

Article XVI. Landscaping, Environmental Standards, and Lighting.

NOTE: This Article includes a combination of existing landscape standards from Chapter 110, Article II, and proposed additional standards. If adopted Chapter 110, Article II should be deleted to avoid conflicts.

§ 340-174. 340-170. Scope.

- A. All uses requiring landscaping, buffering, and vegetation/forest protection shall meet the appropriate provisions of this article. The provisions of this article are considered minimum standards. The Town recognizes that due to the peculiarities of any given site and development proposal, the inflexible application of these landscape improvement standards may result in impractical or unnecessary site improvements that contribute little value toward enhancing the appearance of the development. Therefore, the Town (through the Planning Commission or Zoning Inspector) may permit deviations from the presumptive requirements of this Article when the applicant can demonstrate that the proposed land planning, site planning, architectural or landscape architectural design solutions offer the appropriate "appearance" desired for development and growth in the Town of St. Michaels. For projects requiring overlay zoning designations, variances or special exceptions, the Planning Commission may require additional landscape improvements.
- B. Subject to a review and comment from the Town Engineer, minimum landscape requirements can be modified or waived to permit small-scale stormwater management practices, nonstructural techniques, and better site planning that mimics natural hydrologic runoff characteristics and minimizes the impact of land development on water resources. These techniques are referred to as Environmental Site Design (ESD).

§ 340-175. Purpose.

- A. Landscape, buffering, and vegetation/forest protection design shall be developed and integrated with the site plan or subdivision design. It shall be conceived in a total pattern across the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site.
- B. Required landscape improvements shall include plant material types suitable and consistent with flora and fauna of the region. Landscape improvements may include other elements, including rocks, water, sculpture, art, walls, fences, paving materials, and street furniture.
- C. Landscape plans must be submitted with all applications for development and construction activities that are subject to the landscape, screening, and/or buffer

regulations of this article. No building permit or similar authorization may be issued until the Zoning Inspector determines that the landscaping and screening regulations of this article are met.

- D. Sites or development activities under the jurisdiction of the Town of St. Michaels Forest Conservation Ordinance must also meet the requirements of that Ordinance, subject to possible overlapping credits outlined herein.

§ 340-176. Landscape plans.

- A. When Required. A landscape plan shall be required during the preliminary and final site plan and for the preliminary and final subdivision review process. A landscape plan is required whenever landscaping is a condition of approval for any development activity and whenever buffer or screening standards apply. Applicants are encouraged, and the Planning Commission may require, the submission of additional sketches, cross-sections, elevations, or other graphic elements that help convey the design intent of landscape improvements.
- B. Landscape shall be prepared by a landscape architect registered in the State of Maryland, or other person determined by the Planning Commission or their designated representatives to be qualified.
- C. **Landscape plans shall be submitted at the time of the preliminary and final site plan or subdivision review process and shall include sufficient information to demonstrate the landscaping provided meets the standards and achieves the intent of this Chapter. At a minimum, landscape plans shall include the following information:**
 - (1) **Tabular data indicating landscape improvement requirements and buffer yard requirements, including all critical area requirements.**
 - (2) **Existing site vegetation to be cleared and/or preserved, the general location and type of proposed landscaping (i.e., shade tree, evergreen tree, shrub, hedge). The location of existing specimen trees and significant trees.**
 - (3) **The methods and details for protecting existing vegetation during construction and the approved sediment and erosion control plan, if applicable.**
 - (4) **Proposed landscape improvement locations.**
 - (5) **Planting specifications as to plant species, plant quantity, correct plant nomenclature, and installation size and spacing. Botanical and common**

names required and proposed quantities, spacing, height, and caliper of all proposed landscape material at the time of planting and maturity.

- (6) Installation specifications and details if necessary.**
- (7) Planting and installation details as necessary to ensure conformance with all required standards.**
- (8) The location and description of other landscape improvements, such as earthen berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas.**
- (9) A maintenance plan that describes irrigation, pruning, replacement of dead material, and other care procedures.**
- (10) Required inspection schedule and procedures.**
- (11) Forest conservation afforestation or reforestation plans as a sheet of the landscape plan set.**

D. Final landscape plans shall include on the plan drawing, at a minimum, the following standard notes, modified to suit specific projects or conditions:

- (1) Landscape installer shall verify the location of all underground utilities before commencing work. Installer shall ensure that final grades have been established and the site is ready for landscape installation.
- (2) Landscape installer shall maintain the landscape improvement area in a clean condition, removing debris daily and after the installation.
- (3) The installer shall lay out all beds and position plants per the plans, adjust as required for field conditions, and report significant adjustments to the owner for approval before plant installation. The application of herbicide as needed to kill and remove all weed or grass vegetation shall comply with all state and federal regulations.

E. Landscape planting shall be done using the industry accepted best landscaping practices (e.g., Landscape Contractors Association's Landscape Specification Guidelines).

§ 340-177. Minimum plant material specifications.

A. Plant sources. All required plant material shall be nursery stock conforming to the American Standard for Nursery Stock, current edition, or relocated from on-site or other sites via nursery standard plant handling and digging methods. The Town may reject plant material grown, handled or installed improperly.

- B. **Plants shall minimize the amount of maintenance required, and to promote diversity, no more than 30% of any plant type (e.g., trees, shrubs) shall be of one species.**
- C. **Plants that interfere with the function of utilities, compromise safety, obstruct views in clear sight triangles, are easily susceptible to disease or pest infestations or are aggressively invasive shall be avoided to the maximum extent possible.**
- D. **Plant materials shall be spaced appropriate to their species and function in the landscape. Trees shall be offset a minimum of fifteen (15) feet from overhead utility lines, light poles, traffic signs and fire hydrants, ten (10) feet from underground utility lines and, where possible five (5) feet from sidewalks and driveways.**
- E. Species selection. Acceptable plant species shall include most plant material native or successfully introduced and available in the Mid-Atlantic. Small ornamental, weeping or other low-growing varieties shall not be utilized for street trees. Consider plant form and growth habit when selecting plant species. Provide a mix of species and varieties for any given project. For most subdivisions, street tree species shall vary through the subdivision.
- F. Plant size at installation. Unless otherwise specifically stated, all required plant material shall conform to the following minimum size specification at installation:
 - (1) Measurements.
 - (a) Caliper: tree trunk diameter at breast height (four feet).
 - (b) Height: tree or plant height measured from finished ground level.
 - (c) Spread: horizontal width (diameter) of plant branches.
 - (2) Measurement requirements by type.
 - (a) **Shade trees: three and one-half inch caliper.**
 - (b) **Understory trees: two-inch caliper and a minimum of seven (7) feet in height.**
 - (c) Evergreen trees: minimum of **six (6)** feet in height.
 - (d) Upright shrubs: **eighteen (18)** inches in height.
 - (e) Spreading shrubs: eighteen-inch spread.
 - (f) Groundcovers or low spreading plants: twelve-inch spread.

§ 340-178. Warranty of landscape improvements.

- A. Before issuance of an occupancy permit, the approved landscape plan shall be implemented by the applicant. At completion, the applicant shall request that the Town inspect the complete landscaping and issue the appropriate approval. The Town recognizes that planting schedules and favorable weather/climate conditions do not always coincide. The applicant shall make every reasonable effort to coordinate building and site construction with the landscape improvement installation so that all project construction can be complete before the request for occupancy permits. Upon demonstrating that some or all of the required landscape improvements should be postponed, the applicant shall post an irrevocable financial surety equal to the estimated installation costs. The financial surety shall be adequate to guarantee the complete implementation of the landscape plan within two (2) growing seasons after occupancy or use of the site or subdivision. After installation is complete and inspected and approved by the Town, the applicant shall request in writing to the Town to release any unused portion of the surety.
- B. The owner/developer shall maintain all landscape improvements, providing adequate growing conditions to ensure healthy, vigorous plant survival and growth. The Town reserves the right to periodically review installed landscapes and report any significant deficiencies to the owner/developer. Up to one year after completion of all landscaping, the Town shall assess the landscape improvements and direct replacement or revitalization of any deficient area. The owner shall repair or replace deficient items within thirty (30) calendar days.
- C. Failure to maintain, repair, or replace the required and approved landscape improvements shall be considered a violation of this section and shall be enforced in accordance with § 340-*.

§ 340-179. Forest conservation overlapping requirements.

Afforestation or reforestation plantings required under a related forest conservation plan for the same site may be credited against the required landscape improvements of this article only when the plantings meet the minimum size and locational requirements outlined in this article.

§ 340-180. Landscape Improvements.

- A. Single-family detached residential subdivisions.
 - (1) Street trees shall be required on all streets except for alleys or as otherwise determined by the Planning Commission. The number of required trees shall be provided at a ratio of at least one tree per fifty (50) linear feet or fraction thereof

of the right of way line or paving edge. Credit against this requirement may be awarded wherever existing forest or individual trees over six-inch caliper will be "effectively" preserved in or within five (5) feet of the prescribed street right-of-way. Street trees shall generally be consistently spaced, although some clustering and massing at an accent or focal points may be permitted. A minimum of 50% of the required street tree plantings shall be deciduous, shade/canopy type trees as approved by the Planning Commission.

- (2) Trees shall be planted along both sides of the street when the development encompasses both sides of the street, and shall be installed, behind the curb and inside the sidewalk wherever possible or otherwise within fifteen (15) feet of curbline.

B. MD 33 front buffer yards.

- (1) Any development requiring site plan or subdivision approval located on a property with frontage on MD 33 shall at a minimum establish a ten foot (10-foot) buffer yard along the property frontage. If it is determined by the Planning Commission that due to the location of the existing structures there is no opportunity to provide a full or partial front buffer yard the applicant shall utilize containerized plantings that are sited in such a manner as to minimize pedestrian conflicts.
- (2) Uses allowed in a buffer yard shall be limited to landscaping, sidewalks, approved signage, vegetative stormwater management features, and access to the structure and parking area.
- (3) Landscaping will at a minimum include four (4) shade and two (2) understory trees, ten (10) shrubs and ornamental grasses for every one hundred (100) feet of buffer length approved by the Planning Commission. Also, a vegetative screen, landscaped berm, fence, wall, or other methods to reduce the visual impact of any parking area front in MD 33 shall be provided. The vegetative screen shall have an average continuous height of three (3) feet.

C. Landscaping for parking lots, nonresidential, multifamily, or mixed-use developments.

- (1) Perimeter Landscaping.
 - (a) A planting strip shall be provided at least eight (8) feet wide adjacent to the back of any sidewalks or ten (10) foot wide adjacent to the property line where no sidewalk exists. Where the parking lot does not abut a property line or sidewalk, a ten (10) foot planting strip shall be provided.

- (b) For parking lots not fronting on MD 33, each planting strip adjacent to a street right-of-way shall contain a minimum of one shade tree per fifty (50) feet of landscape area parallel to the right-of-way, and two (2) understory trees per one hundred (100) feet of planting strip parallel to the right-of-way. In addition to any required planting strip a landscaped berm, fence, wall, or other methods to reduce the visual impact of the parking area shall be provided. The vegetative screen shall have an average continuous height of three (3) feet at installation.
 - (c) Except where otherwise specifically required by the Zoning Chapter, a minimum ten (10) foot wide screening area shall be provided along all abutting property lines of a residential district.
 - (i) Shade trees here must be provided at a rate of at least one (1) tree per fifty (50) linear feet rounded to the nearest whole number and shrubs, ornamental grasses, and perennials, all of which must reach a minimum height of thirty-six (36) inches at maturity. Existing trees may be counted toward satisfying the perimeter tree planting requirements.
 - (ii) The parking lot perimeter landscaping required must be supplemented by installation of a solid wood fence, wall, or comparable visual barrier with a minimum height of six (6) feet along 100% of the parking lot perimeter immediately abutting an R- zoned property.
 - (d) When a parking lot is located in the interior side or rear yard of a lot abutting another lot with the same zoning classification, minimum parking lot perimeter landscaping shall include understory trees at the rate of one (1) per one hundred (100) feet and shrub groupings of no less than three (3) live plants along at least 50% of the parking lot perimeter along the abutting interior side and rear lot lines which must reach a minimum height of thirty-six (36) inches at maturity.
 - (e) Grass or ground cover shall be planted on all portions of the landscape area not occupied by other landscape material.
 - (f) All trees shall be set back at least four (4) feet from the edge of paving where vehicles overhang.
- (2) Interior Landscaping for Parking Lots.

- (a) For any parking lot containing more than 6,000 square feet of area or fifteen (15) or more spaces, interior landscaping shall be provided in addition to required perimeter landscaping. Interior landscaping shall be contained in peninsulas or islands. An interior parking lot landscape island or peninsula is defined as a landscaped area containing a minimum area of 153 square feet having a minimum width of 8.5 feet and a minimum length of 18 feet. There shall be a minimum of four (4) feet to all trees from the edge of paving where vehicles overhang. Each island or peninsula shall be enclosed by appropriate curbing or a similar device at least six (6) inches wide and six (6) inches in height above the paving surface. The Planning Commission may modify these dimensional requirements for the installation of low impact, stormwater management features. For purposes of Subsection (d) below and subject to the limits established in (e) below, up to four (4) islands can be combined.
- (b) Where a parking area is altered or expanded to increase the size to 6,000 or more square feet of area or fifteen (15) or more vehicular parking spaces, interior landscaping for the entire parking area shall be provided **to the maximum extent practical as determined by the Planning Commission.**
- (c) Landscape area. The minimum interior landscape area permitted shall be ten (10) percent of the parking area. The interior landscaping requirement shall be computed based on the "net parking facility." For this Section, "net parking facility" shall include parking stalls, access drives, aisles, walkways, dead spaces, and required separations from structures, but shall not include required street setbacks or access driveways or walkways within such setbacks.
- (d) Landscape islands or peninsulas. All interior parking aisles shall end in a landscape island.
- (e) Minimum plant materials. A minimum of one tree for every 250 square feet or fraction thereof of required landscape or each five (5) spaces of required parking or for every 161 square feet of island or peninsula, whichever is greater, shall be required. The remaining area of the required landscaped area shall be landscaped with shrubs or ground cover not to exceed two (2) feet in height or grass.
- (f) Plan submission and approval. Whenever any property is affected by these parking area landscape requirements, the property owner or developer shall prepare a landscape plan for approval according to the requirements of **§ 340- 176.**

- (3) The Planning Commission may consider alternative parking area landscaping design in cases where unique topography and site constraints dictate such alternative. The innovative use of planting design and materials is encouraged and will be evaluated based on the intent demonstrated to fulfill the stated objectives of this Zoning Chapter.

§ 340-181. Screening.

A. Applicability: features to be screened

When located on lots occupied by residential, nonresidential, or mixed uses, the following features must be screened from view of public rights-of-way, public open spaces and lots used or zoned for residential purposes, as specified in this section:

- (1) ground-mounted mechanical equipment;
- (2) roof-mounted mechanical equipment;
- (3) refuse/recycling/grease containers; and
- (4) outdoor storage of materials, supplies, and equipment.

- B. Ground-mounted Mechanical Equipment.** All ground-mounted mechanical equipment over thirty (30) inches in height must be screened from view by a fence, wall, dense hedge, or combination of such features providing at least 80% direct view blocking. The hedge, fence, or wall must be at least as tall as the tallest part of the equipment. The hedge must be this tall at the time of planting. See Figure 181.B.1.

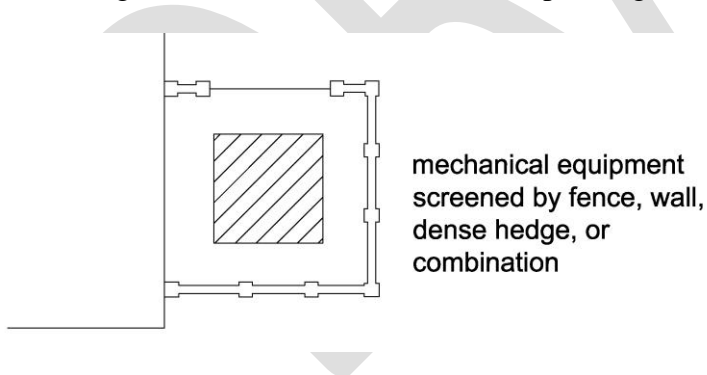


Figure 181.B.1: Screening of Ground-mounted Equipment

- C. Roof-mounted Mechanical Equipment.** Roof-mounted mechanical equipment (e.g., air conditioning, heating, cooling, ventilation, exhaust, and similar equipment, but not solar panels or similar renewable energy devices) must be screened from ground-level view in one of the following ways (and as illustrated in Figure 181.C.1):

- (1) A parapet that is as tall as the tallest part of the equipment;

- (2) A screen around the equipment that is at least as tall as the tallest part of the equipment, with the screen providing at least 80% direct view blocking and which is an integral part of the building's architectural design.

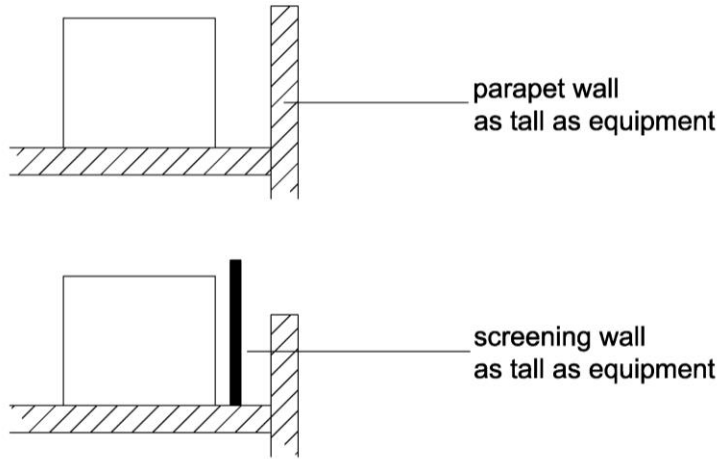


Figure: 181.C.1 Screening of Roof-mounted Equipment

- D. Refuse/Recycling Containers. Refuse/recycling, and similar containers must be located on an appropriately designed concrete, or other paving material pad and apron and screened from view of streets and all abutting lots with a wall or other screening material providing at least 80% direct visual screening at least six (6) feet in height. Refuse/recycling containers may not be located in street yards. Enclosure doors must be located and designed so that, to the maximum extent possible, they do not face towards an abutting property, sidewalk, or street. Residential dwellings utilizing curbside pick-up service are exempt from these screening requirements. See Figure 181.D.1.

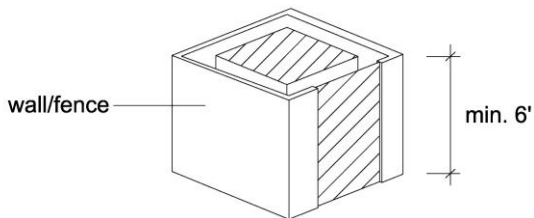


Figure 181.D.1: Screening of Refuse/Recycling Containers

- E. Outdoor Storage of Materials, Supplies, and Equipment. All stored materials, supplies, merchandise, vehicles, equipment, or other similar materials not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by a fence, wall, dense hedge, or combination of such features with a minimum height of six (6) feet at the time of installation.

§ 340-182. Environmental Standards.

A. Habitat Protection Areas.

- (1) Identification. An applicant for development activity, redevelopment activity, or change in land use shall identify all applicable Habitat Protection Areas and follow the standards contained in this section. Habitat Protection Areas include:
 - (a) Federal or State threatened or endangered species or species in need of conservation;
 - (b) Forest areas utilized as breeding areas by interior forest dwelling birds;
 - (c) Designated Natural Heritage Areas; and
 - (d) Other plant and wildlife habitats determined to be of local significance.
- (2) Standards.
 - (a) An applicant for a development activity proposed for a site that is in or near a Habitat Protection Area listed above shall request a review by the Department of Natural Resources Wildlife and Heritage Service for comment and technical advice. Based on the Department's recommendations, additional research and site analysis may be required to identify the specific location of the Habitat Protection Area on or near the site.
 - (b) If the presence of a Habitat Protection Area is confirmed by the Department of Natural Resources, the applicant shall develop a Habitat Protection Plan in coordination with the Department of Natural Resource.
 - (c) The applicant shall obtain approval of the Habitat Protection Plan from the Planning Commission or the appropriate designated approving authority. The specific protection and conservation measures included in the Plan shall be considered conditions of approval of the project.

§ 340-183. Site Lighting Standards.

- A. Purpose. The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. Concerning motor vehicles, in particular, safety considerations are the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting.

- B. Site lighting shall be of low-intensity from a concealed source, shall be of a clear white light which does not distort colors and shall not spill over into adjoining properties, buffers, roadways, or in any way interfere with the vision of oncoming motorists.
- C. Exemption for specified outdoor recreational uses. Because of their unique requirements for nighttime visibility and their limited hours of operation, ball diamonds, playing fields, and tennis courts are exempted from the exterior lighting standards of Subsection B above subject to a determination by the Planning Commission that the outdoor recreational use meets all other requirements of this chapter and the following conditions:
 - (1) The outdoor recreational uses specified above shall not exceed a maximum permitted post height of forty (40) feet.
 - (2) The outdoor recreational uses specified above may exceed a total cutoff angle of ninety (90) degrees, provided that the luminaire is shielded in either its orientation or by a landscaped buffer to prevent light and glare spill-over to adjacent residential property. The maximum permitted illumination at the interior buffer line shall not exceed 2-foot candles.
- D. Additional regulations. Notwithstanding any other provision of this section to the contrary:
 - (1) No flickering or flashing lights shall be permitted.
 - (2) Light sources or luminaires shall not be located within buffer areas except on pedestrian walkways.
- E. Exterior lighting plan. At the time any exterior light is installed or substantially modified, and whenever a Zoning Certificate is required, an exterior lighting plan is required.
- F. Photometric plans for all proposed commercial and industrial uses are required.
- G. Illumination levels attributable to a parking lot lighting system and any other outdoor lighting shall not exceed 0.5 horizontal footcandle at the property line when adjacent to a residential zoning district.