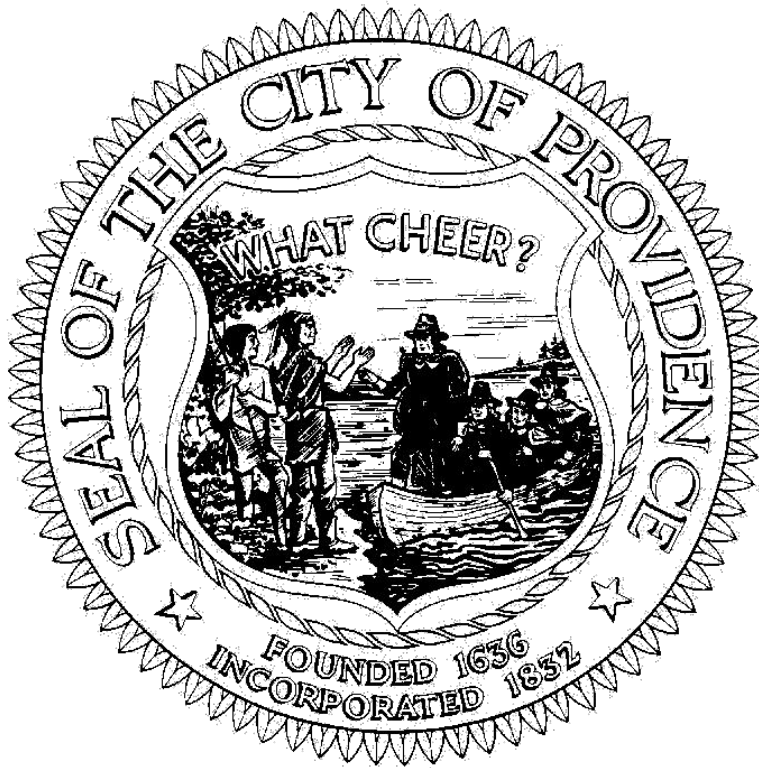


CITY OF PROVIDENCE ZONING ORDINANCE



CHAPTER 2014-39 NO. 513
ADOPTED NOVEMBER 24, 2014
EFFECTIVE DECEMBER 24, 2014

CONTAINS AMENDMENTS UP TO AND INCLUDING ORDINANCE 2020-14, NO. 119, APPROVED APRIL 6, 2020

ARTICLE 15. TREES AND LANDSCAPING

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1500 LANDSCAPING REQUIRED

- A.** Development activity that meets any of the criteria described below triggers conformance with this Article:

1. At a minimum, full conformance is required for the entire development or area within the limits of disturbance, whichever is less.
2. If land within limits of disturbance equals more than 50% of the area of the lot or lots being developed, the entire development shall fully conform to the requirements of this Article.
3. Full conformance is required when new principal buildings are constructed in the R-1A, R-1, R-2, R-3, and RP Districts.

No development or tree cutting may result in a loss of trees and landscaping below what is required by this Article.

1501 LANDSCAPE PLAN

A. Content of Landscape Plan

1. The location and dimensions of all existing and proposed structures, property lines, easements, parking lots and drives, rights-of-way, refuse disposal and recycling areas, pedestrian and bicycle paths, fences, mechanical equipment, overhead utility wires, and drainage facilities.
2. The location, quantity, size, name, and condition, both botanical and common, of all existing trees and shrubs on-site, indicating trees and shrubs to be retained and removed.
3. The location, quantity, size, and name, both botanical and common, of all proposed plant material.
4. The existing and proposed grading of the site indicating contours at one foot intervals. Proposed berming shall also be indicated using one foot contour intervals.
5. Elevations of all proposed fences, walls, stairs, and retaining walls.

B. Enforcement of Landscape Plan

1. No certificate of occupancy shall be issued until all the requirements of this Article and the landscape plan have been fulfilled.
2. If weather prohibits the installation of landscaping at the time a certificate of occupancy is applied for, a temporary certificate of occupancy may be issued for a six-month period.

1502 LANDSCAPE DESIGN STANDARDS

A. Selection of Plant Materials

All plant materials shall be of good quality and meet American Association of Nurserymen (AAN) standards for minimum acceptable form, quality, and size for species selected, and capable to withstand the seasonal temperature variations of Rhode Island, as well as the individual site microclimate. The use of species native or naturalized to Rhode Island is encouraged. Size and density

of plant material, both at the time of planting and at maturity, are additional criteria that shall be considered when selecting plant material. Where appropriate, the use of drought and salt tolerant plant material is preferred.

B. Installation of Plant Materials

All landscape materials shall be installed in accordance with the current planting procedures established by the AAN. All plant materials shall be free of disease and installed so that soil of sufficient volume, composition, and nutrient balance are available to sustain healthy growth. Installation of plant materials during the appropriate growing season is encouraged.

C. Minimum Planting Sizes

1. Shade trees shall have a minimum trunk size of two inches in tree caliper at planting.
2. Evergreens trees shall have a minimum height of six feet at planting.
3. Single stem ornamental trees shall have a minimum trunk size of two inches in tree caliper at planting. Multiple stem ornamental trees shall have a minimum height of eight feet at planting.
4. Large deciduous and evergreen shrubs shall have minimum height of three feet at installation. Small deciduous and evergreen shrubs shall have a minimum height of 18 inches at installation. Large shrubs are those shrubs that reach five or more feet in height at maturity. Small shrubs are those shrubs that may grow up to five feet in height if left unmaintained, but are generally maintained at heights of 18 to 30 inches.

D. Species Diversity

Diversity is required in plant material for visual interest and to reduce the risk of losing a large population of plants due to disease.

E. Maintenance

1. Landscape material depicted on approved landscape plans is considered a required site element in the same manner as structures, parking, lighting, and other improvements. As such, the property owner is responsible for the maintenance, repair, and replacement of all landscape material, fences, walls, steps, retaining walls, and similar landscape elements.
2. All landscape material shall be maintained in good condition, present a healthy, neat, and orderly appearance, and kept free of refuse and debris. Any dead, unhealthy, or missing plants shall be replaced within 60 days.

F. Tree Protection During Development

1. During development, all precautions shall be undertaken to prevent construction damage to existing trees, as described in the City Tree Ordinance of the Providence Code of Ordinances. Protection includes prevention of injury to the trunk, branches, and root systems.
2. No person may create a trench through the root system of an existing tree, expose the roots to the air overnight without a method for maintaining moisture, change the soil grade within the dripline of the tree, or cause soil compaction with the use of vehicles, machinery, or other method. The root systems of trees on adjacent lots shall also be protected.

1503 ON-SITE LANDSCAPING AND REQUIRED TREES

A. General Requirements

1. All portions of a lot not covered by structures or paved surfaces shall be landscaped with trees, shrubbery, grass, live groundcover, and other plantings. The landscape design may also include the use of stone, mulch beds, or other pervious landscaping materials (this excludes pervious pavement).

2. All existing plantings that are maintained on a site may be counted toward any required on-site landscaping.
3. Nothing in this section prohibits tree pruning to promote the health of a tree or for public safety purposes.

B. Significant Tree Preservation

1. A significant tree is any tree that measures 32 inches or more in diameter at four and one-half feet above the ground. No significant tree may be removed without the permission of the City Forester.
2. Any person wishing to remove a significant tree shall file a request with the City Forester. In order to grant permission to remove a significant tree, the City Forester shall make one or more of the following findings within 30 days of receipt of the request:
 - a. The tree is in poor health or diseased with an expected life span less than two years.
 - b. The removal of the tree is unavoidable because the tree poses a danger to property or human health, safety, and welfare.
 - c. The tree prevents the property owner from developing the property in conformance with this ordinance, and there are no alternatives to removal of the tree. In this case, the City Forester shall not approve removal of the tree until a permit for new construction has been approved.
3. Any person who removes a significant tree without prior permission from the City Forester or causes the death of a significant tree through negligent construction practices or other means, as determined by the City Forester, is subject to a one-time fine equivalent to the value of the tree. The tree value is established using the Trunk Formula Method set forth in the latest edition of "Guide for Plant Appraisal," authored by the Council of Tree and Landscape Appraisers, or the maximum fine allowed by Rhode Island General Laws, whichever is greater. Fines will be held by the Parks Department for forestry-related uses as determined by the City Forester.

C. Required Tree Canopy

1. Required Tree Canopy Percentage

Sufficient trees shall be retained and/or planted on a lot so that the square footage of vegetative canopy of such trees, when mature, equals a certain percentage of the square footage of the lot. This required percentage is established by district as follows:

- a. All residential districts, and the PS, OS, and CD Districts: 30% of the square footage of the lot
- b. I-1 and I-2 Districts: 30% of the square footage of the lot
- c. D-1 District: 15% of the lot area not occupied by a structure
- d. All other districts: 15% of the square footage of the lot

2. Calculation of Tree Canopy Coverage

The total canopy coverage for a lot is the sum of the canopy, at maturity, of the individual trees located on the lot. The square footage of canopy cover varies according to tree species. The City Forester maintains a list of trees species and the expected size of the canopy for each species, at maturity, when planted. Trees are classified as small, medium, or large and the canopy coverage credit for each classification is as follows:

- a. Large: 1,000sf
- b. Medium: 700sf
- c. Small: 300sf

3. Tree Retention Bonus

Additional credit for canopy coverage may be granted for the retention of healthy trees of appropriate species and in the proper location, subject to the approval of the City Forester. The following thresholds and associated coverage bonus is as follows:

- a. Tree diameter at four and one-half feet above the ground is between 10 and 19 inches: 300sf of canopy coverage credit
- b. Tree diameter at four and one-half feet above the ground is 20 inches or greater: 700sf of canopy coverage credit

4. Street Tree Accommodation

Existing or planned street trees located in the public right-of-way directly adjacent to the lot line may be counted toward the canopy coverage for the lot.

5. Landscaping for Multiple Lots

For developments that encompass more than one lot, the percentage is calculated for the total canopy for the total area of all of the lots. For developments that span multiple blocks, the percentage required is calculated separately for each contiguous area of the development within a block.

6. Off-Site Planting Permission

Where existing conditions or other provisions of this Ordinance make it impracticable to meet the canopy coverage requirement on or adjacent to the site, the applicant shall plant sufficient trees to make up the shortfall in public rights-of-way within one-quarter mile of the lot, with the location to be determined by the City Forester.

1504 PARKING LOT PERIMETER LANDSCAPE STRIP

A perimeter landscape strip is required for all parking lots that abut a public right-of-way, excluding curb cuts, and shall be established along the edge of the parking lot that abuts such public right-of-way to screen the parking lot. The landscape treatment shall run the full length of the parking lot perimeter along the right-of-way. The landscape strip shall be improved as follows: (Figure 15-1)

- A. The perimeter parking lot landscape strip shall be a minimum of five feet in depth. There shall be a minimum linear distance of six inches between wheels stops or curbs and the landscape strip to accommodate vehicle bumper overhang, which is not included in the minimum five foot calculation.
- B. One shade tree shall be planted for every 25 feet of landscape strip length, spaced linearly.
- C. The landscape strip shall also be planted over a minimum of 60% of its length with shrubs, perennials, native grasses, and other planting types that provide screening of a minimum of three feet in height.
- D. Alternatively, a low fence or pedestrian wall a minimum of three feet to a maximum of four feet in height may be used instead of such plantings. Where feasible, plant materials shall be installed between the sidewalk and the wall to provide a softening effect on the fence or wall.
- E. Where existing conditions or other provisions of this Ordinance make it impracticable to meet the perimeter landscape strip requirements, the City Forester may approve a modification to the width or location of the perimeter landscape strip, or the spacing or number of trees in the perimeter landscape strip, so long as there is no net loss of planted area or number of trees required.
- F. The use of stormwater management techniques such as rain gardens and bioswales is encouraged in landscape strips. Landscaped areas should be designed for the absorption of stormwater.

FIGURE 15-1



1505 INTERIOR PARKING LOT LANDSCAPING

All parking lots consisting of 20,000 gross square feet or more require interior parking lot landscaping as described in this section. When the calculation of interior parking lot landscaping requirements results in a fraction, said fraction is rounded up. (Figure 15-2)

- A.** One parking lot island shall be provided between every ten parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands shall be no less than the amount required of one island for every ten spaces.
- B.** In addition to parking lot islands, additional landscape areas shall be provided within the interior of parking lots. The minimum total landscape area of a parking lot, including parking lot islands, shall be 10% of the total parking lot area. Parking lot perimeter landscaping is excluded from the calculation of total parking lot area.
- C.** All rows of parking spaces shall terminate in a parking lot island or landscaped area.
- D.** Parking lot islands shall be the same dimension as the parking stall at a minimum. Double rows of parking shall provide parking lot islands that are the same dimension as the double row.
- E.** A minimum of one shade tree shall be provided for every parking lot island or landscape area. If a parking lot island extends the width of a double row, then two shade trees are required..
- F.** The use of stormwater management techniques such as rain gardens and bioswales is encouraged in landscaped areas. Parking lot islands and landscaped areas should be designed for the absorption of stormwater.
- G.** Where existing conditions or other provisions of this Ordinance make it impracticable to meet the interior parking lot landscaping requirements, the City Forester may approve a modification to the requirements so long as there is no net loss of planted area or number of trees required.

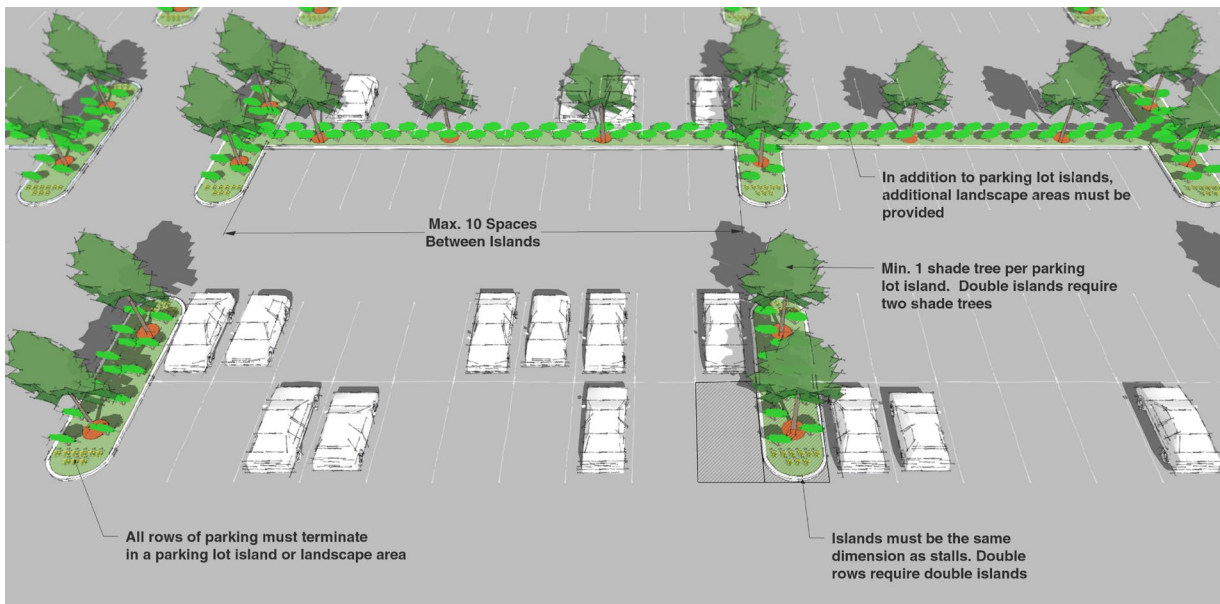
FIGURE 15-2



1506 SCREENING OF PARKING LOTS FROM RESIDENTIAL DISTRICTS

Where a parking area in any district abuts a lot in a residential district, the parking area shall be screened by a solid wall, a uniformly painted tight board fence, or a hedge of compact evergreens or other suitable plantings. Such screen shall be at least four feet in height, and erected and maintained between the entire border of such parking area and the property in the residential district. (Figure 15-3)

FIGURE 15-3



1507 WATERBODY VEGETATIVE BUFFERS

- A.** Unless otherwise specified by the Rhode Island Coastal Resources Management Program Special Area Management Plan, a vegetated buffer a minimum of 25 feet in width is required adjacent to the entire length of any water body. This buffer area is measured from the water's edge or the inland edge of a coastal shoreline feature for tidal waterbodies, as defined by the Rhode Island Coastal Resources Management Program.
- B.** This buffer shall include trees and plant material that filter stormwater runoff and help to improve the quality of the water body.
- C.** No parking or structures are permitted within this buffer. However, paving for a walking path, bicycle path, or access to docks, piers, or beaches may be included within this buffer.