

CHAPTER 16

Landscaping Regulations

Section 16.1 Purpose

Landscaping is an important part of land development and use. The benefits of landscaping include, but are not limited to the following:

- A. Screening lighted areas and unattractive features.
- B. Preventing glare from buildings, cars, and other sources.
- C. Controlling air pollution by the absorption of noxious gases and the release of oxygen.
- D. Reducing noise and stabilizing soils.
- E. Decreasing wind velocity and increasing surface water retention.
- F. Defining access and circulation on a site.
- G. Improving the amenity of pedestrian movement within paved areas.
- H. Enhancing or focusing attention towards a feature, such as a building or main entrance.
- I. Providing visual relief from monotonous features such as building walls, large parking lots, and streets.
- J. Adding natural color and attracting wildlife.
- K. Filtering water run-off.
- L. Moderating heat in the summer.

This Chapter sets minimum yet flexible standards for required landscaped areas to achieve these goals. Applicants are also encouraged to provide landscaping in addition to the minimum requirements of this Ordinance in order to improve the function, appearance, and value of their property and surrounding area.

Section 16.2 Applicability

The standards contained in this Chapter apply to any site plan, special use, or planned unit development request (or any use involving any such zoning approval or approvals) that is subject to review and approval by the Planning Commission or Site Plan Review Committee, subject to the following limitations:

- A. These regulations do not apply to single and two family dwellings.
- B. The standards contained in this Chapter apply to the expansion of existing uses or development only if they are subject to site plan review (i.e. for example, where an expansion exceeds 25% of the original floor area of the building or exceeds more than five parking spaces). The buffer and front yard landscape requirements shall apply to the

whole site, including existing areas. Parking lot landscaping requirements shall apply only to the expanded area of the parking lot.

Section 16.3 Approval Process

A landscape plan prepared in compliance with this chapter shall be submitted with the required site plan, special use permit application, or planned development application (or expansion thereof). The landscape plan shall include, but not be limited to, the following items:

- A. Minimum scale of 1 inch to 50 feet.
- B. Proposed plant location, spacing, size, species (common and botanical name) and necessary descriptions for use within required landscape areas. Plants to be included should be drawn at mature size.
- C. Existing and proposed contours on-site and 10 feet beyond the site at intervals not to exceed 2 feet.
- D. Location of property lines, buildings, sidewalks, and parking areas.
- E. Straight cross section including slope, height, and width of berms, and type of ground cover.
- F. Significant construction details to resolve site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
- G. Planting and staking details in either text or drawing form to ensure proper installation and establishment of proposed materials.
- H. Identification of existing trees proposed to be saved including individual tree caliper size and species. Clearly reference on the plan the total number of trees proposed to be preserved, point value of preserved tree, and number of trees requested for credit consideration.
- I. Identification of tree protection method for trees proposed to be preserved.
- J. Identification of existing trees above 2.5” caliper proposed to be removed.
- K. Identification of grass and other ground cover and method of planting.
- L. Table clearly referencing the number of required points for front yard and parking lot landscaping and a list describing the existing tree and proposed landscape elements used to achieve the required number of points.
- M. Any other information required by the Planning Commission or Site Plan Review Committee.

Section 16.4 Alternative Compliance

The Planning Commission or Site Plan Review Committee in its review of the landscape plan has the authority to increase, decrease, or otherwise modify the landscaping and screening

requirements of this Chapter. In doing so, the Planning Commission or Site Plan Review Committee shall consider the following criteria:

- A. The amount of space on the site available for landscaping.
- B. Existing landscaping on the site and on adjacent properties.
- C. The type of use on the site and the size of the development.
- D. Existing and proposed adjacent land uses.
- E. The effect that the required landscaping would have on the operation of the existing or proposed land use.

Section 16.5 General Regulations

- A. All required landscaping shall be fully installed before occupancy of the building or structure unless the applicant applies for a longer period and the Zoning Administrator permits a time extension in writing. The Zoning Administrator may require as a condition of any time extension that the applicant file a bond, irrevocable letter of credit or cash security (in an amount and form as required by the Zoning Administrator) with the Township to ensure that all landscaping will be fully completed.
- B. The entire site not devoted to floor area, parking, detention, accessways, or pedestrian use shall be appropriately landscaped with grass, canopy and coniferous trees, shrubs, and ground cover, or left in its natural state.
- C. All landscaping shall be hardy plants and shall be maintained thereafter in a neat, healthy, and orderly manner. Withered and/or dead plant materials shall be replaced within a reasonable period of time but no longer than one growing season. Maintaining the landscaping items, trees, and plants shall be the responsibility of the then-owner(s) of the property where such item or items are located. If such items are located in a common area or jointly-owned or property owned by a property owners association, both the property owners association and all of the property owners within the plat or development involved shall be jointly and severally responsible for fully maintaining such landscaping items, plants and trees and complying with this subsection.
- D. For the purposes of this Chapter, a corner lot is considered to have front yards along each street, and the required landscaping shall be provided for both.
- E. Plantings shall not be planted or maintained in such a way so as to create a sight obstruction for persons using street intersections.
- F. The Planning Commission or Site Plan Review Committee may impose reasonable conditions to the approval of any landscaping plan.
- G. Wherever ground in its natural state has been disturbed, approved landscaping or grass shall be fully installed, and established within a reasonable period of time, but no longer than one growing season (unless some other provision of this Chapter or Ordinance specifies a different time limit).

- H. During excavation, grading and installation of required landscaping, all soil erosion and sedimentary control regulations shall be strictly followed and complied with.

Section 16.6 Storm Water Runoff

Required landscape areas, greenbelts, and landscaped islands shall be designed to integrate parking lot and site drainage in order to increase stormwater infiltration, reduce storm water runoff velocities and minimize non-point source pollution. The Township Engineer may attach reasonable conditions regarding stormwater to the approval of any landscaping plan.

Section 16.7 Planting Types

New plants shall meet the following minimum size requirements:

Plant Type	Minimum Size at Planting	Minimum Mature Size
Canopy Tree	2 inches caliper	20 feet (height)
Evergreen Tree	5 feet (height)	20 feet (height)
Intermediate Tree	1.5 inches caliper or 6 feet (height)	15 feet (height)
Upright Shrub	2 feet (height)	-
Spreading Shrub	18 inches (spread)	-

The caliper of the tree trunk shall be measured at twelve (12) inches above the ground level.

Section 16.8 Calculation of Minimum Requirements

- A. The amount of all required landscaping shall be calculated using the point system described in this chapter. The following point allocations shall apply for all required landscaping:

Tree Classifications	Base Value
Canopy Trees	10 points
Evergreen Trees	10 points
Intermediate Trees	6 points
Shrub Classifications	
Evergreen Shrubs	3 points
Deciduous Shrubs	2 points
Ground Cover Classifications (excluding turf grass)	
Flowering Perennials or Annuals	8 points per 100 square feet
Green Perennials or Annuals	4 points per 100 square feet
Ornamental Grasses	6 points per 100 square feet

- B. Existing landscaping that is in a vigorous growing condition and is not specifically prohibited by this ordinance may count toward meeting the point requirements of this ordinance. Furthermore, the following plant materials will be awarded five additional points (added to base value) per tree when preserved:

Type of Tree	Size Requirement
Canopy Tree	12+ inches diameter trunk
Intermediate Tree	15 feet height or taller

Evergreen Tree	15 feet height or taller
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Section 16.9 Front Yard Landscaping

- A. The number of points that must be achieved through landscaping for front yards is the overall length of frontage in feet as measured along the property line divided by two. For example, if the lot frontage of a property is 220 feet in length, then 110 points must be achieved through landscaping.
- B. One-half of the points for front yard landscaping must be achieved by using plants from the tree classification, and one-half must be from the shrub or ground cover classifications.
- C. Front yard landscaping shall be planted between the parking area of a property and the right of way of any public street. The landscaped area must be at least ten feet in width. The Planning Commission or Site Plan Review Committee may allow such planting to be placed anywhere within the front yard if there is no front yard parking.
- D. Undulating earthen berms less than six (6) feet in height, as measured from average grade, are encouraged to be used as a part of required front yard landscaping. The required point total for front yard landscaping will be reduced by 25% if a berm of three (3) feet or higher for at least 50% of the property frontage is included. For example, if 100 points are required, the required points will be reduced to 75 if a berm is used. The slope of a berm shall not exceed one (1) foot of vertical rise to four (4) feet of horizontal distance.

Section 16.10 Parking Lot Landscaping

- A. The number of points that must be achieved for parking lots through landscaping shall be one and a half (1.5) times the total number of parking spaces provided (1.5 x “number of parking spaces”). The points may be achieved through the use of any combination of trees, ground cover, and/or shrubs. The number of required points for parking areas in the rear yard and not adjacent to a street shall be three-quarters (0.75) of the total number of parking spaces provided.
- B. When a parking lot has less than 100 parking spaces, the landscaping may be placed within interior curbed parking islands and/or within ten feet of the perimeter of the parking lot.
- C. When a lot has 100 or more parking spaces, one-half of the required points shall consist of canopy trees planted in curbed islands within the interior of the parking lot. The intent of this provision is to break up large expanses of pavement and to provide shading by locating canopy trees away from the perimeter and within the interior of parking lots.
- D. Up to ten percent (10%) of the total required points can be achieved with landscaping that is within ten feet of the building and visible from the street but is further than ten feet from the perimeter of the parking lot. This provision shall not reduce the points required in the interior of the parking lot.

- E. All parking lot islands shall be at least 162 square feet in area and at least nine (9) feet wide. All parking lot islands shall be curbed.
- F. Interior landscaping shall be designed so it does not obscure traffic signs or fire hydrants, or obstruct drivers' sight distance within the parking area and at driveway entrances.

Section 16.11 Buffer and Screening Requirements

- A. A Type II Buffer is required between the use of a property and the adjacent property in the following situations:
 - 1. When the Side Yards or Rear Yards of any Lot in the “I-1” or the “I-2” Zoning District abut any Zoning District other than an Industrial District.
 - 2. When the Side Yards or Rear Yards of any Lot in the “C-1” and “C-2” Zoning District abut a Lot in any “R” Zoning District.
- B. A Type II Buffer is a linear strip of land within any Yard at least ten (10) feet in width measured horizontally, providing a vegetative buffer, or natural equivalent, consisting of at least the following:
 - 1. one (1) tree for each twenty (20) linear feet, or fraction thereof, not less than twelve (12) in height and capable of growing to a height at maturity at least twenty (20) feet; and,
 - 2. one (1) row of evergreen shrubs not less than five (5) feet in height and spaced not more than five (5) feet apart.
- C. All parking lots for more than five (5) vehicles, including automotive sales and/or service lots, and their driveways shall be effectively screened on each side which adjoins or faces premises situated in any “R” Zoning district by a fence of acceptable design, wall or compact evergreen hedge.
- D. Loading and Refuse Areas: Refuse containers and loading areas must be screened from view from any adjacent residential use or public right of way, except alleys. Screening shall consist of a six-foot high opaque wall or fence. Landscaping is encouraged in addition to the opaque screen.

Section 16.12 Design

The following rules shall apply to any Buffer defined and required by this Ordinance:

- A. Buffer strips cannot be used for the parking of Vehicles or for the placement of any Buildings or Structures other than Buffer Screens or traditional Yard fixtures, such as lampposts, air conditioning condensers, etc.
- B. Buffer Screens, as defined in this Ordinance, may be placed within a buffer as a replacement for shrub planting requirements, provided the number of larger trees has been increased by fifty percent (50%) and, provided further, that the originally required shrub planting shall be replaced in the event the Buffer Screen is removed.

- C. Trees and shrubs required to be planted within a buffer shall be measured from the average surrounding grade to the top of the crown; unless, however, a Buffer Berm has been provided within the buffer in which case the height shall be measured from the crest of the buffer Berm to the top of the crown.
- D. Buffers shall be planted with grass or low growing herbaceous vegetation appropriate for the types and degree of larger plantings required in the buffer; and,
- E. Buffers shall be located at the outward edge of any Yard in which the buffer is required, unless such buffer is specifically authorized elsewhere by this Ordinance or decision of a body responsible for discretionary decisions within this zoning ordinance.

Section 16.13 Residential Landscaping

- A. **Street Trees:** Street trees are required within all residential plats and site condominium projects according to the following standards:
 - 1. At a minimum, one canopy street tree shall be provided every 80 feet of lot frontage along a public or private street.
 - 2. When planted, street trees must be a minimum of 2 inches in caliper as measured at 4 feet above grade. The species of the trees to be planted must be on the Kent County Road Commission’s approved list
 - 3. The street tree shall be located between the sidewalk and the street, unless the Planning Commission finds that such a location is unreasonable. Street trees shall be spaced as uniformly as possible.
 - 4. Existing trees that meet the minimum size requirements of this chapter, preserved in good condition, may be allowed to be counted towards this requirement.
 - 5. Street trees shall be planted before the Township issues a Certificate of Occupancy for the lot on which it is located unless the applicant applies for a longer period and the Planner permits a time extension in writing. The Planner may require as a condition of any time extension that the applicant file a bond, irrevocable letter of credit or cash security (in an amount and form as required by the Planner) with the Township to ensure that all landscaping will be fully completed.
 - 6. Where overhead power lines exist, the type and/or location of street trees shall be adjusted to avoid conflict as the trees mature.
 - 7. Street tree species and proposed planting locations must be shown on the preliminary plat or site condominium plan.
 - 8. Such trees shall be maintained in good condition at all times and shall be replaced within 6 months of death or destruction.
- B. **Residential Buffers:** In any residential plat or site condominium, when lots or dwelling units within the development abut a Primary Arterial Street, all required yard(s) abutting the Primary Arterial Street (*i.e.*, front, side, or rear setbacks, whichever is applicable)

shall be increased by at least 20 feet. A Type I Buffer is required in this additional setback area to screen the inhabitants of the dwellings from the traffic on the roadway. Berms are encouraged. Where a berm at least 3 feet in height for at least 50% of the frontage is constructed in the buffer area, the minimum planting requirements may be reduced by 25% with the approval of the Planning Commission. The Planning Commission can grant exemptions from this standard in unique situations where doing so would clearly result in a higher quality of development.

Section 16.14 Uncredited Species

The following schedule lists species that are permitted but that will not be credited in required landscape areas because of their brittleness, susceptibility to disease and insects, excessive root structure, excessive litter, susceptibility to road salt damage and/or other undesirable characteristics.

List of Undesirable Species			
Botanical Name	Common Name	Botanical Name	Common Name
Acer Negundo	Box Elder	Ailantus Altissima	Tree of Heaven
Betula Spp.	Birch	Catalpa Speciosa	Catalpa
Eleagnus Augustifolia	Russian Olive	Gingko Biloba (Female)	Female Gingko
Maclura Pomifera	Osage Orange	Morus Spp.	Mulberry
Populus Spp.	Cottonwood, Poplar, Aspen	Prunus Spp.	Cherry Plum
Salix Spp.	Willow	Ulmus Spp.	Elm
Pinus Strobus	White Pine	Juglans Nigra	Black Walnut
Robina Spp.	Black Locust	Crateaegus Spp.	Hawthorn
Aesculus Hippocastanum	Horsechestnut	Carya Spp.	Hickory
Acer Saccharinum	Silver Maple	A. Rubram	Red Maple
Gleditsia Triacanthos (with thorns)	Honey Locust	Ulmus Americana	American Elm
Ulmus Pumila	Siberian Elm	Ulmus Rubra	Slippery Elm, Red Elm