

**CHAPTER 8**

**LANDSCAPE REGULATIONS**

**Section 8.01 Intent.**

Landscaping is an essential element of the site design process, and is an important feature in promoting the public health, safety, comfort, general welfare and the quality of life of the *Town*. Landscaping regulations are intended to: reduce the negative impacts of higher intensity land uses on less intense adjacent land uses; provide visual and noise buffering between higher intensity *districts* and less intense *districts*; lessen the impact of development on the environment by reducing glare and heat buildup; promote energy conservation; and break up large expanses of paved areas so as to reduce impervious surface area, storm water runoff, and the level of pollutants from non-point sources.

**Section 8.02 General Provisions.**

- (A) **Applicability.** Within the *Town*, a zone map change (rezoning), new *building* construction, additions to existing *buildings*, new *parking areas* and *parking area* expansions, shall provide landscaping as required by this Section. Single family and two-family residential *structures* shall be exempt from this Chapter.
- (B) **Utility Easements.** In those instances where overhead utilities are located within required *yards*, plant material selections shall be limited to trees which typically do not exceed twenty-five (25) feet in height at maturity. Appropriate utility easement plant materials include ornamental trees such as the redbud, dogwood and crabapple, or narrow-spread evergreen trees such as the emerald green arborvitae. In those instances where underground utilities are located within required *yards*, plant material selections shall be limited to ground cover, man-made elements or planting materials within raised beds which will not interfere with the underground utilities.
- (C) **Sight Triangle.** Landscaping placed within the sight triangle of any entrance or drive shall meet the requirements of Section 1.20 Clear Sight Area Requirements.
- (D) **Live Vegetation.** All trees and shrubs and applicable ground cover required by this Section shall be living vegetation, and shall comply with the size at time of planting as indicated in Table 8.02 Minimum Size at Time of Planting. Evergreen species that drops its lower branches (e.g., white pines) shall not be permitted as an "evergreen".
- (E) **Ground Cover.** Ground cover within landscape areas may consist of grasses, preserved existing natural vegetation (i.e., thickets) or mulch, chipped bark or other natural forms of ground cover. Loose stone, rock or gravel may be used as a landscaping accent, but shall

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not exceed twenty (20) percent of the area of the required landscape area in which it is used.

- (F) **Man-Made Elements.** Man-made elements within landscape areas may consist of walls, berms, and fences.
- (G) **Placement of Landscaping.** To the fullest extent possible, landscaping shall be placed on the development site. When circumstances dictate that landscaping required by this Section can only be placed in the public right-of-way to meet the requirements of this Section, permission must be sought and obtained from the Indiana Department of Transportation, or the *Town* prior to the placement of the landscaping. Required Type B/Partial Screening and Type C/Full Screening are calculated from, and begin at the established *front building line* to the *rear building line*.
- (H) **Credit for Preservation of Existing Trees, Vegetation and Fencing.** In order to encourage the preservation of existing trees, vegetation and fencing, the *Zoning Administrator* may approve an alternative landscape plan which utilizes existing trees, vegetation and fencing in lieu of new plantings or fencing within required perimeter *yards*, building foundation areas, or interior off-street *parking areas*. Such alternative landscape plan shall:
  - (1) demonstrate that sufficient trees, vegetation or fencing shall be preserved to equal or exceed the level of screening required by the basic provisions of this Chapter; and,
  - (2) provide that, in the event trees, vegetation and fencing designated for preservation are damaged or die within three (3) years of completion of construction on the site, replacement trees, vegetation and fencing shall be replaced sufficient to provide landscaping and buffering which is equivalent to the minimum requirements of this Chapter for new landscaping.
- (I) **Location of Landscaping.** Required landscaping areas shall consist of all four (4) of the following on a site:
  - (1) Perimeter yard landscaping
  - (2) Building foundation landscaping
  - (3) Off-street parking islands
  - (4) Off-street parking screening

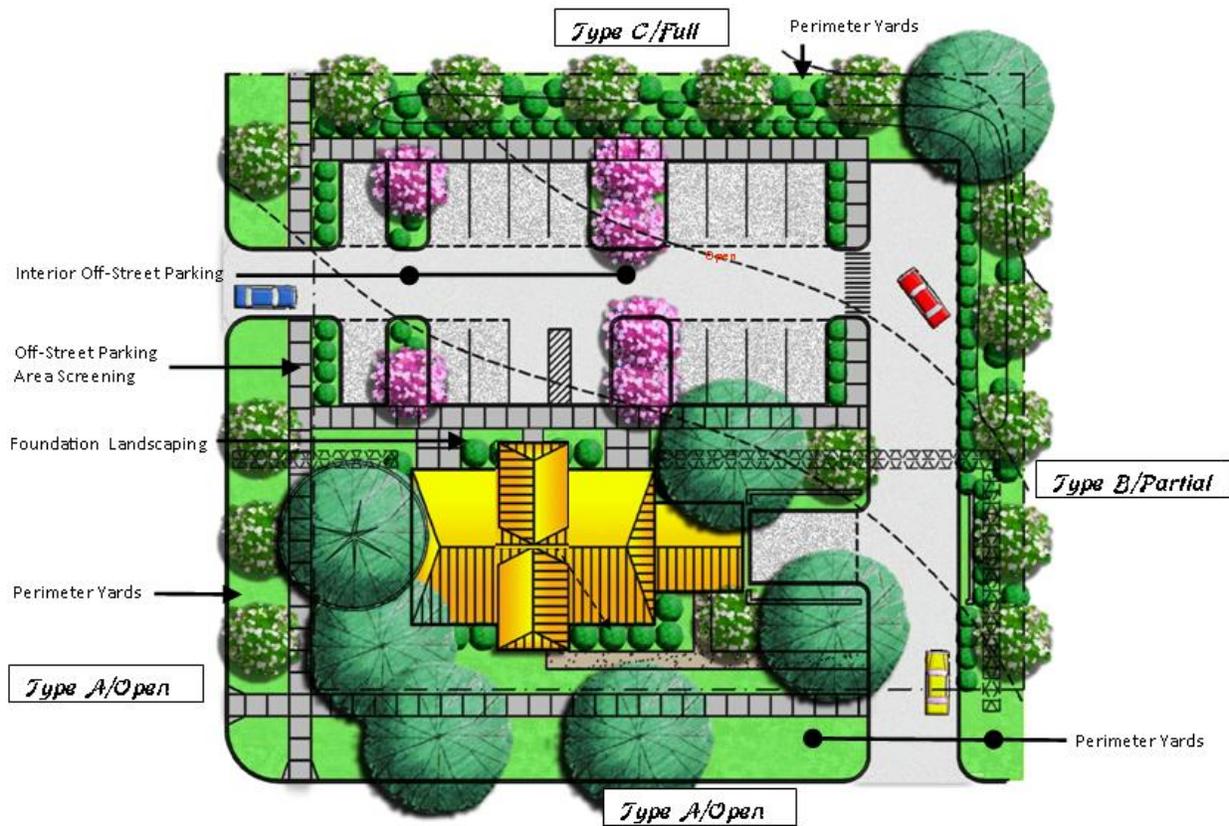


Figure 8.01 Location of Landscape Elements

### Section 8.03 Perimeter Yard Landscaping.

(A) Landscaping of perimeter yards are incorporated into three (3) Types:

- (1) Type A/Open. Type A/Open promotes and creates a pleasant visual experience from the public roads and between certain uses, while not obscuring the visual needs of a development. Type A/Open is required along all street frontages and between certain adjacent single family residential uses. Planting elements consist of an option of either deciduous shade or ornamental trees, as follows:
  - (a) Option 1: A minimum of one (1) deciduous shade tree planted every one-hundred (100) feet (rounded up to the nearest whole number) of the applicable front lot line, but no less than one (1) per lot. Such trees may be evenly spaced or grouped together; or,

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- (b) Option 2: A minimum of one (1) deciduous ornamental tree planted for every seventy-five (75) feet (rounded up to the nearest whole number) of the applicable *front lot line*, but no less than one (1) per *lot*. Such trees may be evenly spaced or grouped together.
- (c) Option 3: Existing trees, vegetation or fencing per the requirements of sub-Section 8.02 (H), above.



Figure 8.02 Example of Type A/Open Landscaping

- (2) Type B/Partial Screening. Type B/Partial Screening creates a partial visual and sound barrier (buffer) and is intended for use on *lots* where the abutting *lots* include residential *uses* or other less intense non-residential *uses* which may be affected by the lights, sounds and regular operations of the subject property. Type B/Partial Screening requires the use of evergreen trees to provide year-around buffering while allowing flexibility to add color and interest with deciduous trees or shrubs/hedge plants, as follows:
  - (a) Option 1: Two (2) evergreen trees, evenly spaced, for every fifty (50) feet (rounded up to the nearest whole number) of the length of the *property line*, but no less than two (2) per *lot*; or
  - (b) Option 2: One (1) evergreen tree and one (1) deciduous shade or ornamental tree evenly spaced, for every fifty (50) feet (rounded up to the nearest whole number) of the length of the *property line*, but no less than one (1) each per *lot*.
  - (c) Option 3: Existing trees, vegetation or fencing per the requirements of Section 8.02 (H), above.



Figure 8.03 Example of Type B/Partial Screening

- (3) Type C/Full Screening. Type C/Full Screening creates a substantial visual and/or sound barrier between abutting properties, where one or more of the abutting properties of lesser *use* may be adversely impacted by the lights, sounds and regular operations of the higher intensity or *use*. Planting elements require significant use of evergreen trees and man-made elements to provide year-round buffering. Planting elements provide a continuous and effective barrier against light and noise between adjacent properties, as follows:
- (a) Option 1: A minimum of four (4) evergreen trees planted every thirty (30) feet (rounded up to the nearest whole number) of the applicable *side* and *rear lot line*. Such trees shall be evenly spaced in a staggered double row, where the rows are not more than 12.5 feet apart. The minimum requirements of this subsection may be reduced by half between the *front lot line* and the established *building line*; or
  - (b) Option 2:
    - 1. Between the *front lot line* and the *front building line*, a fence four (4) feet high above grade, and at least fifty percent (50%) open, and

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2. Between the *front building line* and the *rear property line*, a solid, opaque man-made element at least six (6) feet in height and no higher than eight (8) feet in height, or ten (10) feet in height in an industrial district; or
- (c) Option 3: A combination of Option 1 and Option 2.



Figure 8.04 Example of Type C/Full Screening



Figure 8.05 Example of 6' Berm with Mature Landscaping

(B) Placement of Landscape Types.

TABLE 8.01 LOCATION OF TYPE A, TYPE B AND TYPE C LANDSCAPING						
Zoning of Subject Property	Adjacent to Street  (1)	Zoning of Adjacent Property				
		R1 District, or Single-Family Residential Use (2)	R2	OB	C	I
R2	A	B	n/a	n/a	n/a	n/a
OB	A	A	A	n/a	n/a	n/a
C	A	C	B	B	n/a	n/a
I	A	C	C	C	B	n/a

(1) Apply this column in all instances, then

(2) Apply this column before following 4 columns

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### Section 8.04 Building Foundation Landscaping.

- (A) Foundation landscaping shall be applicable to any elevation of a new *building* or *building* addition which:
- (1) Has a street-facing façade; or
  - (2) includes the primary customer entrance.
- (B) Relationship to Buildings. Foundation landscaping shall be located along or adjacent to each applicable *building* elevation, provided, however, where a portion of the *building* elevation is devoted to pedestrian ingress/egress, vehicular ingress/egress, loading or drop-off zones, foundation landscaping areas may be aggregated into one or more locations along or abutting such building elevation. In order to allow for a walkway or similar improvements adjacent to the *building*, foundation landscaping may begin within fifteen (15) feet of the *building*.
- (C) Foundation landscaping areas shall maintain a minimum dimension of four (4) feet in the smallest dimension, with a minimum of sixteen (16) square feet of foundation landscaping area provided for each tree and for every two hedge plants or shrubs.
- (D) Foundation landscaping shall be provided at a rate of:
- (1) one (1) deciduous tree for every twenty-five (25) feet (rounded up to the nearest whole number) of width of the applicable elevation; and,
  - (2) one (1) hedge plant or shrub, every three (3) feet of width of the applicable elevation.



Figure 8.06 Example of Foundation Landscaping

### Section 8.05 Off-Street Parking Islands.

- (A) Off-street *parking areas* shall include areas used for the parking or display of automobiles, boats, truck or farm equipment associated with a dealership or leasing business.
- (B) Off-street *parking areas* shall not include areas used for semi-truck loading areas, semi-truck maneuvering areas and semi-truck *parking areas*.
- (C) All new, off-street *parking areas* containing ten (10) parking spaces or more and all expanded surface off-street *parking areas* which are increased by five (5) parking spaces or more, whether such increase occurs at one (1) time or in successive stages, shall provide interior off-street parking island landscaping.
- (D) All such off-street *parking areas* shall include at least one (1) required interior landscape island for every ten (10) parking spaces (or fraction thereof).
- (E) Each required interior landscape island shall measure a minimum of eight (8) feet by eighteen (18) feet.
- (F) Each required interior landscape island shall contain a minimum of one (1) of the following: deciduous shade tree, deciduous ornamental tree, or evergreen tree.
- (G) Interior landscape islands, generally, shall be located at the end of parking bays so as to define vehicular and pedestrian traffic patterns.
- (H) The area devoted to interior landscape islands shall be in addition to any required perimeter yard landscaping, foundation landscaping or parking area screening required by this Chapter.



Figure 8.07 Example of Interior Off-Street Parking Area Landscaping

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### Section 8.06 Off-Street Parking Screening.

- (A) Perimeter screening of off-street parking areas shall apply to all new, off-street *parking areas* and expanded off-street *parking areas* for any use, except for single family and two family dwellings.
- (B) In addition to the required Perimeter Yard Landscaping, an off-street *parking area* located between a *building line* and a *front lot line*, or adjacent to a residential *use*, the edge of the *parking area* facing such *front lot line* or residential *use* shall be screened by a compact row of shrubs/hedge plants planted three (3) feet on-center across the front of the *parking area* located between such *front lot line* or residential *use* and the edge of the *parking area*. Minimum planting size shall meet the requirements for Hedge Plants/Shrubs of Table 8.02 Minimum Size at Time of Planting, and be maintained at a maximum allowable growth height of thirty-six (36) inches.



Figure 8.08 Example of Off-Street Parking Area Screening

**Section 8.07 Minimum Plant Sizes.**

All plant materials specified by this Section shall comply with the minimum sizes at time of planting as specified in Table 8.02 Minimum Size at Time of Planting, below.

TABLE 8.02 MINIMUM SIZE AT TIME OF PLANTING	
Plant Category	Minimum Size
Deciduous Shade Tree (a.k.a. Overstory Tree)	2 ½ inch caliper at 6" above the ground
Deciduous Ornamental Tree (a.k.a. Understory Tree)	1 ½ inch caliper at 6" above the ground
Evergreen Tree	6' high
Hedge Plants / Shrubs	24" high

**Section 8.08 Installation and Maintenance of Landscaping.**

- (A) Installation. All landscaping required by this Chapter shall be installed prior to the issuance of a final *certificate of occupancy* for the use on the real estate. If seasons, weather conditions or other conditions beyond the applicant’s control create a situation which is not appropriate for the installation of landscaping immediately prior to the issuance of a final *certificate of occupancy*, the *Zoning Administrator* may issue a temporary *certificate of occupancy* pending the installation of landscaping required by this Chapter not later than three (3) months after the start of the next planting season after the use of the real estate is commenced. The start of planting seasons shall be March 15 and August 15 of each year.
  
- (B) Maintenance. The owner shall be responsible for the replacement of any required planting, which is removed or dies after the date of planting. Such replacement shall occur within three (3) months after the start of the next planting season.