

SUB-CHAPTER 2.20
LANDSCAPING ORDINANCE

SECTION

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14-2.2001. Purpose and intent.

(1) The purpose of this ordinance are to promote the health, safety and public welfare in the City of Alcoa and, consistent with forestry policy and practice as promulgated by the Division of Forestry of the State of Tennessee, to regulate and control the planting of trees and vegetation in the City; to regulate and encourage the protection of existing trees and root system; to regulate the preservation, replacement and indiscriminate removal of trees; and to establish procedures and practices and minimum design standards for fulfilling these purposes.

(2) The standards established herein are intended to: lessen air pollution; promote clean air quality through increases dust filtration; reduce noise, heat and glare; prevent soil erosion; improve surface drainage; minimize flooding; ensure that development activities in one area do not adversely affect activities within adjacent areas; stress the importance of trees as a visual screen; beautify and enhance improved and undeveloped land; maintain the ambiance of the City; maintain property values; and, minimize the cost of construction and maintenance of drainage systems necessitated by increased flow and diversion of surface waters. (as added by Ord. #999, Feb. 1996)

14-2.2002. Definitions.

- (1) Annuals – Plants that have a life cycle of one year.
- (2) Caliper inches (CI) – The quantity in inches of the diameter of new, supplemental and replacement trees measured at the height of six inches (6") above the ground for trees four inches (4") in trunk diameter and under, and 12 inches above the ground for trees over four inches (4") in trunk diameter. Such inches shall be used in measuring newly planted material.
- (3) Coniferous tree – Any tree with needle leaves and a woody cone fruit.
- (4) Deciduous – Those trees that shed their leaves in the fall or winter.
- (5) Drip line – A vertical line extending from the outermost portion of the tree canopy to the ground.
- (6) Evergreen – Those trees, including broad-leaf and conifer evergreens, that maintain their leaves year round.
- (7) Ground cover – Low-growing plants that form a dense, extensive growth and tend to prevent soil erosion.
- (8) Heritage tree – A tree of significant age or stature that constitutes a unique asset to the community.
- (9) Landscaping – Trees, shrubs, ground-cover, perennials, annuals, plant sculpture, art and the use of building and paving materials in a manner that respects the natural topographic features and natural resources of the site.
- (10) Overstory – Those trees that compose the top layer or canopy of vegetation.
- (11) Perennials – Plants that survive on an indefinite basis.

(12) Replacement planting – The planting of trees on a site that, before development, had more trees of a certain caliper inch than existed after development of the site.

(13) Shrub – A low, woody plant that generally has several stems.

(14) Supplemental planting - The planting of trees on a site to meet the minimum site design requirements.

(15) Tree – Any living, self-supporting woody or fibrous plant, which is coniferous, evergreen, deciduous or ornamental, as defined herein.

(16) Tree protection zone – The area around a tree corresponding to five (5) feet outside the drip line.

(17) Understory (or basement) – Those trees that grow beneath the overstory, with a mature height of 30 feet. Examples include: Golden Rain Tree, Crape Myrtle, Dogwood, Red Bud, Flowering Crab and Cherry Tree. (as added by Ord. #999, Feb. 1996)

14-2.2003. Specifications.

(1) Tree planting.

a. All trees planted to meet minimum site design requirements, shall be of a minimum caliper of two (2") inches, six (6") inches above the ground. Coniferous specimens should be a minimum of six (6) feet tall at planting.

b. All trees shall be free of insects, disease or mechanical injuries and have straight trunk(s) and a form characteristic of the species.

c. No street trees, other than those with a mature height of less than 25 feet on height, shall be planted within 10 feet of any overhead utility wire (including telephone and cable television services).

d. No trees shall be planted over or within five (5) lateral feet of any underground water, sewer or electrical lines (excluding telephone, cable television, and individual service lines). A minimum of at least 10 feet is recommended. This requirement shall also be deemed to include plantings within any recorded sewer or water easement which may be prone to clogging water or sewer lines with roots. This includes, but is not limited to: Poplar, Boxelder, Silver Maple, American Elm, Catalpa, Siberian Elm, Cottonwood, Black Walnut and Weeping Willow. The same applies to the planting of any species known to reach a mature height greater than 20 feet within any recorded easement for overhead electric or telephone lines.

e. No tree shall be planted closer than 10 feet to a fire hydrant, utility pole or street light. No tree shall be planted within 15 feet of a driveway/street intersection or within recognized visibility standards and specifications as specified in Title 14, Section 14-2.2104 of the Alcoa Municipal Code.

f. Trees planted adjacent to sidewalks or curbs should not be planted any closer to either structure than two (2) feet for small trees (up to 25' tall at maturity), three (3) feet for medium trees (25-50' tall at maturity), or four (4) feet for large trees (50'+ tall at maturity).

g. For the purpose of establishing a balanced spacing of trees, and for that purpose only, on each site for which a building/zoning compliance permit is requested trees shall be spaced a distance of 20 to 40 feet, (with 20 foot spacing for understory trees and 40 foot spacing for shade trees).

(2) Tree replacement.

a. Any tree that is a caliper of six (6) inches or greater at a point six (6") inches above the ground, if removed as a part of the development process, must be replaced. The replacement tree(s) shall be determined by a minimum caliper of two (2) inches; thus, for the replacement of a 40" caliper tree, 20 replacement trees of two (2) inches would be required.

b. All replacement trees shall be in the same tree category as those removed, unless a substitute tree has been approved by the City.

c. If considered necessary by the Alcoa Municipal/Regional Planning Commission, unsightly or annoying areas including, but not limited to, outside storage areas, refuse collection facilities, parking lots, athletic fields or other lighted areas, may be required to be screened from adjacent properties for that purpose. All tree screens shall be a minimum of 10 feet in width, six (6) feet in height, and an opacity of 80% or greater.

(3) Tree maintenance.

a. The practice of tree topping is strongly discouraged. Proper pruning with branch removal at branch or truck junctures is the best practice for limb removal.

b. Tree pruning shall be performed in a manner that protects the public. Street, public and private trees growing along streets and sidewalks must be pruned free of limbs to a height of eight (8) feet for sidewalks and 12 feet for streets, with no lateral growth permitted onto the sidewalk or street below this height. Tree branches shall not obstruct the view of any street lamp, street sign or stop sign. There shall be no tree or shrub vegetation which obstructs any street intersection (as defined in Title 14, Chapter 2.21, Section 14-2.2104 of the Alcoa Municipal Code) and such vegetation must be kept pruned so that a driver has a clear line of vision of traffic coming from either direction. There shall be no shrub or other vegetation above a height of three (3) feet at intersections. Trees shall be kept pruned of any dead, diseased or dangerous limbs or branches which could fall into the right-of-way or onto public property and thereby constitute a menace to public safety.

(4) Tree removal.

a. The City shall have the right to cause the removal of any dead, diseased or structurally damaged trees on private property and when such trees constitute a potential hazard to life and property within the right-of-way or on public property. All stumps of public and street trees should be removed below the surface of the ground by grinding or other methods.

(5) Protection of existing tree cover.

a. Industrial, commercial and residential developments must preserve existing trees whenever practical. Adequate protection should be given to trees scheduled to be preserved on a construction site. Grading or filling should be adjusted to reduce root or soil compaction. Appropriate measures, including the erection of protective barriers, are encouraged to be installed around public and private trees identified to be preserved.

b. Trees scheduled for planting must be quality specimens, meeting the American Nurserymen Association (ANA) standards, which are compatible with the existing soil conditions. (as added by Ord. #999, Feb. 1996)

14-2.2004. Administration. Tree planting shall be a required activity in public areas and shall be undertaken in a systematic manner to assure the diversity of age, classes and species. Public areas shall be defined as land owned by the City of Alcoa and State of Tennessee right-of-way. A planting program shall be developed by the City for all public areas. The function and jurisdiction of the following bodies are as follows:

(1) Public Works Department

The City Tree Program shall be administered by the Public Works Department, with assistance to be provided by the Blount County Recreation and Parks Commission. The Public Works Department shall be responsible for pruning, watering, fertilizing, insect and disease control and other tree care to keep all public trees reasonably healthy and minimize the risk of hazard to residents and visitors to the City. The department shall be supported in its program by other departments and organizations within the City of Alcoa, and in particular, in close coordination with the Blount County Commission of Recreation and Parks. All trees planted on public property shall be of a species referenced on the City's recom-

mended tree list or approved by the Public Works Department. Specific areas of responsibility are as follows:

- a. To provide the overall enforcement of a city tree program through the Director of Public Works, or appointed designee.
 - b. To provide inspection of development sites to ensure compliance with grading and tree protection recommendations.
 - c. Evaluate and review recommendation of Alcoa Tree Board with regard to the removal of trees. If deemed to be an immediate hazard and the property owner cannot be contacted or refuses to remove the hazard, the City will initiate action immediately, upon evaluation by the Public Works Director. An evaluation of potential danger means that a hazard will exist in the near future and the property owner shall be notified and advised to remove the future hazard as soon as possible.
- (2) Alcoa Municipal/Regional Planning Commission
To review all development plans in accordance with provisions of this ordinance, as part of the review process of site development plans.
- (3) Alcoa Tree Board
- a. To study, investigate, counsel, develop and administer a plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets, and in other public areas.
 - b. To consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work, when requested by the Board of Commissioners.
 - c. To designate the appropriate tree species to be planted upon public property. This shall include consideration for spacing, distance from curb or sidewalk, distance from street corners and fire plugs, location of utilities, etc.
 - d. To establish policies concerning the care of trees on public property including, but not limited to, such matters as tree topping, removal of dead or diseased trees and removal of stumps.
 - e. To provide and coordinate publicity concerning trees and tree programs.
 - f. To recognize groups and individually completed tree projects.
 - g. To coordinate donations of trees or money to purchase trees.
 - h. To evaluate site landscaping plans in conjunction with the Alcoa Municipal/Regional Planning Commission.
 - i. To evaluate and recommend to the Board of Commissioners unique tree(s) to be designated as a "Heritage Tree".
 - j. To perform other tree related duties and opportunities, including but not limited to: working with developers in the retention of existing trees; educating engineers, surveyors and developers on the merits of tree preservation; the evaluation of the degree of hazard regarding the removal of trees, forwarding its recommendation of the Public Works Director for action. The recommendation will be in one of two forms, either as an evaluation of imminent danger (i.e., needing immediate action) or potentially dangerous (i.e., a hazard will exist in the near future).
 - k. The City of Alcoa Tree Board shall be composed of four members. The members shall consist of the City Manager of the City of Alcoa, or appointed designee; the director of Public Works, or appointed designee; the Executive Director of Maryville-Alcoa-Blount County Commission of Recreation and Parks, or appointed designee; and the City Planner, or appointed designee. (as added by Ord. #999, Feb. 1996)

14-2.2005. Landscaping Requirements.

(1) Site Plan Review – All commercial (including residential development, excluding single-family detached lots) are required to have site plan review and approval by the

Alcoa Municipal/Regional Planning Commission. The quantity of landscaping on a site must meet the minimum site design requirements as set forth in the local site development regulations that follow below. Developers, including those developing residential subdivisions, are strongly encouraged to leave all trees, which can be preserved. Additionally, any erosion control plan submitted must include provisions for the preservation of existing ground-cover and trees where practical, with a detailed plan for tree protection. The site plan submitted shall designate trees on the site meeting a caliper of six (6) inches or greater, six (6") inches above the ground (as defined in Section 14-2.2003 above), denoting those which will remain and those which will be removed. A plan for the replacement of the trees meeting these criteria must also be submitted. The Alcoa Municipal/Regional Planning Commission may, at its option, do any or all of the following.

- a. Require that any protected tree(s) that is destroyed be replaced, according to the provision of Section 14-2.2003, (2), (a) of this ordinance.
- b. Request that the site plan be altered so as to preserve any protected tree(s).
- c. Request that developer transplant any protected tree(s) to another location on the site.

(2) Minimum landscaping requirements applicable to all commercial (including residential development, excluding single-family detached lots) development – Landscaping that does not interfere with the vehicular visibility at access points along the frontage of a development may be installed in the front yard 10 foot visibility strip. All development proposals require a minimum 10 foot landscaping strip of grass or plantings around the rear and side yards of the site, or a permanent commitment of at least 10 percent of the gross area of the parcel to landscaped area. A landscaping plan which includes at least two, two (2) inch caliper trees (at a point six (6") inches above the ground) for every four thousand (4,000) square feet of paved area shall be submitted to the City. Landscaped islands of five (5) feet in width and 20 feet deep shall be installed every 15 parking spaces, with a minimum of grass. Shrubs planted within these islands shall be no greater than 18 to 30 inches in height at maturity.

- a. Landscaping shall be integrated into building arrangement, topography, parking and buffering requirements.
- b. Loading areas shall be adequately screened so as not to be visible from any residential areas or streets.
- c. Heating and cooling units for non-residential structures shall be adequately screened so as not to be visible from streets and/or adjacent properties.
- d. Terminating Islands whenever parking ends. (as added by Ord. #999, Feb. 1996)

14-2.2006. Appeal and penalties. Any person dissatisfied with the decision, rules and regulations contained herein or resulting from this ordinance shall have the right of appeal. An appeal shall be submitted in accordance with the rules and regulations set forth by the Board of Commissioners. Any person violating this ordinance shall be fined accordingly. Each subsequent day that any violation continues unabated, shall constitute a separate offense. (as added by Ord. #999, Feb. 1996)