

Wyandotte County - Unified Government, Kansas, Code of Ordinances >> Chapter 27 - PLANNING AND DEVELOPMENT >> ARTICLE VIII. - ZONING >> **DIVISION 10. - LANDSCAPING AND SCREENING**  
>>

**DIVISION 10. - LANDSCAPING AND SCREENING**

Sec. 27-696. - Definitions.

Sec. 27-697. - Purpose.

Sec. 27-698. - Plan requirements.

Sec. 27-699. - General requirements and guidelines.

Sec. 27-700. - District requirements.

Sec. 27-701. - Existing plant material.

Sec. 27-702. - Planting requirements.

Sec. 27-703. - Maintenance.

Sec. 27-704. - Installation prior to final occupancy.

Secs. 27-705—27-721. - Reserved.

**Sec. 27-696. - Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Architectural screening* means a masonry or wood frame wall or any fence designed, constructed and maintained to provide a complete obstruction of view from ground level to at least the height specified in the individual zoning district requirements, to be durable and compatible with surrounding development. A berm is considered to be architectural screening.

*Deciduous* means those trees and shrubs that shed their leaves annually.

*Evergreen* means those trees and shrubs that do not shed foliage annually.

*Ground cover* means landscape materials or living, or low-growing plants other than turf grass, installed in such a manner so as to provide a continuous cover on the ground surface.

*Landscape materials* means living plants, such as trees, shrubs, vines, ground cover, flowers and grass turf. It may include such nonliving features as stone, sand, bark and brick pavers (excluding pavement), and structural or decorative features such as fountains, pools, earthen berms or mounds, walls, fencing, benches, lighting, etc.

*Landscape screening* means a hedge or dense planting of trees and/or shrubs designed, installed, and maintained for the purpose of providing a year-round complete obstruction of view from ground level to at least the height specified in the individual zoning district requirements.

*Landscaping* means the bringing of the soil surface to a smooth finished grade, installing sufficient trees, shrubs, ground cover and grass to soften building lines, provide shade and generally produce a pleasing visual effect on the premises.

*Large shrubs* means those shrubs that normally attain a height greater than five feet at maturity.

*Native grasses* means those species of perennial grass native to the Midwest other than those designated as noxious weeds by the state department of agriculture and entomology.

*Screening* means a structure erected or vegetation planted as a screen designed to conceal material and operations conducted behind it.

*Shade trees* means those trees that normally attain a height greater than 40 feet at maturity.

*Shrub* means any self-supporting woody plant of a species which normally grows in this region to an overall height less than 15 feet.

*Small shrubs* means those shrubs which normally attain a height less than five feet at maturity.

*Small trees* means those trees which normally attain a height less than 40 feet at maturity, including ornamental trees.

*Tree* means any self-supporting woody plant of a species that normally grows in this region to an overall height greater than 15 feet.

*Turf grass* means a species of perennial grass grown as permanent lawns or for landscape purposes, as distinguished from those species grown for agricultural or commercial seed purposes.

*(Code 1988, § 27-1346; Ord. No. 64690, § 1(27-69.2), 8-30-1984, Ord. No. O-65-02, § 1, 8-29-2002)*  
*Cross reference— Definitions generally, § 1-2.*

### **Sec. 27-697. - Purpose.**

The purposes of this division are:

- (1) To integrate the project with the site, in particular relating to natural topography and existing vegetation.
- (2) To enhance the architecture of the site structures and soften the view of paved areas.
- (3) To minimize the environmental effect of a development on a particular site and surrounding area by providing shade, erosion control, air purification, groundwater recharge, oxygen regeneration, noise, glare and heat abatement, etc.
- (4) To protect the character and value of surrounding neighborhoods.
- (5) To ensure the use of hardy plant material compatible with the climate of the region.
- (6)

To buffer or screen uncomplimentary land uses and their service areas, equipment and appurtenances.

(Code 1988, § 27-1347; Ord. No. 64690, § 1(27-69.1), 8-30-1984)

### **Sec. 27-698. - Plan requirements.**

- (a) *Landscape plan requirements.* A landscape plan is required for all new multifamily, office and professional, commercial, and industrial developments, and major additions to such developments, and shall include the following information:
- (1) North point and scale (a scale of not less than one inch equals 30 feet is desirable).
  - (2) Topographic information and spot elevations sufficient to adequately identify and properly specify landscaping for slope stabilization and required screening.
  - (3) The location, size, and notation of site elements such as buildings, walks, parking areas, and aboveground and underground utilities.
  - (4) The location, type, and size of existing plant material to be retained.
  - (5) The location, type, size and quantity of all proposed plant material and related nonliving, structural and decorative features. Common and botanical names shall be provided for all proposed plant material. Size at time of planting shall be specified according to American Association of Nurserymen standards.
  - (6) The location of all trees 12-inch caliper or larger, measured at one foot above ground level, to be provided whether the tree is to be retained or is proposed for removal.
  - (7) Location of all watering sources.
- (b) *Screening plan requirements.* When landscape screening is proposed, the screening plan shall be included in the landscape plan or include the same plan components. When architectural screening is proposed, construction details must be submitted.
- (c) *Approval.* All landscape and screening plans shall be submitted to the planning division for review and approval as to adequacy prior to the issuance of a building or land use permit. In case of disapproval of a permit for reasons of unacceptable landscape and/or screening plans, the applicant may appeal the decision to the planning commission for review and final determination.

(Code 1988, § 27-1348; Ord. No. 64690, § 1(27-69.3), 8-30-1984)

### **Sec. 27-699. - General requirements and guidelines.**

- (a) *Landscaping.*
- (1) The area between the curb of a public street and the property line shall be brought to finish grade and planted in grass. In no case may this area be paved or covered with materials other than grass or an appropriate ground cover, except at approved driveways that shall be paved. Approved street trees may also be planted.
  - (2) All areas not covered by buildings, paved area, or other acceptably improved areas shall be landscaped with such landscaping continuously maintained.
  - (3) No landscaping in street rights-of-way or in the required sight distance triangles on corner lots, as provided in section 27-637, shall be allowed to exceed 24 inches in height, except for approved street trees.
  - (4)

At least one-half of the trees planted to fulfill the tree planting requirements shall be shade trees.

- (5) The perimeter of all towers including tower compounds shall be landscaped with the equivalent of one row of large shrubs planted on 15-foot centers and one row of evergreen trees planted on 15-foot centers.
  - (6) Nonindustrial and nonstructure parking lots that have a paved area wider than a double-loaded aisle and more than 20,000 square feet in area shall provide one shade tree for each 20 parking spaces on the interior of the parking lot. Interior tree plantings are in addition to other landscaping requirements.
- (b) *Screening.*
- (1) *Screening setback.* Screening shall not extend into the sight distance triangle or beyond the required parking or paving setback where side or rear lot lines approach a street right-of-way.
  - (2) *Screening made ineffective.* Where the required screening is made ineffective by topographic or other uncontrollable conditions or where the screening would tend to obscure another commercial or industrial use, buffer plantings and/or shade trees may be substituted.
  - (3) *Existing screening.* If existing screening on either side of a property line meets or exceeds screening requirements, no additional screening will be required. However, if at any time such screening fails to conform to ordinance requirements, compliance shall be provided by the owner of property in the less restrictive zoning district.
  - (4) *Delayed screening.* Screening requirements may be delayed if adjacent property is undeveloped and unplatted. The unified government may, however, at any time require such screening to be provided.
  - (5) *Screening of outside trash bins or trash containers.* All outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided.
  - (6) *Screening of mechanical equipment.* Mechanical equipment or other utility hardware whether on the ground or on a building shall be screened from public view. Such screening shall be harmonious with building design and materials.
  - (7) *Screening of parking areas.* Where a parking lot serves other than single-family or two-family dwellings and is adjacent to or across an alley from property zoned for single-family or two-family use, such parking lot shall be provided with an architectural screen at least four feet in height above the paving surface. Buffer plantings or landscape screening may be substituted if protection from headlights is not determined to be necessary. Where more stringent requirements exist, they shall apply.
  - (8) *Outdoor storage.* Requirements are listed in the individual district unless otherwise included herein.

- (9) *Lighting.* Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed one foot candle as measured from said property line.

(Code 1988, § 27-1349; Ord. No. 64690, § 1(27-69.4), 8-30-1984; Ord. No. 65814, § 15, 7-8-1993; Ord. No. 66177, § 7, 12-5-1996; Ord. No. O-65-02, § 3, 8-29-2002)

### **Sec. 27-700. - District requirements.**

- (a) In the R-1, R, AG, R-1(B), R-2, and R-2(B) districts, one shade tree per dwelling unit is required in the front or corner side yard, and one tree per 7,000 square feet of site area for uses other than residences.
- (b) The general landscaping and screening requirements for the other districts are listed in each particular district. In addition:
- (1) *R-3, R-4, R-5, R-6, R-M, C-O districts.* Buffer plantings, which shall include the equivalent of a minimum of one evergreen tree or one shade tree and three large shrubs for each 30 feet of adjacent project boundary, shall be provided for such development adjacent to single-family or two-family zoned property. Except in district R-M and C-O, such buffer plantings may be arranged on any portion of the property. Buffer plantings will be in addition to required trees. In district R-M and C-O, buffer plantings may be required to be concentrated along potentially unsightly areas or where sensitive areas exist on adjacent property. All multifamily residential projects shall include at least one shade tree per eight dwelling units and one shrub per dwelling unit in addition to the tree requirement, but not in addition to the buffer plantings if required.
  - (2) *Conflicting requirements.* Except in district M-3, where uses are clearly permitted in restrictive zoning district than exists on the site to be utilized, the landscaping and screening requirements of the first district in which the use would be permitted shall apply.
  - (3) *Districts M-1, M-2, and M-3.* A buffer area shall be provided along side and rear property lines common to or across an alley from residentially zoned property and shall consist of an area 15 feet in width improved with a six-foot architectural screen adjacent to the property line and one row of shade trees spaced not more than 40 feet on center and one row of large shrubs spaced not more than eight feet on center.
  - (4) *District M-3.* Trees may be required depending on the particular location and surroundings of the project up to a maximum of one tree per 15,000 square feet of site area. Auto salvage yards shall be enclosed by a minimum eight-foot tall architectural screening fence, and nothing shall be stored to a height greater than the height of the fence.

(Code 1988, § 27-1350; Ord. No. 64690, § 1(27-69.5), 8-30-1984; Ord. No. 64884, § 13, 10-3-1985; Ord. No. 65417, § 28, 4-6-1989)

### **Sec. 27-701. - Existing plant material.**

Where healthy plant material exists on a site prior to its development and where such is not damaged by site development procedures, such plant material may be credited toward the minimum number specified for each zoning category. Such existing plant material must, however, be in keeping with the intent of this division. This will be determined by its type, size, and location as noted in the required landscape plan.

(Code 1988, § 27-1351; Ord. No. 64690, § 1(27-69.6), 8-30-1984)

### **Sec. 27-702. - Planting requirements.**

Planting requirements, including minimum planting sizes, are as follows:

- (1) *Trees.*
  - a. *Shade trees.* Two-inch caliper as measured 12 inches above ground. Nuisance trees such as the female cottonwood and ginko, siberian elm, and silver maple trees should be avoided.
  - b. *Ornamental deciduous trees.* Six feet to eight feet in height.
  - c. *Evergreen trees.* Five feet to six feet in height.

Trees down to 75 percent of the minimum planting sizes may be permitted if a proportionately greater number of trees are planted.
- (2) *Shrubs (deciduous and evergreen).* Size varies, determined by function.
- (3) *Ground cover and vines used for ground cover.* To be planted in size and number needed to provide 75 percent coverage after two full growing seasons. Areas intended for ground cover and subject to erosion must be provided with a form of temporary soil surface stabilization until vegetative cover can be established.
- (4) *Turf grass.* Grass areas may be sodded, plugged, sprigged or seeded. Areas subject to erosion must be sodded or, if other methods are used, proper soil stabilization must be provided until complete vegetative cover is achieved. Complete coverage must be established in the first growing season.
- (5) *Landscape screening.* Plant material used for screening shall provide coverage of at least 50 percent of the required screening area in the first growing season. Total coverage must be accomplished by the third growing season. Deciduous plant material used for screening purposes shall have a twig or branch structure dense enough to provide a solid winter screen. Plant material used for screening purposes may exceed screening height requirements provided such plant material does not adversely affect adjacent properties. Plant selection for screening purposes shall be certified by a registered, licensed landscape architect or nurseryman that such plant material will conform to the standards and objectives of this article.

(Code 1988, § 27-1352; Ord. No. 64690, § 1(27-69.7), 8-30-1984)

### **Sec. 27-703. - Maintenance.**

The owner, developer, their agents and successors shall be responsible for all maintenance. All landscaping must be maintained in a healthy and orderly appearance, and kept free of debris and dead plant material. Plant material that has died or has been severely damaged by insects, diseases, vehicular traffic, acts of God, vandalism, etc., must be replaced by the next planting period. Architectural screening shall be maintained in good repair.

*(Code 1988, § 27-1353; Ord. No. 64690, § 1(27-69.8), 8-30-1984)*

**Sec. 27-704. - Installation prior to final occupancy.**

All landscape elements and screening must be in place and in proper condition prior to issuance of a final certificate of occupancy. In instances where adverse weather or seasonal restrictions preclude planting, a temporary certificate of occupancy may be issued upon written commitment by the owner, developer or subsequent agents to complete the planting when conditions are appropriate.

*(Code 1988, § 27-1354; Ord. No. 64690, § 1(27-69.9), 8-30-1984)*

**Secs. 27-705—27-721. - Reserved.**