

Article 23

LANDSCAPING and SCREENING

Section 23.01: PURPOSE

The intent of this Section is to promote the public's health, safety, and general welfare by: minimizing noise, air, and visual pollution; improving the appearance of off-street parking and other vehicular use areas; requiring buffering between incompatible land uses; regulating the appearance of property abutting public rights-of-way; protecting and preserving the appearance, character, and value of the community and its residential neighborhood areas; preventing soil erosion and soil depletion; and promoting soil water retention.

Section 23.02: APPLICATION

These requirements shall apply to all uses for which site plan review is required under Article 6, Procedures for Site Plan & Plot Plan Review, and any other use so specified in this Ordinance. No site plan shall be approved unless said site plan shall show landscaping, buffer areas, and screening consistent with the requirements set forth herein.

Section 23.03: LANDSCAPE PLAN REQUIRED

A separate detailed landscape plan shall be required to be submitted as part of a site plan review (see Article 6). The landscape plan shall identify all buffer areas (see Section 23.04), site landscaping (see Section 23.06), and parking lot landscaping (see Section 23.05), and shall include, but not necessarily be limited to, the following items:

- A. Location, spacing, size, and root type [bare root (BR) or balled and burlapped (BB)] and descriptions for each plant type proposed for use within the required landscape area.
- B. Minimum scale: 1" = 100'.
- C. Existing and proposed contours on-site and 150 feet beyond the site at intervals not to exceed two (2) feet.
- D. Typical straight cross-section including slope, height, and width of berms and type of ground cover, or height and type of construction of wall or fence, including footings.
- E. Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
- F. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed plant materials.
- G. Identification of existing trees and vegetative cover to be preserved and those trees six (6) inches or larger in diameter, measured five (5) feet from ground surface, to be removed.
- H. Identification of grass and other ground cover and method of planting.
- I. Identification of landscape maintenance program including a statement that all diseased, damaged, or dead materials shall be replaced in accordance with standards of this Ordinance.

Section 23.04: BUFFER AREAS

- A. **Side and Rear Yard Buffer Areas:** All commercial and industrial land uses for which a site plan is required shall be screened by a buffer area at least five (5) feet in height along all adjoining side and rear yard boundaries with residentially zoned property or with other commercial or industrially zoned property located in a different district. The required screening shall be provided by the applicant according to one of the following:
 1. A buffer consisting of a solid wall, earthen berms, or living materials, or a combination thereof, so as to maintain a minimum opacity of at least eighty (80) percent. Opacity shall be measured by observation of any two (2) square yard area of the landscape buffer between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. The plantings must meet this standard based upon reasonably anticipated growth over a period of three (3) years. The applicant shall install solid fencing after the expiration of three (3) years in the event that the landscaping has not provided the minimum opacity required.
 2. Where there is a need to provide a greater noise or dust barrier or to screen more intense development not adequately screened by the application of Section 23.04(A)(1), a solid wall shall be required by the Planning Commission. Such wall shall be five (5) feet or more in height as measured on the side of the proposed wall having the higher grade.
- B. **Front Yard Buffer Areas:** A strip of land with a minimum width equal to the front yard setback of its zoning classification shall be located abutting the right-of-way of a minor or major thoroughfare, and shall be landscaped with a minimum of one (1) tree not less than twelve (12) feet in height or a minimum caliper of 2 ½ inches (whichever is greater at the time of planting) for each thirty (30) lineal feet, or major portion thereof, of frontage abutting said right-of-way. The remainder of the front yard buffer area shall be landscaped in grass, ground cover, shrubs, and/or other natural, living, landscape material. Access ways from public rights-of-way through required buffer areas shall be permitted, but such access ways shall not be subtracted from the lineal dimension used to determine the minimum number of required trees.

Section 23.05: PARKING LOT and LOADING AREA LANDSCAPING:

- A. Separate landscaped areas shall be required either within or at the perimeter of parking lots and shall not be considered as part of a front, side, or rear yard buffer area. There shall be provided a minimum of one (1) tree for every eight (8) parking spaces. A minimum distance of three (3) feet shall be established between proposed tree or shrub plantings and the edge of curbing and pavement.
- B. Where a parking area containing more than four (4) parking spaces is within one hundred (100) feet of a Residential district, a vegetative screen or fence shall be installed to fully screen views to the parking area from the neighboring Residential district pursuant to Section 23.04(A)(1). This provision shall not apply to roadside stands or uses granted a temporary zoning permit.
- C. All loading and unloading areas and outside storage areas, including areas for the storage of trash which abut another District or residential property or which face or are visible from residential properties or public thoroughfares, shall be screened according to Section 23.04(A)(1) or (2).

Section 23.06: SITE LANDSCAPING

- A. In addition to any buffer area or parking lot landscaping required by this Article, at least ten (10) percent of the site area, excluding existing thoroughfare right-of-way, shall be landscaped with grasses and other live groundcovers, planting beds, and trees, or combinations thereof, except that a minimum of one tree per ten thousand (10,000) square feet of disturbed lot area, or fraction thereof, shall be provided. Existing undisturbed vegetation may be used to meet the requirements of this Section at the discretion of the approving body. "Disturbed lot area," as applied to this section, shall be interpreted to mean any area of a lot which is to be paved, built upon, or otherwise altered by grading or other construction activities.

Section 23.07: MINIMUM STANDARDS of LANDSCAPE ELEMENTS

- A. **Quality:** Plant material and grasses shall be of generally acceptable varieties and species, free of insects and diseases, hardy to the climate, conform to the current minimum standard of the American Association of Nurserymen, and shall have proof of any required governmental regulations and/or inspections. Plant species which are generally considered undesirable due to limited disease tolerance, low wood strength, and/or high tendencies toward splitting of wood, such as boxelder, mulberry, and willows, are not permitted unless specifically authorized otherwise by the Planning Commission.
- B. **Composition:** A mixture of plant material, such as evergreen, deciduous trees and shrubs, is recommended as a protective measure against insect and disease infestation. A limited mixture of native hardy species is recommended rather than a large quantity of different species, to produce a more aesthetic, cohesive design and avoid a disorderly appearing arrangement.
- C. **Berms:** Berms shall be constructed with slopes not to exceed a 1:3 gradient with side slopes designed and planted to prevent erosion, and with a rounded top surface a minimum of three (3) feet in width at the highest point of the berm, extending the length of the berm.
- D. **Existing Trees:**
 - 1. If existing plant material is labeled "To Remain" on site plans by the applicant or required by the Planning Commission, protective techniques, such as, but not limited to, fencing or barriers placed at the dripline around the perimeter of the plant material, shall be installed during construction. No vehicle or other construction equipment shall be parked or stored within the dripline of any plant material intended to be saved. Other protective techniques may be used provided such techniques are approved by the Planning Commission.
 - 2. In the event that existing healthy trees which are used to meet the minimum requirements of this Ordinance, or those labeled to remain are cut down, destroyed, damaged, or excavated at the dripline, as determined by the Planning Commission, the applicant shall replace them with trees which meet Ordinance requirements.

Section 23.08: INSTALLATION, MAINTENANCE and COMPLETION

- A. All landscaping required by this Ordinance shall be planted prior to obtaining a Certificate of Occupancy or, where the applicant can demonstrate to the Planning Commission that seasonal conditions prohibit the installation of the plant material prior to desired occupancy, the plant material will be installed within six months of receipt of such Certificate.
- B. All landscaping and landscape elements shall be planted, and earth moving or grading performed, in a sound workmanlike manner and according to accepted good planting and grading procedures.
- C. The owner of property required to be landscaped by this Ordinance shall maintain such landscaping in a reasonably healthy condition, free from refuse and debris. All unhealthy and dead material shall be replaced within one (1) year of damage or death or the next appropriate planting period, whichever comes first. All landscaped areas shall be provided with a readily available and acceptable water supply.

Section 23.09: FENCING and WALLS

A. Construction

1. **Materials:** All required fencing and walls shall be constructed and maintained in a sound manner to assure long-term structural integrity and visual character. Site plans shall include all necessary construction details to illustrate compliance with this requirement. The finished side of fencing shall face abutting properties.
2. **Height:** Required fencing and walls shall be of such height to adequately mitigate the impacts for which the screening is deemed desirable. Site plans shall include all necessary construction details to illustrate compliance with this requirement.

B. Application: Fences and Walls shall be provided according to the provisions of Section 23.04 and 23.05 in addition to the following:

1. **Mechanical Equipment:**(this subsection does not apply to single-family or two family residential uses, or to any use in an Industrial district except if it abuts a Residential district): When located outside of a building, support equipment including air conditioning and heating devices and water and gas meters, but not including plumbing or exhaust vents or chimneys, are to be screened from the view of the street or surrounding properties by landscaping, a solid wall, or fencing, to the height of the particular piece of equipment.
2. **Outdoor Storage in Commercial and Industrial districts:** To be screened on all sides by a solid wall or fencing of not less than six (6) feet in height.
3. **Public Utility Substations In Any District:** To be screened on all sides by a solid wall or fencing of not less than six (6) feet in height, and live landscape materials.
4. **Swimming Pools:** See Section 18.03.

C. Exceptions to Fencing and Wall Requirements:

1. **Location Adjustment:** Where property line screening is required, the location may be adjusted so the fence or wall may be constructed at or within the setback line, provided the areas between the fence and the lot lines are landscaped, or retained in their natural vegetative state at the discretion of the Planning Commission.
2. **Existing Screening:** Any fence, screen, wall or hedge which does not conform to the provisions of this Section and which is legally existing at the effective date of this Ordinance may be continued and maintained, provided there is no physical change other than necessary maintenance and repair in such fence, screen, wall, or hedge except as permitted in other sections of this Ordinance.
3. **Barrier Fences:** Barrier fences containing barbed wire, electric charges or sharp materials at the top of a fence or wall are prohibited unless specifically approved by the Planning Commission.
4. **Fire Hazard:** No fence shall be approved which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, nor which will interfere with access in case of fire to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.

Section 23.10: WAIVERS and MODIFICATIONS

- A. Any of the requirements of this Article may be waived or modified through site plan review and approval, provided the approving body first makes a written finding that specifically identifies characteristics of the site or site vicinity would make required buffer areas, fencing, or screening unnecessary, inappropriate, or ineffective, or where it would impair vision at a driveway or street intersection.
- B. The Zoning Board of Appeals may require or waive any fencing, screening, landscaping or buffering as may be provided for in this Section as a condition of a variance or other authorization in whatever manner necessary to achieve an identified public purpose. The Zoning Board of Appeals shall record the reason for the condition and clearly specify what is required in any approval granted.

Balance of Page Purposefully Blank

End of Article 23