

ARTICLE XIV

LANDSCAPING AND SCREENING

14-1 LANDSCAPING AND SCREENING

The requirements of this Article shall apply to all uses of land, buildings, and structures located within the City of Shelby Zoning Jurisdiction which are not exempted in Section 14-2. The following areas are required to be landscaped:

- (A) Street yards (See Section 14-5.1).
- (B) Vehicular parking areas (See Section 14-5.2).
- (C) Trash dumpster and container areas (See Section 14-5.3).

14-2 EXEMPTIONS

None of the landscaping requirements of this Article shall apply to:

- (A) A detached single-family dwelling on its own separate lot.
- (B) A two-family dwelling on its own separate lot.
- (C) Existing uses and buildings, including repairs, alterations, or improvements to the interiors and exteriors of existing buildings which do not result in additions or expansions to them.
- (D) Additions or expansions made to existing buildings within any consecutive 12-month period where the gross floor area of the additions or expansions begun within such period does not exceed 30% of the gross floor area of the existing buildings.

Where the total gross floor area of additions or expansions made or begun to existing buildings within any consecutive 12-month period exceeds 30% but is less than 60% of the gross floor area of existing buildings, then the property shall comply with at least 50% of the landscape requirements for the number of trees and their spacing in street yards and in vehicular parking areas. All other landscape requirements shall be fully complied with.

Where the gross floor area of such additions or expansions made or begun within any consecutive 12-month period exceeds 60% of the gross floor area of the existing buildings, then the property shall comply fully with the requirements of this Article.

- (E) Additions or expansions begun or made to existing vehicular parking areas within any consecutive 12-month period where the total area of the additions or expansions will not exceed 30% of the existing vehicular parking areas.

Where the total area of additions or expansions begun or made to existing vehicular parking areas within any consecutive 12-month period exceeds 30% but is less than 60% of the total area of the existing vehicular parking areas,

then the property shall comply with at 50% of the landscape requirements for the number of trees and their spacing in street yards and vehicular parking areas. All other landscape requirements shall be fully complied with.

Where the total area of such additions or expansions begun or made within any consecutive 12-month period exceeds 60% of the existing vehicular parking areas, then the property shall comply fully with the requirements of this Article.

- (F) Lots situated within Central Business Zoning District (CB), except for vehicular parking lots.

14-3 LANDSCAPING PLAN APPROVAL

Whenever an application is filed with the City of Shelby for a building and/or zoning permit for any use of land to which these landscaping requirements apply, such application shall be accompanied by a landscape development plan. Such plan shall be in sufficient detail to enable the Zoning Administrator to determine whether or not such plan, when fully implemented, will comply with the landscaping requirements of this Ordinance, and, in addition to information required by other provisions of this Ordinance, shall include at a minimum the following specific information:

- (A) The locations, dimensions and descriptions of all areas to be landscaped, including buffers, screens and fences;
- (B) The locations, species, spacing and size (height and caliper) of proposed trees that are required;
- (C) The locations, species (as appropriate), spacing and sizes of planting materials and fences that are proposed to serve as required screens and buffers;
- (D) The locations, dimensions and descriptions of any barriers to be installed at any time to protect trees and plants;
- (E) A description of the proposed means for watering and soil stabilization of planted areas

14-4 GENERAL REQUIREMENTS AND CONDITIONS

14-4.1 Certificate of Occupancy

A Conditional Certificate of Occupancy may be issued by the Zoning Administrator for the temporary use and occupancy of a building, structure or land for a maximum period 180 days from the date of the issuance of such certificate whenever the landscaping requirements of this Ordinance are not complied with on time for the intended use and occupancy of a building, structure or land. Should these landscaping requirements not be complied with in full upon the expiration of such Conditional Certificate of Occupancy, the use of the property for which such certificate was issued shall be discontinued and further use of said property beyond the expiration date of such certificate shall constitute an illegal use and occupancy of such property.

14-4.2 Alternate Methods of Compliance

- (A) It is not the intent of this section to prevent the use of a material or method of construction not specifically prescribed by this Article especially whenever a stream, natural rock formation or other physiographic obstacles make conventional compliance extraordinarily difficult or impossible. Alternate materials and methods may, therefore, be utilized to satisfy these requirements, provided that any proposed alternate is suitable for the purpose intended, and is at least the equivalent of that specifically prescribed by this Article in quality, effectiveness, durability, hardness and performance. The Zoning Administrator may require that sufficient evidence and data be submitted to substantiate any claim that may be made in this regard.
- (B) Existing trees that meet or exceed the minimum standards, as established herein, may be used to satisfy these requirements and credits for the preservation of existing trees may be applied at the following rate:

| <u>Caliper of Existing Tree</u> | <u>= No. of Required Trees</u> |
|---------------------------------|--------------------------------|
| 2"-6" | 1 Large Maturing Tree |
| 6.1"-12" | 2 Large Maturing Trees |
| 12.1"-18" | 3 Large Maturing Trees |
| 18.1"-24" | 4 Large Maturing Trees |
| Over 24" | 5 Large Maturing Trees |

In order to qualify for the above credits, each existing tree to be preserved must be uniformly encircled with an effective protected ground area which shall extend at least 7 feet from the base of the tree trunk in all directions, or at least 1 foot per inch of caliper of the tree trunk measured at grade, whichever is greater.

During construction, all protected ground areas shall be clearly marked and identified on the site by effective barriers, such as a fence at least 3 feet high using 2"x 4" posts not more than 10 feet apart with 1"x 4" horizontal rails and/or covered with orange polyethylene laminar safety fencing, or other effective barriers. No credit will be allowed if there is any encroachment of construction, construction activity, or construction materials within the protected ground area.

- (C) Landscaping shall not obstruct the view of motorists using any street, private drive, parking aisle or other approaches to street intersections so as to constitute a condition endangering the public safety upon any such street, driveway, parking aisle or street intersection.
- (D) All required planting and landscaped areas shall be maintained at all times in good, stable and healthy condition.
- (E) These landscaping requirements are intended to be performance-oriented and the failure of trees and plantings to achieve adequate growth and development shall constitute noncompliance.

- (F) When screening is required by this Article or by other provisions of this Ordinance and the site design, topography, unique relationships to other properties, lot configuration, spatial separation, natural vegetation, or other special considerations exist relative to the proposed development, the developer may submit a specific plan for screening to the Zoning Administrator. This plan must demonstrate how the purposes and standards of this Ordinance will be met by measures other than those listed in Sections 14-5 and 14-10. If approved by the Zoning Administrator, the alternative screening plan may be utilized to meet the requirements of this Ordinance.
- (G) A combination of natural vegetation, fences, walls and berms may be utilized to achieve the screening requirements of Sections 14-5 and 14-10 provided that the following standards are met:
 - (1) Walls (a minimum of 5 feet in height and constructed of masonry, stone or pressure treated lumber) or an opaque fence (a minimum of 5 feet in height) may be used to reduce the widths of the buffer yards required in Sections 14-5.1(D) and 14-10.1 by 10 feet.
 - (2) Understory or large maturing trees may be substituted for canopy or small maturing trees if, in the opinion of the Zoning Administrator upon conferring with the electrical utility provider, a conflict exists with overhead utility lines.
 - (3) Wall planters shall be constructed of masonry, stone or pressure treated lumber and shall have a minimum height of 30 inches. The minimum height of shrubs in wall planters shall be 6 inches. The effective planting area of the wall planter shall be 4 feet in width (7 feet if the wall planter contains trees).
 - (4) Any berm utilized for screening purposes shall have a minimum height of 3 feet, a minimum crown width of 3 feet, and a side slope no greater than 3:1.

14-5 SPECIFIC LANDSCAPING REQUIREMENTS

14-5.1 Street Yards

- (A) It is the intent of this section to establish a landscape planting area, hereinafter called a 'street yard', adjacent and parallel to the street right of way, but not within it, having the minimum dimensions as required by subsection (C) below, and containing plantings of trees, and which shall be grassed, and/or mulched with organic material and may contain other plantings of shrubs and/or flowers.
- (B) The purpose of street yards is to provide a more pleasing view from the ways of travel, to provide for a continuity of vegetation throughout the zoning jurisdiction of the City, to reduce the amount of impervious surface and stormwater runoff, to filter air, provide shade, and otherwise improve the microclimate and to preserve a remnant of the local natural vegetation cover. Such landscaping may allow for the identification of buildings.

- (C) Every lot shall be provided with a street yard in each yard abutting a street, except that lots abutting more than 2 streets with less than 20,000 square feet of land area, shall not be required to have more than 2 street yards.
- (D) Each street yard shall have a minimum width of 5 feet, a maximum width of 25 feet, and an average width of not less than 8 feet. No street yard shall be required in any yard abutting an alley.
- (E) Impervious surfaces, such as driveways, within a street yard shall not exceed 25% percent of the required street yard area, except as provided below:

EXCEPTION #1: Not more than 2 driveways, 25 feet in width each, may be permitted for any lot having a street frontage of 200 linear feet or less.

EXCEPTION #2: Where an existing developed lot with existing driveways that exceed the allowable 25% of the required street yard is to be redeveloped, the existing driveways may be reused and/or reconstructed:

 - (1) Up to fifty 50% of the width of the lot at the street frontage for lots with more than 100 feet but not more than 200 feet of street frontage; and
 - (2) Up to one 100% of the width of the lot at the street frontage for lots with more than two hundred (200) feet but not more than four hundred (400) feet of street frontage.
- (F) Each street yard shall contain at least 1 large maturing tree or 2 small maturing trees for every 50 linear feet of street yard, or fraction thereof, as measured from the corners of the lot, and such trees shall be located so that at least 1 such tree will be within each 75 linear feet of street yard. Where such trees are to be grouped or clustered, large maturing trees shall be spaced at least 20 feet apart, trunk to trunk, and small maturing trees shall be spaced at least 12 feet apart, trunk to trunk.
- (G) A large maturing tree shall mean any tree, evergreen or deciduous, which normally grows to an average mature height of at 35 feet, and a mature crown spread of at least 30 feet, and shall have a caliper of at least 2 inches and a minimum height of 12 feet at planting in accordance with AAN (American Association of Nurserymen) standards. Any tree not meeting the above dimensional standards shall be considered a small maturing tree. Each small maturing tree shall have a caliper of at least 1 inch and a height of at least 8 feet at planting. Silver Maple, White Pine, Lombardy Poplar and Callery Pear Hybrids, including 'Bradford', 'Aristocrat', will not be permitted as required trees.
- (H) Trees shall not be planted under overhead electrical lines if such is prohibited by the owner of the electrical lines, in which case the required trees shall be planted at some other location on the subject property acceptable to the Zoning Administrator.
- (I) Adequate wheel stops or curbs shall be installed for the protection of required trees and plantings that are located or expected to grow to any point within 5 feet of a vehicular parking area. Such wheel stops or curbs shall be a minimum of 6 inches in height and shall be adequately anchored to the

ground, and may be concrete, rot-resistant heavy timbers or other effective materials.

14-5.2 Vehicular Parking Areas

- (A) A vehicular parking area is an outdoor open area on a lot where motor vehicles are parked or driven. They include parking lots, driveways, aisles between rows of parking, and other similar areas, but do not include parking decks and structures, loading and unloading areas, utility service areas, and display areas. Such parking areas may be surfaced with grass, bare ground, asphalt, concrete, gravel or other material.
- (B) The intent of this section is to provide for trees and planting areas within or adjacent to such vehicular parking areas in order to modify and reduce the deleterious visual, environmental, and aesthetic effects of such areas. These requirements have been developed to:
 - (1) Reduce the rate of stormwater runoff and increase the capability of groundwater recharge in urban areas.
 - (2) Provide shade, noise management, aid in the filtering of air from gaseous pollutants, and other beneficial environmental effects;
 - (3) Prevent the overcrowding of land; and
 - (4) Provide for live vegetation, a more pleasing view from the ways of travel, and from nearby properties and to break the visual blight created by large expanses of vehicular parking areas.
- (C) All vehicular parking areas shall be provided with at least 1 large maturing tree for each 2,000 square feet, or fraction thereof, of vehicular parking areas including drives. Such trees shall be located and arranged so that no tree trunk will be more than 75 feet from a designated vehicular parking space. For up to 25% percent of the number of large trees required, 2 small maturing trees may be substituted for 1 large maturing tree.
- (D) Such trees shall be planted within planting areas (i.e. islands) having a minimum of 300 square feet of contiguous growing area and a minimum dimension of 7 feet for each large maturing tree and minimum of 200 square feet of contiguous growing area and a minimum dimension of 5 feet for each small maturing tree.
- (E) These required planting areas shall contain planting soil suitable for the plantings and conditions, and shall be grassed and/or mulched with organic material so that no bare ground is exposed. The areas may contain other plantings of shrubs or flowers.
- (F) Trees shall not be planted under overhead electrical lines if such is prohibited by the owner of the lines, in which case the required trees shall be planted at some other location on the subject property acceptable to the Zoning Administrator.

- (G) Adequate wheel stops or curbs shall be installed for the protection of trees and other plantings that are located or expected to grow to any point within 5 feet of a vehicular parking area, including drives, etc. Such wheel stops or curbs shall be a minimum of 6 inches in height and shall be adequately anchored to the ground, and may be of concrete, rot resistant heavy timbers, or other effective materials.

14-5.3 Trash Container and Dumpster Screens/Buffers

- (A) The large metal boxes commonly known as 'dumpsters' are a type of 'trash container' as such term is used herein. Such dumpsters are, however, referred to in this Section by specific name for purposes of emphasis and clarity.
- (B) It is the intent of this Section to provide for visual screens and/or buffers between trash container and dumpster locations and all street rights-of-way and adjoining properties.
- (C) Trash containers and dumpsters shall not be located in the front yard of any property and shall be screened from view on all sides, except for one (1) opening not greater than ten (10) feet in width to allow for service access.
- (D) Screens and/or buffers intended to satisfy the requirements of this Section shall consist of plant materials, earthen berms or closed (solid) fences or walls or a combination thereof, which will restrict the view from street rights-of-way and/or abutting properties to a height of at least 8 feet above adjacent ground elevation year round. The fence or wall may be composed of brick, finished concrete, mortar, treated wood, stone, masonry units, or a combination of the above. The wall shall have a solid appearance. Unless composed of rock or brick, it shall be painted. Plant materials shall be evergreen shrubs at least 4 feet in height at planting, shall be a species that can be expected to reach a height of at least 8 feet within 2 years of planting, and shall be planted and maintained in accordance with acceptable horticultural standards. Spacing between individual shrubs shall not exceed 5 feet on center.
- (E) On existing sites with dumpsters where a dumpster site may be impractical for placement due to existing structures, unusual topography or elevation, or the location or size of the parcel, the Planning Director may alter the requirements of this Section, provided the spirit and intent of the dumpster screening as outlined in Section 14-5.3 of the Ordinance is maintained. Such an alteration may occur only at the request of the property owner, who shall submit a site plan to the Planning Director. The planning Director shall have no authority to provide said relief unless the property owner demonstrates that the existing site features will prohibit a property from maintaining a dumpster screen.

14-6 MAINTENANCE/PRUNING

- (A) It shall be the responsibility of the property owner, or in the event of a property transfer, the subsequent property owner's responsibility to maintain and ensure the survival of the plant material in perpetuity. Plants and trees that do not survive planting or for some reason succumb to injury, disease

and/or insect infestation must be replaced during the first planting season following the death of the plant(s) in accordance with specifications of the Unified Development Ordinance.

- (B) Tree topping shall be prohibited on all trees that are required by the provisions of the Unified Development Ordinance, including perimeter buffer trees and parking lot landscaping. Topping is the severe cutting back of limbs larger than three (3") inches in diameter to the stubs within the tree's crown so as to remove the normal canopy and disfigure the trees. Trees severely damaged by storms or other causes, or certain trees that interfere with or are imminent threats to utility wires or other obstructions where other pruning practices are impractical may be exempted from this ordinance at the determination of the Planning Director. All trees shall be pruned in accordance with American National Standard Institution (ANSI) Standards.
- (C) If plants or other screening materials are removed to repair underground utilities they must be replaced at the next appropriate growing season at the owners' expense.

14-7 USE OF EXISTING SCREENING

When a lot is to be developed so that screening is required and that lot abuts an existing hedge, fence or other screening material on the adjoining lot, then that existing screen may be used to satisfy the requirements of this Ordinance. The existing screen must meet the minimum standards for screening established by this Ordinance and it must be protected from damage by pedestrians or motor vehicles. However, the burden to provide the necessary screening remains with the use to be screened and is a continuing obligation that runs with the land so long as the original use continues in operation. Consequently, should the screening on the adjoining lot be removed, the use required to be screened shall, at that time, provide screening in accordance with the requirements of this Ordinance.

14-8 OBSTRUCTIONS PROHIBITED

Landscaping and screening materials shall not obstruct the view of motorists using any street, driveway, or parking aisle.

14-9 GUARANTEE IN LIEU OF IMMEDIATE INSTALLATION OF LANDSCAPING AND SCREENING MATERIALS

It is recognized that land development occurs continuously and that vegetation used in landscaping or screening should be planted at certain times of the year to ensure the best chance of survival. In order to ensure compliance with this Ordinance and reduce the potential expense of replacing landscaping or screening materials which were installed in an untimely or improper fashion, the developer may provide, in accordance with the provisions of Section 4-8, an adequately secured performance bond or other security to ensure that all of the requirements of Article XIV will be fulfilled.

14-10 SCREENING OF ADJOINING INCOMPATIBLE LAND USES

The intent of these screening requirements shall be to create a screen between zoning districts and other zoning districts or to screen certain uses in order to minimize potential nuisances such as the transmission of noise, dust, odor, litter, and glare of lights; to reduce the visual impact of unsightly aspects of adjacent development; to provide for the separation of spaces; and to establish a sense of privacy. Any screening required under this Section shall materially screen the subject use between the ground level and the height of the required screening from the view of the adjoining.

When specifically required by Section 11-1, Development Standards for Individual Uses, a landscaped buffer shall be provided which conforms to the requirements outlined below.

14-10.1 Screening shall be required under the following situations:

- (A) Between Residential and Non Residential Districts: Where an NB, GB, GB2, CB, CPD, LI, GI District abuts a Residential (R) District, screening shall be provided on the lot(s) which are located in the NB, GB, GB2, CB, CPD, LI, GI Districts (except a residential use) at the time such lots are developed (except with a residential use) or when any existing and/or accessory structure on such lot is expanded.
- (B) Between Residential and Non Residential Uses in the RO District: In an RO District where a non-residential use adjoins a residential use, screening shall be provided on the non-residential use lot, except that screening shall not be required where the adjoining residential use is located in a NB, CB, GB, GB2 or CPD District.
- (C) Multi-Family Developments: All multi-family developments shall be screened from all other lots which lie in a Residential (R) District except that screening shall not be required around a multi-family development whose side and rear boundaries abut multi-family development.
- (D) Manufactured Home Parks: All manufactured home parks shall be screened from all other lots which lie in a Residential (R) District except that screening shall not be required around a manufactured home parks whose side and rear boundaries abut manufactured home parks.
- (E) Planned Unit Developments: All planned unit developments shall be screened from all other lots which lie in a Residential (R) District except that screening shall not be required around a planned unit development whose side and rear boundaries abut planned unit development.
- (F) Other: Other situations as specifically listed in the Conditional use Regulations (Part 11 of this Ordinance).

14-10.2 Location of Screening

- (A) Any screening required by Subsection 14-10.4 shall be located along side and/or rear property lines of the lot(s) in question except that screening shall not be required along any street right-of-way unless otherwise stipulated in this Ordinance. If screening is required along a street right-of-way it shall be located behind such right-of-way and outside the area of the sight triangle, (defined as a triangular area on a corner lot adjoining the rights-of-way of the two intersecting streets, said triangular area being formed by the intersecting lines of the street rights-of-way and a straight line connecting two points, each such points being twenty-five (25) feet from the intersection of the two street rights-of-way.)
- (B) Whenever an industrial use is located on the opposite side of a street right-of way from a (R) residential zone, screening shall be installed on the industrial use property along said street right-of-way. For the purposes of this requirement an industrial use is deemed to be any use that is listed only in the LI or GI District and not in any other general zoning district (permitted use or conditional use).

14-10.3 Specifications for Screening

All portions of the buffer yard not planted with trees or shrubs or covered by a wall or other barrier shall be planted with grass, ground cover, or natural mulch of a minimum depth of 3 inches.

Screening may be in the form of natural plantings, planted berms, walls, or fences. Screening shall be encouraged, however, in the form of natural plantings. Where sufficient room exists to place a screen consisting of natural plantings or maintain an existing screen of natural plantings, such natural plantings shall be used as the required form of screening. Otherwise, screening in the form of a planted berm, wall or fence may be used. The Administrator may approve a combination of natural planting, planted berm, wall or fence, if he determines that the spirit and intent of this section are met by such combination (See 14-10, 14-10.2 and 14-10.4)

- (A) Natural Plantings. Where natural plantings are used, a buffer strip of at least fifteen (15) feet in width [ten (10) feet for a non-residential use in the R-O District] shall be planted. This strip shall be free of all encroachment by structures, parking areas or other impervious surfaces. The amount and type of buffer materials to be planted per one-hundred (100) linear feet shall be as indicated in Figure 14.-10.3.

All materials planted shall be free from disease, installed in a fashion that ensures the availability of sufficient soil and water to sustain healthy growth, properly guyed or staked and planted in a manner that is not intrusive to utilities and/or pavement.

Silver Maple, White Pine, Lombardy Poplar and Callery Pear Hybrids, including 'Bradford', 'Aristocrat', will not be permitted as required trees.

- (B) Walls or Fences. Any wall shall be constructed in a durable fashion with a finish surface of brick, stone or other decorative masonry material approved by the Administrator.

Fences shall be constructed of wood in a durable fashion and of durable, weather resistant wood fencing materials and of consistent pattern. No wall or fence shall be less than six (6) feet nor greater than eight (8) feet in height above grade. All walls or fences used for screen purposes shall be opaque. Walls and fences shall be constructed in accordance with 9.-5.7 of this Ordinance.

- (C) Berms. All berms shall be planted with both shrubs and ground covers to leave no bare earth. The berm shall be at least three (3) feet in height and contain at least thirty (30) shrubs per one-hundred (100) linear feet. Said shrubs shall be a species that can be expected to materially screen the development site within five (5) years of planting. No slope of a berm shall be steeper than one (1) foot of rise for every three (3) feet in plane.

Required Buffer Strip Alternative (Per 100 linear feet) For Natural Plantings

**Table 14-10.3
Trees and Landscaping**

| Alternative | | Buffer Width |
|--|---|---------------------|
| 1 | 5 Large Trees 2 Small Trees 19 Shrubs | 30 Feet |
| 2 | 5 Large Trees 3 Small Trees 22 Shrubs | 25 Feet |
| 3 | 6 Large Trees 3 Small Trees 24 Shrubs | 20 Feet |
| 4 | 6 Large Trees 3 Small Trees 28 Shrubs | 15 Feet |
| (For RO Districts Only, as Set Forth in 14-10.2 (b)) | | |
| 5 | 2 Small Trees 19 Shrubs | 10 Feet |

14-10.4 Relief to Screening Requirements

In the event that the unusual topography or elevation of a development site or the location or size of the parcel to be developed would make strict adherence to the requirements of this section serve no meaningful purpose or would make it physically impossible to install and/or maintain the required screen, the Administrator may alter the requirements of this Ordinance provided the spirit and intent of the screening requirement as outlined in Section 14-10 of this Ordinance are maintained. Such an alteration may occur only at the request of the developer, who shall submit a plan to the Administrator showing existing site features that would screen the proposed use and any additional screen materials the developer will plant or construct to screen the proposed use. The Administrator shall have no authority to provide said relief unless the developer demonstrates that existing site features and any additional screening materials will screen the proposed use as effectively as the required screen.

14-10.5 Existing Screened Areas

In cases where an existing screened area exists, further plantings and or improvements shall not be required provided said screened area is of sufficient width and depth and contains adequate and sufficient materials to meet the requirements of this Ordinance. If the screened area is deficient, the developer shall make needed improvements and/or additions to satisfy the screening requirements and intent of this Ordinance.

14-10.6 Screen Construction and Installation Maintenance

The plantings, fences, walls or berms that constitute a required screen shall be properly installed and maintained in order for the screen to fulfill the purpose for which it is established. Walls, fences and berms shall be constructed in a durable and attractive fashion in accordance with any applicable codes and generally accepted construction and workmanship practices and meet all specifications herein. Plant species shall be recommended for healthy growth under local climate conditions, not highly prone to disease and be expected to grow in a manner to meet the spirit and intent of this section. Plant materials shall be planted in accordance with generally accepted and recommended planting and growing practices.

The owner of the property and any tenant on the property where a screen is required shall be jointly and severally responsible for the maintenance of all screen materials. Such maintenance shall include all actions necessary to keep the screened area free of litter and debris, to keep plantings healthy and growth from interfering with safe vehicular or pedestrian travel, or use of parking areas, or from creating any nuisances to adjoining property owners and to keep walls, fences, and berms in good repair and neat appearance. Any vegetation that constitutes part of a screen shall be replaced in the event that it dies. All screen materials shall be protected from damage by erosion, motor vehicles or pedestrians.