

THE VILLAGE CITY CODE

CHAPTER 26

LANDSCAPE REGULATIONS

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ARTICLE I. IN GENERAL

**Sec. 26-1. Intent.**

The Village Landscape Regulations are designed to provide for and improve the health, safety, and welfare of both residents and visitors to The City of The Village. Vegetative and inert materials used in the exterior environment have the power to influence air and water quality, micro-climate, visual aesthetics, and the physical safety of users. The following regulations establish a minimum acceptable threshold for occupancy; however, property owners are encouraged to exceed the minimum requirements.

**Sec. 26-2. Goals.**

- (a) Minimize impervious surfaces in the environment to increase infiltration and reduce run-off of water.
- (b) Increase vegetation, especially trees, to filter the air and reduce summer temperatures.
- (c) Reduce reliance on turfgrass by permitting other materials requiring less water and maintenance.
- (d) Provide for the comfort and safety of pedestrians along corridors with connecting sidewalks.

**Sec. 26-3. Applicability.**

- (a) *General applicability.* The landscape regulations set forth in this chapter apply to:
  - (1) New buildings constructed after the effective date of this chapter.
  - (2) New parking lots constructed after the effective date of this chapter.
  - (3) Redevelopment of the buildings or parking lots of a parcel where the

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proposed costs of construction amount to fifty percent (50%) or more of the current fair market value of the parcel, as determined by the Oklahoma County Assessor.

(4) Redevelopment of the buildings or parking lots of a parcel where the cumulative costs of construction over a ten-year period amount to fifty percent (50%) or more of the current fair market value of the parcel, as determined by the Oklahoma County Assessor.

(b) *Exemption.* The following are exempt:

(1) Parking areas located within a parking garage.

### **Sec. 26-4. 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:

*Aggregate* – Granular material such as gravel or crushed stone used as a groundcover over soil substrate of slopes five (5) percent or less. It is limited to materials free of fines, and greater than Number Four (4) Sieve but smaller than three (3) inches. Aggregate shall be surrounded by continuous edges and installed over a weed barrier fabric to prevent migration.

*Aisle* – In a parking lot, the area adjoining row(s) of parking spaces reserved for the circulation of vehicles.

*Allée* – A sidewalk with a row of trees planted on either side.

*Bay* - In a parking lot, a defined area including the aisle and rows of parking spaces it services. A single-loaded bay has parking on only one side, a double-loaded bay has parking on both sides.

*Bioswale* – A swale designed to filter run-off with vegetation and engineered soils before entering a storm water inlet.

*Bumper Overhang* - The area beyond the parking lot curbs or wheel stops where it is safe and legally permissible for bumpers to extend. Landscaping a bumper overhang does not deduct from available square footage for parking.

*Caliper* – The diameter of a tree trunk measured twelve (12) inches above soil for both new and existing trees.

*Civic Corridor* – Vineyard Boulevard, and Village Drive north of Britton Road.

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*Collector Street* – Hidden Village Drive, Nichols Road, Ridgeview Drive, and Stratford Drive.

*Impervious* – Surfaces such as standard concrete, asphalt, or roofing that prevent water from passing through them.

*Infiltration* – The process of water being absorbed on site into the earth.

*Landscaped Bumper Overhang* – The two (2) feet of a parking space's required length that is the bumper overhang may be accommodated as a landscaped area or may be incorporated into a landscaping island. Landscaped Bumper Overhangs shall be twenty-four (24) inches in width, permeably covered, and shall contain no plant, irrigation device, or other object higher than six (6) inches above the top of the curb or wheel stop.

*Landscaping Island* – A permeably landscaped area within a parking lot no narrower than six (6) feet in width and extending the length of the parking space(s) it adjoins. It may be above grade in a curbed area or designed for the purpose of receiving and detaining run-off from the parking lot. Islands must be protected from vehicular traffic.

*Perimeter Screen* – A landscaped treatment along parking lot perimeters abutting the right-of-way for the purpose of minimizing views of parked cars from the public. This landscaped treatment shall be located solely on private property, shall be eighteen (18) to thirty-six (36) inches in height, and shall form a continuous screen of plant material within two years of normal growth. A minimum of fifty (50) percent of the plant selections shall be evergreen to provide year-round screening. Clear sight triangles shall be maintained.

*Perimeter Tree* – When a parking lot is present, a tree planted in the street yard between ten (10) feet and twenty (20) feet from the nearest parking space.

*Permeable* – Surfaces such as vegetation, aggregate, or specifically designed paving that permit water to pass through them at a rate of five (5) gallons per square foot per minute or greater.

*Ramada* - a freestanding overhead structure, open on all sides, designed to shade parking spaces.

*Residential Street* – Streets not specifically categorized otherwise are considered Residential Streets.

*Right-of-Way (R.O.W.)* – The property between the center line of street and property line.

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*Run-off* – Water that moves on rather than being absorbed on site.

*Thoroughfare* – Britton Road, Hefner Road, May Avenue, and Pennsylvania Avenue.

*Vegetation* - living plant material including trees, shrubs, perennials, grasses, turf, groundcovers, and vines.

*Yard* - an open space at grade between a main building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in this chapter. In measuring for the purpose of determining the width of the side yard or the depth of a rear yard, the least horizontal distance between the lot line and the main building shall be used. In measuring for the purpose of determining the depth of a front yard, the depth shall vary depending on the distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

*Yard, front* - a yard located in front of the front elevation of a main building and extending across a lot between the side yard lines and being the horizontal distance between the front property line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches.

*Yard, side* - means a yard between the main building and sideline of the lot and extending from the front lot line to the rear lot line and being the minimum horizontal distance between a side lot line and the side of the main building or any projections other than steps, unenclosed balconies or unenclosed porches.

*Yard, street* – Front or side yards that abut street(s).

### ARTICLE II. LANDSCAPE REQUIREMENTS

#### Sec. 26-5. Right-of-Way Landscape Requirements.

Parcels subject to this Chapter must have a landscaped Right-of-Way adjacent to the parcel that meets the standards described in this Section. Rights-of-Way are given special attention in the landscape standards because they benefit not only individual property owners, but The Village residents and visitors as well. The standards are focused on the most highly trafficked and civically important streets, where enhanced landscapes can have the most impact.

(a) Trees.

(1) Trees shall be a minimum two (2) inch caliper at time of planting. The tree

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species shall be selected from the approved street tree list for the specific street on which the property is located. (Sec. 26-10. C)

(2) Trees shall be evenly distributed along the frontage. Adjustments to spacing are permitted as necessary to prevent planting of trees in sight triangles. When the interruption of drives and sight triangles would require a tree spacing closer than fifteen (15) feet under utility lines or twenty-five (25) feet elsewhere, the required trees shall be accommodated in two rows as an allée.

(3) Trees shall be planted in a permeably covered planting strip or well no narrower than six (6) feet in any direction. Trees shall not be planted closer than three (3) feet in any direction to an impervious surface.

(4) Required number of trees.

Thoroughfares	1 per every 45' of Frontage or Fraction Thereof
Civic Corridors	1 per every 25' of Frontage or Fraction Thereof
Collector Streets	1 per every 35' of Frontage or Fraction Thereof
Residential Streets	Optional

(b) Sidewalks.

(1) ADA compliant sidewalks shall be built in a continuous line parallel to the curb with minimal shifts allowed to circumvent existing structures and to connect to existing sidewalks. Sidewalks shall be spaced a minimum of six (6) feet from the curb to provide a tree planting zone. Sidewalks shall be a minimum of five (5) feet wide and built on both sides of all streets.

(i) Exceptions. Sidewalks are optional on Residential Streets. Where multi-modal paths are provided, additional sidewalks shall not be required. Where there are fewer than eleven (11) feet clear between the curb and property line alternative solutions that accommodate pedestrian and plant wellness shall be considered for approval by Council.

(c) Groundcover. The entire right of way shall be permeably covered. Turf shall not be used in the Rights-of-Way of Thoroughfares.

(d) Exception. Impervious materials such as concrete are permitted for streets, drives, sidewalks, or pads for utility or amenity infrastructure.

**Sec. 26-6. Street Yard Landscape Requirements.**

Parcels subject to this Chapter must have a landscaped Street Yard that meets the standards described in this Section.

(a) Buildings classified with respect to use or occupancy as assembly, business, educational, institutional, mercantile, or multi-family as provided by the International Building Code as adopted by the City shall be landscaped with living plants, trees, shrubs, grass or similar vegetation according to the following standards and requirements:

(1) A minimum of one (1) tree at least two (2) inches in caliper is required for every one thousand (1000) square feet of lot area. The tree species shall be selected from the approved large or medium tree lists. Sec. 26-10. A (1)(2). B (1)(2).

(2) One (1) shrub or ornamental grass is required in the street yard for each tree required.

(3) A minimum of seventy-five (75) percent of the street yard not used for parking or circulation shall be permeably covered. Vegetation, aggregate, or permeable paving shall be used. Aggregate may cover a maximum of twenty (20) percent of the street yard.

(4) The landscaped area shall be in the street yard and visible from the public streets providing access to the property. Inner courts that are not visible from the public street shall not be calculated for purposes of meeting this requirement.

(b) Buildings classified with respect to use or occupancy as residential as provided by the International Building Code as adopted by the City shall be landscaped according to the following regulations:

(1) A minimum of one (1) tree at least two (2) inches in caliper is required for each property. The tree species shall be selected from the approved medium or large tree lists.

(2) Shrubs and ornamental grasses are encouraged in the street yard, but none are required.

(3) A minimum of fifty (50) percent of the street yard shall be permeably covered. Vegetation or aggregate shall be used. Aggregate may cover a maximum of twenty (20) percent of the street yard.

**Sec. 26-7. Parking Lot Landscape Requirements.**

Parcels subject to this Chapter with parking lots must have landscaped parking lots that meet the standards described in this Section.

(a) All lots shall be planted with trees at a ratio of one (1) tree for every seven (7) surface parking spaces or fraction thereof. The tree species shall be selected from the approved deciduous large or medium tree lists. Sec. 26-10. A (1)(2). Loblolly Pine are also permitted. A minimum of fifty (50) square feet of permeable area shall be provided at the base of each tree, the minimum dimension of which shall be no narrower than six (6) feet, to allow for water infiltration and gas exchange. Trees planted in parking lots may be used to fulfill street yard landscape requirements when the parking lots are visible from the public street.

(1) In parking lots of fifty (50) or more spaces, a maximum of fifty (50) percent of the trees in paragraph (a) of this guideline may be substituted by vine-covered ramadas, whose placement, together with required trees, will shade at least 50 percent of the parking area in summer.

(2) In any planting area adjacent to the side of a parking space, starting at a distance four (4) feet from the head of the parking space, no tree may be planted within four (4) feet of the parking space, to allow for door swings of parked cars.

(b) Permeable landscaping is required as follows:

(1) The end of every row of parking spaces shall have a landscaping island.

(2) When three (3) or more parking bays are present a continuous landscaping island is required between every two (2) bays or fraction thereof.

1. Exception. When all Bumper Overhangs in a parking lot are landscaped, islands shall not be required between bays.

(c) Pedestrian needs should be accommodated within parking lots. Parking lots shall include design elements to address:

(1) How pedestrians will be protected from high volume vehicular traffic,

(2) How main entrances are linked to the parking lot; and

(3) How traffic will be properly managed and controlled. Large landscaping islands should incorporate pedestrian cross paths.

(d) Perimeter trees.

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(1) For lots with twenty (20) or more spaces, the perimeter of the parking lot may incorporate up to thirty-five (35) percent of the required interior parking lot trees.

(2) For lots with less than twenty (20) spaces, the perimeter of the parking lot may incorporate up to one hundred (100) percent of the required interior parking lot trees as long as those trees are placed on private property within twenty (20) feet of the parking lot.

### **Sec. 26-8. Landscape Points.**

In addition to the requirements described in Sections 26-5 through 26-7, landscaping that meets a minimum number of landscape points, as described below, are required for parcels subject to this Chapter that are used for commercial, multi-family, and public uses.

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(a) Required Points

Square Footage of Project Site	Points Required
< 7,500	10
7,501–15,000	15
15,001–40,000	20
40,001–86,000	30
86,001–120,000	50
120,001–150,000	60
> 150,000 square feet or fraction thereof	60 per each 150,000 square feet or fraction thereof
<b>Additional Parking over Minimum Required</b>	
Per Space	1

(b) Point Fulfillment

Site Improvement	Points Earned
Large or Medium Maturing Tree Minimum 2" Caliper from the lists in Sec. 26-10.	2
Small Maturing Tree Minimum 2" Caliper from the lists in Sec. 26-10.	1
Double file (allée) of street trees, in addition to points earned above (per pair of trees)	1
Shrub or Ornamental Grass	0.5
Preservation of Existing Healthy Tree	3
Preservation of existing groundcover and soil structure (per 100 square feet)	1
Installation of public Bench or Bicycle Rack*	2
Installation of and disposal of refuse collected from public trash receptacle*	4
Permeable paving in sidewalks and/or parking lots (per 100 square feet)	3
Directing parking lot run off through a bioswale before entering the storm inlet (per 15 linear feet)	1
Walls/Fence built from cast stone, brick, or wrought iron (per 25 linear feet)	2
Upgrading paving with decorative detailing (per 50 square feet of detail)	1
Landscaped Bumper Overhang (per 80 linear feet)	1
Perimeter Screen, in addition to points earned above (per 25 linear feet)	1
Public Art or Decorative Signage* Determined by Council	
* As approved by Council	

**Sec. 26-9. Landscape Materials and Plan.**

(a) All applications for building permits shall be accompanied by either (i) a detailed landscaping plan (24"x 36") for both the lot area and the area within the public street right-of-way between the property line and the curb, or (ii) a statement and supporting documentation showing that the proposed development is not subject to this Chapter. Landscaping plans shall show all of the following requirements:

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- (1) The location and types of all plants shall be designated;
- (2) Artificial grass or any form of synthetic plant shall not be permitted as part of the requirements for landscaping;
- (3) Rock gardens or public art may be approved by council;
- (4) The landscaping plan shall respect sight triangles at intersections and all other elements relating to traffic control; and
- (5) Description (narratives, charts, or calculations) that show how the proposed landscaping meets the requirement of this Chapter.

(b) The landscaping plan shall be reviewed and approved as part of the building permit review process.

(c) A certificate of occupancy for a structure shall not be issued until the landscaping has been installed in accordance with the plan; provided, however, that if a structure and all its site improvements are complete except for the landscaping requirements, and the season of the year will not permit planting, temporary occupancy may be permitted until a date certain in the growing season. In such cases, an inspection date in the growing season shall be set by the building inspector to determine if the landscaping has been installed.

(d) All landscaping shall be maintained in a live and healthy condition. Failure to install or maintain landscaping as required and approved shall constitute a violation of this section.

### ARTICLE III. TREES

#### **Sec. 26-10. Approved Trees.**

Trees planted to meet the minimum landscape requirements of The Village must come from the approved lists in this section.

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(a) Deciduous

(1) Large (Over 50' Height)

Scientific Name	Common Name
<i>Celtis occidentalis</i>	Hackberry
<i>Ginkgo biloba</i>	Ginkgo
<i>Gleditsia triacanthos</i>	Thornless Honeylocust
<i>Gymnocladus dioica</i>	Kentucky Coffeetree
<i>Liquidambar styraciflua</i>	Sweetgum
<i>Maclura pomifera</i>	Osage Orange
<i>Pistacia chinensis</i>	Chinese Pistache
<i>Platanus x acerifolia</i>	London Planetree
<i>Populus deltoides 'Cottonless'</i>	Cottonwood
<i>Quercus macrocarpa</i>	Bur Oak
<i>Quercus muehlenbergii</i>	Chinkapin Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Taxodium distichum</i>	Baldcypress
<i>Ulmus parvifolia</i>	Lacebark Elm
<i>Zelkova serrata</i>	Japanese Zelkova

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(2) Medium (25-50' Height)

Scientific Name	Common Name
<i>Acer campestre</i>	Hedge Maple
<i>Acer saccharum</i> 'Caddo'	Caddo Maple
<i>Acer truncatum</i>	Shantung Maple
<i>Betula nigra</i>	River Birch
<i>Bumelia lanuginosa</i>	Chittamwood
<i>Castanea mollissima</i>	Chinese Chestnut
<i>Koelreuteria paniculata</i>	Panicled Golden Raintree
<i>Morus alba</i> 'Fruitless'	Fruitless Mulberry
<i>Parrotia persica</i>	Parrotia
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Sapindus drummondii</i>	Western Soapberry
<i>Styphnolobium japonicum</i>	Japanese Pagoda Tree
<i>Tilia cordata</i> 'Greenspire'	Greenspire Linden
<i>Ulmus crassifolia</i>	Cedar Elm
<i>Ziziphus zizyphus</i>	Jujube or Chinese Date

(3) Small (Under 25' Height)

Scientific Name	Common Name
<i>Acer tataricum</i> ssp. <i>Ginnala</i>	Amur Maple
<i>Alnus maritima</i>	Alder or Seaside Alder
<i>Amelanchier arborea</i>	Serviceberry
<i>Asimina triloba</i>	Pawpaw
<i>Cercis canadensis</i>	Redbud
<i>Chilopsis linearis</i>	Desert Willow
<i>X Chitalpa tashkentensis</i>	Chitalpa
<i>Cotinus coggygria</i>	Smoketree
<i>Crataegus crus-galli</i> var. <i>Inermis</i>	Thornless Cockspur Hawthorn
<i>Crataegus phaenopyrum</i>	Washington Hawthorn
<i>Diospyros kaki</i>	Oriental Persimmon
<i>Euonymus bungeana</i>	Winterberry Euonymus
<i>Ilex decidua</i>	Deciduous Holly

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<i>Lagerstroemia indica</i>	Crapemyrtle
<i>Magnolia x soulangiana</i>	Saucer Magnolia
<i>Malus spp.</i>	Flowering Crabapple
<i>Prunus cerasifera</i>	Purpleleaf Plum
<i>Prunus x cistena</i>	Purpleleaf Sand Cherry
<i>Viburnum rufidulum</i>	Rusty Blackhaw

(b) Evergreen

(1) Large (Over 50' Height)

Scientific Name	Common Name
<i>Calocedrus decurrens</i>	Incense Cedar
<i>Cedrus atlantica</i>	Atlas Cedar
<i>Cedrus deodara</i>	Deodar Cedar
<i>Cedrus libani</i>	Cedar of Lebanon
<i>Pinus elliotii</i>	Slash Pine
<i>Pinus ponderosa</i>	Ponderosa Pine
<i>Pinus taeda</i>	Loblolly Pine
<i>Pinus thunbergii</i>	Japanese Black Pine
<i>Quercus virginiana</i>	Live Oak
<i>Thuja plicata 'Green Giant'</i>	Green Giant Arborvitae

(2) Medium (25-50' Height)

Scientific Name	Common Name
<i>Cupressus arizonica</i>	Arizona Cypress
<i>Juniperus virginiana</i>	Eastern Redcedar
<i>Pinus bungeana</i>	Lacebark Pine

(3) Small (Under 25' Height)

Scientific Name	Common Name
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Ilex x attenuata</i>	Foster Holly
<i>Ilex x 'Nellie R. Stevens'</i>	Nellie R. Stevens Holly

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<i>Juniperus chinensis 'Torulosa'</i>	Hollywood Juniper
<i>Magnolia grandiflora 'Little Gem'</i>	Little Gem Magnolia
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Thuja occidentalis</i>	Eastern Arborvitae

(c) Street Trees for Right-of-Way Planting

<b>Britton Road and Pennsylvania Avenue</b>	
(Species options when no overhead utility is present)	
<i>Ginkgo biloba</i>	Ginkgo
<i>Quercus acutissima</i>	Sawtooth Oak
<b><i>Taxodium ascendens</i></b>	Pondcypress
(Species options within 10' of overhead utility)	
<i>Acer ginnala</i>	Amur Maple
<i>X Chitalpa tashkentensis</i>	Chitalpa
<i>Vitex agnus-castus</i>	Vitex
<b>May Avenue and Hefner Road</b>	
(Species options when no overhead utility is present)	
<i>Ginkgo biloba</i>	Ginkgo
<i>Platanus x acerifolia</i>	London Plane Tree (Sycamore)
<i>Quercus shumardii</i>	Shumard Oak
(Species options within 10' of overhead utility)	
<i>X Chitalpa tashkentensis</i>	Chitalpa
<i>Vitex agnus-castus</i>	Vitex
<b>Village Drive and Vineyard Boulevard</b>	
<i>Acer ginnala</i>	Amur Maple
<i>X Chitalpa tashkentensis</i>	Chitalpa
<i>Ginkgo Biloba</i>	Ginkgo
<i>Platanus x acerifolia</i>	London Plane Tree (Sycamore)
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Quercus shumardii</i>	Shumard Oak

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<i>Taxodium ascendens</i>	Pondcypress
<i>Vitex agnus-castus</i>	Vitex

(1) Any approved deciduous tree species may be planted in the R.O.W. of Collector and Residential streets. When an overhead utility line is present, the tree species must be Amur Maple, Chitalpa, Vitex, or selected from the small deciduous tree list.

**Sec. 26-11. Tree Replacement.**

If established trees on the site cannot be preserved or transplanted throughout the construction process, they are to be replaced caliper inch for caliper inch by new trees. When there is not enough room for the replacement trees on site, a fee in lieu established by resolution of the City Council will be paid to The City of The Village to fund planting of trees in public spaces.

**Sec. 26-12. Tree Limb Clearance.**

(a) A single trunk deciduous tree planted in the R.O.W. or in the parking lot perimeter will be kept clear of limbs a minimum of seven (7) feet measured above soil.

(1) Exception. Before a deciduous tree planted in the R.O.W. or in the parking lot perimeter reaches twenty-one (21) feet in height, only the bottom one-third (1/3) of the trunk is required to be kept clear of limbs.