

ARTICLE XX. BUFFERING AND LANDSCAPING

Sec. 80-20.1. Purpose and jurisdiction.

(a) These landscaping regulations are intended to establish minimum requirements and standards for landscaping for multifamily residential, commercial and industrial sites, and residential manufactured home parks, in order to maintain and protect property values, enhance the general appearance of the city and provide the residents of the city with a sense of place. In general, these provisions ensure landscaping criteria that will curtail soil erosion, absorb carbon dioxide and supply oxygen; reduce the effects of noise, glare, dust, heat and other objectionable activities generated by some land uses; buffer and screen adjacent properties; provide shade; and promote the pleasant appearance and character of neighborhoods and the city.

(b) Upon receipt of an application pursuant to article V, the city planning board shall have the authority to approve deviations from the minimum requirements and standards for landscaping and buffering contained in this article, as well as chapter 80, Appendix A--Griffiss Business and Technology Park Site Development Standards. However, nothing herein shall be construed to usurp the authority and jurisdiction of the zoning board of appeals with regard to area variances needed for deviations from: minimum required setbacks; minimum lot sizes; maximum building heights; and maximum lot coverage. The code enforcement officer shall have the sole discretion to determine the appropriate body for review of a particular request or application.

Sec. 80-20.2. General requirements.

- (a) Proposed developments meeting the following conditions must prepare a landscaping plan describing how the requirements of this article will be met:
- i. Any proposed commercial or industrial development.
 - ii. Any proposed multifamily residential development consisting of four or more dwelling units with a new building or building expansion that amounts to or exceeds either four thousand (4,000) square feet or twenty-five percent (25%) of the assessed valuation of the existing building within any twelve(12)-month period.
 - iii. Any proposed residential manufactured home park consisting of five (5) or more dwelling units or expansion that amounts to or exceeds five (5) additional dwelling units.

The plan shall be prepared by a licensed New York landscape architect, New York certified nurseryman, or New York certified landscaper. The codes enforcement officer shall review a proposed plan for compliance with the requirements of this article. The city review shall be limited to compliance with city standards. If the codes enforcement officer believes a proposed plan does not meet the requirements of this article, the applicant shall be notified in writing of the codes enforcement officer's findings.

- (b) Landscaping plans shall be drawn to scale and include existing and proposed pavement and structures, irrigation, vehicular use areas, significant trees and/or landscape features and topographic elevations.
- (c) Landscaping required pursuant to an approved site plan shall be installed or bonded for under an agreement approved by corporation counsel prior to temporary occupancy, and installed before the issuance of final certificate of occupancy.
- (d) Natural vegetation or stands of trees existing prior to site development may be used toward meeting all or part of the landscaping requirements. Incorporation of native species which have food or habitat value is encouraged.

- (e) Required landscaping shall not incorporate trees which have the potential of interfering with overhead power lines.

Sec. 80-20.3. Minimum planting requirements.

- (a) To provide a proper planting area, the minimum dimension of any required planting area must be no less than five feet in both length and width, except as specified in other sections of this article.
- (b) At the time of planting, deciduous trees must be at least two inches in diameter measured six inches above the base, and coniferous trees must be at least six feet in height.
- (c) Shrubs must be at least 18 inches in height at time of planting. Shrubs and groundcover should be planted so that they attain coverage of at least 75 percent of the planting area within four years.
- (d) Any planting of grass or sod shall be established by using a turf grass developed for conditions of the northeast.

Sec. 80-20.4. Maintenance.

- (a) Any plant material used in the landscaping project shall be maintained in a healthy growing condition. The property owner shall bear responsibility for maintenance of required landscaping. The city will work with a property owner in establishing a realistic replanting plan when landscaping required by this article is lost due to situations beyond the control of the property owner, such as drought or other related circumstances.
- (b) The applicant shall submit a maintenance agreement describing methods of compliance with the requirements of this article.
- (c) Action upon noncompliance: failure, neglect or refusal of owner to perform the required maintenance action shall be taken in accordance with the enforcement provisions of article IV of this code.

Sec. 80-20.5. Species choice.

The applicant shall utilize plants which are adaptable to local climatic conditions. The use of drought tolerant species is recommended to reduce or eliminate the need for irrigation. It is also recommended that any vegetation retained or planted consist of noninvasive plant species to reduce future maintenance requirements and encroachment on other property. An invasive plant species is a nonnative plant species that escapes into the wild and displaces native vegetation.

- (a) **The following evergreen and buffer trees have been specifically approved for use in perimeter plantings as described in [section] 80-20.6:**

Austrian pine	Pinus nigra
White pine	Pinus strobus
Scots pine	Pinus sylvestris
Colorado spruce	Picea pungens
Norway spruce	Picea abies
White fir	Abies concolor

Other species may be used, as specifically approved by the city forester.

(b) **The following tree types are approved for use in parking lots as described in [section] 80-20.7:**

i. Under utility wires and in small parking lots:

Serviceberry	Amelanchier spp.
Japanese tree lilac	Syringa reticulata
Flowering crabapple	Malus spp.
Ohio pioneer hawthorn	Cretaeus phanenopyrum
Cockspur hawthorn	Cretaeus crus-gali inermis
Washington hawthorn	Cretaeus phanenopyrum
Canada red chokecherry	Prunus virginiana
Hedge maple	Acer campestre
Amur maple	Acer ginnala
Cleveland select pear	Pyrus calleryana

ii. In large parking lots, and along street frontage in areas free of utility wires:

Honeylocust varieties	Gleditsia triacanthos inermis
Northern red oak	Quercus rubra
Scarlet oak	Quercus coccinea
White ash	Fraxinus americana
Green ash	Fraxinus pennsylvanica
Gingko	Gingko biloba, male only
Black locust "purple robe or "frisian"	Robina pseudoacacia
Northern catalpa	Catalpa speciosa

Other species may be used, as specifically approved by the city forester.

Sec. 80-20.6. Perimeter landscaping.

(a) *Purpose.* To provide a very dense sight and physical barrier to significantly separate abutting incompatible zones.

(b) *Applicability.* The developer must provide landscaping on the perimeter of the site as follows. These requirements are summarized in schedule 80-20.6.

i. Uses located in E-2, E-3, S-S and NPH zones must provide perimeter landscaping along all site boundaries.

ii. All uses must provide perimeter landscaping along site boundaries that abut lots zoned P-Z, A-A, F-1, or any residential zone except that no perimeter landscaping is required where a P-Z, F-1, or any residential zone use abuts a P-Z, A-A, F-1, or any residential zone.

(c) *Requirements.*

i. Each planting area shall be a minimum of ten feet in width.

- ii. A screen of at least six feet in height at time of planting, that results in a noise and sight obscuring buffer that is any one or a combination of the following methods:
 - a. A solid row of evergreen trees or shrubs.
 - b. A solid row of evergreen trees and shrubs planted on an earthen berm an average of three feet high along its midline.
 - c. A combination of trees or shrubs and fencing (metal or wood) or wall (brick, masonry or textured concrete).
- iii. Trees and shrubs should be spaced to grow together within four years from planting, and groundcover be provided to attain 75 percent coverage within four years.
- iv. Breaks in perimeter landscaping for pedestrian access may be required as determined by the codes enforcement officer during site plan review.
- v. Perimeter landscaping shall be required in an amount which, when combined with other on-site landscaping requirements, does not exceed 15 percent of the total site area.

TABLE INSET:

Schedule 80-20.6 Perimeter Buffering Requirements for Abutting Zones																	
	R1	R2	R3	RP	C1	C2	C3	C4	HD	E1	E2	E3	PZ	F1	AA	SS	NPH
R-1	NR	NR	P	P	P	P	P	P	P	P	P	P	NR	NR	NR	P	P
R-2		NR	P	P	P	P	P	P	P	P	P	P	NR	NR	NR	P	P
R-3			P	P	P	P	P	P	P	P	P	P	NR	NR	NR	P	P
R-P				P	P	P	P	P	P	P	P	P	NR	NR	NR	P	P
C-1					NR	NR	NR	NR	NR	NR	P	P	P	P	P	P	P
C-2						NR	NR	NR	NR	NR	P	P	P	P	P	P	P
C-3							NR	NR	NR	NR	P	P	P	P	P	P	P
C-4								NR	NR	NR	P	P	P	P	P	P	P
H-D									NR	NR	P	P	P	P	P	P	P
E-1										NR	P	P	P	P	P	P	P
E-2											P	P	P	P	P	P	P
E-3												P	P	P	P	P	P
P-Z													NR	NR	NR	P	P
F-1														NR	NR	P	P
A-A															NR	P	P
S-S																P	P
NPH																	P

Key
 P = Developer must provide Perimeter Landscaping along boundary
 NR = Perimeter Landscaping not required.
 (Ord. No. 7802, 4-28-04)

Sec. 80-20.7. Interior landscaping.

(a) Landscaping between parking lots and public rights-of-way.

- i. *Purpose.* To provide visual relief and separation of parking areas from public rights-of way.
- ii. *Applicability.* The requirements in this section apply to all parking lots located adjacent to a public right-of-way, except those provided for, and on the same lots with, single-family dwellings and except for those land[s] requiring perimeter landscaping as specified in [section] 80-20.6.
- iii. *Requirements.* A landscape strip as described below shall be provided on the property between the parking lot and the right-of-way. The landscaped strip may not include any paved area except pedestrian sidewalks or trails which cross the landscaped strip. Shrubs must be maintained at a maximum height of 36 inches. Any of the following landscaped strip treatments may be used singly or in combination:
 - a. Provide a minimum five-foot-wide landscape strip between the right-of-way and the parking lot to be planted with minimum of one shade tree and ten shrubs per 35 linear feet of frontage, excluding driveway openings.
 - b. Provide a berm, the top of which is at least two and one-half feet higher than the elevation of the adjacent parking lot pavement. The slope of the berm shall not exceed 33 percent for lawn areas. Berms planted with ground covers and shrubs may be steeper. However, no slope shall exceed 50 percent. Berms should be graded to appear smooth, rounded, naturalistic forms. Avoid narrow bumps which result from creating too much height for width of the space. Plant with a minimum of one shade tree and five shrubs per 35 linear feet of frontage, excluding driveway openings.
 - c. Provide a minimum six-foot-wide landscaped strip and a minimum three-foot grade drop from the right-of-way line to the adjacent parking lot pavement. Plant the resulting embankment with a minimum of one shade tree and five shrubs per 35 linear feet of frontage, excluding driveway openings. Ground cover or low shrubs shall be planted to attain 75 percent coverage within four years.
 - d. Provide a minimum five-foot-wide landscaped strip between the right-of-way line and the parking lot, with a minimum three-foot-high brick, stone or finished concrete wall to screen the parking lot. The wall shall be located adjacent to but entirely outside the five-foot landscaped strip. Plant with a minimum of one shade tree 35 linear feet of frontage, excluding driveway openings.
 - e. Provide a minimum 20-foot-wide strip of existing native vegetation, unless the creation of such a strip creates a hazard to existing trees as determined by a certified landscaper or nurseryman.

(b) Parking area interior landscaping.

- i. *Purpose:* To provide visual relief and shade in parking areas.
- ii. *Applicability.* The requirements in this section apply to all parking areas with more than 15 parking spaces.

iii. *Requirements.*

- a. Parking lots shall be planted with a low overhead canopy of trees.
- b. Landscaped areas covering a minimum of five percent (5%) of the total paved area of the lot shall be provided.
- c. The landscaped area must be provided via curbed islands wholly contained within the paved areas. Each parking island shall be a minimum of ten by 40 feet in size and shall be planted with at least one deciduous tree selected from the approved plant material list provided in subsection 80-20-5(b), or as otherwise approved by the planning board. The use of a single tree species throughout the parking area is encouraged.

(c) *Outdoor storage landscaping.*

- i. *Purpose.* Provide visual relief surrounding storage areas.
- ii. *Applicability.* Any storage yard in connection with a permitted commercial or industrial use shall require visual screening.
- iii. *Requirements.* Visual screening shall consist of a continuous fence, wall, evergreen hedge, landscape planting or combination thereof so as to effectively screen the storage yard which it encloses, and be maintained in good condition. In cases where the physical characteristics of the parcel or surrounding parcels make screening from adjacent properties impossible or unreasonable, this requirement may be completely or partially waived by the zoning board of appeals after public hearing and review as required by section 80-22.

Sec. 80-20.8. Alternative landscaping plan.

Alternative landscaping plans may be proposed where strict application of the requirements in this chapter would prohibit reasonable development of a property. The planning board may consider the topography, shape, size or other natural features of the property or design features of the development when considering the suitability of a proposed alternative landscaping plan. Examples of situations where alternative landscaping plans are more likely to receive favorable consideration are mixed use buildings and developments that qualify for reduced parking under article XVIV, Parking Requirements. Another technique that can be used in alternative landscaping plans is the enhancement of landscaping in a nearby area to soften the overall effect of the development such as improvement of a nearby existing public right-of-way.

Sec. 80-20.9. Screening of mechanical equipment.

Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials.