

SECTION 153.50.120 - LANDSCAPING

A. General

All subdivisions, whether public or private, shall provide for the landscaping of parkways, parks, open space areas, areas to be dedicated to the public, and other areas in accordance with this Section and other City ordinances.

B. Authority

The City Planner is authorized to act on behalf of the Director of Public Works in exercising authority to require and/or grant permission for planting and maintaining trees and other landscaping on public streets and municipal and other properties, including private property, when such trees and landscaping are installed or maintained pursuant to this Section.

C. Protection of Existing Trees

1. The developer shall make every possible effort to save all healthy trees where feasible and practical.
2. Proposed tree removals must go through an application process as detailed in this Section.
3. All developers with sites containing trees four (4) inches in diameter or greater, callipered at six (6) inches above the ground level, must certify the location, species, and size of all trees at the time of Preliminary Plan submittal. A grading plan shall be submitted showing existing trees that are proposed to be removed and those that are proposed to be save.
4. The developer's proposed methodology for saving or removing existing trees shall be reviewed by the City Planner. If, in the opinion of the City Planner, the developer has not provided for necessary precautions in preserving the existing trees, it will be recommended by the City Planner that Preliminary Plan approval not be granted until such time as the developer satisfactorily amends their plans for the preservation of existing trees. If the developer and the City Planner cannot agrees on a satisfactory plan, the developer can appeal the decision of the City Planner to the City Council.
5. Where trees are to be saved, provision shall be made for erection of appropriate, temporary, protective fencing, such as snow fence or chain link fence, at the periphery of the drip line to keep construction from damaging or killing the tree from physical trunk an branch damage or compacting soil and damaging shallow feeder roots. The developer shall be responsible for the supply, erection, and maintenance of temporary fencing in accordance with the conditions of the building permit around the tree preservation areas.
6.
 - a) The fencing shall be placed at the dripline for protection of the roots, trunk and branches.
 - b) All fencing posts shall be installed no further than ten (10) feet apart.
 - c) Fencing shall remain in place during the entire construction project.

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- d) All grading and construction equipment shall be forbidden from encroaching within the trees' drip line. Construction activity, movement and placement of equipment or material or spoils storage and excess soil, additional fill, liquids, or construction debris is prohibited within the dripline of the trees.
- e) Materials detrimental to trees, including but not limited to crushed limestone, hydrocarbons, etc. shall not be dumped or stored within the trees' drip line or at any higher location draining toward the trees.
- f) Could reasonably expect to affect the health of the tree. Construction activity, movement and placement of equipment or material or spoils storage and excess soil, additional fill, liquids, or construction debris with the dripline of the trees.
- g) Directional boring or auguring vs. trenching is required when work is required within the drip zone of the tree(s).
- h) Attachments, signs, fences, or wires, other than approved for bracing, guying, or wrapping shall be allowed to be attached to trees during the construction period.
- i) Other measures such as construction pruning and root pruning of trees directly impacted by construction, must also be indicated on the plan or on an accompanying sheet and approved by the City Planner or his/her representative.
- j) No soil to be removed or added within the root zone/dripline of any tree that is to remain.

D. Areas to be Graded and Sodded

- 1. All areas within the dedicated street area or other public areas and all swales draining more than two (2) lots shall be graded and sodded in an approved manner, unless otherwise specifically approved in writing by the City Planner. Unless otherwise approved, such swales shall be sodded with a minimum width of sodding of ten (10) feet. Restoration work shall be subject to the approval of the City Planner.
- 2. Areas to be sodded shall be graded smooth and topped with at least four (4) inches of black dirt after compacting and removal of stumps, trees that cannot be saved, boulders and other debris. These areas shall be sodded in accordance with Section 644 of the SSR & BC.

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E. Areas to be Graded and Seeded

All open areas in the development which are not sodded shall have a new lawn established through seeding in accordance with the following requirements:

1. Material

- a) Fertilizer shall be standard commercial 10-8-6 or 10-6-4 grade (or approved equal) uniform in composition, free flowing and suitable for application with proposed equipment.
- b) Seed mixture shall be a certified seed mix consisting of 30% Park Kentucky Bluegrass, 30% Dawson Creeping Red Fescue, 30% “Fults” Puccinellia distans, and 10% Pennfine Perennial Ryegrass, and shall be applied at the minimum rate of 180 lbs. Per acre. Any changes or substitutions must be approved by the City Planner.

2. Preparation of Seed Bed

- a. In areas containing existing trees, grading and tilling activity shall be completed in a manner least disruptive to the health of the tree(s).
- b. After the areas to be seeded have been brought to proper grades, the area shall be thoroughly tilled to a depth of at least three (3) inches by discing, harrowing, or other approved methods until the condition of the soil is acceptable.
- c. Fertilizer shall be distributed uniformly at the rate of four hundred (400) pounds per acre and shall be incorporated into the soil to a depth of at least three (3) inches by discing, harrowing or other approved methods.

3. Planting

- a. Planting shall be done by hydroseeding with a mulching material unless otherwise approved by the City Planner, during March, April, the last two (2) weeks of August, September, and the first two (2) weeks of October; but no soil will be sown during high winds, nor until the surface is suitable for working and is in proper condition for seeding.

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F. Prohibited Trees

1. Ash trees shall be prohibited within the City of Lockport.
2. Prohibited parkway trees. The following trees shall not be allowed for planting in parkways unless otherwise approved by the City Planner.
 - a. Elms (Siberian, Chinese)
 - b. Willows
 - c. Poplars
 - d. Box Elders
 - e. Soft Maples
 - f. Ornamental (Crab trees, flowering shrubs, fruit trees)
 - g. All upright Evergreens
 - h. Ash
3. Prohibited parkway trees under utility lines. In addition to the prohibited parkway tree list above the following trees shall not be allowed for planting in parkways when overhead utility lines are present unless otherwise approved by the City Planner.
 - a. Silver maple
 - b. Norway maple
 - c. Sugar maple
 - d. Oak
 - e. Bradford Pear
 - f. Pine
 - g. Sycamore
 - h. Ash
 - i. Honeylocust
 - j. Willow
 - k. Linden
 - l. Spruce

G. Approved Parkway Trees

Trees to be planted in the City parkways shall be selected from the tree appendices listed below, unless in the opinion of the Planning Department, Plan & Zoning Commission or the Director of Public Works, the tree will not survive, be a nuisance in the location or locations indicated, or result in an over-population of a species in the area. Trees in the appendices are trees which may be approved and not necessarily a recommendation. Tree Appendix A contains a list of trees approved in parkways when overhead utilities are not present. Tree Appendix B

contains a list of approved parkway trees when overhead utilities are present.

Tree Appendix A: Approved Parkway Trees when overhead utilities lines are not present.

- *1. Norway Maple
 - Schwedler Maple
 - Crimson King Maple
 - Emerald Queen
 - Summer Shade
2. Red Maple
 - October Glory
 - Red Sunset
 - Cardinal
3. Sugar Maple
4. European Black Alder
5. Hackberry
6. European Beech
7. Copper Leaf Beech
8. Ginko or Maidenhair Tree (male only)
- *9. Honey Locust (thornless and seedless)
 - Majestic
 - Skyline
 - Shademaster
 - Imperial
 - Sunburst
 - Moraine
10. Kentucky Coffee Tree
11. European Larch
12. Northern Red Oak
13. Burr Oak
14. English Oak
- *15. Linden
 - Greenspire
 - Redmond
16. Horsechestnut
17. Sweet Gum
18. Kwanzan Cherry
19. Sargent Cherry
20. Bradford Pear
- *21. Hybrid American Elm
22. Others as approved by the City Planner

(*) Those species which have been found to be most compatible with the range of conditions found in the City of Lockport.

Tree Appendix B: Approved Parkway Trees when overhead utilities lines are present.

Common name	Botanical name	Height x Width	Height of power line under which the tree can be planted	Useful characteristics
Hedge maple	<i>Acer campestre</i>	30' x 30'	40' primary	Yellow fall color
Tartarian Maple	<i>Acer tataricum</i>	25' x 30'	35' primary	Red fruit, yellow fall color, tolerant of dry alkaline soils
Purple blow maple	<i>Acer truncatum</i>	25' x 20'	35' primary	Good pest resistance, yellow-orange-red fall color.
American hornbeam / Ironwood	<i>Carpinus caroliniana</i>	20' x 25'	30' primary	Orange-red fall color, slow growing. Flowers appear in spring.
Winter king hawthorn	<i>Crataegus viridis</i> 'winter king'	25' x 25'	35' primary	Few, if any thorns. White flowers which turn red to purplish red in fall.
Amur maackia	<i>Maackia amurensis</i>	30' x 35'	40' primary	Slow growing, pest resistant, tolerant of dry soils and full sun, creamy white pea like flowers.
Hophornbeam	<i>Ostrya virginiana</i>	30' x 20'	40' primary	Hop-like fruit, slow growing
Other trees permitted as approved by the City Planner				

Certain species listed in the above appendices have special requirements which must be provided by the developer in order to insure the trees survive in a healthy condition. These requirements sometimes include well drained soils, acid soils, or other conditions. It is the developer's responsibility to denote in the Development Plan or Subdivision Plat what measures, if any, have been taken to survey existing conditions to insure compatibility with each planting specie he proposes and what modifications, if any, he proposes to provide to existing conditions in order to insure final conditions which are compatible with each proposed specie.

All crippled, deformed and physically damaged trees, regardless of species shall be removed and replaced if an inspection by the City indicates recovery and normal development cannot be expected. All trees infected with non-curable disease that will result in deformation, death, and infection of other trees, shall be removed and replaced with healthy species.

The location of planting sites shall take into consideration height restrictions, underground utilities. Appropriate species shall be considered for these accommodations.

H. Variety in Planting

1. Diversification of tree species selection is desired to be as great as possible. For every linear mile, and succeeding mile or fraction thereof, of parkway in a development, a minimum of four (4) different species is required. Deviation from the above will be considered only after a written request is made to the Plan & Zoning Commission and the Director of Public Works. Approval of both is required.
2. An approved master tree-planting schedule shall be submitted and must be approved by the Plan & Zoning Commission.

I. Requirements for Planting Trees and Shrubbery

1. Trees

- a) All plants shall conform in size and grade to "American Standard for Nursery Stock."
- b) All plants will be handled and planted in accordance with accepted horticultural practices and professional standards as published by the Illinois Landscape Contractors Association in "A Uniform Set of Workmanship Standards in Landscape Specifications."
- c) Specified varieties of any species shall be specimen type trees and shall be first class representatives of their normal species and varieties. they shall have well developed root and branch systems, reasonably straight stems, and a well defined single leader.
- d) Trees shall be nursery grown with a good compact, fully developed fibrous root system which has been developed by proper cultural treatment and is sufficient enough to insure plant growth.
- e) Parkway trees shall be required for all street right-of-ways, including public and private streets. Trees shall be planted in the parkways not less than four (4) feet from any sidewalk or curb and spaced not less than forty (40) feet and not more than fifty (50) feet apart and not less than one (1) per lot. However, at a street corner, trees shall be located at least thirty (30) feet from the intersection of street right-of-way lines. If it has been determined by the City Planner that parkway trees cannot or should not be planted in the parkway, the number of parkway trees required shall not be reduced and shall be planted elsewhere on the property as approved by the City Planner.

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- e) Trees shall be a minimum trunk diameter of two and one-half (2-1/2) inches, calipered at six (6) inches above ground level. Trees shall be northern nursery grown (hardiness zone 5 USDA MAP). Trees shall have been transplanted twice, the last transplanting not less than four (4) years prior to planting. All trees shall be tagged and identified as to species, size, and place of origin. Tags shall remain in place until inspection and approval by the Public Works Department is done both at the nursery and at the final planting site. All trees shall be balled and burlapped. All trees shall have straight trunks and good branching. Branches shall begin from five (5) to six (6) feet above ground level and shall be high quality representatives of their species in all regards, including general shape.
- f) Each tree shall be planted plumb and at the same level as where it stood in the nursery in relation to finished grade. Backfill shall be black top soil properly fertilized with organic fertilizer and shall be thoroughly watered when the hole is two-thirds (2/3) full of topsoil.
- g) All spoils, shall be removed from the site.
- h) After watering, the filling shall be completed and the soil thoroughly tapped. After planting, a four (4) inch mulch of wood chips or an approved equal shall be applied over the disturbed ground and a shallow watering basin provided around the tree.
- i) All digging of trees in the nursery and all planting shall be done during the proper season.
- j) Each tree shall be staked when necessary with a two (2) inch square stake six (6) feet long. The stake shall be driven plumb two (2) feet into the ground adjacent to the tree. Each tree shall be tied at the top with a figure eight hitch consisting of AWG #14 wire encased in a section of rubber hose at the tree. If necessary, guide wires shall be used where more support for the tree is needed.
- k) All trees shall be maintained until established. All trees not in a vigorous growing condition after one (1) growing season shall be replaced at the beginning of the next succeeding planting season, at no cost to the City.
- l) Tree pits shall be at least eighteen (18) inches wider than the diameter of the ball, have vertical sides and a depth of at least twenty-four (24) inches below finished grade.

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m) All trees of one and one-half (1-1/2) inch caliper or greater shall be wrapped within seventy two (72) hours after planting trunks of the trees shall be wrapped spirally from top to bottom with waterproof crepe paper and shall be securely tied with hemp cord at top and bottom and at twelve (12) inch intervals along the trunk. The wrap shall cover the trunk from the ground to the first branch and shall be neat and snug.

2. Shrubbery

Shrubbery, bushes, or evergreen bushes existing in the public ground or dedicated right-of-way shall not exceed thirty (30) inches in height. Deciduous trees in the public ground or dedicated right-of-way shall be maintained with their branches not lower than six (6) feet from the ground. Existing evergreen trees shall be allowed to remain as are. Notwithstanding the foregoing provisions, no planting, fence or other obstruction to vision shall be maintained on a dedicated right-of-way, alley, other public ground, or other property if it is detrimental to the public health, safety or welfare.

J. Landscape regulations for single-family detached dwellings.

1. All lots shall be sodded in the front and side yards, seeding may be used in the rear yard.
2. Single-family residences created on or after August 20, 2008 shall be landscaped at a minimum with the following per residential unit:
 - a) Fully sodded front and side yards.
 - b) Seeding in rear yards (preferably sod).
 - c) Foundation plantings are required for each front or side building façade facing a public street. Such foundation plantings shall include a minimum of 40 plant units. Plant units shall be calculated as follows:

▪ One overstory tree	= 10 plant units
▪ One evergreen tree	= 7 plant units
▪ One ornamental tree	= 5 plant units
▪ One large shrub	= 2 plant units
▪ One small shrub	= 1 plant unit
▪ Perennials and ground covers	= ½ plant unit /100 square feet of Area

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- d) All lots shall be landscaped to a minimum level provided by the builder/developer. Typical landscape plans for the landscaping of individual homes should be provided during the subdivision review process. Landscaping shall be installed within twelve months of the issuance of an occupancy permit for the residence.
- e) A minimum twenty foot (20') landscape buffer shall be provided along all through lots within a neighborhood.

K. Landscape Regulations for single-family attached dwellings, multi-family buildings and any non-residential building.

1. Scope of Regulations

The provision of this Section shall apply to the following development occurring after the effective date of this Ordinance and any development which has not yet received final site development plan approval.

- A. With the construction of single-family attached dwelling(s), new multi-family building, any other non residential building (excluding accessory buildings) or the construction of a parking lot of more than 10 vehicles.
- B. If an existing parking lot serving the uses in Section 1A is expanded by more than 10 spaces the regulations would apply to the area only being expanded unless the expansion is 100% or more than the size of the existing lot, then the entire lot shall comply with the regulations.
- C. For any conforming or non-conforming building or use which is in existence of the effective date of this Ordinance which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, re-established or repaired, at a cost that exceeds 75% of the value of the building or use, landscaping shall be provided as required by this Ordinance.

2. Landscape Plan Review

The Plan & Zoning Commission and City Council shall review and approve Landscape Plans in accordance with this section and other City Ordinances for any development activity which would require a Site Development Plan review by the two bodies.

Development activity not subject to the Plan & Zoning Commission or City Council review shall submit landscape plans to the Planning/Zoning/Building Department for review and approval prior to the issuance of a Building Permit.

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3. Landscape and Screening

The landscaping and screening requirements specified herein are intended to foster aesthetically pleasing development which will protect and preserve the appearance, character, general health, safety and welfare of the community, and enhance property values. Specifically, these regulations are intended to increase the compatibility of adjacent uses requiring a buffer or screen between uses, and in doing so, minimize the harmful impact of noise, dust and other debris, motor vehicle headlight glare or other artificial light intrusions, and other objectionable activities or impacts conducted or created by adjoining or nearby uses.

4. Natural Landscape Areas

The City of Lockport encourages the establishment of public/private natural landscape areas managed for the purposes of prairie, reforestation, and/or wildlife habitat. Specifically, natural landscape areas provide a positive public benefit by reducing maintenance costs (no mowing, pesticide applications, or irrigation), providing aesthetic variety in the community landscape, protecting local rare plant species, and encouraging diversity of wildlife. The City of Lockport encourages Development Plans that enhance and protect these areas from development.

5. Landscape Plan Components

Landscape Plans shall include the following:

- a) North point and scale
- b) Topographic information and proposed grades. One foot contours shall be shown for all proposed berms and storm water detention ponds.
- c) The location and dimensions of all existing and proposed structures, parking lots, roadways, and right-of-ways, sidewalks, bicycle parking areas and paths, ground signs, refuse disposal areas, fences, free standing electrical equipment, and other free-standing structural features.
- d) The location, quantity, size, and type (both botanical and common names) of all existing landscaping to be preserved and all proposed landscaping to be added.
- e) Specification of the type and boundaries of all proposed ground cover.
- f) Elevation and location of all existing and proposed fences.
- g) Location of all existing and proposed utilities and easements.

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h) Location of underground irrigation system, if any.

i) Landscape ratio

6. Right-of-Way Landscaping

Where a parcel abuts a dedicated right-of-way, landscaping shall be in accordance with the provisions of this section.

All unpaved areas within the dedicated parkway area shall be graded and sodded or seeded in an approved manner, unless specifically approved in writing by the City Planner or Director of City Services. All swales, within this area, draining more than 2 lots shall be sodded, unless otherwise approved by the City Planner.

All areas to be sodded or seeded shall be graded smooth and topped with at least four (4) inches of black dirt after compacting and removal of stumps, trees that can not be saved, boulders and other debris.

Trees for parkways shall be required per Section 13.50.120 G & I of the Lockport Development Code.

7. Lot Landscaping

All portions of a parcel not having a structure, pavement of sidewalk thereon is to be landscaped with sod, grass or a protective ground cover that maintains the proposed storm water run off capabilities of the area to be landscaped is substantial conformity with the degree of ground cover that could be accomplished if grass were installed.

a) Interior Parking Lot Landscaping

1. Interior Landscaping: Concrete curbed parking lot landscaping areas (Landscape Islands) shall be located at the end of each parking row.
2. Area of Landscape Island: Landscape islands shall be a minimum of one hundred twenty eight (128) square feet in area and a minimum of eight (8) feet in width, as measured from back of curb to back of curb.

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3. Type of Landscape Material: One (1) shade tree of a minimum of two and one-half (2 ½) inch diameter as measured six (6) inches above the established ground level shall be provided for each one hundred twenty eight (128) square feet of landscape island. A minimum of fifty (50) percent of every landscape island shall be planted with live plant material, such as shrubs, ground cover or turf grass. The remaining area of the landscape island shall be covered with an organic mulch.
4. Visibility: To ensure proper visibility within the parking lot, shrubs shall be no greater than thirty (30) inches in height and the branches of trees shall start no less than six (6) feet above the pavement.
5. Thorny trees and bushes are prohibited within the parking lot.

b) Perimeter Parking Lot Landscaping

1. Area: A minimum three (3) foot wide landscape area shall be provided adjacent to all parking lots.
2. Front and Corner Side Yards:
 - a. Across from Residential Property: Where a parking lot is located across a dedicated public right-of-way from property zoned for residential use, continuous landscaping shall be provided across one hundred (100) percent of the parking lot to a minimum height of thirty (30) inches. Such landscaping shall consist of evergreen and deciduous shrubbery and/or hedges spaced at a maximum of four (4) feet on center.
 - b. Across from Non-Residential Property: Where a parking lot is located across a dedicated public right-of-way from property zoned for non-residential use, landscaping shall be provided across fifty (50) percent of the parking lot to a minimum height of twenty four (24) inches. Such landscaping shall consist of evergreen and deciduous shrubbery and/or hedges spaced at a maximum of three (3) feet on center.
 - c. Ground Cover: Except where occupied by planting beds (including ground covers) and trees, all landscaping areas located in front and corner side yards shall be sodded.

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3. Rear and Interior Side Yards:
 - a. **Abutting Residential Property:** Where a parking lot abuts a property zoned for residential use, continuous landscaping shall be provided across one hundred (100) percent of the parking lot. The landscaping shall be consistent with a transition yard screening described in Section 7D unless the parking lot is located more than 100 feet from the property line. Then the transition yard screening shall be provided along the property line and the perimeter parking lot landscaping shall be the same as Section 7B3b.
 - b. **Abutting Non-Residential Property:** Where a parking lot abuts a property zoned for non-residential use, landscaping shall be provided across fifty (50) percent of the parking lot to a minimum height of twenty four (24) inches. Such landscaping shall consist of evergreen or deciduous shrubbery and hedges spaced at a maximum of three (3) feet on center. Shade trees of a minimum of two and one-half (2 ½) inches in diameter as measured six (6) inches above the established ground level shall be spaced at the equivalent of not more than seventy (70) feet apart along that portion of the parking lot abutting the non-residential property exclusive of access drives perpendicular to the lot lines.
 - c. **Ground Cover:** Except where occupied by planting beds (including ground covers) and trees, all landscaping areas shall be sodded or seeded with turf grass.
- c) **Perimeter Lot/Development Landscaping:** Perimeter landscaping shall be required for all lots/developments, other than one and two family, in accordance with the provisions of this Section.
 1. **Trees:** Shade trees of a minimum of two and one-half (2 ½) inch diameter and measured six (6) inches above the established ground level and/or evergreen trees a minimum of six (6) feet in height shall be spaced at the equivalent of not more than seventy (70) feet apart along the abutting property line exclusive of access drives perpendicular to lot lines.
 2. **Ground Covers:** Except where occupied by planting beds (including ground covers) and trees, all perimeter landscaping areas shall be sodded or seeded with turf covers.

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d) Transitional Yard Screening:

1. Appropriate transitional yards and continuous screening/buffering is required in the following instances:
 - a. When non-residential uses or structures abut a residence or residential zoning district.
 - b. When single-family attached dwellings or multi-family structures abut a single detached single-family residential building(s).
 - c. When double frontage rear yards are created along arterial or collector streets.
 - d. A minimum thirty foot (30') landscape buffer shall be provided along the perimeter lines of any neighborhood when such line abuts a public street unless fronted by residences from the development. Planting plans shall take into account the use proposed within the neighborhood either increasing the density of plantings when residential lots back to a perimeter road or controlling the density of plantings when ponds or other desirable open spaces abut the perimeter road.
 - e. In manufacturing districts, a minimum of a fifteen feet wide landscape strip shall be provided along all street frontages containing a berm and dense landscaping.
2. The screening of one hundred (100) linear feet of transition yard should have a minimum of three (3) shade trees, nine (9) ornamental or evergreen trees, and twenty-one (21) shrubs.
3. Methods of screening should include:
 - a. An earthen berm.
 - b. Densely planted natural shrubbery of a species that can normally be expected to reach a height of six feet, having a minimum height of three feet at the time of planting.
 - c. Evergreen trees having a minimum height of six feet at the time of planting.
 - d. Ornamental trees having a minimum of two and one half (2 ½) inch diameter as measure six (6) inches above the established ground level.
 - e. Shade Trees having a minimum of two and one half (2 ½) inch diameter as measured six inches (6) above the established ground level.

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e) Foundation Plantings

1. Single-family attached and multi-family residences shall be landscaped at a minimum with the following per residential unit:

- a. Fully sodded front and side yards.
- b. Seeding in rear yards (preferably sod).
- c. Foundation plantings are required for each front or side building façade facing a public street. Such foundation plantings shall include a minimum of 40 plant units. Plant units shall be calculated as follows:

- One overstory tree = 10 plant units
- One evergreen tree = 7 plant units
- One ornamental tree = 5 plant units
- One large shrub = 2 plant units
- One small shrub = 1 plant unit
- Perennials and ground covers = ½ plant unit /100 square feet of area

2. Commercial properties.

- a. Where a building is located adjacent to a right-of-way, the foundation area of the building shall include a mulched landscape area. This landscaped area can be in planter boxes constructed of the same material as the adjacent portion of the building.
- b. Building walls adjacent to a right-of-way shall contain foundation plantings for a minimum of 50% of the length of the building wall and shall contain landscaping in an area at a minimum of ten feet in depth.
- c. Building walls that are not adjacent to a right-of-way that are adjacent to driveways or parking spaces (except loading areas) shall contain foundation plantings for a minimum of 50% of the length of the building wall and shall contain landscaping in an area a minimum of five feet in depth.
- d. Where an outdoor use is located adjacent to the right-of-way, the entire length of the use area shall be landscaped per the building foundation requirements.
- e. Where any screen wall or fence is required, the landscaped area shall be located between the property line and the wall or fence.

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f) Screening of Refuse Disposal Areas:

1. All refuse disposal and grease storage containers shall be fully screened on all four (4) sides to a height of six (6) feet. The enclosure shall be used strictly for the confinement of refuse and grease containers and shall not be used for the outside storage of any other materials or equipment. All refuse screening areas shall not be constructed of chain link. Commercial grade wood fence, masonry wall or equivalent material may be used. When the enclosure is designed to serve a new or reconstructed principal building, the enclosure shall be a solid wall constructed of wood or masonry using materials, colors, and patterns similar to the exterior of the principal building. Single family attached and detached residences utilizing curbside service are exempt from the above screening requirements.
2. Certain lots within the City, particularly lots within the downtown area, may lack sufficient space for such enclosures. In cases where there are unique circumstances that make the installation impractical, including but not limited to the lack of useable area on the zoning lot or a location being completely hidden from public view, the Zoning Administrator may grant a waiver of the requirement upon receipt of the owner's written request and explanation of the particular hardship. Prior to granting such waiver, the Zoning Administrator shall determine that all reasonably feasible measures have been taken to mitigate any negative impacts caused by the placement of dumpsters, grease containers, or any other solid waste disposal receptacle.
3. All properties subject to the above screening requirements that exist in the City prior to the effective date of this ordinance (February 1, 2010) shall comply with screening requirements when a building on the zoning lot is expanded by 500 square feet or more, if the property is rezoned, or no later than February 1, 2020 (being ten years from the effective date of this ordinance), whichever occurs first.
4. Section 52.07 (R) LOCATION OF STORAGE FACILITIES regulates where storage facilities shall be stored on a lot.

g) Outside Storage Areas

All outside storage areas shall be screened by a solid fence and have landscaping around the outside of the fence as follows:

1. Facing Public Right-of-Way or Residential Property:
Where the side of a fenced in storage area faces the Public Right-of-Way or property zoned for residential use, continuous landscaping shall be provided across one hundred (100) percent of the fencing and shall be consistent with a

transition yard screening described in Section 7d. If the fence is located more than 100 feet from the side or rear property line that is adjacent to the residential property, then the transition yard screening shall be provided along the property line and the landscaping along the fence shall be the same as Section 7g2 below.

2. Facing Non-Residential Property:

Where the side of a fenced in storage area faces property zoned for non-residential use, landscaping shall be provided across fifty (50) percent of the fencing. Such landscaping shall consist of evergreen or deciduous shrubbery and hedges spaced at a maximum of three (3) feet on center. Shade trees of a minimum of two and one half (2 ½) inches in diameter as measured six (6) inches above the established ground level shall be spaced at the equivalent of not more than seventy (70) feet apart along that portion of the fence facing the non-residential property.

SECTION 153.50.120 – LANDSCAPING (continued)

3. Storage/Parking of Vehicles or Equipment

Where vehicles or equipment are being stored or parked in an area where the vehicle or equipment would extend higher than the top of the fence, that is providing screening to the adjacent parcel or right-of-way, then additional trees shall be provided to screen the top of the vehicles or equipment that extend higher than the fence.

8. Downtown Commercial District

The Downtown Commercial District is unique in that it contain Historic buildings and structures, small narrow lots, buildings with no setbacks, and a pedestrian zone. Because of these factors landscape treatment will differ from the other parts of town and within the downtown district itself.

a) Pedestrian Zone/Parkways:

The area between the fronts of buildings and the street shall be considered as the Pedestrian Zone. Recommendations in the Preliminary Streetscape analysis of "State Street", prepared by Decker Legge Kemp May 1993, or the latest approved plan, shall be used as a guide in determining the landscape treatment of the pedestrian zone in the Downtown Commercial District.

b) Parking Lots:

Because of the small narrow lots in the Downtown Commercial District the creation of parking lots may not always be able to provide the desired landscaping provided for in Section 7 of this Ordinance.

Since parking spaces are important to the Downtown Commercial District all parking lots should be designed towards achieving the maximum number of parking with proper traffic circulation.

Landscaping of parking lots shall be required for the areas not needed for parking spaces or circulation. If possible the landscaping of these areas should be in accordance with Section 7A & B of this Ordinance. If the landscaping cannot be installed according to said section a variance will not have to be obtained provided that the Landscaping proposed is the most appropriate and beneficial to the area.

SECTION 153.50.120 – LANDSCAPING (continued)

9. Change to Approved Landscape Plan

Any change to or deviation from an approved Landscape Plan, which is in conformance with this chapter, shall require the approval of the Department or Commission that approved the plan (e.g. the Department of Planning/Building/Zone or Plan & Zoning Commission). Changes which do not conform to this Chapter shall be subject to the procedures for a variance as established in Section 153.10.050 of the Development Code.

10. Landscape Maintenance

The owner, tenant or their agent, if any, shall be responsible for the maintenance of all landscaping located on the site required by the provisions of this Ordinance or by any approved development plan for the site. Landscaping shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. Any dead or severely damaged or diseased plant shall be replaced by the owner, tenant or their agent no later than the next planting season for the particular plant or plants in question.

11. Landscaping Assurance

With the understanding that certain reasonable conditions (e.g. season, unavailability of landscape materials, inclement weather, etc.) may not allow required landscaping to be completed prior to the issuance of the first occupancy permit, landscaping assurances shall be required in accordance with the provisions of this Section.

- a) The Developer/Owner shall provide, in writing, the reasons why the required landscaping cannot be completed prior to the issuance of the first Occupancy Permit and the date all landscaping will be completed.
- b) The protective ground cover shall be installed within 60 days once the first Occupancy Permit is issued. The Building Official can grant extension if inclement weather exists. Occupancy Permits issued over the winter months shall require that the protective ground cover is installed by June 15.
- c) The landscape installer shall provide an itemized cost estimate of all the landscaping to be completed.
- d) Prior to the issuance of the first occupancy permit, the developer/owner shall provide assurance that the required landscaping will be completed.

SECTION 153.50.120 – LANDSCAPING (continued)

- e) The developer/owner can deposit with the City a cash escrow, performance bond, or a letter of credit in the amount of 115% of the cost estimate of the approved Landscape Plan. If the developer/owner does not complete the landscaping by the stated date the landscaping was to be completed, the City may use the cash escrow or call the surety bond or letter of credit to contract with a landscaping company to complete the landscaping to meet City Standards, or use to take legal action against the Developer/ Owner.
- f) All landscape material shall be guaranteed for a period of one years after initial planting.

12. Definitions

- A. The definitions noted below apply uniquely to this Chapter and supersede any conflicting definitions found in Chapter 151 of the Lockport Municipal code. The rules for interpretation found in Chapter 151 shall be applicable to the definitions noted below.
 - 1. Landscaping - The existing and/or proposed features of real estate which are intended to enhance and/or buffer a development, including but not limited to trees, shrubs, lawns, rocks, berming, waterways, fences, etc.
 - 2. Parkway – The unpaved area of the public right-of-way between the property line and the roadway.
 - 3. Shade Tree - A deciduous tree planted primarily for its high crown of foliage or overhead canopy.
 - 4. Ornamental Tree - A deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.
 - 5. Parkway Tree - A tree which is permitted under Section 153.50.120 G of the Municipal Code and planted within a parkway.
 - 6. Parking Lot - All paved areas on property other than detached single-family and attached single-family residential lots and intended to be used for parking spaces, maneuvering aisles, and service drives.
 - 7. Spaced at the equivalent of - The procedure to calculate the required number of trees by taking the total measurement in feet of a dimension divided by the amount of feet apart the trees are to be spaced. If a fraction of required trees is .5 or above, round up to the next whole number; if a fraction of required trees is less than .5, round down to the next whole number.

SECTION 153.50.120 – LANDSCAPING (continued)

8. Interior parking lot landscape area - Unpaved landscaped areas within a parking lot, as opposed to the perimeter of the parking lot.
 9. Perimeter parking lot landscape area - The area around the perimeter of a parking lot extending from the property line to the nearest edge of the parking lot.
 10. Perimeter landscape area - The area around the periphery of a property extending from the property line to the nearest building face, but not including parking lots or perimeter parking lot landscape areas.
 11. Natural landscape area - An area of land where natural vegetation customarily found in Northeast Illinois is allowed to grow and exist with minimal human intervention.
 12. Turf grass - Areas of mown ground cover grasses primarily consisting of bluegrass fescue, and rye grass.
 13. City Agent - This consultant shall be selected by the City Council for the review of the Landscape Regulations as specified herein for development plans. The consultant may be a landscape architect, arborist or forester, of which the specific qualifications would be determined by the specific characteristics of the project.
 14. Diameter of Breast Height (DBH)- Diameter of tree measured at four and one half (4½) feet from the ground. Used for established trees greater than 4” in diameter. multistem trees are measured individually and the diameters are added, per ISA standards.
 15. Caliper- The diameter of tree measured at 6” from ground. Usually used for established trees 4” in diameter and less and for all single stemmed nursery trees purchased for planting.
 16. ISA- International Society of Arboriculture- International professional organization that sets standards for arboriculture.
13. City Agent Review Fee

The applicant/developer shall pay all costs and fees incurred by the City in connection with the City’s Agent plan review and inspections associated with the project.