

§ 9.2.19 LANDSCAPING

(A) PURPOSE AND INTENT. The purpose of this Section is to improve the appearance, quality and quantity of landscaping visible from public rights-of-way and adjacent properties. The emphasis is on buffer landscaping and landscaping adjacent to or visible from Fourth Street.

(B) APPLICABILITY. These regulations shall apply to the following:

(1) All buildings erected, parking lots constructed, or alterations in lot coverage exceeding twenty percent (20%) of the lot area occurring after October 27, 2003, in the VC and C-1 Zones.

(2) Expansion of existing commercial development in which the square footage of a structure, lot coverage, or parking area is increased by twenty percent (20%) or more.

(C) LANDSCAPING PLAN. The landscaping plan shall be submitted for approval by the Planning Director, Commission, or Board depending upon the type of permit being sought. The landscape plan shall include:

(1) a site map drawn to scale showing topography in the form of finished contour lines and areas proposed to be landscaped upon completion of the building construction project;

(2) common or botanical names of the plants to be used, indicating plant size, location, and spacing shown on the site map;

(3) the location, type, and size of any underground or overhead utility lines on the site with reference to the landscaped areas;

(4) type and layout of the irrigation system, if required, for landscaping areas indicating connections to the water supply source; and

(5) a stormwater drainage plan for the site shall be attached or referenced in accordance with § 9.2.25(E)(2)(e)3, Grading and Drainage Plan – NPDES Stormwater Management Plan.

(D) LANDSCAPING REGULATIONS. All landscaping created pursuant to these regulations shall be planned, designed, and installed in compliance with the following requirements:

(1) A minimum of fifteen percent (15%) of the unbuilt area shall be landscaped in a manner that will meet the intent of these Regulations. Corner lots or double fronted unbuilt area shall provide a minimum of twenty percent (20%) of the lot as landscaped area. Landscaping may consist of trees, shrubs, ground cover, or other low-growing plants, and may include natural or manufactured materials such as rocks, walls, pavement for walkways or patios, works of art, and outdoor furniture as long as such materials comprise no more than twenty-five percent (25%) of the total landscape area required. Siberian Elm, Tamarisk, and Russian Olive shall not be used in the landscape plan, and if existing on the lot, may not be included as part of the required trees or shrubs.

There shall be a landscape strip at least five (5) feet deep along Fourth Street, excluding driveways, except that in the VC Zone (where there is no building setback requirement) if the building is set back from the right-of-way the gap shall be landscaped up to five (5) feet.



Landscaping, in addition to natural vegetation, to meet the requirements of this Section shall be provided in the following minimum numbers, sizes, and growth capabilities:

(a) Trees.

1. There shall be a minimum of one shade tree or ornamental tree planted for each five hundred (500) square feet of required landscaped area.

2. Shade trees or ornamental trees shall be at least two (2) inches in caliper measured at the trunk two feet above grade or the tree shall be at least ten (10) to twelve (12) feet in height at the time of planting.

3. Siberian Elm trees, Tamarisk (Salt Cedar), and Russian Olive shall not be planted to meet the requirements of this Section.

(b) Groundcover. Groundcover shall be planted to provide general ground coverage within one growing season after planting.

(c) Shrubs and Bushes. Shrubs and bushes shall be at least five (5) gallon or larger container sizes.

(d) Vegetation that has thorns or spines is not allowed adjacent to the pedestrian walkway.

(2) Drought tolerant (xeriphytic) plantings and native New Mexican plants are encouraged in all landscaped designs.

(3) To the extent possible, healthy existing trees, excluding Siberian Elm, Tamarisk, and Russian Olive, and shrubs shall be preserved, especially if drought tolerant, and incorporated into the landscaped area.

(4) Trees shall be planted as a landscape border along all abutting roadways and shall be planted as an interior landscape border within vehicle parking areas. Trees shall be no greater than thirty (30) feet on center along the public right-of-way except when access to the subject site is required by the Village Engineer.

(5) Vegetation may be used to satisfy a screen requirement in accordance with the Village Zoning Code to separate the land use on the commercial development site from an abutting residential land use.

(6) Landscaping shall not create a physical or visual obstruction to vehicular traffic whether on or off public rights-of-way. Street trees shall meet the clear sight triangle requirements for all access points onto a public right-of-way.

(7) Placement of new trees shall avoid locations where future tree growth might interfere with the utility lines or cause structural upheaval of pavements or buildings.

(8) All landscape areas shall make use of stormwater catchment and retention on site for purposes of flood control, water pollution abatement, prevention of soil erosion, and increased soil moisture for vegetation. On-site stormwater retention structures shall be designed to ensure public health and safety during and following storms. Landscaping shall be installed according to plans approved by the Planning Director, Commission, or Board and shall be completed within one growing season after issuance of a certificate of occupancy by the Planning Director.



(9) Any damage to the utility lines resulting from the negligence of the property owner, his agents or employees in the installation and maintenance of the landscaped treatment shall be the responsibility of such land owner.

(E) **BUFFER LANDSCAPING REQUIREMENTS.** The purpose of the landscape buffer shall be to minimize noise, light and sight impact of the non-residential activities upon the residential area(s).

(1) Where any parcel is wholly or partially zoned C-1, VC or issued a Special Permit for non-residential uses that abuts residentially zoned property, buffer landscaping shall be provided. The purpose of such a buffer shall be to minimize noise, light, and sight impact of the non-residential activities upon the residential area(s).

(2) Standard buffer landscaping may be a landscaping strip at least fifteen (15) feet wide located along the boundary between residential use and non-residential use.

(3) The Planning Director may approve an alternative landscaping if he finds that:

(a) noise, light, and sight buffering of the residential zone can be accomplished at least as well with the alternate plan;

(b) the alternate landscaping plan allows better use and functioning of the non-residential premises;

(c) the alternate landscaping plan does not result in less landscaped area than would have been required with the standard buffer landscaping;

(d) there is a solid wall or fence at least six (6) feet in height along all residential/non-residential boundaries that do not have the standard buffer landscaping;

(e) the alternate plan meets or exceeds the existing regulations in conforming to goals of the Village Master Plan; and

(f) alternate landscaping plans will be viewed favorably if open space is provided and existing cottonwood trees are preserved.

(4) Standard buffer landscaping shall consist primarily of trees with a minimum caliper of two (2) inches at planting or shrubs which grow at least fifteen (15) feet within eight (8) years of planting. Normally, the trees or shrubs in the landscaping strip shall be evergreen and form a largely opaque screen.

(5) The installation of standard buffer landscaping shall not eliminate the requirement for a six (6) foot fence or wall if parking is adjacent to such landscaping.

(F) **MAINTENANCE STANDARDS.** All landscaping installed in compliance with these regulations shall be maintained by the property owner according to the following maintenance standards:

(1) Any plant material in areas of required new landscaping that does not survive shall be replaced with an equivalent size and species of plant within three (3) months of notification by the Planning Director.

(2) Plants shall be pruned as necessary to control size or shape, but not to endanger its health, in order to prevent visual and physical obstructions to pedestrians or vehicles.

(3) Regular landscaping maintenance shall ensure water efficiency and include, but not be limited to, pruning, mulching, weeding, litter, and dead plant



removal, fertilizing, insect and disease control, and improvements or repair of non-vegetative materials.

(4) Modifications to landscaping will require review and approval of a revised landscape plan by the Planning Director.

(5) Irrigation systems will be maintained and replaced as necessary to minimize loss of water due to leaks or inefficient use of water.

(6) All landscaping shall be completed within twelve (12) months of approval and must be maintained.

(7) A landscape maintenance plan designed to implement the above requirements shall be required in all site development plans. Failure to adhere to the maintenance plan at any time shall be considered a violation of this Section.

