

## **Article 17 Landscaping and Buffers**

### **Section 17.1 Landscaping Plan**

A landscaping plan is required for all major projects. Such plan shall be submitted in conjunction with an application for a site plan approval as herein provided. The plan shall clearly show what existing trees, shrubbery, and other vegetation will be retained, and what trees, shrubbery, and other vegetation will be added to complete the landscaping of the property. The developers shall attempt to retain as many trees as possible on the property unless the trees are a safety hazard to pedestrians, property, or vehicular traffic, or that their removal is necessary to construct the proposed improvements. In such case, the landscape plan shall indicate replacement trees at least 6 feet tall and one inch in diameter for each indigenous tree of at least three (3) inches in diameter removed, unless the property already has a tree density which does not allow adequate space or light for additional trees. The landscape plan shall show the locations of the proper number of replacement trees. Replacement trees and other vegetation to be installed shall be native species or noninvasive exotics which are not likely to out-compete native vegetation and do not require excessive pesticides, fertilizer, or water to maintain growth.

(a) A major project which abuts a freeway/expressway, arterial or collector shall maintain a minimum of ten (10) feet of the required setback as a buffer along the entire width of the property which abuts said freeway/expressway, arterial or collector except where curb cuts provide ingress and egress. Said buffer shall be planted with trees, shrubs and grass or other ground cover so that an attractive appearance is presented as detailed in the required landscape plan.

(b) A minimum of five (5) feet side and rear landscaping may be required in the landscape plan depending on the topography and arrangement of parking facilities. If required, such areas shall be planted with a combination of trees, shrubs and grass or other ground cover adequate to break the expanse of contiguous parking areas and to present an attractive appearance as determined by the Zoning Administrator. Adjacent property owners may jointly agree on the establishment of a common landscaped area between their properties that meets the requirement of this Section; provided that such agreement and the planting and maintenance of the common area shall be binding upon both parties and their successors, interests and assigns.

(c) Junk yards shall be buffered with vegetation so as to achieve a complete visual screen of the yard and its ancillary operations.

## Section 17.2 Buffers of Unlike Land Uses and Zoning Designations

17.2.1 *Purpose and intent.* Where unlike land uses or zoning designations occur, a buffer shall be required along the entire length of all such common boundaries. Said buffer shall be of the width specified below and shall be planted with canopy trees, understory trees and shrubs of sufficient density and of sufficient height (but in no case less than 8-feet high at the time of planting for canopy trees and 4-feet high at the time of planting for understory trees) to afford adequate sight, sound and debris protection. All screen planting shall be maintained in a clean and healthy condition.

17.2.2 *Buffer Requirements.* Landscaped buffers shall be located at the perimeter of the building site for any given use, and shall not be located in any portion of a public right-of-way. The required buffer widths are listed below. Additional information may be found at Appendix B:

(a) Multiple Family uses (RMF-6) when adjacent to a Rural District (RR, RA and CR), Residential Single Family Estate District (RSF-E) or Single Family District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a minimum buffer of **25-feet**.

(b) Multiple Family uses (RMF-6) when adjacent to a Two Family District (RTF-4 and RTF-6) or Professional Business District (B-1) shall require a minimum buffer of **10-feet**.

(c) Institutional uses, Professional Business uses (B-1), Neighborhood Business uses (B-2), General Business uses (B-3), Major Commercial uses (B-4) and Marine Recreation (MR) uses when adjacent to a Rural District (RR, RA and CR), Residential Single Family Estate District (RSF-E) or Single Family District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a minimum buffer of **25-feet**.

(d) Institutional uses, Professional Business uses (B-1), Neighborhood Business uses (B-2), General Business uses (B-3), Major Commercial uses (B-4) and Marine Recreation (MR) uses when adjacent to a Two Family District (RTF-4 and RTF-6) or Multiple Family District (RMF-6) shall require a minimum buffer of **10-feet**.

(e) Manufactured Housing Parks (RMH) when adjacent to a Residential Single Family Estate District (RSF-E) or Single Family District (RSF-1, RSF-2, RSF-3, RSF-4 and RSF-6) shall require a minimum buffer of **25-feet**.

(f) Manufactured Housing Park (RMH) when adjacent to a Two Family District (RTF-4 and RTF-6), Multiple Family District (RMF-6) or

Professional Business District (B-1) shall require a minimum buffer of **10-feet**.

(g) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses when adjacent to any residential property shall require a minimum buffer of **75-feet**.

(h) Light Industrial uses (M-1), General Industrial uses (M-2) and Transportation, Communication and Utility uses when adjacent to any Business District (B-1, B-2, B-3 and B-4) shall require a minimum buffer of **50-feet**.

#### 17.2.3 *Landscaped buffer design and materials.*

(a) *Existing native plant material.* The use of existing native species of plant material is strongly encouraged in landscaped buffers. Existing natural ground cover should be retained where possible by avoiding scraping, grading and sodding within the landscaped buffer. Where the planting requirements of *Section 17.2.2* require additional trees or shrubs to be installed in an existing natural area, it should be done in a manner which minimizes disturbances to native species.

(b) *Mixed-use development.* Where a building site is used for a single mixed-use development, landscaped buffers shall not be required between the various constituent uses. Landscaped buffers required at the perimeter of the development shall be based upon the individual uses on each portion of the property.

#### 17.2.4 *Use of landscaped buffers.*

(a) *Open space.* Landscaped buffers may be counted toward satisfying open space requirements, and may be used for passive recreation. They may contain pedestrian or bike trails, provided that the total width of the buffer yard is maintained. In no event, however, shall the following uses be permitted in landscaped buffers: playfields, stables, swimming pools, tennis courts, parking lots and vehicular use areas, dumpsters, equipment storage and other open storage, buildings or overhangs.

(b) *Stormwater retention/detention facilities.* The Planning and Zoning Director shall be authorized to allow stormwater retention/detention facilities to encroach into landscaped buffers a maximum of twenty-five (25) percent of buffer width, where it is found that all planting requirements of this section are met and the visual screen provided by the landscaped buffer will be fully achieved.

(c) *Ingress and Egress.* Ingress and egress to the proposed use and utilities may cross the buffer provided they minimize the amount of buffer devoted to this use.

(d) *Lighting, fences, walls and Signs.* Lighting, fences, walls and identification signs may be located within the required buffer.

(e) *Pedestrian walkways.* Sidewalks, walkways and paths may be allowed within the required buffer, provided that:

1. The total width of buffer is maintained.
2. All other requirements of this ordinance are met.

#### 17.2.5 *Definitions.*

(a) *Canopy Trees.* For the purposes of this section, a tree is defined as a plant species having an average mature crown spread of fifteen (15) feet or greater when growing in Baldwin County and having a trunk(s) that eventually can be maintained in a clean condition, clear of lateral woody growth of five (5) feet or greater. Canopy tree species as defined shall be a minimum of eight (8) feet overall height immediately after planting with at least a two (2) inch diameter (caliper). Trees having average, eventual mature crown spread of less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. A grouping of three (3) large growing palms will be the equivalent to one (1) required canopy tree. All trees shall be located no closer than three (3) feet from the edge of any designated planting area.

(b) *Understory trees.* Understory tree species as defined shall be a minimum of four (4) feet overall height immediately after planting with at least a one (1) inch diameter (caliper).

(c) *Shrubs.* For the purposes of this section a shrub shall be defined as any self supporting woody evergreen or flowering species generally growing or maintained at a height of five (5) feet or less. Shrubs shall be a minimum of twenty-four (24) inches in height when measured immediately after planting and planted a maximum of thirty-six (36) inches on center.

17.2.6 *Plant and Structure Location.* All plant materials shall be installed to achieve the purposes for which that planting is required. The required planting should generally be in an irregular line and should be spaced at random intervals in order to achieve maximum growth for each plant and tree species.

(a) Canopy trees shall be located no closer than ten (10) feet from any structure. Under story trees and shrubs shall be planted no closer than three (3) feet from any structure.

(b) To avoid a power line conflict, vegetation that exceeds twenty-five (25) feet in height at maturity shall not be included closer than thirty (30) feet of the vertical plane of an existing power line.

(c) Visibility Triangles contained in *Section 16.6.3* shall be maintained.

**17.2.7 Landscape Plans.** Whenever the provisions with this section apply, a landscaping plan shall be submitted for review. The landscape plan may be submitted in conjunction with a Site Plan Approval for a structure or be submitted through a separate Site Plan Approval, and may be included on the site plan which is required for Site Plan approval.

The landscape plan must be drawn to scale, with a narrative and any necessary calculations, and include the following:

(a) Dimensions and North Arrow.

(b) Preserved trees.

(c) Locations of proposed signs and lightning.

(d) Locations of proposed sidewalks or other paths and ingress and egress locations and widths.

(e) Proposed location and spacing of all required plantings.

(f) Overhead and underground utilities existing and proposed.

(g) Subject property zoning and current use and adjoining property zoning and current use.

The landscape buffer plan shall be submitted along with a Site Plan Approval. Prior to the issuance of a Certificate of Occupancy (CO) the Planning and Zoning Department shall conduct an inspection to insure the buffer is installed as required.

**17.2.8 Responsibility for Maintenance.** The property owner on which the buffer is located shall be responsible for maintenance of the buffer. Dead or dying trees or shrubs shall be replaced as soon as practicable so as to provide the intended screening and buffering affect. If, in the determination of the Zoning Administrator, dead or dying trees or shrubs are present, the property owner will be notified and the trees or shrubs must be replaced. Failure to replace trees or

shrubs after notification shall be deemed a violation of the *Baldwin County Zoning Ordinances*.

### 17.2.9 Recommended Species

#### (i) Shrubs (deciduous)

Aesculus sylvatica (buckeye)	Hydrangea quercifolia (oakleaf hydrangea)
Alnus serrulata (smooth alder)	Hypericum hypericoides ssp. hypericoides (St. Andrew's cross)
Amelanchier arborea (downy serviceberry, shadbush, Juneberry)	Hypericum prolificum (shrubby St. John's wort)
Amorpha fruticosa (false indigo, Indigo bush)	Ilex verticillata (winterberry, black alder)
Baccharis halimifolia (sea myrtle, groundsel bush)	Itea virginica (Virginia willow, sweetspire, tassel-white)
Callicarpa americana (American beautyberry, French mulberry)	Lindera benzoin (spicebush)
Calycanthus floridus (Carolina allspice, sweet shrub)	Lycium carolinianum (Christmas berry, matrimony vine)
Castanea pumila (chinquapin)	Lyonia ligustrina (male-berry, male-blueberry)
Ceanothus americanus (New Jersey tea, red root)	Physocarpus opulifolius (ninebark)
Cephalanthus occidentalis (buttonbush)	Rhododendron atlanticum (dwarf, or coastal azalea)
Clethra alnifolia (summer sweet)	Rhododendron canescens (wild, piedmont, or sweet azalea)
Cornus alternifolia (pogoda dogwood, alternate-leaved dogwood)	Rhododendron calendulaceum (flame azalea)
Corylus americana (American hazelnut or filbert)	Rhododendron viscosum (swamp azalea)
Diervilla sessilifolia (southern bush honeysuckle)	Rhododendron arborescens (smooth azalea)
Dirca palustris (leatherwood, ropebark)	Rhus hirta (staghorn sumac)
Erythrina herbacea (coral bean)	Rhus copallinum (dwarf or winged sumac)
Euonymus americana (strawberry bush, brook euonymus, hearts-a-bustin')	Rhus glabra (smooth sumac)
Euonymus atropurpurea (wahoo, burning bush)	Ribes cynosbati (prickly gooseberry, dogberry)
Forestiera acuminata (swamp privet)	Rosa carolina (Carolina rose)
Fothergilla major (witch alder)	Rosa setigera (Illinois or prairie rose)
Frangula caroliniana (Carolina buckthorn)	Sambucus canadensis (elderberry, common elder)
Hibiscus coccineus (wild red mallow)	Sideroxylon lanuginosum ssp. lanuginosum (chittamwood, gum elastic tree)
Hydrangea arborescens (wild hydrangea)	Spiraea tomentosa (stepleebush,

hardhack)  
 Staphylea trifolia (bladdernut)  
 Stewartia malacodendron (silky  
 camellia)  
 Styrax americanus (American  
 silverbells)  
 Symphoricarpos orbiculatus  
 (coralberry, Indian currant)  
 Vaccinium arboreum (sparkleberry,  
 farkleberry)  
 Vaccinium corymbosom (highbush  
 blueberry)

Viburnum acerifolium (maple leaf  
 viburnum)  
 Viburnum dentatum (southern  
 arrowwood)  
 Viburnum nudum (possumhaw  
 viburnum)  
 Viburnum nudum var. cassinoides  
 (wild raisin)  
 Viburnum prunifolium (black haw,  
 nanny berry)  
 Viburnum rufidulum (southern or  
 rusty black haw)

### (ii) Shrubs (evergreen)

Epigaea repens (trailing arbutus)  
 Gordonia lasianthus (loblolly bay,  
 gordonia)  
 Ilex glabra (inkberry, bitter gallberry)  
 Ilex vomitoria (yaupon)  
 Illicium floridanum (Florida anise  
 tree)  
 Juniperus communis (common  
 juniper)

Kalmia latifolia (mountain laurel)  
 Leucothoe axillaris (coast leucothoe)  
 Myrica cerifera (wax myrtle, southern  
 bayberry, candleberry)  
 Rhododendron carolinianum  
 (Carolina rhododendron)  
 Rhododendron catawbiense (purple  
 rhododendron, red laurel)  
 Sabal minor (dwarf palmetto)  
 Serenoa repens (saw palmetto)

### (iii) Trees (deciduous)

Acer barbatum (Florida maple,  
 southern sugar maple)  
 Acer leucoderme (chalk maple)  
 Acer negundo (box elder)  
 Acer rubrum (red maple)  
 Acer saccharum (sugar maple)  
 Aesculus flava (sweet buckeye,  
 yellow buckeye)  
 Aesculus glabra (Ohio buckeye,  
 horse chestnut)  
 Aesculus pavia var. pavia (red  
 buckeye)

Betula lenta (cherry birch)  
 Betula nigra (river birch)  
 Carpinus caroliniana (blue beech,  
 hornbeam, muscle wood)  
 Carya alba (mockernut hickory)  
 Carya cordiformis (bitternut, swamp  
 hickory)  
 Carya illinoensis (pecan)  
 Carya ovata (shagbark hickory)  
 Celtis laevigata (sugarberry,  
 hackberry)  
 Celtis occidentalis (hackberry,  
 sugarberry)

Cercis canadensis (redbud)	Nyssa sylvatica (black gum, tupelo)
Chionanthus virginicus (fringe tree, old man's beard)	Ostrya virginiana (ironwood, hop hornbeam)
Cladrastis kentukea (yellowwood)	Oxydendrum arboreum (sourwood)
Cornus florida (flowering dogwood)	Platanus occidentalis (sycamore, plane-tree)
Cotinus obovatus (smoke tree)	Populus deltoides (eastern cottonwood)
Crataegus mollis (downy hawthorn)	Prunus americana (wild plum)
Crataegus crus-galli (cockspur hawthorn)	Prunus angustifolia (chickasaw plum)
Cyrilla racemiflora (leatherwood, yiti)	Prunus mexicana (Mexican plum)
Diospyros virginiana (persimmon)	Prunus serotina (black cherry)
Fagus grandifolia var. caroliniana (beech)	Ptelea trifoliata (wafer ash, common hop tree)
Fraxinus americana (white ash)	Quercus alba (white oak)
Fraxinus pensylvanica (green ash)	Quercus bicolor (swamp white oak)
Gleditsia triacanthos (honey locust)	Quercus coccinea (scarlet oak)
Gymnocladus dioica (Kentucky coffee tree)	Quercus falcata (southern red oak, Spanish oak)
Halesia diptera (American snowdrop tree, two-winged silverbell)	Quercus laurifolia (laurel oak)
Halesia tetraptera (Carolina silverbell)	Quercus lyrata (overcup oak)
Hamamelis virginiana (witch hazel)	Quercus macrocarpa (bur oak)
Ilex decidua (possum-haw, deciduous holly)	Quercus marilandica (blackjack oak)
Juglans cinerea (butternut, white walnut)	Quercus muhlenbergii (chinkapin oak, chestnut oak)
Juglans nigra (black walnut)	Quercus phellos (willow oak)
Liquidambar styraciflua (sweet gum)	Quercus prinus (rock chestnut oak)
Liriodendron tulipifera (tulip tree)	Quercus rubra (red oak)
Magnolia acuminata (cucumber tree)	Quercus shumardii (shumard oak)
Magnolia pyramidata (pyramid magnolia)	Quercus stellata (post oak)
Magnolia tripetala (umbrella tree)	Quercus velutina (black oak)
Magnolia virginiana (sweetbay, swampbay)	Salix nigra (black willow)
Malus angustifolia (southern crabapple, wild crabapple)	Sassafras albidum (sassafras)
	Taxodium distichum (bald cypress)
	Ulmus americana (American elm)
	Ulmus rubra (red elm, slippery elm)

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**(iv) Trees (evergreen)**

Chamaecyparis thyoides (white cedar)

Ilex opaca (American holly, Christmas holly)  
Juniperus virginiana (eastern red



cedar)  
Magnolia grandiflora (southern magnolia)  
Magnolia macrophylla (umbrella tree)  
Persea borbonia (red bay)  
Pinus echinata (shortleaf pine)  
Pinus elliotii (slash, pitch, or yellow slash pine)  
Pinus glabra (spruce pine)  
Pinus palustris (longleaf pine)  
Pinus taeda (loblolly pine)  
Pinus virginiana (Virginia pine)  
Prunus caroliniana (cherry laurel)  
Quercus virginiana (live oak, coastal live oak, southern live oak)  
Tsuga canadensis (eastern hemlock)

**Section 17.3 Tree Protection**

During construction and development, trees that are to be preserved shall be protected from activities that may injure or kill them. To the extent possible, trees within the required setbacks or buffer strips shall be preserved.

**Section 17.4 Parking Lots**

The design and appearance of parking areas is intended to be compatible with the character of the community. A landscaping plan shall be submitted for the construction of the off-street parking areas accommodating 6 or more parking spaces. The following standards shall apply:

- (a) A landscaped area of at least five (5) feet wide shall be provided between parking areas and any adjacent public streets and contiguous properties. Landscaping shall include the placement of shade trees at intervals of approximately six (6) parking spaces. Such trees shall be a minimum height of six (6) feet at planting.
- (b) Interior portions of the parking area shall be broken by provision of landscaped islands (a minimum of six (6) feet wide) between every ten (10) to fifteen (15) spaces. Each island shall provide at least one (1) shade tree having a minimum height of six (6) feet at planting.
- (c) A continuous landscape strip a minimum of five (5) feet wide shall be provided between every four (4) rows of parking. Landscaping shall include the placement of shade trees at intervals of approximately six (6) parking spaces. Such trees shall be a minimum height of six (6) feet at planting.
- (d) Landscaped areas shall be protected from vehicular encroachment by the use of curbing or wheel stops.
- (e) The owner, tenant and/or agent, if any, shall be jointly and severally responsible for watering and maintaining all landscaping in a healthy, neat, and orderly condition, replacing it when necessary, and keeping it free of refuse and debris.