

ARTICLE 17. LANDSCAPING & SCREENING

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§9-107	<p>17.1 GENERAL LANDSCAPING AND MAINTENANCE REQUIREMENTS</p> <p>A. Except for accessory uses expressly permitted in required yards, all yards and open space between and about structures and off-street parking and loading areas and lots shall be landscaped and kept free of accumulations of garbage, trash, refuse, debris and other unsightly or nuisance creating materials.</p> <p>B. All landscaping shall be continually maintained by the owner or other person responsible for maintenance of the premises, and all planting areas shall be kept free of weeds and debris. Undeveloped areas shall be mowed and kept free of accumulations of garbage, trash, refuse, debris, and other unsightly or nuisance creating materials until developed.</p>

Does this apply to all uses, residential and non-residential? Typically single-family residential uses do not require this. More specific landscaping requirements should be created for different uses and sites, rather than a very general provision such as this one.

One of the most important elements of the landscaping provisions is basic landscaping design standards to ensure that what is planted is able to survive, accomplishes the goals of the landscaping standards at planting, and is properly maintained. Especially important for assuring a significant landscape impact is the level of maturity required for plant types at the time of installation. Young plantings could result in an insufficient level of landscape improvements during the first several years of a project that do not perform the intended screening and beautification functions until the plants mature. Ongoing maintenance of required landscaping, including requiring replacement of dead or diseased plant material, is important and should be included. The only design standard contained in the current Code is the requirement that trees planted in the interior of the parking lot be three inches in diameter. Proper landscaping standards should include specific criteria for shade trees, evergreen trees, shrubs, and groundcover, among other details such as design of parking lot islands. Finally, performance guarantees could be required to ensure not only installation of required landscaping, but also maintenance throughout, at least, the first year after installation.

§9-107	<p>17.2 PERIMETER LANDSCAPE YARD OPEN SPACE</p> <p>A. Except as expressly provided otherwise, in the regulations requiring a perimeter landscape yard such open space shall extend along the entire length of the lot line in question and shall have width equal to ten (10) feet or the depth of the yard <u>setback</u> required along the lot line in question, whichever is greater.</p> <p>B. A perimeter landscape yard shall be broken only by required access drives.</p> <p>C. A perimeter landscape yard shall be suitably surfaced with grass, groundcover or decorative paving material, or a combination thereof, and shall contain landscaping, such as ornamental trees and shrubs, or appropriate screening devices, such as decorative walls, fences or berms, or a combination thereof.</p> <p>D. The landscaping and screening treatment of such yard shall be so designed</p>
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and maintained as to preserve unobstructed vision of the street and sidewalk at points of access and as not to interfere with, or be damaged by, work within any public or utility easement unless the Village Manager shall determine that no other location is reasonably feasible.

When is this required? It should be explicitly stated here. There are also no planting schemes for this perimeter yard.

§9-107

17.3 PARKING LOT LANDSCAPING

A. Parking Lot Screening

Every parking lot shall be buffered and screened by a perimeter landscaped open space having a width of at least ten (10) feet or the width of the required yard, whichever is less. Village-owned parking lots shall be exempt from this requirement.

B. Parking Lot Interior Landscaping

1. In addition to screening requirements ~~set forth in subsection A1 of this section~~, every parking lot shall contain at least one (1) tree of three (3) inch or greater caliper in diameter ~~for each thirty (30) parking spaces constructed after the effective date of this code~~. Such trees may be provided by the preservation of existing trees or the planting of new trees. No existing or new tree located more than five (5) feet outside the perimeter of the paved parking area shall be counted in meeting the requirements of this section.
2. Each tree shall be surrounded by a landscaped area of at least thirty-six (36) square feet. All islands in excess of fifty (50) square feet created by curbs or other traffic flow regulators shall be landscaped.
3. Planting islands located within the interior of a parking lot shall be at least six (6) feet in width.
4. Village-owned parking lots shall be exempt from this requirement.

One of the areas where landscaping makes the most impact is within surface parking lots. Parking lot landscaping accomplishes a number of purposes including screening the lots from view from the right-of-way, separating the pedestrian from the auto, improving the appearance of the lots from within (i.e., avoiding a sea of asphalt appearance), mitigating the “heat island” effect, and minimizing impervious surface and allowing for some stormwater absorption.

The current Code has minimum standards for parking lot landscaping. It states that every parking lot shall be screened by a 10 foot yard but provides no standards for how that is to be accomplished (by pedestrian walls or fences, berms, shrubs, trees, etc.). There are also interior parking lot landscaping requirements which require a tree within a 36 square foot landscaped areas for every 30 spaces, but these are very minimal standards. Typically, parking lot islands are required for every 10 to 15 spaces and additional landscaped areas outside of any perimeter landscaping and the required islands are also mandated. One landscaped area per 30 spaces may not accomplish the desired effect of “greening” the interior of a parking lot and reducing the impervious surface. Finally, there are no additional standards for these landscaped areas, including requirements for groundcover, shrub and perennial plantings on landscaped areas over a certain size, or provisions that allow for special designs to absorb additional run-off.

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17.4 BUFFER YARDS***Non-Dwelling Uses Abutting Residential Use***

In any case where a lot to be devoted to any use other than use as a residence dwelling abuts or is across a right of way from any lot zoned for residential use within the Village, the use and development of the lot to be devoted to the ~~non-dwelling~~ non-residential use shall be subject to the following requirements:

- A. All buildings more than fifteen (15) feet in height shall be set back from any front or corner side lot line facing a residential district either a distance equal to the setback ~~normally~~ required or to the front yard setback required in that adjacent residential district, whichever is greater, and from any other yard lot line a distance equal to the yard setback ~~normally~~ required or twenty-five (25) feet, whichever is greater.
- B. Any front or corner side ~~yard or~~ setback required pursuant to Paragraph A above shall be treated as a perimeter landscaped open space. Any side or rear lot line abutting a dwelling residential use or a residential district shall be buffered by a perimeter landscaped open space at least five (5) feet in width along such lot line which shall be sufficient to provide a screen at least six (6) feet in height along the entire length of such line.
- C. Any area of permitted outdoor activity likely to produce visual or auditory disturbance or annoyance on any abutting residential lot shall be separated from said lot by a perimeter landscaped open space at least twenty (20) feet wide or by a buffer found by the Village Manager to be reasonably sufficient to create a visual barrier, to absorb and diffuse noise, and to ensure the private enjoyment of said lot.

~~The provisions of this subsection H shall not apply to any use or structure established prior to the effective date of this code.~~

Providing flexibility for the use of walls, fences, berms or landscaping, or a combination of methods, to screen and buffer dissimilar land uses is likely necessary, especially on smaller sites or infill sites in a community like Hinsdale. The visual quality of each of these techniques should be specified with detailed planting and design requirements. Providing a “menu” of buffering options linked to buffer yard size for small sites versus major developments may be necessary to allow for redevelopment without the need for variances.

Current buffer yard requirements are minimal and only required when a lot “devoted to any other use than use as a dwelling abuts or is across a right-of-way from any lot zoned for residential use.” One complication with this language is that a townhouse or multi-family use adjacent to a single-family dwelling would not require a buffer yard. Higher density residential uses should be buffered from single-family uses.

In terms of requirements for the design of the buffer yard, the Code requires a five foot buffer yard that screens to six feet, so long as the building does not exceed 15 feet – in which case a different standard based on the neighboring residential district applies. There are no planting requirements, which may lead to inconsistent or inadequate screening. Buffer yards are typically larger (10 feet for rear yards and eight feet for interior side yards), mandate a certain amount of tree and shrub plantings, and require a wall, fence or berm. There is a larger buffer yard required for “outdoor activity areas,” but again there are no planting requirements. Creating the proper buffer through plantings and walls/fences is essential to achieve the intended effect of mitigating noise, light, glare, etc.

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Item 17.4.A: This provision appears to be intended to create a buffer yard, though it reads as a building setback requirement. This type of provision should be eliminated and proper buffer yard requirements created to replace it. Setbacks should be stated only in district provisions. In addition, requiring a commercial building to set back further along the front or corner side lot line when it faces a residential district can lead to bad design.

GENERAL ISSUES:

1. The current Code has some screening requirements for certain uses, which may not accomplish the intended screening, including the following:

- Loading berths require a six foot screen when visible from a residentially zoned lot. This is subjective. Loading berths should require screening at all times unless such screening would interfere with safe site circulation.
- Refuse containers and outdoor storage uses do not have a screening height requirement, which should be a minimum of six feet and a maximum of eight feet.
- There is a requirement that storage of Class II vehicles requires a six foot screen. (Storage of Class II vehicles should be evaluated for consistency with earlier off-street parking requirements.)
- Residential recreation facilities require a 10 foot perimeter yard with a six foot screen, which should be analyzed against existing provisions for yards, accessory structures, permitted encroachments, and fences for conflicts.
- Screening of ground-mounted mechanical equipment should be considered.

Comprehensive screening requirements are needed.

2. Once landscaping requirements are in place, a challenge will be to bring any existing developed sites into compliance over time without discouraging investment in improvements due to the additional costs of landscaping. Landscaping should be required when modification of parking lots and significant building permits are requested. When building additions or expansions are undertaken, the percentage of landscaping required should be proportionally linked to the proposed additional building area. Existing parking lots should be required to comply with landscaping requirements when a certain number of parking spaces (usually five to ten spaces) are added to the lot or if the lot is resurfaced or reconstructed. A simpler but less flexible alternative would be to establish a time period over which all sites must be brought into compliance with the landscape standards. For example, all property owners must install the required landscaping within a 5-year time period.

3. The landscaping provisions should also address sustainable design techniques, such as bio-swales and water gardens. While many of these techniques cannot be required by code, the Code can allow for and encourage them.

4. The Code should include a recommended and prohibited plant list to avoid invasive species and ensure a consistent landscaping scheme throughout the Village. The plant list included in the Ogden Avenue plan could be incorporated into the Code.

5. Enforcement of landscaping provisions is necessary. First the Code should clearly state that an occupancy permit will be withheld until landscaping is installed in conformance with the approved landscape plan. Second, the Village can require performance guarantees that ensure landscaping will be properly installed and maintained for the first year of a development.