

Sec. 42-360. Applicability.

- (a) This article shall apply to all site plans and subdivision construction drawings submitted for approval pursuant to Chapter 30 of the Town Code subsequent to the effective date of the ordinance from which this chapter is derived.
- (b) This article shall apply to any conditional use permit or zoning map amendment submitted for approval pursuant to Article II of this chapter, subsequent to the effective date of the ordinance from which this chapter is derived, for which landscaping, buffering or screening are required in accordance with paragraphs (a) or (c) of this section or by the terms or conditions of such approval. A landscape plan meeting the requirements of this chapter shall be submitted at the time an application is filed for the site plan or subdivision construction drawings associated with the conditional use permit or zoning map amendment, unless no such plans or drawings are required for the use or activity, in which case the landscape plan shall be submitted for approval as part of the conditional use permit or zoning map amendment application.
- (c) This article shall apply to the construction or expansion of any parking lot for which a site plan is required pursuant to Chapter 30 of the Town Code and for which parking lot landscaping is required in accordance with Section 42-363.

(Ord. of 9-21-2006, § 6-1; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-361. Purpose and intent.

The purpose of this article is to facilitate the creation of a convenient, attractive and harmonious community to preserve the character of the town and to preserve and promote the health, safety and general welfare of the public.

(Ord. of 9-21-2006, § 6-2; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-362. Landscaping plan and maintenance.

- (a) All landscaping required by this article shall be identified on a landscaping plan and reviewed along with other plans by the town prior to installation. For any conditional use permit or zoning map amendment associated with a proposed use or activity, the planning commission may recommend and the town council may approve a modification or alternative to the landscaping, buffering or screening required by this article where conditions are deemed to warrant approval of the same. Consideration and approval of modifications and alternatives by the town shall be in accordance with Section 42-369 below.
- (b) All landscaping required by this article shall be installed per the approved landscaping plan. All plants and other materials required by the approved plan shall be maintained by the property owner in a state of good repair and shall be replaced or repaired promptly as appropriate.

(Ord. of 9-21-2006, § 6-3; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-363. Parking lot landscaping.

- (a) All parking areas with five or more spaces shall provide perimeter parking lot landscaping outside of the parking area of the lot.
- (b) Parking lots adjacent to public streets shall provide a continuous landscape area of not less than ten feet in width located between the parking lot and property line. The landscape area

shall be planted at a rate of one tree for every 50 feet of frontage, plus three shrubs for every 50 feet of frontage. A minimum of 75 percent of the trees provided shall be canopy trees, except when overhead utility lines may prohibit the planting of such trees.

- (c) Parking lots adjacent to lands not in the right-of-way of a street shall provide a continuous landscape area five feet in width, located between the parking area and the property line. The landscape area shall be planted at a rate of one tree for every 50 feet of frontage, plus three shrubs for every 50 feet of frontage. A minimum of 75 percent of the trees provided shall be canopy trees.
- (d) All parking lots with ten spaces or more shall provide interior parking lot landscaping. Such landscaping shall be in addition to any planting or landscaping within six feet of a building, required perimeter landscaping and required screening. A minimum landscape area of five percent of the gross parking lot area shall be provided within the parking area. The gross area of the parking lot shall include all designated parking spaces and areas designated for ingress and egress. Landscape areas shall have a minimum dimension of ten feet. Trees shall be provided at the rate of one tree for every ten parking spaces, with a minimum of one tree provided.
- (e) Plant materials at entrances shall be located so as to maintain safe sight distances in accordance with the state department of transportation standards.

(Ord. of 9-21-2006, § 6-4; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-364. Buffering and screening.

[NO AMENDMENTS PROPOSED]

Sec. 42-365. Tree canopy coverage.

- (a) Any project subject to the provisions of this article shall be subject to the tree canopy requirements set out in this section. Tree cover requirements may be met by providing landscaping in the form of residential lot planting, parking lot landscaping, street planting and buffer yard planting. For purposes of tree canopy coverage, the total site area may be reduced by the area to be dedicated for public street purposes.

Table 6-3. Required Tree Canopy Cover (at ten-year maturity)

Development Type	Percent of Area
Residential	15
Commercial, industrial and institutional	10

- (b) Existing tree cover within any proposed development shall be retained to the greatest extent possible and taken fully into account in the design of the improvements, site grading and calculation of tree canopy requirement. Existing trees used to meet the tree canopy coverage must be at least four-inch caliper, in healthy condition and be protected from all construction activity.

- (c) For any conditional use permit associated with a proposed use or activity, the planning commission may recommend and the town council may impose reasonable conditions with respect to the tree canopy coverage requirements of this section in order to ensure that the tree canopy coverage is preserved and maintained to the maximum extent practicable in accordance with the purpose and intent of this section.

(Ord. of 9-21-2006, § 6-6; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-366. Street trees.

- (a) Canopy and understory trees shall be provided adjacent to right-of-way in a manner that will enhance streets throughout the town.
- (b) One tree shall be planted for every 40 feet of street frontage. The majority of street trees shall be medium or large scale canopy trees to provide shade and visual relief except when overhead utility lines prohibit such trees.

(Ord. of 9-21-2006, § 6-7; Ord. No. 2014-10-0002, 10-9-2014)

Sec. 42-367 and 42-368

[NO AMENDMENTS PROPOSED]

Sec. 42-369. Modifications and alternatives.

- (a) The town recognizes that the landscaping, buffering and screening requirements of this article cannot address every situation due to the variety of potential developments, properties and the relationships between adjoining properties and uses. Subject to a recommendation of the zoning administrator, the town council is authorized to approve alternate proposals that deviate from the requirements of this article, or modifications to the standards provided herein, whenever the council concludes that the proposal: (1) meets or exceeds the standards of this article; or (2) accomplishes the purpose and intent of this article to a degree equal to or exceeding that of the applicable standard for which the modification or alternative is being requested. Requests for modifications and alternatives shall be submitted by the applicant in writing and shall be depicted on the landscape plan submitted in conjunction with the request.
- (b) Whenever the town council approves a modification or alternative to the requirements of this article, the alternate standards shall be noted on the zoning permit along with the reasons for approval.

(Ord. of 9-21-2006, § 6-10; Ord. No. 2014-10-0002, 10-9-2014)