

INTRODUCED: May 11, 2026

AN ORDINANCE No. 2026-113

As Amended

To amend City Code § 11-105, concerning weeds and other vegetation, and to amend ch. 11, art. IV, by adding therein a new section numbered 11-101, concerning definitions, for the purpose of establishing exemptions for [~~Virginia Friendly Landscapes~~] native plants.

Patron – Mayor Avula

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 26 2026 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 11-105 of the Code of the City of Richmond (2020) be and is hereby **amended** as follows:

Sec. 11-105. Weeds and other vegetation.

(a) It shall be unlawful for any person who owns or occupies property within the City to permit any grass, plant, bushes, weeds or any other vegetation 12 inches high or over, other than trees, shrubbery, agricultural plants, garden vegetables, flowers, native plants, or ornamental plants[~~, or Virginia Friendly Landscapes (as defined in sec. 11-101),~~] to exist on such property.

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

(b) It shall be unlawful for any person who owns or occupies property within the City to permit the existence on such property of any live or dead hedge, shrub, tree or other vegetation, any part of which extends or protrudes into any street, sidewalk, public right-of-way, adjacent property, grass strip or alley so as to obstruct or impede or threaten the safe and orderly movement of persons or vehicles.

(c) It shall be unlawful for any person who owns or occupies property within the City to permit any grass, plants, bushes, weeds or any other vegetation 12 inches high or over, other than trees, shrubbery, agricultural plants, garden vegetables, native plants, flowers or ornamental plants, to exist on any sidewalk, public right-of-way, or grass strip adjacent to such property or unimproved street or alley (to the centerline of such unimproved street or alley).

(d) It shall be unlawful for any person who owns or occupies property within the City to fail to remove fallen trees, detached limbs, or allow branches~~[, the accumulation of which is offensive, unwholesome, and unsightly]~~ to accumulate in a manner that create a fire hazard, obstructs pedestrian or vehicular access, impedes stormwater drainage, or poses a risk to public health or safety. Fallen woody material retained as part of an intentional landscape design, including brush piles, habitat features, or naturalistic plantings, shall not constitute a violation provided the material is located and maintained in a way that keeps it out of direct contact with structures, fences, or adjacent properties and the presence of the material does not present a risk to public health or safety.

(e) ~~[Violations of this section shall be subject to a civil penalty, not to exceed \$50.00 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200.00. In no event shall a series of specified violations arising~~

~~from the same set of operative facts result in civil penalties that exceed a total of \$3,000.00 in a 12-month period. In the event three civil penalties have previously been imposed on the same defendant for the same or similar violations, not arising from the same set of operative facts, within a 24-month period, then such violations shall be a Class 3 misdemeanor, which shall not also be classified as a civil penalty.~~

~~(f) Notwithstanding anything to the contrary in [section] subsections (a) and (c) of 11-105, a person who owns or occupies property within the City may [apply to establish a Virginia Friendly Landscape. Such application shall be submitted to the Chief Administrative Officer, or the Director of Planning and Development Review, to designate the subject property as a Virginia Friendly Landscape. To qualify as a Virginia Friendly Landscape, the property must:~~

~~(i) Meet the requirements set forth in the definition of “Virginia Friendly Landscape;”~~

~~(ii) Include “cues to care” practices, as described by the National Wildlife Federation, such as borders, fencing, well-maintained edges, and clear signage indicating that the garden is a permitted Virginia Friendly Landscape;~~

~~(iii) Be well-maintained by discarding vegetative material, removal of dead trees and pruning of live trees as necessary to protect public safety;~~

~~(iv) Include setbacks of at least five feet from all property lines adjacent to neighboring yards, sidewalks, and roads; and~~

~~(v) At least 80% of the total plant species located on the subject property must be comprised of Native Plants.~~

~~Upon designation of the subject property as a Virginia Friendly Landscape, such property shall be exempt from the requirements set forth in section 11-105(a) so long as the property complies with the requirements set forth in section 11-105(f).~~

~~(g) The designation of a Virginia Friendly Landscape may be revoked at any time by the Chief Administrative Officer, or their designee, if the property is not in compliance with the requirements as provided in section 11-105(f), the property has become a threat to health, safety or the environment, or if all required setbacks are not adequately maintained as provided in section 11-105(f)(iv).]~~ maintain an intentionally designed landscape exceeding 12 inches in height, provided such property owner or occupant maintains at least one visible indicator of intentional stewardship, known as “cues-to-care” practices as defined by the National Wildlife Federation, as follows:

(i) Defined borders: mowed turf grass paths, manicured edges, or physical borders such as fencing or hardscaped edges that frame the planted space;

(ii) Plant arrangement: plants arranged to reflect deliberate design such as massed plant groupings, vertical layering, or clean spatial separation between planting zones;

(iii) Informational signage: signage visible from the public right-of-way identifying the landscape as an intentional planting; and

(iv) Regular maintenance: management of planted area such as seasonal cleanup, removal of invasive species, or mulching.

(f) Violations of this section shall be subject to a civil penalty, not to exceed \$50.00 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the

first violation shall not exceed \$200.00. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000.00 in a 12-month period. In the event three civil penalties have been imposed against the same defendant for the same or similar violations, not arising from the same set of operative facts, within a 24-month period, such violations shall be a Class 3 misdemeanor, which shall not be classified as a civil penalty.

§ 2. That Chapter 11, Article IV, of the Code of the City of Richmond (2020) be and is hereby amended by **adding therein a new section** numbered 11-101 as follows:

The following terms, when used in this article, shall have the meanings hereinafter ascribed to them, unless otherwise clearly provided or indicated by the context:

~~[Invasive Plant means a plant reproducing outside its native range and outside cultivation that disrupts naturally occurring Native Plant communities by altering structure, composition, natural processes, or habitat quality.]~~

Native Plant means any indigenous plant, including any grass, wildflower, forb, fern, shrub or tree, which evolved to occur naturally in and is well-adapted to local ecosystems, comprised of local soils, climate, wildlife, and growing conditions of the Mid-Atlantic region.

~~[Pollinator Garden means a garden designed with nectar and pollen producing flowers, shelter or shelter providing plants, and zero use of pesticides, with the intent of attracting pollinating insects known as pollinators.]~~

~~Rain Garden means a Native Plant garden that is designed to aesthetically improve properties and reduce the amount of storm water and accompanying pollutants from entering streams, rivers, and lakes.~~

~~*Virginia Friendly Landscape* means any Pollinator Garden, Rain Garden, Wildflower Meadow or other planned, intentional, and maintained planting of Native Plants or Native Plant community, which (a) do not include Invasive Plants, and (b)(i) has been designated as a Certified Wildlife Habitat, as defined by the National Wildlife Federation or (ii) has a documented certification by an organization identified by the Chief Administrative Officer or his or her designee.~~

~~*Wildflower Meadow* means an open habitat or field, vegetated by grasses, herbs, wildflowers, and other non-woody plants which provides animals and pollinators with food sources, nesting, mating, and sheltering spaces, and requiring minimal human intervention.]~~

§ 3. This ordinance shall be in force and effect ~~[upon]~~ 90 days after adoption of this ordinance.

DATE: May 11, 2026

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor

THROUGH: Odie Donald II, Chief Administrative Officer

THROUGH: Sharon Ebert, Deputy Chief Administrative Officer, Planning & Economic Development

THROUGH: Kevin Vonck, Director, Planning and Development Review

FROM: Laura Thomas, Director, Office of Sustainability

RE: Virginia Friendly Landscapes

ORD. OR RES. No. _____

PURPOSE: To amend City Code § 11-105, concerning weeds and other vegetation, and to amend ch. 11, art. IV, by adding therein a new section numbered 11-101, concerning definitions, for the purpose of establishing exemptions for Virginia Friendly Landscapes.

BACKGROUND: This ordinance seeks to align the city code with Richmond 300, RVAgreen 2050, the Richmond Sustainable Design Standards and RES 2023-R061. Richmond 300 includes an objective to increase and enhance biodiversity within Richmond, including expanding native plant species and pollinator habitats on both public and private lands, and updating the City's weed ordinance to support that goal. RVAgreen 2050 calls for equitable access to green space, and natural resources, and identifies natural land management practices as a tool for flood resilience. The Richmond Sustainable Design Standards encourages reducing (1) turfgrass areas while conserving and expanding use of native plants and (2) mowing of turfgrass and meadow areas. Finally, in January of 2024, the Richmond City Council adopted RES. 2023-R061 designating the City as a Bee City USA affiliate, a designation that carries an explicit commitment to reviewing and improving City policies that support pollinator habitats. This ordinance further fulfills that commitment.

This amendment allows City residents to increase and enhance biodiversity on private lands without violating the City code, which aligns with both City policy and best environmental practices. Natural landscapes, like those permitted in this ordinance, reduce stormwater runoff, mitigate urban heat, reduce maintenance needs, restore natural habitat, and support biodiversity.

COMMUNITY ENGAGEMENT: Following adoption, the Office of Sustainability will develop a public communications campaign timed to launch in conjunction with “No Mow May”, a nationally recognized effort to reduce mowing during peak pollinator season, to raise awareness of the new exemption and encourage residents to register Virginia Friendly Landscapes. In coordination with the Department of Planning and Development Review, the Office of Sustainability will also provide targeted training to code enforcement staff to ensure they can properly identify qualifying landscapes and apply the revised ordinance consistently and equitably across the city.

FISCAL IMPACT: This will not have a negative fiscal impact and can be managed with existing personnel and tools.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: NA

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: May 11, 2026

CITY COUNCIL PUBLIC HEARING DATE: May 26, 2026

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: The Department of Planning and Development Review, the Office of Sustainability

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

ATTACHMENTS: None.

STAFF: Laura Thomas, Director, Office of Sustainability

MOTION

To amend Ord. No. 2026-113, which amends City Code § 11-105, concerning weeds and other vegetation, and amends ch. 11, art. IV, by adding therein a new section numbered 11-101, concerning definitions, for the purpose of establishing exemptions for Virginia Friendly Landscapes, to modify such exemptions and certain definitions.