

§ 206-517. Conservation of woodlands, hedgerows and specimen vegetation.

The purpose of this section is to promote conservation of woodland, hedgerow and specimen vegetation throughout Kennett Township through establishment of specific limitations to land development activities, replacement requirements, and management planning provisions. In addition to the following standards, the applicant shall meet the natural resource protection requirements of Article XVIII of the Zoning Ordinance.

A. Limitations to woodland disturbance.

(1) The design of any subdivision or land development shall minimize the necessity for woodland disturbance, including alteration or removal of any hedgerows.

(2) No specimen vegetation, including heritage trees, shall be removed from any lot or tract except where the applicant demonstrates to the satisfaction of the Board of Supervisors that such removal is essential to eliminate hazardous condition(s) or otherwise permit lawful use of the lot or tract. Where permitted, removal of specimen vegetation shall be minimized. Specimen trees to be retained shall be credited toward any tree replacement required under § 206-517B.

(3) In each situation where the standards of § 206-517 are applied, consideration shall be given to balancing the benefits of woodland preservation and replacement with other valuable resources on the site, including the protection of scenic views and the creation of a less visually intrusive layout.

(4) Where permitted, any woodland disturbance exceeding any of the following standards shall require woodland replacement in accordance with § 206-517B. Each of the following standards shall be applied independently, and the corresponding replacement requirements shall be cumulative.

(a) Disturbance thresholds in the R-1, R-2, R-3, V-2 and SA Districts; woodland disturbance in excess of 10,000 square feet of existing area of woodland or hedgerow(s) for each principal use permitted on any lot or tract. As an example, where two principal uses are permitted, woodland disturbance may involve up to 20,000 square feet (10,000 times 2) before replacement is required, except as otherwise provided below.

(b) Disturbance thresholds in the R-4, V-1, BP, C and LI Districts; woodland disturbance in excess of 15,000 square feet of existing area of woodland or hedgerow(s) for each principal use permitted on any lot or tract. As an example, where two principal uses are permitted, woodland disturbance may involve up to 30,000 square feet (15,000 times 2) before replacement is required, except as otherwise provided below.

(c) Woodland disturbance in excess of 50% of any existing area of woodland or hedgerow(s) on any single lot subdivided after the enactment of this section.

(d) Woodland disturbance in excess of 25% of any existing area of woodland or hedgerow(s) on any tract subject to subdivision, measured in its entirety, or on any single lot or tract subdivided prior to the enactment of this section, except as otherwise provided below.

(e) Any woodland disturbance in any of the following areas:

[1] Any area designated as "Class I woodland" on the Kennett Township Woodland Classification and Forest Interior Map.

[2] Areas designated as "Class II woodland" on the Kennett Township Woodland Classification and Forest Interior Map, except where such area is located in the R-4, V-1, BP, C and LI Districts.

[3] Any area designated as either "woodland corridor" or "riparian corridor" on the Kennett Township Woodland and Riparian Corridors Plan, except where such area is located in the R-4, V-1, BP, C and LI Districts.

[4] Any area within the dripline of any heritage tree.

(f) The extent of any area of woodland disturbance shall be measured to include the entire area within the dripline of any tree where any part of the area within the dripline of said tree is subject to woodland disturbance.

(5) In determining where necessary woodland disturbance shall occur in the context of any subdivision or land development, the applicant shall consider the following:

(a) The location(s) and benefit of conservation of healthy mature woodland stands;

(b) The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas. Such impacts must be explicitly assessed in any area within a woodland or riparian corridor, any area designated as "forest interior habitat areas," and any other areas of Class I or Class II woodlands, or any other woodlands exceeding 10 acres in area.

(6) In areas of permitted woodland disturbance and areas adjacent to permitted woodland disturbance, care shall be exercised to protect remaining trees from damage. To the maximum extent practicable, the following procedures shall be utilized during construction in order to protect remaining trees:

(a) Where existing trees are to remain, no change in existing grade shall be permitted within the dripline of the trees. Prior to any land disturbance, appropriate fencing four feet in height shall be placed at the dripline of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity and shall be inspected by the Township prior to initial land disturbance. Roots shall not be cut within the dripline of any trees to remain.

(b) Trees within 25 feet of a building or bordering entrances or exits to building sites shall be protected by a temporary barrier to be maintained in place throughout the duration of construction activity.

(c) No boards or other material shall be nailed or otherwise attached to trees during construction.

(d) Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the driplines of trees to remain, except for mulched vegetative matter used to prevent soil compaction.

(e) Tree trunks, limbs and exposed roots damaged during construction shall be protected from further damage by being treated immediately in accordance with accepted professional landscape procedures.

B. Required vegetation replacement.

(1) Where woodland disturbance exceeds any of the standards set forth in § 206-517A(4) above, applied independently and cumulatively, replacement plantings shall be installed in accordance with the standards set forth below. A sample list of acceptable replacement plantings is found in Appendix B, Woodland Replacement Plantings - Suggested Plant List. Editor's Note: Appendix B is included at the end of this chapter.

(a) At a minimum, for each 500 square feet of woodland disturbance area or fraction thereof in excess of the applicable standard set forth in § 206-517A(3), and regardless of the character and sizes of the disturbed vegetation, one tree at least two to 2 1/2 inches in caliper and two shrubs at least 24 inches to 30 inches in height shall be planted. On recommendation of either the Township Landscape Architect or Township Forester to meet specific restoration objectives, a minimum of two trees at least 24 inches to 30 inches in height may be substituted for the previous requirement. Trees and shrubs suitable for replacement plantings are listed in Appendix B of this chapter.

(b) In addition to trees required pursuant to § 206-517B(1)(a) above and regardless of any disturbance allowances, for each tree greater than 12 inches in diameter at breast height to be removed, replacement trees shall be planted in accordance with the following schedule. For purposes of this section, it shall be assumed that any tree greater than 12 inches in diameter at breast height shall be removed if located within 25 feet of any proposed land disturbance. All replacement trees required under this subsection may be credited toward the total number of replacement trees required under § 206-517B(1)(a) above. For each tree 12 inches or greater to be removed, the minimum number and caliper at the following sizes of replacement trees shall be:

Number of Trees Removed; Size

(inches of diameter at breast height)

Number of Replacement Trees; Size

(inches caliper)

1; 12 to 18

1; 3 to 3 1/2

1; 18 to 24

2; 3-3 1/2

1; 24 to 36

3; 3-3 1/2

1; greater than 36

4; 3 to 3 1/2

(c) Where approved by the Township as a condition of subdivision or land development approval, required replacement trees may be substituted for greater numbers of trees of smaller caliper than otherwise required.

(d) Required replacement plantings shall be in addition to any required street trees or other landscape material required under applicable provisions of this chapter or of the Kennett Township Zoning Ordinance. Editor's Note: See Ch. 240, Zoning.

(e) Where approved by the Township as a condition of subdivision or land development approval, some or all of the required replacement plantings may be installed at a site other than that subject to required replacement planting.

(f) In lieu of actual tree replacement, the Board of Supervisors may request any applicant for subdivision or land development approval to place the equivalent cash value, as agreed upon by the Township and the applicant, of some or all of the required replacement trees into a special fund established for that purpose. Such fund shall be utilized for the purchase and installation of trees elsewhere in the Township.

(g) The locations, selected species, and sizes of all replacement plantings, along with a planting schedule tied to the timing and/or phasing of the development, shall be indicated on the landscape plan of the final subdivision/land development plan(s) or building permit application, as applicable.

(2) Plantings and their measurement shall conform to the standards of the publications "American or USA Standard for Nursery Stock," ANSI Z60.1, of the American Association of Nurserymen, as amended. All plant material used on the site shall have been grown within the same USDA hardiness zone as the site and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this section.

(3) Species of replacement plantings selected and planting locations shall reflect careful site evaluation and, in particular, the following considerations:

(a) Existing and proposed site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils and microclimate.

(b) Specific functional and design objectives of the plantings, which may include but not necessarily be limited to replacement of woodland area removed, enhancement of existing woodland or old field area(s), reforestation of riparian buffer areas, provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.

(c) Maintenance considerations, such as hardiness, resistance to insects and disease, longevity and availability.

(d) Because of the many benefits of native plants (ease of maintenance, longevity, wildlife habitat, etc.), the use of nursery-grown free-fruiting native trees and shrubs is strongly encouraged. Species selection should reflect species diversity characteristic of the native deciduous woodland.

C. Woodland management planning. The applicant shall include, as part of preliminary and final plan submission, provision for the long-term management of any woodland area not subject to woodland disturbance and any area selected for introduction of replacement plantings in accordance with § 206-517B. Such plan submission shall include a statement of woodland management objectives and shall demonstrate to the satisfaction of the Board of Supervisors the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive species, and means to minimize any future woodland disturbance. Applicants are strongly encouraged to seek woodland management assistance through the Pennsylvania Forest Stewardship Program administered by the Pennsylvania Bureau of Forestry.

D. Replacement guarantee. All replacement plantings shall be guaranteed and maintained in a healthy and/or sound condition for at least 24 months or shall be replaced. In addition, the applicant may be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed vegetation during the twenty-four-month replacement period and to provide for the removal and replacement of specimen vegetation damaged during construction, based upon the recommendation of the Township Landscape Architect or Township Engineer.

E. Suggested plant list. Appendix B Editor's Note: Appendix B is included at the end of this chapter. includes a list of species acceptable for woodland replacement plantings. Specific species selection and planting locations shall reflect careful site evaluation as further set forth in § 206-517B(3).

F. List of selected heritage trees. Appendix B of the Kennett Township Zoning Ordinance Editor's Note: See Ch. 240, Zoning. indicates the size at which selected species of trees shall be classified as "heritage trees" for the purpose of regulations within this chapter.

§ 206-519. Landscaping.

A. Parking lot landscaping. The following regulations shall apply to all parking lots with 10 or more vehicles:

(1) The outer perimeter of parking areas shall be screened. Effective screens shall be accomplished through the use of plant materials, fencing or walls and/or mounding through the use of earthen berms.

(2) Off-street parking areas and parking lots shall be landscaped to reduce wind and air turbulence, heat and noise and the glare of automobile lights; to reduce the level of carbon dioxide; to provide shade; to ameliorate stormwater drainage problems; to replenish the groundwater table; to provide for a more attractive setting; and to provide for public safety.

(3) Parking areas shall be landscaped. Each parking lot shall have one two- to two-and-one-half-inch caliper shade tree for every five parking spaces. Trees in parking lots shall be placed in islands a minimum of 10 feet in width and suitable for mature trees.

(4) Shrubs, ground covers and other plant materials are encouraged to be used to complement the required shade trees but shall not be the sole contribution to the landscaping.

(5) The type of plant materials to be used shall be subject to review and approval by the Board of Supervisors upon the recommendation of the Planning Commission. Native plant materials shall be used to the maximum extent possible.

B. Landscaping adjacent to buildings. The following provisions shall apply to multifamily, commercial, institutional and industrial uses.

(1) Any portion of a site which is not used for buildings or other structures, loading and parking spaces and aisles and sidewalks shall be planted and maintained with landscaping and an all-season ground cover according to an overall landscape plan prepared and approved as part of the development plan.

(2) Landscaping shall be provided in association with each principal building in accordance with the following criteria:

(a) A combination of evergreen and deciduous trees and shrubs shall be used as foundation plantings (i.e., plantings to be installed in reasonably close proximity to building facades).

(b) Tree requirement. A minimum of one deciduous tree of a minimum of three-and-one-half-inch caliper and one evergreen tree of eight feet to 10 feet in height shall be planted for every 50 feet of building facade.

(c) Shrub requirement. A minimum of five evergreen shrubs and five deciduous shrubs shall be planted for every 100 feet of building facade.

(3) Additional landscaping, including trees, shrubs and ground cover, shall be provided in or around the following areas: walkways, courtyards, entrances to the site, building entrances, and structures used for service, storage or maintenance purposes.

(4) Shrubs shall not be placed closer than five feet from any property line or building wall, and trees shall not be closer than 10 feet from any property line.

(5) In cases where existing vegetation replicates or improves upon the planting requirements of this section, such features may be substituted for a portion of the required planting, with Township approval.

C. Street trees. Street trees shall be provided within any proposed subdivision or land development along both sides of new streets. In addition, within any subdivision and land development fronting on an existing street or streets where there are no existing trees, street trees shall be provided along the frontage of the area proposed for development. Street trees shall be planted in accordance with the following standards:

- (1) Street trees shall be a minimum of three-and-one-half-inch caliper.
- (2) Trees shall be spaced at a maximum of thirty-foot intervals, except where a tree planting will jeopardize the proper functioning of utility facilities or be in too close proximity to existing natural trees.
- (3) Street trees shall be placed a minimum of three feet, but no more than five feet, from the right-of-way line so as not to interfere with the installation and maintenance of sidewalks and utilities. Street trees located within boulevards' islands may be located within the street right-of-way.
- (4) Trees shall be planted at least 30 feet from street intersections and shall not interfere with the clear sight triangle and sight distance requirements of § 206-502G.
- (5) Appropriate street trees shall be used along streets and in boulevard islands. No one species shall comprise more than 25% of the entire number of street trees in a particular development. Street trees considered appropriate for use as street trees are included in Appendix D, Street Trees and General Landscaping - Suggested Plant List. Editor's Note: Appendix D is included at the end of this chapter. Other trees not included in this list, particularly native species, may be used with Township approval.
- (6) Species of trees should be selected that exhibit growth habits that permit maintaining eight feet of vertical clearance above the sidewalks and 14 feet of vertical clearance above the streets or cartways.
- (7) Based on a forty-year growth cycle, no tree with a projected trunk growth diameter greater than 24 inches shall be planted in a boulevard less than eight feet wide. A combination of ornamental and canopy trees may be used within a boulevard, with Township approval.
- (8) Trees shall be resistant to salt and deicing compounds, able to withstand concentrated heat from large paved surfaces, soil compaction and drought, and have deep root systems that will not crack pavements and sidewalks.
- (9) Trees that have low-growing branches, exude gum or moisture that may drop on vehicles, or blossoms, thorns, seeds or pods that may clog drainage facilities shall not be permitted.
- (10) Where existing trees are located along street rights-of-way, such trees may be substituted for required street trees with Township approval. Diseased or undesirable varieties of existing trees shall not be retained or counted towards required street trees. Existing trees to be preserved shall be protected during the construction phase in accordance with § 206-517A.
- (11) Proposed street tree plantings shall be included on the landscape plan required in § 206-519G.

D. Landscaping and structural features at entranceways.

(1) Where the applicant proposes landscaping and/or structural entranceway features to the subdivision or land development (such as gates, walls or fences), such landscaping and features shall be included on the required landscape plan and shall be subject to Township review and approval.

(2) The following minimum standards shall apply to the treatment of residential entranceways:

(a) A structural entranceway feature shall not exceed eight feet in length or six feet in height. The structural feature may include the identification sign, subject to the sign dimensions permitted by Article XXI of the Zoning Ordinance.

(b) The structural feature shall be landscaped and shall not be illuminated.

E. Landscaping of stormwater facilities. Stormwater facilities shall be landscaped in accordance with the requirements of Article IX.

F. Screening between land uses. Vegetative screening shall be provided as required in accordance with § 240-2011, Screening standards, of the Zoning Ordinance.

G. Landscape plan requirements. A landscape plan shall be provided depicting all proposed planting for parking lots, landscaping adjacent to buildings, street trees, screening and woodland replacement requirements, as applicable to the proposed subdivision or land development. Landscape plans shall be submitted at the time when all other required preliminary or final applications and/or plans are submitted and shall include notes, diagrams, sketches or other depictions to present the consideration and analysis of the following:

(1) An analysis of the site in terms of the existing views to and from the areas which are proposed for development; existing topography and vegetation conditions; and other existing conditions which are relevant to the site.

(2) An analysis of proposed planting and other landscaping needs as related to screening parking areas and other areas where vehicles are parked.

(3) Requirements and standards for landscaping, in addition to that specified above, shall be as determined by the Board of Supervisors. Consideration shall be given to plantings to reduce glare; to abate other nuisances; to enhance the planting area in conjunction with streets; and to fulfill screening and other functional purposes as required by this chapter and the Zoning Ordinance.

(4) The location, type, size, height and other characteristics of landscaping shall be subject to the review and approval of the Board of Supervisors.

(5) Plans shall be based on and reflect the following:

(a) The functional and aesthetic factors that relate to the tract.

(b) Concealing visibility of parking, loading, trash and storage areas.

(c) Using plant materials that are hardy and acclimated to the conditions at the tract and within the Township.

(6) The preliminary landscape plan shall be prepared by a registered landscape architect and shall be drawn at a scale of at least one inch equals 50 feet. It shall be totally coordinated with the overall site plan in terms of its relationship to proposed buildings, roads, parking areas, walks, fencing, benches, signs, lighting and other like structures and shall contain the following:

(a) A delineation of existing and proposed plant materials.

(b) A delineation of all trees and other vegetation to be removed.

(c) A delineation of tree protection areas where snow fence or other temporary fence is placed and consistent with the requirements of § 206-517A(5) for protection of vegetation to remain on site.

(d) Proposed treatment of entranceways, including both landscaping and structural features (i.e., walls, gates, or fences), shall be shown on the landscape plan.

(7) A final landscape plan shall be prepared by a registered landscape architect and shall be submitted after the Township has reviewed the preliminary landscaping plan and submitted comments on the plan to the applicant. The final landscaping plan shall be drawn at a scale of one inch equals 50 feet maximum. It shall be totally coordinated with the overall site plan and shall contain the following:

(a) A final version of all of the plan requirements stated in § 206-519G(6) above for a preliminary landscape plan.

(b) A plant list wherein the botanical and common name of proposed plants are tabulated, along with the quantity, caliper, height, spread, and other dimensions and characteristics.

(c) Details for the planting and staking of trees and the planting of shrubs, and any other details which depict other related installation or protection, such as ground cover spacing, tree fencing, tree grates and guards, tree wells and the like.

(d) Information regarding the continued maintenance of all plantings and notes indicating that all plantings will be installed, maintained and replaced if dead or diseased in the same locations as shown on the approved landscape plan.

(8) Long-term maintenance plan for street trees, buffer plantings, and parking lot landscaping.

(a) A long-term maintenance plan shall be submitted by the applicant for the ongoing management and maintenance of parking lot trees, street trees, buffer plantings, landscape screens, foundation plantings and any other landscaping required by the Township through this chapter or the Zoning Ordinance.

(b) It shall be the responsibility of the owner/lessee of the property to provide the long-term maintenance plan to the landscape contractor and ensure that the plan is observed.

(c) The Township Code Enforcement Officer will make inspections periodically and will be the contact person for inquiries or interpretations regarding the plan. The Township Code Enforcement Officer may seek input from the Township Landscape Architect, as needed.

(d) The long-term maintenance plan shall establish standards of care and maintenance on an annual basis, including the following:

[1] Lawns. The plan will establish standards for mowing, watering, fertilizing, herbicide and pesticide applications of lawn grasses.

[2] Meadows. The plan will establish standards for mowing, watering, fertilizing and invasives' removal from meadow grasses and wildflowers.

[3] Buffers and screens. The plan will establish standards for watering, fertilizing, pruning and invasives' removal.

[4] Trees. The plan shall establish standards for pruning, watering and fertilizing. Excessive crown pruning to facilitate visibility of buildings shall not be permitted and shall be so stated in the maintenance agreement.

(e) It shall be the responsibility of the landowners, developers, homeowners' association, tenants and/or other occupants of the premises to adequately and properly maintain the landscaped areas in accordance with the long-term maintenance plan.

H. Plant characteristics. Plants proposed for landscaping for any purpose shall comply with the following criteria.

(1) The applicant shall use Appendix D, Street Trees and General Landscaping — Suggested Plant List, Editor's Note: Appendix D is included at the end of this chapter. for guidance when selecting plants for street trees and general landscaping purposes. Appendix B and Appendix C Editor's Note: Appendixes B and C are included at the end of this chapter. shall be used for guidance when selecting woodland replacement plantings and plantings for stormwater management facilities, as applicable. Plants other than those listed in the plant lists may be used, subject to the approval of the Township Landscape Architect.

(2) All plants shall conform with the "American Standard for Nursery Stock" of the American Association of Nurserymen, latest edition. Trees and shrubs shall be typical of their species and variety and shall have normal growth habits, well-developed, densely foliated branches, and vigorous, fibrous root systems.

(3) Trees and shrubs shall be free from defects and injuries and certified by appropriate federal and state authorities to be free from diseases and insect infestations.

(4) Trees and shrubs shall be freshly dug and nursery grown. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the

locality of the project and shall be properly root pruned to ensure the healthy development of feeder roots in the root ball.

(5) Appropriate species of trees shall be chosen and placed so as not to interfere with overhead utility lines.

(6) All replacement plantings shall be guaranteed and maintained in a healthy and/or sound condition for at least 24 months or shall be replaced. In addition, any tree or shrub which is deemed, in the opinion of the Township, not to be growing in a manner characteristic of its type shall be replaced. Substitutions for certain species of plants may only be made when approved by the Board of Supervisors and recommended by the Township Landscape Architect.