
SUBCHAPTER 6: LANDSCAPING AND BUFFERYARD REGULATIONS

SUBCHAPTER 6: LANDSCAPING AND BUFFERYARD REGULATIONS**22.600 PURPOSE**

The purpose of this Article is to indicate the minimum requirements for the landscaping of foundations, developed lots, street frontages, paved areas, permanently protected green space areas, reforestation areas, and bufferyards.

22.601 APPLICATION

- (1) Except as provided in (2) below, the landscaping and bufferyard requirements of this Chapter shall apply to all new developments and buildings, and to all additions to existing developments and buildings, constructed after the effective date of this Chapter.
- (2) The requirements of this Chapter shall not apply to the following land uses: AG, RR, and SF.

22.602 HOW TO USE THIS ARTICLE

- (1) This Article contains the standards which govern the amount, size, type, installation and maintenance of required landscaping. This Article recognizes the important and diverse benefits which landscaping provides in terms of protecting the health, safety, and general welfare of the community, and implementing the Master Plan.
- (2) The landscaping requirements described in this Article of the Ordinance are cumulative in nature and are required in the following locations: around building foundations, in developed lots, along street frontages, in or around paved areas, in permanently protected green space areas, in reforestation areas, and in bufferyards. Descriptions of these areas and their associated landscape requirements are included in Landscaping Requirements for Regular Development (building foundation, developed lots, street frontages, paved areas) (Section 22.604); Landscaping Requirements for Permanently Protected Green Space Areas (Section 22.608); Landscaping Requirements for Reforestation (Section 22.609); and Landscaping Requirements for Bufferyards (Section 22.610).
- (3) In each instance, a "landscaping point" concept is used to provide a maximum amount of flexibility in terms of the selection of plant materials. Section 22.603 presents sample landscape point combination alternatives used by this Chapter. At the end of this Chapter, Section 22.611 provides a listing of plant species fitting into the "climax tree", "tall deciduous tree", "medium deciduous tree", "low deciduous tree", "tall evergreen tree", "medium evergreen tree", "low evergreen tree", "tall deciduous shrub", "medium deciduous shrub", "low deciduous shrub", "medium evergreen shrub", "low evergreen shrub", and "non-contributory plants" used by this Chapter. A more exhaustive list is contained in the Appendix. Section 22.613 provides requirements for the installation and maintenance of required landscaping, and Section 22.614

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describes the procedure for calculating landscaping requirements for this Section (See, Appendixes 7 and 8).

22.603 LANDSCAPING POINTS, MEASUREMENTS AND SAMPLE LANDSCAPING LAYOUTS

- (1) **POINT SYSTEM:** All landscaping requirements are stated in terms of the number of landscaping points required. The required number of landscaping points is dependent upon the type of land use, the zoning district, and the size of the development. A different number of points is awarded for each plant, depending upon its typical growth rate, its mature height, and whether it is a deciduous or evergreen species. A minimum installation size is required for each of these plant categories. These requirements are as follows:

22.603(1) Table 22.603: Landscaping Points and Minimum Installation Sizes

Plant Category	Landscaping Points Per Plant	Minimum Permitted Installation Size
Climax Tree	75	2@ Caliper
Tall Deciduous Tree	30	1 2@ Caliper
Medium Deciduous Tree	15	6= Tall
Low Deciduous Tree	10	4= Tall
Tall Evergreen Tree	40	5= Tall
Medium Evergreen Tree	20	4= Tall
Low Evergreen Tree	12	3= Tall
Tall Deciduous Shrub	5	36@ Tall
Medium Deciduous Shrub	3	24@ Tall
Low Deciduous Shrub	1	18@ Tall
Medium Evergreen Shrub	5	18@ Tall/Wide
Low Evergreen Shrub	3	12@ Tall/Wide
Non-contributory Plants	0	N/A
<i>Source: A Guide to Selecting Landscape Plants for Wisconsin, E. R. Hasselkus, UW-Extension Publication: A2865</i>		

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- (2) **DEPICTION OF SAMPLE LANDSCAPING SCHEMES:** The illustrations shown on the following three pages, depict sample landscaping schemes that may be used for building foundations, developed lots, street frontages, paved areas, reforestation, and bufferyards. In general, landscaping schemes similar to Alternative A are best for building foundations, landscaping schemes similar to Alternative B are best for developed lots, landscaping schemes similar to Alternative C are best for street frontages, landscaping schemes similar to Alternative D are best for paved areas (including parking lots, walkways and plazas), landscaping schemes similar to Alternative E are best for reforestation, and landscaping schemes similar to Alternative F are best for bufferyards. A detailed listing of which plant species fit each plant type is provided in Section 22.611.

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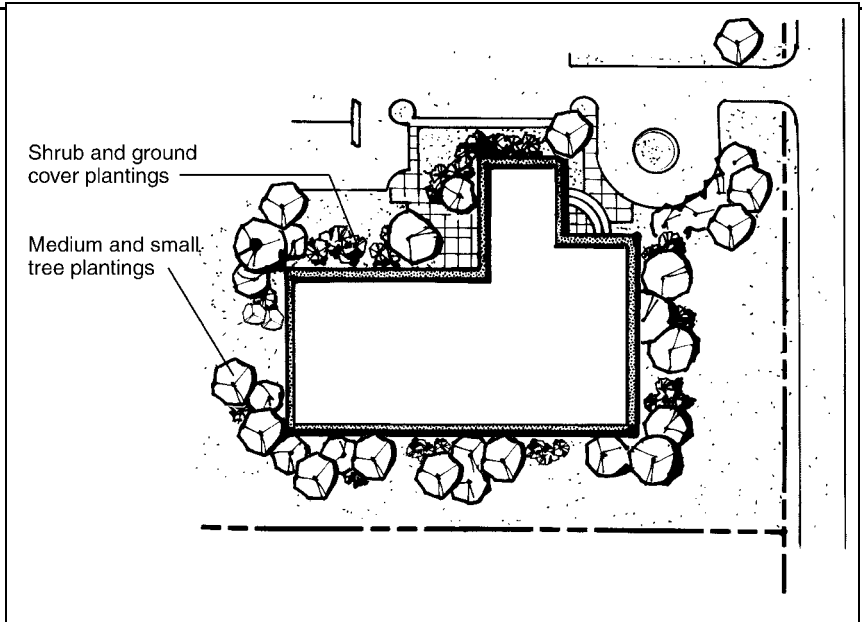
22.603 (2)

Alternative A:
Best Suited for Building
Foundations

750 Landscaping Points:
20 medium trees
15 small shrubs
60 shrubs

Shrub and ground
cover plantings

Medium and small,
tree plantings

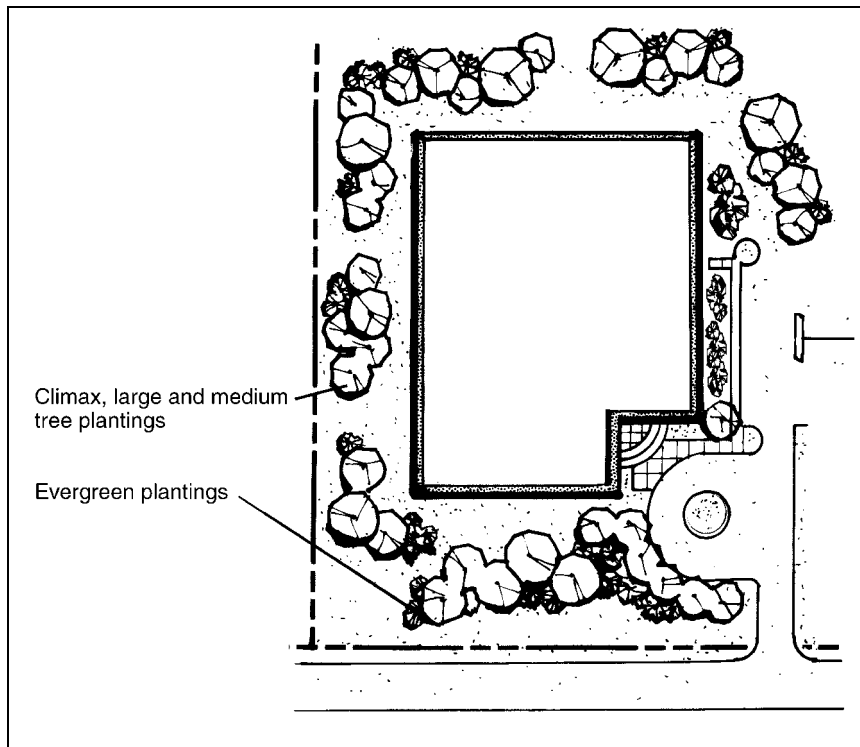


Alternative B:
Best Suited for Developed
Lots

1250 Landscaping Points:
6 climax trees
8 tall trees
20 medium trees
41 evergreen plantings

Climax, large and medium
tree plantings

Evergreen plantings



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22.603 (2)

Alternative C:

Best Suited for Street Frontages

Option 1

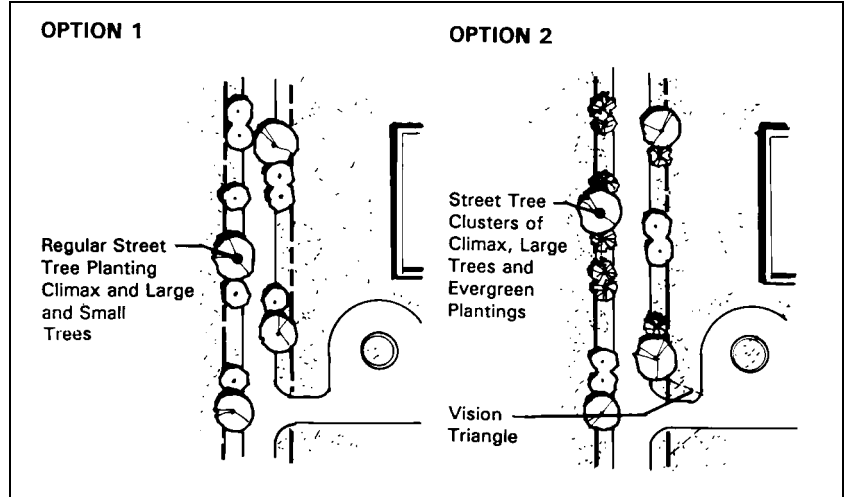
280 Landscaping Points:

- 2 climax trees
- 2 tall trees
- 8 small trees

Option 2

280 Landscaping Points:

- 2 climax trees
- 2 tall trees
- 4 small trees
- 8 evergreen shrubs



Alternative D:

Best Suited for Paved Areas

Option 1

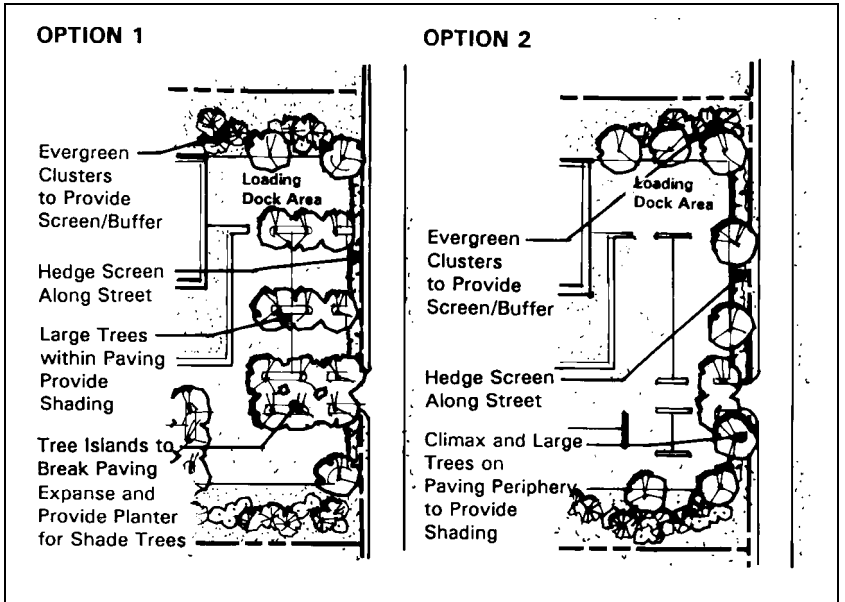
880 Landscaping Points:

- 2 climax trees
- 13 tall trees
- 68 evergreen shrubs

Option 2

880 Landscaping Points:

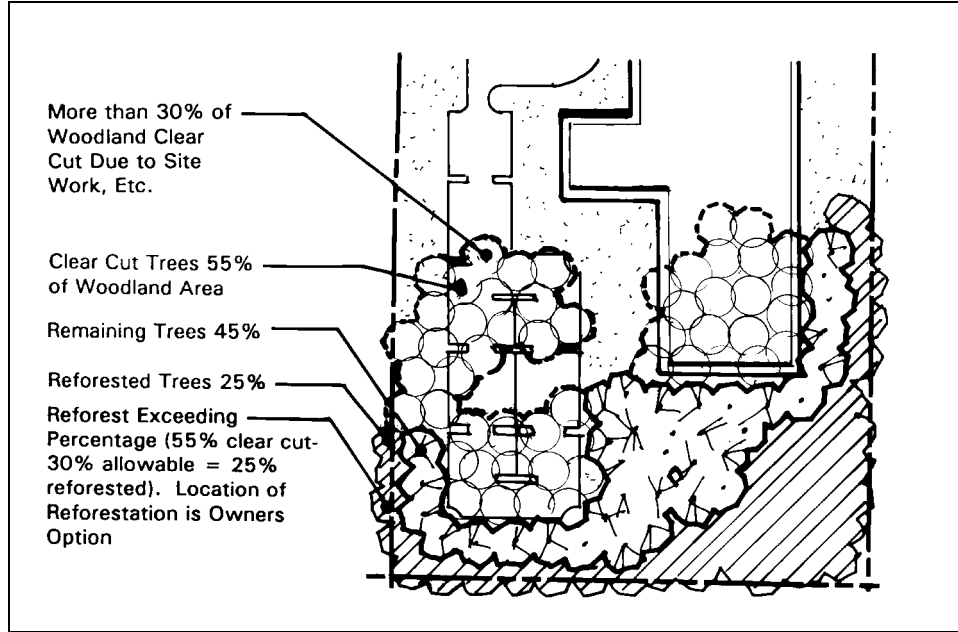
- 5 climax trees
- 6 tall trees
- 68 evergreen shrubs



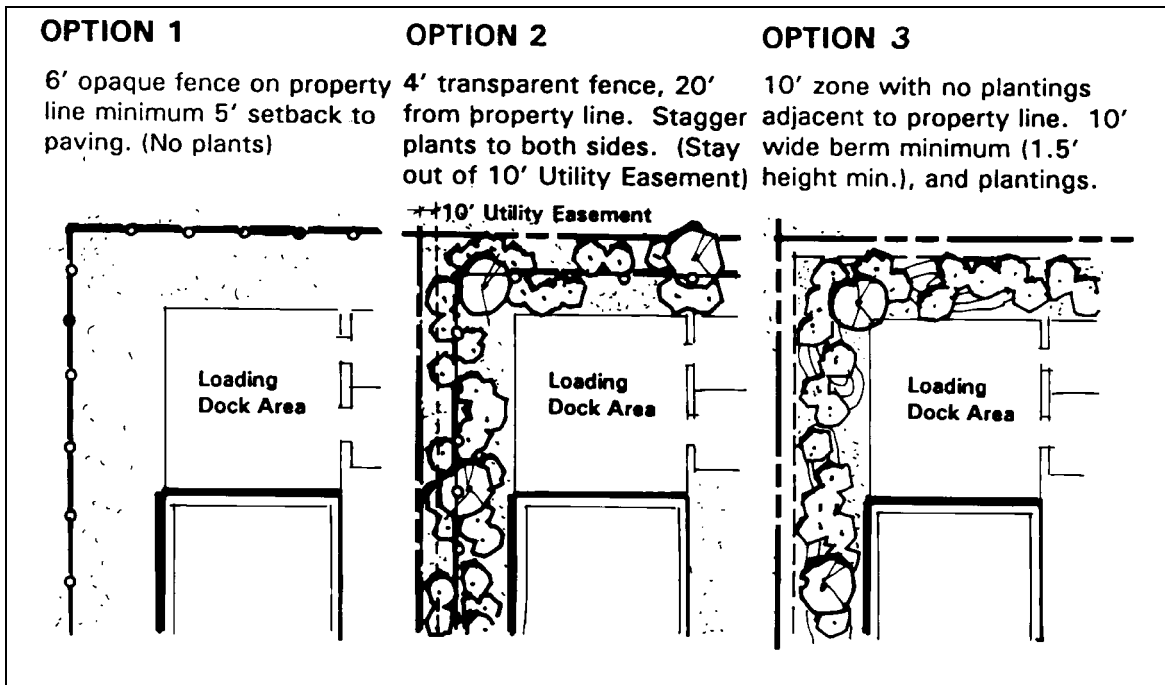
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22.603 (2)

Alternative E:
Best Suited for
Reforestation



Alternative F:
Best Suited for Bufferyards

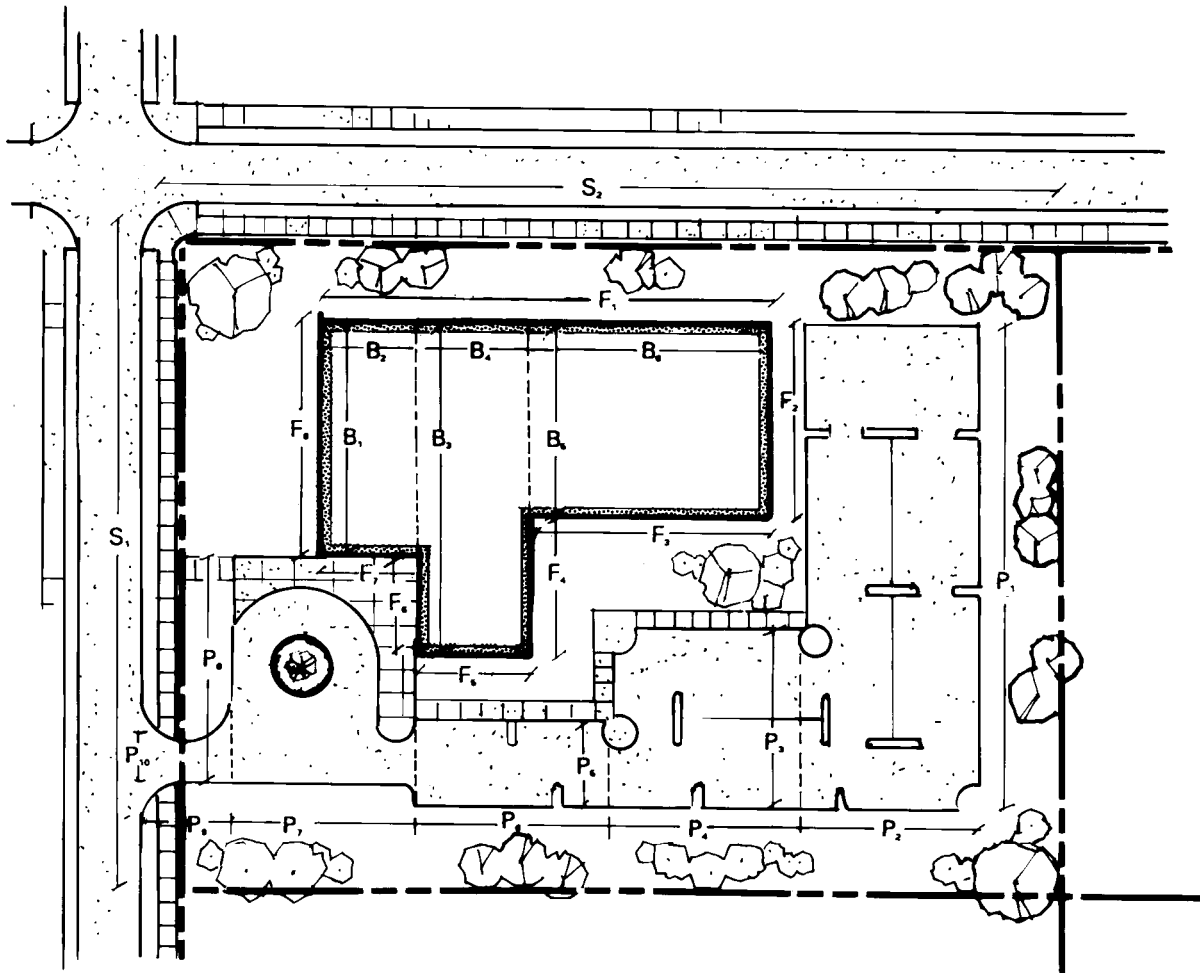


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22.603 (3) MEASUREMENT FOR LANDSCAPING REQUIREMENTS: A minimum amount of landscaping points, based upon the zoning district in which the lot is located, is required for each of the following:

- (a) **Building Foundations:** The foundation of each side of each building on a lot based upon linear feet of each building side (calculated below using $\Delta F\textcircled{a}$)
- (b) **Street Frontage:** The length of each Street Frontage (calculated below using $\Delta S\textcircled{a}$)
- (c) **Paved Areas:** The total combined area of each Paved Area (calculated below using $\Delta P\textcircled{a}$), and
- (d) **Developed Lots:** The gross floor area of buildings on Developed Lots (calculated below using $\Delta B\textcircled{a}$).

The following diagram illustrates the measurement techniques used to determine these requirements:



Landscape Measurements

Landscaping Calculation Equations for this Example:

Paved Area = $(P_1 \times P_2) + (P_3 \times P_4) + (P_5 \times P_6) + (P_7 \times P_8) + (P_9 \times P_{10})$

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Street Frontage = S_1, S_2

Building Foundation = $F_1, F_2, F_3, F_4, F_5, F_6, F_7, F_8$

Building Floor Area = $(B_1 \times B_2) + (B_3 \times B_4) + (B_5 \times B_6)$

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22.604 LANDSCAPING REQUIREMENTS FOR REGULAR DEVELOPMENT

- (1) **BUILDING FOUNDATIONS:** This Section requires that certain buildings, or building additions, constructed after the effective date of this chapter be accented by a minimum amount of landscaping placed near the building foundation.
- (a) Landscaping required by this Section shall be placed so that at maturity, the plant's drip line is located within 10 feet of the building foundation. Such landscaping shall not be located in those areas required for landscaping as street frontages, paved areas, protected green space areas, reforestation areas, or bufferyards. See 22.603(2)(A) for a suggested scheme.
- (b) For each 100 feet of building foundation perimeter, the number of landscaping points per building side, established in Table 22.604, shall be provided, installed and permanently maintained per the requirements of Section 22.613.
- (c) Climax trees and tall trees shall not be used to meet this requirement. The intent of this Section is to require a visual break in the mass of buildings and to require a visual screen of a minimum of 6 feet in height for all exterior perimeter appurtenances (such as HVAC/utility boxes, standpipes, stormwater discharge pipes and other pipes.)
- (d) Where the officially approved site plan depicts a future building extension, the foundation landscaping requirement shall be calculated by measuring the length of the total perimeter. However, foundation plantings need only be installed based on the landscape points calculated from the portions of the building perimeter that will not be affected by building extension. If this results in point requirements which are not met through the initial planting, then said requirement shall be met within five years of building permit issuance, or as extended in writing by the Committee.
- (2) **HIGHWAY FRONTAGES:** This Section requires that street frontages on certain lots developed after the effective date of this chapter contain a minimum amount of landscaping in those areas which abut the right-of-way of a public highway.
- (a) All landscaping used to meet this requirement shall be located within 10 feet of the public right-of-way. In no instance shall such landscaping be located within a public right-of-way. See Section 22.603(2)(C) for a suggested landscaping scheme. Landscaping shall not impede vehicle or pedestrian visibility.

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- (b) For every 100 linear feet of street frontage where a developed lot abuts a public right-of-way, the number of landscaping points established in Table 22.604 shall be provided on a prorated basis, and installed and maintained per the requirements of Section 22.613.
 - (c) Shrubs shall not be used to meet this requirement. A minimum of 50% of all points shall be devoted to climax and/or tall trees and a minimum of 30% of all points shall be devoted to medium trees.
- (3) **PAVED AREAS:** This Section requires that paved areas on certain lots developed after the effective date of this chapter contain a minimum amount of landscaping within, or within 10 feet of, the paved area. The intent is to require a continuous visual screen of parking areas from public rights-of-way at a minimum height of 40 inches.
 - (a) A minimum of 360 square feet of landscaped area, which shall be located within 10 feet of the paved area, is required for the placement of every 100 landscaping points. Said area does not have to be provided in one contiguous area. Sample configurations are depicted in Section 22.603. Plants used to fulfill this requirement shall visually screen parking, loading and circulation areas from view from public highways.
 - (b) For every 20 off-street parking stalls or 10,000 square feet of pavement (whichever yields the greater landscaping requirement) located in a development, the number of landscaping points established in Table 22.604 shall be provided on a prorated basis, and installed and maintained per the requirements of Section 22.613. A minimum of 30% of all points shall be devoted to climax and/or tall trees and a minimum of 40% of all points shall be devoted to shrubs.
 - (c) Parking lot design shall employ interior landscaped islands with a minimum of 400 square feet at all parking isle ends, and in addition shall provide a minimum of one landscaped island of a minimum of 400 square feet in each parking isle for every 20 cars in that aisle. Aisle-end islands shall count toward meeting this requirement. Landscaped medians shall be used to break large parking areas into distinct pods, with a maximum of 100 spaces in any one pod.
- (4) **DEVELOPED LOTS:** This Section requires that certain lots developed after the effective date of this chapter contain a minimum amount of landscaping.

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- (a) Landscaping required by this Section shall be located within 100 feet of the principal or accessory structures, but outside of and away from those areas required for the landscaping of building foundations, highway frontages, paved areas, green space areas, reforestation areas, and bufferyards. See Section 22.603(2)(B) for a suggest landscaping scheme.
 - (b) The number of landscaping points established in Table 22.604 shall be provided on a prorated basis for every 1,000 square feet of gross floor area, and installed and maintained per the requirements of Section 22.613.
 - (c) The intent of this Section is to provide yard shade and to require a visual screen of a minimum of 6 feet in height for all detached exterior appurtenances (such as HVAC, utility boxes, standpipes, storm water discharge pipes and other unsightly areas.)
- (5) **FLEXIBILITY OF DESIGN:** Landscaping design flexibility is encouraged, provided the purpose and intent of this Article is preserved. It is recognized that the configuration of buildings, paved areas, and highways on some lots may make the application of the foregoing rules difficult or confusing (e.g. when a parking lot is located next to a street, is landscaping between the street and the lot considered landscaping for ~~Astreet frontage~~ or ~~Apaved areas~~?). The Zoning Administrator is hereby authorized to resolve these types of problems and to promote design flexibility, provided the purpose and intent of this Article shall, at all times, be preserved.

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Table 22.604: Landscaping Requirements for Regular Development

	Components				
	Building Foundation	Street Frontages	Paved Areas	Developed Lots	
Types of Landscaping¹	Climax trees and tall trees shall not be used to meet this requirement	No Shrubs; Min. of 50% of points devoted to climax/tall trees and 30% to med. trees	A min. of 30% of points devoted to climax/tall trees and 40% to shrubs	All plant categories can be used to meet requirements	
Placement of Landscaping¹	Located so that at maturity the plant's drip line is located within 10' of building foundation	Located within 10' of the public right-of-way	Within paved area or within 10' of the paved area	Located away from areas that meet other landscaping requirements (i.e., building foundation, street frontage, paved areas)	
Calculation of Landscaping Points¹	Points per 100' of building foundation 9	Points per 100 linear feet of street frontage 9	Greater of: points per 20 parking stalls or per 10,000 sq. ft. of parking area 9	Points per 1,000 sq. ft. of building footprint 9	
Z o n i n g D i	Agricultural (AG)	0	0	0	
	Rural Residential (RR)	0	0	0	
	Single-family Residential	0	0	0	
	Multi-family Residential	40	40	80	20
	General Business (GB)	20	20	40	10
	Light Industrial (LI)	30	30	30	10
	Heavy Industrial (HI)	20	20	20	5
¹ See Section 22.603(2) for examples of landscaping schemes					

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22.608 LANDSCAPING REQUIREMENTS FOR GREEN SPACES *(None at this time)***22.609 LANDSCAPING REQUIREMENTS FOR REQUIRED REFORESTATION**

- (1) This Section requires that each area required to be reforested, be reforested and maintained in a manner appropriate to site conditions.
- (2) A detailed reforestation plan shall be submitted by the property owner and approved by the Committee prior to clear cutting. This plan may be reviewed by a reforestation consultant chosen by the Committee, with funding for consulting services provided by the Petitioner.
Rationale: The provisions of this Section are designed to ensure that reforestation efforts required as part of woodland disruption mitigation standards result in the thorough and reasonably rapid replacement of the important and varied environmental functions which woodlands provide.

22.610 LANDSCAPING REQUIREMENTS FOR BUFFERYARDS

- (1) **PURPOSE:** This Section provides the landscaping and width requirements for bufferyards on lots developed after the effective date of this chapter. A bufferyard is a combination of distance and a visual buffer or barrier. It includes an area, together with the combination of plantings, berms and fencing, that are required to eliminate or reduce existing or potential nuisances. These nuisances can often occur between adjacent zoning districts. Such nuisances are dirt, litter, noise, glare of lights, signs, and incompatible land uses, buildings or parking areas.
Rationale: One of zoning's most important functions is the separation of land uses into districts which have similar character and contain compatible uses. The location of districts is supposed to provide protection, but in the Town, this is not always the case since zoning districts permitting uses as diverse as single-family residential and industrial uses were located next to one another long before the effective date of this chapter. Bufferyards will operate to minimize the negative impact of any future use on neighboring uses.
- (2) **REQUIRED LOCATIONS FOR BUFFERYARDS:** Bufferyards shall be located along (and within) the outer perimeter of a lot wherever two different zoning districts abut one another. Bufferyards shall not be required in front yards.
- (3) **DETERMINATION OF REQUIRED BUFFERYARD:** The determination of bufferyard requirements is a two-staged process. First, the required level of bufferyard opacity is determined using Table 610(5)(a). Second, the selection of the appropriate combination of

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width, landscaping and structure to achieve the required opacity is determined using Table 610(5)(b).

- (a) **Step 1: Opacity:** Opacity is a quantitatively-derived measure which indicates the degree to which a particular bufferyard screens the adjoining property. Table 610(5)(a) shall be used to determine the minimum level of opacity for the required bufferyard. The required level of opacity is determined by the value given in the cell of the table at which the column heading along the top row of the table (representing the subject property's zoning district) intersects with the row heading along the left hand side of the table (representing the adjacent property's zoning district). The value listed is the required level of opacity for the bufferyard on the subject property. The required level of opacity indicated by Table 610(4)(a) is directly related to the degree to which the potential character of development differs between different zoning districts. The provisions of this Section indicate the minimum requirements for bufferyards located along zoning district boundaries.
- (b) **Step 2: Bufferyard Requirements:** For each level of opacity listed in Table 610(5)(a), a wide variety of width, landscaping point, berm, and structure combinations are possible. These are listed in Table 610(5)(b). The requirements listed in Table 610(5)(b) pertain to the number of landscaping points, the minimum bufferyard width, and the type of berm or fencing required within every 100 feet of required bufferyard. A variety of landscaping point options are available and may be mixed within distinct portions of the same bufferyard. Section 603 describes the various available landscaping point alternatives. Section 611 provides a listing of tree and shrub species which correspond the landscaping point descriptions.
- (4) **MODIFICATION THROUGH AGREEMENT OF ADJACENT OWNERS:** Adjacent property owners may establish, through a written agreement, recorded in the Office of the Register of Deeds and filed with the Town, that an adjacent property owner shall agree to provide a partial or full portion of the required bufferyard on an immediately adjacent portion of their land, thereby exempting the developer from providing all or a portion of the bufferyard on his property.
- (5) **TABLES FOR REQUIRED BUFFERYARDS:**

Table 22.610(5)(a): Required Bufferyard Opacity Values

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_ Adjacent Property=s Zoning District								
Subject Property=s Zoning District								
	AG	RR	SF	MF	GB	LI	HI	PB
AG	na	na	na	0.4	0.4	0.4	0.6	1
RR	na	na	na	0.5	0.6	0.6	0.8	1
SF	na	na	na	0.5	0.6	0.4	1.0	1
MF	na	na	na	na	0.6	0.6	1.0	1
GB	na	na	na	0.6	na	0.4	0.6	1
LI	na	na	na	0.6	0.4	na	0.3	1
HI	na	na	na	1.0	0.6	0.3	na	1
PB	na	na	na	0.5	0.5	0.6	0.8	1
1 As per the terms of the Planned Business Development PIP.								

Table 22.610(5)(b) Detailed Bufferyard Requirements

Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.05	00	10=+	Minimum 44” picket fence ¹
	00	10=+	Minimum 4= wood rail fence ¹
	40	10=	-
	36	15=	-
	33	20=	-
	31	25=	-
	29	30=	-
0.10	00	10=+	Minimum 44@ picket fence ¹
	38	10=+	Minimum 4= wood rail fence ¹
	91	10=	-
	80	15=	-
	73	20=	-
	68	25=	-

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Opacity	# Landscaping Points/100 feet	Width	Required Structure
	65	30=	-
	62	35=+	-
	00	35=+	Minimum 4= berm
0.20	00	10=+	Minimum 6= solid fence ¹
	84	10=+	Minimum 44@ picket fence ¹
	133	15=+	Minimum 4= wood rail fence ¹
	198	15=	-
	173	20=	-
	158	25=	-
	149	30=	-
	140	35=	-
	10	35=+	Minimum 4= berm
	135	40@+	-
	00	40=+	Minimum 5= berm
	0.30	00	10=+
198		15=+	Minimum 44@ picket fence ¹
320		20=	-
240		20=+	Minimum 4= wood rail fence ¹
276		25=	-
252		30=	-
235		35=	-
104		35=+	Minimum 4= berm
223		40=	-
44		40=+	Minimum 5= berm
215		45=	-
209		50=+	-
00		50=+	Minimum 6= berm
0.40	53	10=+	Minimum 6= solid fence ¹
	330	20=+	Minimum 44@ picket fence ¹
	440	25=	-
	362	25=+	Minimum 4= wood rail fence ¹
	385	30=	-

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Opacity	# Landscaping Points/100 feet	Width	Required Structure
	349	35=	-
	208	35=+	Minimum 4= berm
	327	40=	-
	148	40=+	Minimum 5= berm
	310	45=	-
	299	50=+	-
	56	50=+	Minimum 6= berm
0.50	135	15=+	Minimum 6= solid fence ¹
	564	30=	-
	405	30=+	Minimum 44@ picket fence ¹
	492	30=+	Minimum 4= wood rail fence ¹
	499	35=	-
	319	35=+	Minimum 4= berm
	454	40=	-
	261	40=+	Minimum 5= berm
	422	45=	-
	405	50=	-
	160	50=+	Minimum 6=berm
	388	55=	-
	374	60=+	-
	0.60	221	20=+
433		35=+	Minimum 4= berm
541		35=+	Minimum 44@ picket fence ¹
630		35=+	Minimum 4= wood rail fence ¹
626		40=	-
379		40=+	Minimum 5= berm
570		45=	-
525		50=	-
270		50=+	Minimum 6= berm
500		55=	-
480		60=+	-

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Opacity	# Landscaping Points/100 feet	Width	Required Structure
0.80	415	30=+	Minimum 6= solid fence ¹
	655	40=+	Minimum 4= berm
	627	45=+	Minimum 5= berm
	873	45=+	Minimum 44@ picket fence ¹
	910	50=	-
	505	50=+	Minimum 6= berm
	809	50=+	Minimum 4= wood rail fence ¹
	804	55=	-
	744	60=	-
	710	65=	-
	677	70=+	-
1.00	636	40=+	Minimum 6' solid fence* (<i>Amended per Ord 984</i>)
	732	50=+	Minimum 6' berm
	751	50=+	Minimum 5' berm
	867	55=+	Minimum 4' berm
	1091	60=+	Minimum 44" picket fence*
	1136	60=+	Minimum 4' wood rail fence*
	1083	65=	
	994	70=	
	934	75=	
	892	80=+	

¹ Fences contributing to landscaping requirements are not permitted along street frontages for nonresidential uses. Where used in combination with plant materials to meet bufferyard requirements, a minimum of 50% of all plant materials shall be located on the exterior side (the side away from the center of the subject property) of the fence. A building wall which does not contain doors (except those used for emergency exit) may be used to satisfy the

22.611 CLASSIFICATION OF PLANT SPECIES

For the purpose of this chapter, plant materials are classified into thirteen (13) groupings: "climax tree", "tall deciduous tree", "medium deciduous tree", "low deciduous tree", "tall evergreen tree", "medium evergreen tree", "low evergreen tree", "tall deciduous shrub", "medium deciduous shrub", "low

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deciduous shrub", "medium evergreen shrub", "low evergreen shrub", and non-contributory plants. Species typically used for landscaping in Juneau County and compatible with Juneau County climate and soil factors are listed in Table 22.611 below. Table 22.611 is not an exhaustive list of every compatible species. There are many additional species which can grow in Juneau County and which are allowed under this Ordinance. The Zoning Administrator shall review proposals for, and the applicability of, species not contained in this list and is authorized to approve appropriate similar species. Appendix 9 is a detailed listing of other plant species and characteristics.

Table 22.611: Classification of Plants

	Botanical Name	Common Name
Climax Trees (75 Landscaping Points)	<i>Acer saccharum</i>	Sugar Maple
	<i>Ginkgo biloba</i>	Ginkgo
	<i>Quercus sp.</i>	Oak Red, White, Pin
Tall Deciduous Trees (30 Landscaping Points)	<i>Acer sp.</i>	Maple: Red, Silver, Norway
	<i>Fraxinus sp.</i>	Ash: White, Green
	<i>Gleditsia triacanthos</i>	Honeylocust
	<i>Populus grandidentata</i>	Bigtooth Aspen
	<i>Tilia sp.</i>	Linden: Basswood, Littleleaf, Redmond
Medium Deciduous Trees (15 Landscaping Points)	<i>Betula sp.</i>	Birch: River, Paper
	<i>Prunus sp.</i>	Cherry: Choke, Pin
	<i>Salix sp.</i>	Willow
Low Deciduous Trees (10 Landscaping Points)	<i>Amelanchier sp.</i>	Serviceberry
	<i>Crataegus sp.</i>	Hawthorn: Cockspur, Downy, Washington
	<i>Malus sp.</i>	Crabapple sp.

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	Botanical Name	Common Name
Tall Evergreen Trees (40 Landscaping Points)	<i>Abies concolor</i>	White Fir
	<i>Pinus sp.</i>	Pine: Red, White, Scots
	<i>Tsuga Canadensis</i>	Canada Hemlock
Medium Evergreen Trees (20 Landscaping Points)	<i>Thuja occidentalis</i>	American Arborvitae
Low Evergreen Trees (12 Landscaping Points)	<i>Juniperus sp.</i>	Juniper: Mountbatten, Redcedar
	<i>Thuja sp.</i>	Arborvitae: Pyramidal, Techny
Tall Deciduous Shrubs (5 Landscaping Points)	<i>Cornus sp.</i>	Dogwood: Grey, Pagoda
	<i>Syringa sp.</i>	Lilac: Chinese, Hyacinth
	<i>Viburnum sp.</i>	Virburnum: Arrowwood, Wayfaringtree, Nannyberry
Medium Deciduous Shrubs (3 Landscaping Points)	<i>Corylus americana</i>	American Filbert, Hazelnut
	<i>Cotoneaster sp.</i>	Cotoneaster
	<i>Forsythia sp.</i>	Forsythia: Border, Early, Weeping
	<i>Rosa sp.</i>	Rose: Virginia, Rugosa
Low Deciduous Shrubs (1 Landscaping Point)	<i>Berberis Thunbergii</i>	Japanese Barberry
	<i>Spiraea sp.</i>	Spiraea: Froebel, Snowmound
Tall-Medium Evergreen Shrubs (5 Landscaping Points)	<i>Juniperus chinensis</i>	Juniper: Pfitzer
	<i>Taxus sp.</i>	Yew: Japanese
Low Evergreen Shrubs (3 Landscaping Points)	<i>Juniperus sp.</i>	Juniper: Sargent, Creeping, Andorra

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22.612 RESERVED FOR FUTURE USE**22.613 REQUIREMENTS FOR INSTALLATION, MAINTENANCE & USE OF LANDSCAPED AND BUFFERYARD AREAS****(1) INSTALLATION:**

- (a) **Timetable:** Any and all landscaping and bufferyard material required by the provisions of this chapter shall be installed on the subject property, in accordance with the approved site plan (See, Section 22.908), prior to occupancy of the premises, unless:
1. The owner executes the agreement required by subsection (b) below, and
 2. All required landscaping and bufferyard material is installed within a period not to exceed 365 days from the date of execution of said agreement, unless the conditional use permit specifically allows for greater than 365 days.

(b) **Surety:**

1. If the subject property is to be occupied prior to the installation of all required landscaping and bufferyard material, the property owner shall sign an agreement stating the intent to install the landscaping within the period established in subsection (a) above. This agreement shall also contain a statement indicating that there are fines associated with not complying with this agreement.
2. If a part of a plat of subdivision is approved per the requirements of this Chapter, said amount may be split into amounts which are applicable to phases of the plat approved per the requirements of the Land Division Ordinance.
3. Governmental units to which these bond and guarantee provisions apply may, in lieu of said contract or instrument of guarantee, file a resolution or letter from officers authorized to act in its behalf, agreeing to comply with the provisions of this Article.

- (c) **Counting Existing Plants:** Existing plant material which meets the requirements of Section 22.603 and which will be preserved on the subject property following the completion of development, may be counted as contributing to the landscaping requirements.

- (d) **Establishment of Lawns:** All landscaping and bufferyard areas shall be seeded with lawn or native ground cover unless such vegetation is already fully established.

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- (e) **Plant Placement:** The exact placement of required plants and structures shall be depicted on the required detailed landscaping plan and shall be the decision of each property owner within the requirements of this Section, except that the following requirements shall be met:
1. Evergreen shrubs shall be planted in clusters in order to maximize their chance for survival.
 2. Where a combination of plant materials, and/or berming and/or fencing is used in a bufferyard, the fence and/or berm shall be located toward the interior of the subject property and the plant material shall be located toward the exterior of the subject property.
 3. In no manner shall landscaping or bufferyard materials be selected and/or located in a manner that results in the creation of a safety or visibility hazard.
 4. The restrictions on types of plants listed in Section 22.604 shall apply.
- (2) **MAINTENANCE:** The continued and continual maintenance of all required landscaping and bufferyard materials shall be a requirement of this Chapter and shall be the responsibility of the owner of the property on which said materials are placed. This requirement shall run with the property and is binding upon all future property owners. Development of any and all property following the effective date of this Chapter shall constitute an agreement by the property owner to comply with the provisions of this Section. Upon failure to comply with these provisions, the Town may enter upon the property for the purpose of evaluating and maintaining all required landscaping and bufferyard materials, and may specially assess the costs thereof against the property. Failure to comply with this requirement shall be considered a violation of this chapter, and shall be subject to any and all applicable enforcement procedures and penalties.
- (3) **USE OF REQUIRED BUFFERYARD AND LANDSCAPED AREAS:** Any and all required bufferyards or landscaped areas may be used for passive recreation activities. Said areas may contain pedestrian, bike or equestrian trails provided that: no required material is eliminated; the total width of the required bufferyard, or the total area of required landscaping, is maintained; and all other regulations of this Chapter are met. In no event, however, shall swimming pools, tennis courts, sports fields, golf courses, or other such active recreation uses be permitted in such areas. Furthermore, in no instance shall any parking be permitted in such areas, nor shall any outdoor display or storage of materials be permitted in such areas. Paving in such areas shall be limited to that required for necessary access to, through, or across the subject property.

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- (4) **UTILITY EASEMENTS:** Landscaping materials, fences and berms which are located within a duly recorded utility easement and/or a pedestrian easement shall not count toward meeting a landscaping requirement, unless authorized otherwise by a conditional use permit. However, the width of such areas may be counted as part of a landscaping requirement.

22.614 CALCULATING LANDSCAPING AND BUFFERYARD REQUIREMENTS

In calculating the number of required landscaping points under the provisions of this Section, all areas and distances on which required calculations are based shall be rounded up to the nearest whole number of square feet or linear feet. Any partial plant derived from the required calculations of this Section shall be rounded up to the nearest whole plant (e.g. 23.3 canopy trees shall become 24 canopy trees).

22.615 DEPICTION ON REQUIRED SITE PLAN

Any and all proposed landscaping on the subject property, required to meet the standards of this Chapter, shall be clearly depicted and labeled as to its location and make-up on the site plan required for the development of the subject property.