

## Section 3203. Landscaping and Screening

3203.A Purpose. The provisions of this section are intended to protect quality of life and community character by:

- (1) Enhancing the appearance of the built environment as viewed from public vantage points;
- (2) Creating shade along sidewalks and walkways, and within parking lots;
- (3) Providing a landscaped buffer between residential and nonresidential land uses; and
- (4) Screening land uses and development that create visual clutter and distraction.

3203.B Applicability. All development requiring site plan approval shall meet the provisions of this section except:

- (1) Changes of use where sites have previously been developed in accordance with an approved site plan and where the proposed development will not change, or be required to change, any landscaping or screening;

3203.C Application Rules. A landscaping and screening plan shall be included as a part of any site plan and shall meet the following:

- (1) Be on one or more sheets showing the location of all landscaping and screening elements with a key to identify species of plant materials.
- (2) Applications for major site plan review shall include a landscaping and screening plan prepared by a licensed landscape architect or certified horticulturalist.

3203.D Administrative Rules. The following rules shall apply when applying landscaping and screening provisions:

- (1) Plantings shall be defined by their mature or maintained height as identified on Figure 3-20.
- (2) In making calculations regarding minimum plantings, one planting may be counted towards meeting two or more different requirements.
  - (a) For example, a tree that meets the minimum standards for both a street tree and a shade tree for a parking area can be counted towards meeting both requirements.

3203.E Planting Specifications. Plantings shall meet the following standards:

- (1) Plantings shall meet the minimum caliper or minimum height specification in Figure 3-20, as appropriate for the specimen.
- (2) Plantings shall be centered in an area meeting the minimum planting area specified in Figure 3-20.
  - (a) Planting areas may be identified as any shape on the landscape and screening plan but shall not be narrower than the minimum planting area width listed in Figure 3-20.
  - (b) Planting areas shall be suitable for rooting of trees and shrubs, as applicable, and be maintained in a pervious condition with cover appropriate for the specimen.

(3) Plantings shall be in accordance with the ANSI A300 standards.

(4) Use of invasive plant materials is prohibited (see <https://vtinvasives.org/gallery-of-land-invasives> for a current list or contact the Invasive Plant Coordinator at the Vermont Department of Forests, Parks and Recreation).

(5) Use of native plant materials is strongly encouraged.

(6) Use of a diversity of tree species is strongly encouraged.

(7) Retention of existing plants on development sites to meet landscaping and screening requirements is strongly encouraged.

3203.F Landscaping and Screening General Standards. All landscaping and screening shall meet the following general standards and any specific standards for Street Trees (Subsection 3203.G), Parking Landscaping (Subsection 3203.H), Screening (Subsection 3203.I), and Total Site Landscaping (Subsection 3203.J), as applicable.

(1) All plantings shall meet the planting specifications of 3203.E.

(2) Development shall not reduce the minimum planting area or minimum planting area dimension of any existing plantings.

(3) Where existing plants are retained to meet landscaping and screening requirements, development shall protect the plants as well as the planting area during the construction process.

3203.G Street Trees. Application requiring major site plan approval within any district except the Urban Center-1 and Rural districts are required to meet the following:

(1) Administrative Rules. The following rules apply to the administration and enforcement of the provisions of this section.

(a) Street trees defined. Street trees are trees located within the road right of way (i.e. on public property) as well as all trees where the center of the tree trunk is located within ten feet of the frontage line.

(b) These provisions shall not be used to require applicants to plant street trees in the street right-of-way. Where an applicant chooses to plant one or more street trees in the street right of way, they must receive approval for such plantings through the Montpelier Tree Board prior to applying for site plan approval.

(2) Utility standards. Where overhead utility lines are existing or proposed:

(a) Large trees are prohibited where the lowest utility lines are 35 feet or more in height.

(b) Large and medium trees are prohibited where the lowest utility lines are less than 35 feet in height.

(3) Minimum plantings. Street trees shall be planted to meet the following:

(a) Large trees shall be planted at a minimum ratio of one for every 50 feet of frontage; or

(b) Medium or small trees shall be planted at a minimum ratio of one for every 30 feet of frontage.

(c) The trees should be evenly spaced but may be shifted to accommodate site

features or maintain sight distance.

- (d) Preservation of existing trees to meet this requirement is strongly encouraged.
- (4) Non-conformities. Where a previously developed site is nonconforming with respect to the street tree requirements the site shall be brought into compliance with the street tree requirements unless the applicant requests a waiver and demonstrates:
  - (a) The site lacks suitable area to meet the planting specifications planting area for additional street trees;
  - (b) Compliance with the street tree requirements would diminish the appearance of the built environment from public vantage points; and
  - (c) That the applicant cannot create suitable planting area through the removal of impervious cover.
- (5) Waivers. The Development Review Board may waive the street tree standards where an applicant demonstrates that the waiver requested creates the minimum variance from the standard and either:
  - (a) Compliance with the street tree requirements would diminish the appearance of the built environment from public vantage points; or
  - (b) Existing natural features (e.g. streams, ledge, and wetlands) would make compliance with such standards undesirable or impossible.

3203.H **Parking Landscaping.** Applications requiring major site plan approval where there is existing or proposed parking of more than 10 spaces shall be landscaped with shade trees to meet the following:

- (1) Exception. Parking landscaping shall not apply to portions of sites used for vehicle sales.
- (2) Defining shade trees. Shade trees are medium or large trees that are located within six feet of the edge of pavement when measured to the center of the tree trunk.
- (3) Minimum planting requirement. Shade trees shall be provided equivalent to shade 40% of the parking area, including aisles and driveway, in accordance with the following:
  - (a) Parking areas located to the rear of a principle building that will be screened from view at the street by the principal buildings or other screening may reduce the percentage of landscaping required under this subsection from 40% to 25% for this area.
  - (b) Each large tree shall be considered to provide 1,200 square feet of shade.
  - (c) Each medium tree shall be considered to provide 600 square feet of shade.
- (4) Incorporating parking lot landscaping into the site's stormwater management system is strongly encouraged.
- (5) Nonconformities. Where an existing parking area is nonconforming with respect to minimum plantings required but lacks sufficient planting area to plant additional trees, the Development Review Board may waive some or all of the parking landscaping requirements provided the applicant demonstrates that the development meets other landscaping and screening requirements to minimize the visual impacts of the parking from the street or abutting properties.

3203.I **Screening.** The following screening standards apply for non-residential applications where

the project abuts a residential property; when parking areas, utilities, service areas, or building mounted equipment are proposed or modified; or where the Development Review Board has required screening as a condition of approval for another provision.

- (1) **Performance Standard.** Screening shall be applied to minimize the visibility and impacts of incompatible, disruptive, or visually unappealing aspects of proposed development on the surrounding neighborhood. This is not to be interpreted to mean that all views of the area or element to be screened shall be fully blocked, rather screening should be used to soften and break up views and to create visual interest elsewhere on the site so that the area or element to be screened no longer dominates the view.
- (2) **Screening materials.** Screening may include natural or manmade elements including landscaped buffers of trees and shrubs, earthen berms, fences, walls, screens, camouflage or similar mechanisms.
  - (a) **Landscaped Buffers.** Vegetative buffers that feature a mix of evergreen and deciduous plant materials arranged in informally shaped and spaced groupings are strongly encouraged. Existing mature vegetation should be retained to provide buffers between adjoining properties.
  - (b) **Fences and Walls.** Where fences or walls are used as screening, the standards of Section 3101 shall also apply.
  - (c) **Berms.** Landscaped berms are encouraged as an effective means of screening parking and loading or other utilitarian site features from view. Berms shall be designed in accordance with the following:
    - (i) Berms shall not have a slope greater than 30%.
    - (ii) The surface of the berm not planted with trees or shrubs shall be covered with perennial herbaceous or woody ground cover and mulch.
    - (iii) Berms should have an organic shape that replicates natural landform
- (3) **Parking Lots.** Parking lots shall be screened from view from the street and abutting properties.
- (4) **Utilities.** All utility boxes, pump stations, substations, and similar aboveground utilities shall be screened from view from the street and abutting properties.
- (5) **Service Areas.** Off-street loading areas, refuse and outdoor storage areas, mechanical equipment and similar utilitarian site features areas shall be screened from the street and abutting properties.
- (6) **Building-Mounted Equipment.** Mechanical equipment and utilities mounted on building walls or roofs shall be designed and located to minimize their visibility from the street and adjoining property in accordance with the following:
  - (a) Wall-mounted equipment or utilities shall be painted or otherwise colored to match building materials.
  - (b) Rooftop equipment or utilities shall be enclosed or screen by building walls or parapets that shall be compatible with the form, design and materials of the building.

- (7) Nonconformities. Where an existing site is nonconforming with respect to screening requirements, applicants shall be required to come into compliance unless the cost of coming into compliance will exceed 5% of the project cost. In that instance the applicant shall only be required to add screening not to exceed 5% of the total project cost
  - (a) Where total project costs are less than \$2,000, the improvements to non-conforming screening shall be considered di minimus and shall not be required.

3203.J Total Site Landscaping. Except within the Urban Center 1 district, sites shall be landscaped in accordance with the following:

- (1) Administrative rules. The following rules apply to the administration and enforcement of the provisions of this section.
  - (a) Calculating planting area- Where the applicant demonstrates that natural woody vegetation on the parcel furthers the purposes outlined in Section 3203.A, the Administrative Officer or Development Review Board may consider the natural woody vegetation towards landscaping requirements on a 2:1 basis. For example, retaining two square feet of natural forest cover or riparian habitat could be counted towards one square foot of landscaped area.
  - (b) Perennial plantings may be used to meet the landscaping requirement and will be counted 1 square foot for each square foot of perennial plantings
  - (c) To be counted as an existing tree or shrub for the purposes of this subsection, trees and shrubs must be healthy and have suitable planting area to support its long term viability. Unmanaged or unmaintained portions of a site shall not count as landscaping unless the area meets the provisions in Subsection 3203.J(1)(a). Invasive species shall not be counted towards total landscaping.
- (2) Minimum planting area. Plantings shall meet or exceed the minimum planting area based upon the amount of impervious cover on the property. To determine the square footage of planting area that will be required, multiply the square footage of the total proposed impervious cover by 0.033.
- (3) Placement. Landscaping shall be placed so as to enhance the appearance of the built environment as viewed from public vantage points. The following guidelines should be used to guide the compliance with the performance standard:
  - (a) Landscaping should provide direction to and enhance building entrances;
  - (b) Landscaping should enhance and shade walkways;
  - (c) Provide visual breaks along blank building facades;
  - (d) Intercept and filter stormwater runoff (ex. rain garden);
  - (e) Plant materials should be planted in groupings and should be distributed around the areas of the site visible from public vantage points;
- (4) Non-conformities. Where an existing site is nonconforming with respect to landscaping requirements, applicants shall be required to come into compliance unless the cost of coming into compliance will exceed 5% of the project cost. In that instance the applicant shall only be required to add landscaping in an amount not to exceed 5% of the total project cost.
  - (a) Where an existing site is non-conforming with respect to impervious cover and the

applicant demonstrates that, as a result of the non-conformity, the site cannot reasonably meet the total landscaping requirement, the Development Review Board may waive some or all of the total landscaping required.

- (5) **Waivers.** The Development Review Board may waive the amount and placement standards where an applicant demonstrates that the waiver requested creates the minimum variance from the standard and either:
  - (a) Compliance with the total landscaping requirements would diminish the appearance of the built environment from public vantage points; or
  - (b) Existing natural features (e.g. streams, ledge and wetlands) would make compliance with such standards undesirable or impossible.

3203.K **Conditions of Approval.** Landscaping required under this section or as a condition of approval shall be maintained in a healthy condition. Dead or dying plants shall be replaced within 1 growing season with a comparable plant (in terms of type, form, size at maturity, etc.) of at least the minimum size requirements specified in Figure 3-20.

Figure 3-19. Parking Lot Landscaping Illustrated Standards



Figure 3-20. Planting Specifications

| Plant Material | Mature or Maintained Height | Minimum Caliper   | Minimum Height             | Minimum Planting Area | Minimum Planting Area Width |
|----------------|-----------------------------|---|----------------------------|-----------------------|-----------------------------|
| Large Tree     | ≥50 ft                      | 1-1/4 inches for single-trunk trees measured at the DBH | 6 ft for multi-trunk trees | 100 sf                | 5 ft                        |
| Medium Tree    | 30 to <50 ft                |   |                            | 49 sf                 | 4 ft                        |
| Small Tree     | <30 ft                      |   |                            | 25 sf                 | 3 ft                        |
| Large Shrub    | ≥6 ft                       | -   | 2 ft                       | 12 sf                 | -                           |
| Medium Shrub   | 3 to <6 ft                  | -   | 1 ft                       | 8 sf                  | -                           |
| Small Shrub    | <3 ft                       | -   | 1 ft                       | 6 sf                  | -                           |

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3203.A Purpose. The provisions of this section are intended to protect quality of life and community character by:

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3203.B Applicability. All development requiring site plan approval shall meet the provisions of this section except:

- (1) Changes of use where sites have previously been developed in accordance with an approved site plan and where the proposed development will not change, or be required to change, any landscaping or screening;

3203.C Application Rules. A landscaping and screening plan shall be included as a part of any site plan and shall meet the following:

- (1) Be on one or more sheets showing the location of all landscaping and screening elements with a key to identify species of plant materials.
- (2) Applications for major site plan review shall include a landscaping and screening plan prepared by a licensed landscape architect or certified horticulturalist.

3203.D Administrative Rules. The following rules shall apply when applying landscaping and screening provisions:

- (1) Plantings shall be defined by their mature or maintained height as identified on Figure 3-20.
- (2) In making calculations regarding minimum plantings, one planting may be counted towards meeting two or more different requirements.
  - (a) For example, a tree that meets the minimum standards for both a street tree and a shade tree for a parking area can be counted towards meeting both requirements.

3203.E Planting Specifications. Plantings shall meet the following standards:

- (1) Plantings shall meet the minimum caliper or minimum height specification in Figure 3-20, as appropriate for the specimen.
- (2) Plantings shall be centered in an area meeting the minimum planting area specified in Figure 3-20.
  - (a) Planting areas may be identified as any shape on the landscape and screening plan but shall not be narrower than the minimum planting area width listed in Figure 3-20.
  - (b) Planting areas shall suitable for rooting of trees and shrubs, as applicable, and be maintained in a pervious condition with cover appropriate for the specimen.

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(3) ~~Plantings shall be in accordance with the ANSI A300 standards.~~

(4) ~~Use of invasive plant materials is prohibited (see <https://vtinvasives.org/gallery-of-land-invasives> for a current list or contact the Invasive Plant Coordinator at the Vermont Department of Forests, Parks and Recreation).~~

(5) ~~Use of native plant materials is strongly encouraged.~~

(6) ~~Use of a diversity of tree species is strongly encouraged.~~

(7) ~~Retention of existing plants on development sites to meet landscaping and screening requirements is strongly encouraged.~~

3203.F ~~Landscaping and Screening General Standards. All landscaping and screening shall meet the following general standards and any specific standards for Street Trees (Subsection 3203.G), Parking Landscaping (Subsection 3203.H), Screening (Subsection 3203.I), and Total Site Landscaping (Subsection 3203.L), as applicable.~~

(1) ~~All plantings shall meet the planting specifications of 3203.E.~~

(2) ~~Development shall not reduce the minimum planting area or minimum planting area dimension of any existing plantings.~~

(3) ~~Where existing plants are retained to meet landscaping and screening requirements, development shall protect the plants as well as the planting area during the construction process.~~

3203.G ~~Street Trees. Applications requiring major site plan approval within any district except the Urban Center-1 and Rural districts are required to meet the following:~~

(1) ~~Administrative Rules. The following rules apply to the administration and enforcement of the provisions of this section.~~

(a) ~~Street trees defined. Street trees are trees located within the road right of way (i.e. on public property) as well as all trees where the center of the tree trunk is located within ten feet of the frontage line.~~

(b) ~~These provisions shall not be used to require applicants to plant street trees in the street right-of-way. Where an applicant chooses to plant one or more street trees in the street right of way, they must receive approval for such plantings through the Montpelier Tree Board prior to applying for site plan approval.~~

(2) ~~Utility standards. Where overhead utility lines are existing or proposed:~~

(a) ~~Large trees are prohibited where the lowest utility lines are 35 feet or more in height.~~

(b) ~~Large and medium trees are prohibited where the lowest utility lines are less than 35 feet in height.~~

(3) ~~Minimum plantings. Street trees shall be planted to meet the following:~~

(a) ~~Large trees shall be planted at a minimum ratio of one for every 50 feet of frontage; or,~~

(b) ~~Medium or small trees shall be planted at a minimum ratio of one for every 30 feet of frontage.~~

(c) ~~The trees should be evenly spaced but may be shifted to accommodate site~~

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features or maintain sight distance.

(d) Preservation of existing trees to meet this requirement is strongly encouraged.

(4) Non-conformities. Where a previously developed site is nonconforming with respect to the street tree requirements the site shall be brought into compliance with the street tree requirements unless the applicant requests a waiver and demonstrates:

- (a) The site lacks suitable area to meet the planting specifications planting area for additional street trees;
- (b) Compliance with the street tree requirements would diminish the appearance of the built environment from public vantage points; and
- (c) That the applicant cannot create suitable planting area through the removal of impervious cover.

(5) Waivers. The Development Review Board may waive the street tree standards where an applicant demonstrates that the waiver requested creates the minimum variance from the standard and either:

- (a) Compliance with the street tree requirements would diminish the appearance of the built environment from public vantage points; or
- (b) Existing natural features (e.g. streams, ledge, and wetlands) would make compliance with such standards undesirable or impossible.

3203.H Parking Landscaping. Applications requiring major site plan approval where there is existing or proposed parking of more than 10 spaces shall be landscaped with shade trees to meet the following:

- (1) Exception. Parking landscaping shall not apply to portions of sites used for vehicle sales.
- (2) Defining shade trees. Shade trees are medium or large trees that are located within six feet of the edge of pavement when measured to the center of the tree trunk.
- (3) Minimum planting requirement. Shade trees shall be provided equivalent to shade 40% of the parking area, including aisles and driveway, in accordance with the following:

- (a) Parking areas located to the rear of a principle building that will be screened from view at the street by the principal buildings or other screening may reduce the percentage of landscaping required under this subsection from 40% to 25% for this area.
- (b) Each large tree shall be considered to provide 1,200 square feet of shade.
- (c) Each medium tree shall be considered to provide 600 square feet of shade.

(4) Incorporating parking lot landscaping into the site's stormwater management system is strongly encouraged.

(5) Nonconformities. Where an existing parking area is nonconforming with respect to minimum plantings required but lacks sufficient planting area to plant additional trees, the Development Review Board may waive some or all of the parking landscaping requirements provided the applicant demonstrates that the development meets other landscaping and screening requirements to minimize the visual impacts of the parking from the street or abutting properties.

3203.I Screening. The following screening standards apply for non-residential applications where

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**A minimum of 1 shrub is required for each 5 feet and 1 tree is required for each 30 feet of exterior principal building perimeter.¶**

Landscaping should be used or installed to:¶  
Provide direction to and enhance building entrances;¶  
Enhance and shade walkways;¶  
Provide visual breaks along blank building facades; and¶  
Intercept and filter stormwater runoff (ex. rain garden).¶  
Plant materials should be planted in groupings and should be distributed around the areas of the site [25]

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the project abuts a residential property; when parking areas, utilities, service areas, or building mounted equipment are proposed or modified; or where the Development Review Board has required screening as a condition of approval for another provision.

(1) Performance Standard. Screening shall be applied to minimize the visibility and impacts of incompatible, disruptive, or visually unappealing aspects of proposed development on the surrounding neighborhood. This is not to be interpreted to mean that all views of the area or element to be screened shall be fully blocked, rather screening should be used to soften and break up views and to create visual interest elsewhere on the site so that the area or element to be screened no longer dominates the view.

(2) Screening materials. Screening may include natural or manmade elements including landscaped buffers of trees and shrubs, earthen berms, fences, walls, screens, camouflage or similar mechanisms.

(a) Landscaped Buffers. Vegetative buffers that feature a mix of evergreen and deciduous plant materials arranged in informally shaped and spaced groupings are strongly encouraged. Existing mature vegetation should be retained to provide buffers between adjoining properties.

(b) Fences and Walls. Where fences or walls are used as screening, the standards of Section 3101 shall also apply.

(c) Berms. Landscaped berms are encouraged as an effective means of screening parking and loading or other utilitarian site features from view. Berms shall be designed in accordance with the following:

(i) Berms shall not have a slope greater than 30%.

(ii) The surface of the berm not planted with trees or shrubs shall be covered with perennial herbaceous or woody ground cover and mulch.

(iii) Berms should have an organic shape that replicates natural landform

(3) Parking Lots. Parking lots shall be screened from view from the street and abutting properties.

(4) Utilities. All utility boxes, pump stations, substations, and similar aboveground utilities shall be screened from view from the street and abutting properties.

(5) Service Areas. Off-street loading areas, refuse and outdoor storage areas, mechanical equipment and similar utilitarian site features areas shall be screened from the street and abutting properties.

(6) Building-Mounted Equipment. Mechanical equipment and utilities mounted on building walls or roofs shall be designed and located to minimize their visibility from the street and adjoining property in accordance with the following:

(a) Wall-mounted equipment or utilities shall be painted or otherwise colored to match building materials.

(b) Rooftop equipment or utilities shall be enclosed or screen by building walls or parapets that shall be compatible with the form, design and materials of the building.

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(7) Nonconformities. Where an existing site is nonconforming with respect to screening requirements, applicants shall be required to come into compliance unless the cost of coming into compliance will exceed 5% of the project cost. In that instance the applicant shall only be required to add screening not to exceed 5% of the total project cost

(a) Where total project costs are less than \$2,000, the improvements to non-conforming screening shall be considered de minimus and shall not be required.

3203.J Total Site Landscaping. Except within the Urban Center 1 district, sites shall be landscaped in accordance with the following:

(1) Administrative rules. The following rules apply to the administration and enforcement of the provisions of this section.

(a) Calculating planting area- Where the applicant demonstrates that natural woody vegetation on the parcel furthers the purposes outlined in Section 3203.A, the Administrative Officer or Development Review Board may consider the natural woody vegetation towards landscaping requirements on a 2:1 basis. For example, retaining two square feet of natural forest cover or riparian habitat could be counted towards one square foot of landscaped area.

(b) Perennial plantings may be used to meet the landscaping requirement and will be counted 1 square foot for each square foot of perennial plantings

(c) To be counted as an existing tree or shrub for the purposes of this subsection, trees and shrubs must be healthy and have suitable planting area to support its long term viability. Unmanaged or unmaintained portions of a site shall not count as landscaping unless the area meets the provisions in Subsection 3203.J(1)(a). Invasive species shall not be counted towards total landscaping.

(2) Minimum planting area. Plantings shall meet or exceed the minimum planting area based upon the amount of impervious cover on the property. To determine the square footage of planting area that will be required, multiply the square footage of the total proposed impervious cover by 0.033.

(3) Placement. Landscaping shall be placed so as to enhance the appearance of the built environment as viewed from public vantage points. The following guidelines should be used to guide the compliance with the performance standard:

(a) Landscaping should provide direction to and enhance building entrances;

(b) Landscaping should enhance and shade walkways;

(c) Provide visual breaks along blank building facades;

(d) Intercept and filter stormwater runoff (ex. rain garden);

(e) Plant materials should be planted in groupings and should be distributed around the areas of the site visible from public vantage points;

(4) Non-conformities. Where an existing site is nonconforming with respect to landscaping requirements, applicants shall be required to come into compliance unless the cost of coming into compliance will exceed 5% of the project cost. In that instance the applicant shall only be required to add landscaping in an amount not to exceed 5% of the total project cost.

(a) Where an existing site is non-conforming with respect to impervious cover and the

**Moved up [4]:** <#>Fences and Walls. In addition to the standards of Section 3101, fences or walls used as a buffer or screen shall conform to the following:¶  
The fence or wall shall be opaque between a height of 1 and 5 feet above the ground.¶  
Use of corrugated or galvanized steel or metal sheets, and chain link fencing with inserts are prohibited.¶  
Berms. Landscaped berms are encouraged as an effective means of screening parking and loading or other utilitarian site features from view. Berms shall be designed in accordance with the following:¶  
Berms shall not have a slope greater than 30%.¶  
The surface of the berm not planted with trees or shrubs shall be covered with perennial herbaceous or woody ground cover and mulch.¶  
Berms should have an organic shape that replicates natural landform

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applicant demonstrates that, as a result of the non-conformity, the site cannot reasonably meet the total landscaping requirement, the Development Review Board may waive some or all of the total landscaping required.

(5) Waivers. The Development Review Board may waive the amount and placement standards where an applicant demonstrates that the waiver requested creates the minimum variance from the standard and either:

- (a) Compliance with the total landscaping requirements would diminish the appearance of the built environment from public vantage points; or
- (b) Existing natural features (e.g. streams, ledge and wetlands) would make compliance with such standards undesirable or impossible.

3203.K Conditions of Approval. Landscaping required under this section or as a condition of approval shall be maintained in a healthy condition. Dead or dying plants shall be replaced within 1 growing season with a comparable plant (in terms of type, form, size at maturity, etc.) of at least the minimum size requirements specified in Figure 3-20.

Figure 3-19. Parking Lot Landscaping Illustrated Standards



Figure 3-20. Planting Specifications

| Plant Material | Mature or Maintained Height | Minimum Caliper   | Minimum Height             | Minimum Planting Area | Minimum Planting Area Width |
|----------------|-----------------------------|---|----------------------------|-----------------------|-----------------------------|
| Large Tree     | ≥50 ft                      | 1-1 1/4 inches for single-trunk trees measured at the DBH | 6 ft for multi-trunk trees | 100 sf                | 5 ft                        |
| Medium Tree    | 30 to <50 ft                |   |                            | 49 sf                 | 4 ft                        |
| Small Tree     | <30 ft                      |   |                            | 25 sf                 | 3 ft                        |
| Large Shrub    | ≥6 ft                       | -   | 2 ft                       | 12 sf                 | :                           |
| Medium Shrub   | 3 to <6 ft                  | -   | 1 ft                       | 8 sf                  | :                           |
| Small Shrub    | <3 ft                       | -   | 1 ft                       | 6 sf                  | :                           |

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Moved up [5]: Landscaped Buffers. Vegetative buffers that feature a mix of evergreen and deciduous plant materials arranged in informally shaped and spaced groupings are strongly encouraged. Existing mature vegetation should be retained to provide buffers between adjoining properties to the maximum extent feasible.

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| Applicants are strongly encouraged to retain<br>(1)   |                    |                               |
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| Generally, landscaping should be designed to fit into and enhance the site's natural features and setting. Landscape plans that feature a mix of plant materials arranged in informally shaped and spaced groupings are strongly encouraged.<br>(2) |                    |                               |
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| Street trees are for shade and aesthetics. Every property that is not a single or two family will have trees along the street except in the rural districts?  |                    |                               |
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| provide street trees along existing and new streets in accordance with<br>1001.B  |                    |                               |
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| Street trees shall be planted within 5 feet of the edge of the street right-of-way unless otherwise   |                    |                               |

recommended by the Department of Public Works.

(a)

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If a planting area at least 5 feet wide within or immediately adjacent to the street right-of-way does not exist, or is not feasible to establish as determined by the Department of Public Works, the Development Review Board may waive the street tree requirement.

Street trees shall be

(2)

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where there are no existing or proposed overhead utility lines.

Medium trees

(a)

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The Development Review Board may waive the requirement for large street trees and allow the applicant to plant medium or small trees to accommodate sites with existing buildings or similar obstructions that could conflict with large trees as they mature.

Street trees shall generally be planted with even, linear spacing.

(3)

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Site Landscaping. Except within the Urban Center 1, Urban Center 2, Urban Center 3 and Riverfront districts, sites shall be landscaped in accordance with the following:

A minimum of 1 shrub is required for each 5 feet and 1 tree is required for each 30 feet of exterior principal building perimeter.

Landscaping should be used or installed to:

Provide direction to and enhance building entrances;

Enhance and shade walkways;

Provide visual breaks along blank building facades; and

Intercept and filter stormwater runoff (ex. rain garden).

Plant materials should be planted in groupings and should be distributed around the areas of the site visible from public vantage points.

Rear parking lots that will be screened from view at the street by the principal buildings may reduce the percentage of landscaping required under this subsection from 40% to 25%

**Section 3007. Steep Slopes**

- 3007.A **Purpose.** This section is intended to limit disturbing or clearing steep slopes for development in order to:
- (1) Protect public safety and property;
  - (2) Minimize the potential for erosion, runoff, flooding and degradation of water quality; and
  - (3) Avoid the increased cost of providing services to remote or difficult to access land.
- 3007.B **Applicability.** The provisions of this section apply to land development that proposes to disturb or clear land on steep slopes that exceeds the threshold amount(s) specified in Figure 3-08.
- 3007.C **Definition.** For the purposes of this section, disturbing or clearing includes any activity that removes the existing, natural vegetative cover from the ground as a precursor to or component of land development. It does not include normal property maintenance or management activities such as removing invasive species or hazard or diseased trees, or the harvesting of timber for personal use.
- 3007.D **Measuring Slope.** To determine the extents of steep slopes on the property, applicants may:
- (1) Determine using the attached slope map.
  - (2) Rely on other more accurate elevation and slope data available from the city or state (see the Vermont Agency of Natural Resource's *Natural Resource Atlas*).
  - (3) Provide a professionally prepared topographic survey.
  - (4) Exclude isolated areas with slopes in excess of 15% that are less than 500 square feet in area, including any contiguous areas with slopes in excess of 15% on adjacent properties.
- 3007.E **Hearing Requirement.** Any land development that proposes to disturb or clear land on steep slopes that exceeds the threshold amount(s) specified in Figure 3-08 shall require a hearing by the Development Review Board in accordance with the process for conditional use review outlined in Chapter 450. In addition to other applicable provisions of these regulations, the Development Review Board shall consider the extent to which the proposed development conforms to the design standards established in Subsection 3007.H.
- 3007.F **Grading Plan.** An applicant shall not propose to disturb or clear land in excess of the limit established in Figure 3-09 unless the applicant submits, and the Development Review Board approves, a grading plan signed and sealed by licensed engineer.
- 3007.G **Disturbance and Clearing Limits.** The Development Review Board may establish development envelopes and limit the amount of disturbance or clearing outside such envelopes as deemed necessary to further the purposes of this section.
- 3007.H **Design Standards.** To the maximum extent feasible, development on steep slopes shall be



designed to:

- (1) Limit the amount of disturbance, clearing of existing natural vegetation and impervious surface in order to minimize potential for erosion, stormwater runoff, flooding and water quality impairment.
- (2) Not create slopes steeper than 30%.
- (3) Preserve distinctive natural features, the general topography of the site and existing natural vegetation.
- (4) Maintain or reduce the pre-existing rate, and retain the pattern, of stormwater runoff leaving the property.
- (5) Produce a final grade that is compatible with surrounding natural terrain.
- (6) Create a harmonious transition between graded slopes and the natural terrain.
- (7) Avoid creating continuous unbroken slopes or linear slopes.
- (8) Contour graded slopes by varying the slope increment to produce a final grade that undulates both vertically and horizontally.
- (9) Vary cut-and-fill banks and terraces to produce a final grade that has visual interest and allows for naturalistic landscaping.
- (10) Consider use of retaining walls and terracing rather than cut-and-fill banks.
- (11) Vary the pad elevations on sites with multiple structures to follow the natural terrain.
- (12) Provide roads and drives that follow existing contours.
- (13) Use compact building forms and or multi-story buildings to minimize building footprint.
- (14) Use split- or multi-level building forms that step up or down the slope.

Figure 3-08. Hearing Required

| SLOPE | HEARING THRESHOLD   |
|-------|---|
| >15%  | Disturbing <del>8,000</del> sf or more of land in this slope category on the lot shall require a hearing. |
| >20%  | Disturbing <del>6,000</del> sf or more of land in this slope category on the lot shall require a hearing. |
| >25%  | Disturbing <del>4,000</del> sf or more of land in this slope category on the lot shall require a hearing. |
| >30%  | All development of land in this slope category <del>shall require a hearing.</del>                        |

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Figure 3-09. Engineered Plan Required

| SLOPE | DISTURBANCE OR CLEARING LIMIT   |
|-------|---|
| >15%  | No more than <del>4,000</del> sf of the land in this slope category on the lot may be disturbed without an engineered plan. |
| >20%  | No more than <del>3,000</del> sf of the land in this slope category on the lot may be disturbed without an engineered plan. |
| >25%  | No more than <del>2,000</del> sf of the land in this slope category on the lot may be disturbed without an engineered plan. |
| >30%  | All development of land in this slope category on the lot <del>requires an engineering plan.</del>                          |

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