown on approved plans, and are adequately protected during construction.

(Code 1993, § 32-710.15; Code 2004, § 114-710.15; Ord. No. 2004-180-167, § 1, 6-28-2004)

Sec. 30-710.16. Maintenance.

The owner of the property shall be responsible for maintenance, repair and replacement of landscaping materials and other improvements required by this division in such manner that the requirements of this division continue to be met.

(Code 1993, § 32-710.16; Code 2004, § 114-710.16)

ARTICLE IX. OVERLAY DISTRICTS
DIVISION 1. PARKING OVERLAY DISTRICTS

Sec. 30-930.1. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Major plantings means any substantial existing or proposed plant material, including but not limited to trees or shrubs with trunks greater than three inches in diameter or eight feet in height and hedgerows exceeding ten feet in length.

Site improvements means structural changes to the grounds of a property, including the installation or alteration of walls, fences, or structures; paving; regrading; and the installation or removal of major plantings.

(Code 1993, § 32-930.1; Code 2004, § 114-930.1)
Cross reference— Definitions generally, § 1-2.

ARTICLE X. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. ADMINISTRATIVE OFFICER

Sec. 30-1030.4. Criteria.

The Director of Planning and Development Review shall approve the plan of development if the Director finds the following criteria to be met; otherwise, the Director shall disapprove the plan of development. In reviewing the plan of development and taking action thereon, the Director shall also take into consideration the objectives of the City of Richmond Master Plan as approved and amended by the City Council.

(1) Preservation of landscape and other natural features. The natural landscape of the site shall be preserved by retaining mature, healthy trees and natural topography except where removal or thinning of trees and alteration of topography is necessary to accommodate building sites, recreation areas, required parking and driveway areas, necessary drainage facilities and utility systems. Appropriate ground cover, trees and other vegetative materials shall be retained or planted to prevent excessive stormwater runoff, erosion, siltation and dust, and to enhance the general appearance of the site and its compatibility with nearby sites.

(2) Arrangement of buildings and spaces.

a. Buildings shall be located on the site or designed in such a manner that the fronts of buildings do not face into rear yards or service areas of other buildings located either within the site or adjacent to it, except where privacy walls, fences, plant materials or topographic features provide screening therefrom.

b. Where a site abuts an interstate/freeway or principal or minor arterial street as designated in the master plan, railroad or another site developed or intended to be developed for uses potentially incompatible with the proposed use, buildings and open spaces shall be so located, designed and arranged as to provide reasonable separation from such features or uses. Where necessary to achieve such separation, trees or other vegetative materials shall be retained on the site or supplemented by additional planting or the erection of appropriate walls or fences.

(3) Functions of yards and spaces. Yards, spaces between buildings and other open spaces required by the provisions of this chapter shall be located with respect to buildings and other site improvements and shall be improved so as to reasonably serve the purposes for which such yards and spaces are intended by this chapter, those purposes being: provision of light and air, separation between buildings, separation between incompatible functions, enhancement of privacy and promotion of public health and safety.

...
(Code 2004, § 114-1030.4; Ord. No. 2004-180-167, §§ 3, 5, 6-28-2004; Ord. No. 2009-221-2010-9, § 1, 1-25-2010)

Sec. 30-1030.5. Authority of Zoning Administrator.

The Zoning Administrator shall approve the application for a building permit or for a certificate of use and occupancy after receiving plans from the Director of Planning

and Development Review bearing proof of the Director's approval, provided that the Zoning Administrator is satisfied that the proposed construction and use of the premises conform with the applicable provisions of this chapter. The authority and responsibility of the Zoning Administrator shall, with respect to applications having been approved by the Director of Planning and Development Review, be the same as for other applications for building permits and for certificates of use and occupancy submitted for the Zoning Administrator's approval, and nothing in this article shall be construed to abrogate such authority and responsibility.
(Code 2004, § 114-1030.5; Ord. No. 2004-180-167, §§ 3, 5, 6-28-2004; Ord. No. 2009-221-2010-9, § 1, 1-25-2010)