



*Live Oak*

### ORDINANCE HIGHLIGHTS

- New development requires planning for vegetation. A vegetation management plan showing what vegetation is to be retained on the lot and what is to be replanted must be provided prior to approval of a building permit or land disturbance permit. A minimum of fifteen percent (15%) of the lot area remaining *after* the footprint of a house is established must be planted from an approved list (10% of net commercial lot area). Protection measures must be in place during construction for vegetation that is to be retained on the site.
- On developed lots, improvements to existing structures and changes to the lot such as expanding driveways or parking areas requires approval of a tree management plan and 15% vegetative lot coverage (10% on commercial lots).
- Clear cutting of undeveloped lots or removal from vacant lots of any tree greater than 6" in diameter at breast height (d.b.h.), measured at 4.5 feet above the ground, is prohibited without an approved vegetation management plan and building permit.
- Removal of any tree 24" or greater d.b.h. anywhere requires a tree removal permit in addition to a vegetation management plan

# TOWN OF DUCK TREE AND VEGETATION PRESERVATION AND PLANTING ORDINANCE

Recognizing the aesthetic, environmental, ecological and economic benefits to our coastal community that native and well-adapted vegetation provides, the Town of Duck adopted an ordinance in June 2007 to ensure a vegetative canopy in Duck now and into the future. This document is a summary of the ordinance; for specific details, please refer to Town Code regulations regarding Tree & Vegetation Preservation and Planting (online at <http://www.townofduck.com/07-05.htm>) or call the Department of Community Development at 252-255-1234.

The Council may designate for preservation an individual tree, naming it a memorial, heritage, or specimen tree.



*Southern Bayberry*

### ADDITIONAL FEATURES OF THE ORDINANCE

- Newly installed irrigation systems must be either connected to a well or, if using County water, be fitted with rain sensors.
- Vegetation planting guidelines, in the form of an appendix, provide information on what types of plants meet the ordinance criteria for native or hardy vegetation (see <http://www.townofduck.com/07-05appendix.htm>).
- The ordinance provides for Town Council review of special exceptions in extraordinary circumstances.

## FREQUENTLY ASKED QUESTIONS

*Does this regulation affect me if I already have a house built and my site is developed, but I want to take out a tree or some bushes?*

Homeowners with existing homes may remove trees (less than 24" diameter at breast height) or vegetation without permits and without submission of a vegetation management plan provided there is a minimum of 15% vegetation remaining on the lot. If the minimum of 15% is not met, then removal of any trees or shrubs will trigger the requirement for a vegetation management plan and planting to the 15% threshold.

*What if I don't like trees or they don't grow well on my lot?*

The ordinance is flexible. You may plant trees or bushes or any combination of trees and bushes to reach the vegetative canopy requirements. Two small canopy trees or ten mulched shrubs (3 gallon size) may be substituted for a large tree.

*What if I want to plant something that isn't on the Town's list of acceptable vegetation?*

You may plant whatever you like on your lot. However, the trees and shrubs on the Town's list of acceptable vegetation are either native or known to do well in our environment and only those trees will count toward the 15% minimum planting requirement. Additional cultivars or types of vegetation, other than those specifically listed as prohibited or undesirable, may be substituted and count toward the minimum requirement if approved by the Director of Community Development.

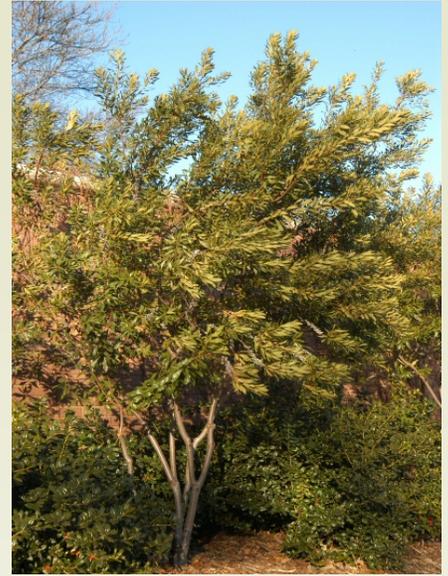
*Do I need to hire a certified arborist or landscape architect to do a vegetation management plan?*

No. You're encouraged to seek such professional assistance, but it is not required. A vegetation management plan may be prepared by a surveyor, engineer, builder, landscaper, or a property owner, particularly if it is a simple project. Contact the Department of Community Development before you begin planning for your project and we can help guide you on what will be required for your submission.

*What if there is an emergency?*

When trees present an imminent danger or their removal is necessary to repair public or private utilities, reasonable action is authorized to eliminate the hazard.

Waxberry



## ADDITIONAL RESOURCES

The Town of Duck Department of Community Development has an extensive collection of information on tree care, coastal vegetation, native species, and sources of plant materials in our area. The Dare County Center of the N.C. Cooperative Extension Service has excellent horticultural information (<http://dare.ces.ncsu.edu>).