

ORDINANCE NO. 4-22

ORDINANCE: To amend City Code Chapter 25, titled "Zoning Ordinance," Section 25.21.21, titled "Tree Planting," to modify the requirements governing the number, type, and location of trees and shrubs planted on lots created through subdivision

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND as follows:

SECTION I – That Chapter 25 of the Rockville City Code entitled "Zoning Ordinance" be amended as follows:

Chapter 25
ZONING ORDINANCE

ARTICLE 21. – PLATS AND SUBDIVISION REGULATIONS

Sec. 25.21.21 – Tree Planting.

- a. The subdivider shall plant at least one (1) street tree per forty (40) feet of lot frontage within the public right-of-way or if approved by the Approving Authority, adjacent to the public right-of-way. The species, location, and method of planting shall ~~to be~~ approved by ~~the City Forester.~~ the Urban Forester or designated staff.
- ~~b. The subdivider shall plant a minimum of one (1) tree in the front yard and two (2) trees in the rear yard of every residential lot as approved by the City Forester.~~
- b. The subdivider shall provide a minimum of one (1) tree on each residential lot per 2,000 square feet or fraction thereof, not to exceed a minimum of three (3) trees. Existing trees on a lot, if properly preserved, shall count towards this requirement. The Approving

Authority may approve a lot with fewer than the minimum required number of trees if it finds that:

1. the lot does not contain sufficient unencumbered area to provide a planting area consistent with best industry practices established by the International Society of Arboriculture for each required tree;
 2. for each required tree that is not provided on the lot, two replacement trees are provided on a common area or other lot within the proposed subdivision; and
 3. reduction of the required trees on the lot and provision of the replacement trees will provide equal or greater aesthetic value to the subdivision and are compatible with the character of the surrounding neighborhood.
- c. The species, location, and method of planting of trees required by subsection 25.21.21.b shall be consistent with a landscaping detail submitted by the subdivider and approved by the Urban Forester or designated staff. The landscaping detail must demonstrate the following:
1. Each lot shall provide a minimum planting area for each required tree consistent with best industry practices established by the International Society of Arboriculture.
 2. The planting area shall not be encumbered by utilities or easements.
 3. Trees shall be planted in locations and configurations following proper planting practices. When feasible, trees should be located within the public viewshed.
 4. Each lot shall be supplemented with shrub plantings, to be approved by the Urban Forester or designated staff.
 5. All new plantings shall be native species.
 6. For lots within an existing residential neighborhood, or lots that are adjacent to or confronting properties with existing dwellings, trees should be planted in locations and configurations compatible with the location and configuration of existing trees within the residential neighborhood or adjacent or confronting properties, as applicable.

- d. Tree planting must be done in accordance with the provisions of Chapter 10.5 of the City Code, "Forest and tree preservation." Trees planted pursuant to this section are in addition to trees planted in fulfillment of the requirements in Chapter 10.5 or as otherwise required by the Zoning Ordinance.

SECTION II – This ordinance shall become effective immediately upon adoption.

NOTE: ~~Strikethrough~~ indicates material deleted.

Underlining indicates material added.

I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council of Rockville at its meeting of February 28, 2022.



Sara Taylor-Ferrell

City Clerk/Director of Council Operation

