

CITY OF MADISON, WISCONSIN

A SUBSTITUTE ORDINANCE _____

PRESENTED
REFERRED

August 6, 2013

PC, UDC (8/7); Public
Hearings: PC 8/26/13
CC 9/3/13

Amending Sections 28.142 and 28.211 of the Madison General Ordinances to update various landscaping and screening requirements and create a definition for hedges.

LEGISTAR # 31108

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Date: August 30, 2013

SPONSOR: Aids. Clear & Clausius

DRAFTER'S ANALYSIS: This amendment updates various landscaping and screening requirements. It creates an exception for developments disturbing less than 10% of the site or increasing less than 10% of gross floor area, so long as no principal building is demolished. It reduces the required landscaping points for lots over 5 acres, and allows an exception where building placement prohibits compliance. Currently, the tree diversity requirement permits no more than four of any one species of trees on a single site, which becomes impractical with large numbers of trees. This amendment changes the regulation to limit any single species from comprising more than a defined percentage of the total trees. It creates a definition for "hedge," and separates solid hedges, used for screening, from ornamental hedges.

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 28.142 entitled "Landscaping and Screening Requirements" of the Madison General Ordinances is amended to read as follows:

"28.142 LANDSCAPING AND SCREENING REQUIREMENTS.

(1) Statement of Purpose.

The landscaping and screening requirements specified in this section are intended to:

- (a) Protect and restore the natural environment throughout the development process.
- (b) Reduce the negative environmental effects of development while fostering aesthetically pleasing development which will protect and enhance the appearance, character, health, safety and welfare of the community.
- (c) Reduce the "heat island" effect of impervious surfaces such as parking lots by cooling and shading the surface area.
- (d) Increase the compatibility of adjacent uses, by minimizing adverse impacts of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions and other objectionable views, activities or impacts to adjacent or surrounding uses.
- (e) Enhance the environment for successful plant establishment and growth.
- (f) Enhance the green infrastructure of the city to help reduce air pollutants, create ambiance, mitigate the urban heat island effect and stormwater run-off issues.

(2) Applicability.

The following standards apply to all exterior construction and development activity, including the expansion of existing buildings, structures and parking lots, except the construction of detached single-family and two-family dwellings and their accessory structures. The entire development site must be brought up to compliance with this section unless all of the following conditions apply, in which case only the affected areas need to be brought up to compliance:

Approved as to form:

- (a) The area of site disturbance is less than ten percent (10%) of the entire development site during any ten-(10) year period.
- (b) Gross floor area is only increased by ten percent (10%) during any ten-(10) year period.
- (c) No demolition of a principal building is involved.
- (d) Any displaced landscaping elements must be replaced on the site and shown on a revised landscaping plan.

(3) Landscape Plan and Design Standards.

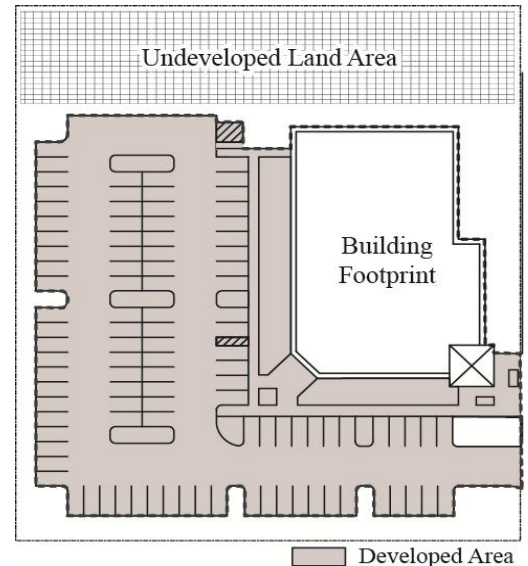
Landscape plans shall be submitted as a component of a site plan, where required, or as a component of applications for other actions, including zoning permits, where applicable. Landscape plans for zoning lots greater than ten thousand (10,000) square feet in size must be prepared by a registered landscape architect. Overall composition and location of landscaped areas shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas.

- (a) Elements of the landscape plan shall include the following:
 1. Plant list including common and Latin names, size and root condition (i.e. container or ball & burlap).
 2. Site amenities, including bike racks, benches, trash receptacles, etc.
 3. Storage areas including trash and loading.
 4. Lighting (landscape, pedestrian or parking area).
 5. Irrigation.
 6. Hard surface materials.
 7. Labeling of mulching, edging and curbing.
 8. Areas of seeding or sodding.
 9. Areas to remain undisturbed and limits of land disturbance.
 10. Plants shall be depicted at their size ~~after fifteen (15) years~~ at sixty percent (60%) of growth.
 11. Existing trees eight (8) inches or more in diameter, ~~identifying those that will be removed.~~
 12. Site grading plan, including stormwater management, if applicable.
- (b) Plant Selection. Plant materials provided in conformance with the provisions of this section shall be of nursery quality and tolerant of individual site microclimates.
- (c) Mulch shall consist of shredded bark, ~~stones,~~ chipped wood or other organic material installed at a minimum depth of two (2) inches.

(4) Landscape Calculations and Distribution.

Required landscaped areas shall be calculated based upon the total developed area of the property. Developed area, for the purpose of this requirement, is defined as ~~all parts of the site that are not left in a natural state within a single contiguous boundary, including building footprints, parking and loading areas, driveways, internal sidewalks, patios, and outdoor activity areas.~~ Developed area does not include other land within required setbacks and natural areas on the same property that are left undisturbed that area within a single contiguous boundary which is made up of structures, parking, driveways and docking/loading facilities, but excluding the area of any building footprint at grade, land designated for open space uses such as athletic fields, and undeveloped land area on the same zoning lot.

- (a) ~~One (1) landscape unit~~ Five (5) landscape points shall be provided for each three hundred (300) square feet of developed area, ~~with the exception of the IL and the IG districts as specified in B. below.~~ However,



Figures I11: Developed Area for Calculating Landscape Requirements.

1. For lots larger than five (5) acres, points shall be provided at five (5) points per three hundred (300) square feet for the first five (5) acres, and one (1) point per one hundred (100) square feet for all additional acres.
 2. For the IL and IG districts, one (1) point shall be provided per one hundred (100) square feet.
- (b) Within the Industrial - Limited and Industrial - General districts, one (1) landscape unit shall be provided for every six hundred (600) square feet of developed area. Where required landscaping cannot be accommodated due to building placement on site, the Zoning Administrator may modify or waive the point requirements.
- (c) One landscape unit consists of five (5) landscape points. Landscape points are calculated as shown in the following table.

Plant type	Points	Minimum Size at Installation
Overstory deciduous tree	35	2½ inch caliper <u>measured diameter at breast height (dbh)</u> Minimum 12'-14' Hgt.
<u>Tall Evergreen Tree (i.e. pine, spruce)</u>	<u>35</u>	<u>5-6 feet tall</u>
Ornamental tree	15	1 1/2 inch caliper
<u>Upright Evergreen tree shrub (i.e. arborvitae)</u>	<u>15</u>	<u>3-4 feet tall</u>
Shrub, deciduous	<u>3</u>	48" or #3 gallon container size <u>Min. 12"-24"</u>
Shrub, evergreen	<u>3</u>	48" or #3 gallon container size <u>Min. 12"-24"</u>
Ornamental grasses/ <u>perennials</u>	2	48" or #1 gallon container size <u>Min. 8"-18"</u>
Ornamental/decorative fencing or wall	4 per 10 ln. ft.	n/a
<u>Existing significant specimen tree</u>	<u>14 per caliper inch dbh</u>	<u>Minimum size: 2 ½ inch caliper dbh</u> <u>Maximum points per tree: 200</u> <u>*Trees must be within developed area and cannot comprise more than 40% (30%) of total required points</u>
<u>Landscape furniture for public seating and/or transit connections</u>	<u>5 points per "seat"</u>	<u>*Furniture be within developed area, publically accessible, and cannot comprise more than 5% of total required points</u>

*as determined by ANSI, ANLA—American standards for nursery stock For each size, minimum plant sizes shall conform to the specifications as stated in the current American Standard for Nursery Stock.

- (d) Calculations yielding a fraction up to one-half (1/2 or 0.5) shall be rounded down to the nearest whole number; fractions of more than one-half (1/2) shall be rounded up.
- (ed) Landscaping shall be distributed throughout the property along street frontages, within parking lot interiors, and as foundation plantings as specified in subsections (65) through (8) below, or as general site landscaping.

- (fe) Planting beds or planted areas must have at least seventy-five percent (75%) vegetative cover. ~~Non-planted areas shall not be paved, but shall be covered with a weed barrier and mulched.~~
- (gf) ~~Not more than four (4) of any one species of canopy tree shall be used to meet a canopy tree requirement.~~ Canopy tree diversity requirements for new trees:
 1. If the development site has fewer than five (5) canopy trees, no tree diversity is required.
 2. If the development site has between five (5) and fifty (50) canopy trees, no single species may comprise more than thirty-three percent (33%) of trees.
 3. If the development site has more than fifty (50) canopy trees, no single species may comprise more than twenty percent (20%).

(5) Development Frontage Landscaping.

Landscaping and/or ornamental fencing shall be provided between buildings or parking areas and the adjacent street(s), except where buildings are placed at the sidewalk. Landscape material shall include a mix of ~~trees, shrubs and groundcover,~~ plant material meeting the minimum requirements:

- (a) One (1) overstory deciduous tree and five (5) shrubs shall be planted for each thirty (30) lineal feet of lot frontage. Two (2) ornamental trees or two (2) evergreen trees may be used in place of one (1) overstory deciduous tree.
- (b) In cases where building facades directly abut the sidewalk, required frontage landscaping shall be deducted from the required point total.
- (c) In cases where development frontage landscaping cannot be provided due to site constraints, the zoning administrator may waive the requirement or substitute alternative screening methods for the required landscaping.
- (d) Fencing shall be a minimum of three (3) feet in height, and shall be constructed of ~~wrought iron~~ metal, masonry, stone or equivalent material. Chain link or temporary fencing is prohibited.



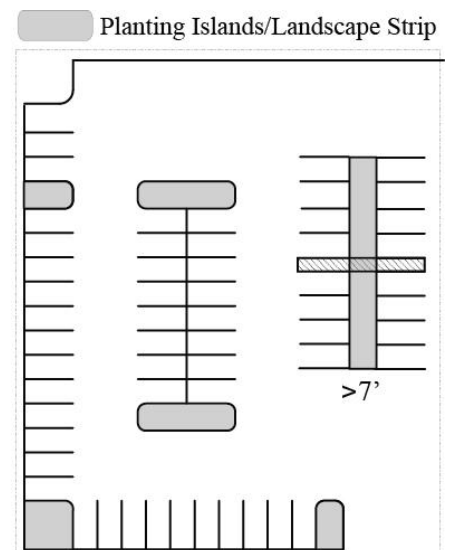
(6) Interior Parking Lot Landscaping.

The purpose of interior parking lot landscaping is to

improve the appearance of parking lots, provide shade, and improve stormwater infiltration. All parking lots with twenty (20) or more parking spaces shall be landscaped in accordance with the following interior parking lot standards.

- (a) For new development on sites previously undeveloped or where all improvements have been removed, a minimum of eight percent (8%) of the asphalt or concrete area of the parking lot shall be devoted to interior planting islands, peninsulas, or landscaped strips. For changes to a developed site, a minimum of five percent (5%) of the asphalt or concrete area shall be interior planting islands, peninsulas, or landscaped strips. A ~~tree~~ planting island shall be located at least every twelve (12) contiguous stalls with no break or alternatively, landscaped strips at least seven (7) feet wide between parking bays. (See Figure I13.)

Figures I12-13: Development Frontage Landscaping Examples



- (b) The primary plant materials shall be shade trees with at least one (1) deciduous canopy tree for every one hundred sixty (160) square feet of required landscaped area. Two (2) ornamental deciduous trees may be substituted for one (1) canopy tree, but ornamental trees shall constitute no more than twenty-five percent (25%) of the required trees. ~~Islands shall include shrubs, ornamental grasses, or other vegetative ground cover between required trees.~~ No light poles shall be located closer than twenty (20) feet within the area of seventy-five percent (75%) of mature growth from the center of any tree.
- (c) Islands may be curbed or may be designed as uncurbed bio-retention areas as part of an approved low impact stormwater management design approved by the Director of Public Works. The ability to maintain these areas over time must be demonstrated. (See Chapter 37, Madison General Ordinances, Erosion and Stormwater Runoff Control.)
- ~~(d) A clearly demarcated pedestrian pathway shall be provided from the public street to the primary entrance of the building.~~

Figures I14: Interior Parking Lot Landscaping.



Figure I15: Interior Parking Lot Landscaping Example.



Figures I16: Interior Parking Lot Landscaping Example.

- (7) Foundation Plantings. ~~Foundation plantings shall be installed along building facades, except where building facades directly abut the sidewalk, plaza, or other hardscape features. Foundation plantings shall consist primarily of shrubs, perennials, and native grasses, and shall be installed along building facades, except where building facades directly abut the sidewalk (a zero setback). The Zoning Administrator may modify this requirement for development existing prior to the effective date of this ordinance, as long as improvements achieve an equivalent or greater level of landscaping for the site.~~
- (8) Screening Along District Boundaries. Screening shall be provided along side and rear property boundaries between commercial, mixed-use or industrial districts and residential districts. Screening shall consist of a solid wall, solid fence, or hedge with year-round foliage, between six (6) and eight (8) feet in height, except that within the front yard setback area, screening shall not exceed four (4) feet in height. Height of screening shall be measured from natural or approved grade. Berms and retaining walls shall not be used to increase grade relative to screening height. For conditional uses, the Plan Commission may modify these requirements.
- (9) Screening of Other Site Elements. The following site elements shall be screened in compatibility with the design elements, materials and colors used elsewhere on the site, as follows:
- (a) Refuse Disposal Areas. All developments, except single family and two family developments, shall provide a refuse disposal area. Such area shall be screened on four (4) sides (including a gate for access) by a solid, commercial-grade wood fence, wall, or equivalent material with a minimum height of six (6) feet and not greater than seven (7) feet.
- (b) Outdoor Storage Areas. Outdoor storage areas shall be screened from abutting residential uses with a by a building wall or solid, commercial-grade wood fence, wall, year-round hedge, or equivalent material, with a minimum height of six (6) feet and not greater than seven (7) feet. Screening along district boundaries, where present, may provide all or part of the required screening.
- (c) Loading Areas. Loading areas shall be screened from abutting residential uses and from street view to the extent feasible by a building wall or solid, commercial-grade wood fence, or equivalent material, with a minimum height of six (6) feet and not greater than

seven (7) feet. Screening along district boundaries, where present, may provide all or part of the required screening.

- (d) Mechanical Equipment. All rooftop and ground level mechanical equipment and utilities shall be fully screened from view from any street or residential district, as viewed from six (6) feet above ground level. Screening may consist of a building wall or fence and/or landscaping as approved by the Zoning Administrator.

(10) Maintenance.

The owner of the premises is responsible for the watering, maintenance, repair and replacement of all landscaping, fences, and other landscape architectural features on the site. All planting beds shall be kept weed free. Plant material that has died shall be replaced no later than the upcoming June 1.

(11) Fences, Walls and Hedges.

Fences, walls and hedges may be erected, placed, or maintained in any yard along or adjacent to a lot line in accordance with the requirements identified in this section. The owner shall be responsible for properly locating all property lines before construction of any fence.

(a) Height in Residential Districts.

1. The maximum height of a solid fence or solid hedge within required side and rear setbacks in a residential zoning district shall not exceed six (6) feet. A solid fence or solid hedge of up to eight (8) feet in height may be constructed on a district boundary line between a residential district and a mixed-use, commercial or employment district, or where adjacent to a public utility or public service use.
2. Fences around pools shall not exceed eight (8) feet.
3. The maximum height of a solid fence or solid hedge within a required front or corner side yard setback shall not exceed four (4) feet, except that a fence or hedge of up to six (6) feet may be located within a corner side yard setback behind the rear plane of the principal building. ~~Screening~~ Solid fences exceeding four (4) feet in height shall be set back a minimum of four (4) feet from the sidewalk.
 - a. Such front yard or corner side yard fences may be increased to a maximum height of five (5) feet if open, decorative, ornamental fencing materials that are less than fifty percent (50%) opaque are used or to a maximum height of six (6) feet if open, decorative, ornamental fencing materials that are less than twenty (20) percent opaque are used.

- (b) Height in Mixed-Use or Nonresidential Zoning Districts. The maximum height of a solid fence, solid hedge or wall shall not exceed eight (8) feet except in required front or corner side yard setbacks where the maximum height of a solid fence, solid hedge or wall shall not exceed three (3) feet.

- (c) Height Measurement. Fence height shall be measured from natural or approved grade. In the case of grade separation, such as the division of properties by a retaining wall, fence height shall be determined based on measurement from the average point between highest and lowest grade. If the fence is set back from the retaining wall by a distance of at least four (4) feet, the fence height shall be measured from the base of the fence. Berms and retaining walls shall not be used to increase grade relative to screening height.

- (d) Fences or walls shall comply with the vision clearance triangle requirements of Subsection 27.05(2)(bb).

- (e) Fences and walls located in the front or street side yard setback areas must be made of materials such as wood, metal, brick, vinyl-coated chain link or stone. Uncoated chain link fences may be used in interior side or rear yards.

- (f) Temporary fencing, including the use of wood or plastic snow fences for the purposes of limiting snow drifting between November 1 and April 1, protection of excavation and construction sites, and the protection of plants during grading and construction is permitted for a time period consistent with an approved building permit or up to one hundred eighty (180) consecutive days per calendar year.”

2. Section 28.211 entitled “Definitions” of the Madison General Ordinances is amended by creating therein the following:

Hedge. A row of closely planted shrubs or low-growing trees, forming a boundary or barrier, installed to enclose, screen or separate areas.

Hedge, Ornamental. A hedge that is no more than fifty percent (50%) opaque.

Hedge, Solid. A hedge that is at least ninety percent (90%) opaque.”

