

**ORDINANCE NO. 157**

**AN ORDINANCE TO REGULATE LANDSCAPING  
IN COMMERCIAL DISTRICTS WITHIN THE CITY  
AND FOR OTHER PURPOSES**

**WHEREAS**, the City of Goshen has minimal regulations related to landscaping within its Zoning Regulations;

**WHEREAS**, the anticipated growth of the City warrants that a comprehensive set of landscaping regulations be implemented at this time; and

**WHEREAS**, the City Council of the City of Goshen deems it advisable to establish more extensive regulations regarding landscaping in commercial districts within the City of Goshen.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSHEN:**

**SECTION 1. OBJECTIVES**

It is the purpose of this article to establish regulations that pertain to landscaping within the City of Goshen, Arkansas. The goal is to promote and preserve trees, increase the overall tree canopy, and beautify the built environment within the City of Goshen to reach the following objectives:

- A. Decrease the overall cost of development by decreasing the cost of storm water systems and facilities.
- B. Help create a healthier environment by decreasing chemicals and sediments that wash into the water supply, decrease CO<sup>2</sup> (carbon dioxide) and increase oxygen.
- C. Increase the value of property.
- D. Improve the physical appearance and visual character of the city, in context and harmony with commercial design standards
- E. Create and improve the living environment of the city.
- F. Negate the urban heat island effect.
- G. Support and promote Goshen's "Tree City USA" designation.
- H. Promote use of native, noninvasive plantings.
- I. The Planning Commission may consider certain alternatives to this ordinance when overall compliance with the landscaping and commercial design standards is demonstrated.

**SECTION 2. APPLICABILITY**

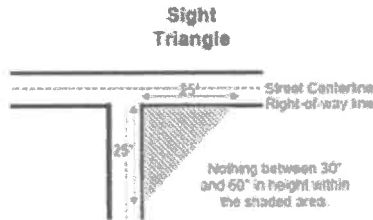
This article shall apply to all development that is required to obtain a certificate of occupancy.

**SECTION 3. PREVIOUS APPROVAL.**

Developments that have been approved and permitted to begin building construction prior to the adoption of this Article shall be exempt.

**SECTION 4. GENERAL PROVISIONS.**

A. **Sight Distances.** Safe sight distances at intersections and points of access shall be maintained. In order to provide a reasonable degree of traffic visibility, landscaping, fences, and walls constructed near street intersections shall stay clear of the "sight distance triangle" shown below or as required by applicable state or federal transportation design rules and regulations.



B. **Wheel Stops.** Except as provided below, all landscaped areas at the front line of off-street parking spaces shall be protected from encroachment or intrusion of vehicles through the use of wheel stops.

1. **Minimum Height.** Wheel stops shall have a minimum height of six (6) inches above finished grade of the parking area.
2. **Anchoring.** Wheel stops shall be properly anchored and shall be continuously maintained in good condition by the property owner.
3. **Location.** Wheel stops shall not be placed in locations of anticipated pedestrian traffic.

**SECTION 5: LANDSCAPE PLANS.**

A. **Standard.**

1. The landscape plan shall be prepared and sealed by a licensed landscape architect. If the development has a total of four (4) or less parking spaces, the plan shall not be required to be prepared and sealed by a licensed architect.
2. The spacing of all trees and plants shall be designed to accommodate the mature height and width of the tree and plant.
3. If after a period of time, the owner wishes to renovate fifty percent (50%) or more of the total landscape areas or fifty percent (50%) or more of the total number of plants at an existing development, a new landscape plan that meets the current regulations of this Ordinance shall be submitted to City Hall for an in-house administrative review or for review by the Planning Commission.

B. **Requirements.** The landscape plan for any development shall show:

1. Street frontage buffer landscaping as required in Section 6.
2. Perimeter landscaping and screening as required in Section 7.
3. Interior parking lot landscaping as required in Section 8.

C. Specific Information. The following specific information is required on landscape plans:

1. Existing Vegetation. Location, type and quality of trees and other vegetation shall be inventoried by a licensed landscape architect, certified arborist, or horticulturalist.
2. Preservation. Location of existing trees and other vegetation to be saved.
3. Protection. Methods and details for protecting existing trees and other vegetation during construction and approved sediment control plan, if available.
4. Trees. Location of all trees to be planted and a tree list including the common name, scientific name, caliper size, height at maturity and quantity. Trees referred to in this section shall be chosen from the approved list located in Section 12.B Plant List.
  - (a) Shade Trees. At time of planting, shade trees shall have a minimum caliper size of two-and-a-half (2.5) inches. Caliper is defined as the measurement of the diameter of the trunk six (6) inches above ground level for trees up to four (4) inches in caliper size.
  - (b) Ornamental Trees. At time of planting, ornamental trees shall have a minimum caliper size of two (2) inches. Caliper is defined as the measurement of the diameter of the trunk six (6) inches above ground level for trees up to four (4) inches in caliper size.
5. Plants. Location of all plants and a plant list including the common name, scientific name, size and quantity.
6. Flowering Perennials. At the time of planting, flowering perennials shall be a minimum of one (1) gallon in size.
7. Shrubs. At the time of planting, shrubs shall be a minimum of three (3) gallons in size and eighteen (18) inches in height.
8. Other Landscaping Improvements. Location of all other landscaping improvements including benches, paving, screens, fountains, statues or other landscape features.
9. Maintenance. Description of maintenance provisions, including irrigation, and a maintenance schedule shall be submitted with the landscape plan.
10. Maintenance Guarantee Statement. A note shall be added to the landscape plan that states, once installed, landscaping shall be maintained in healthy living condition and all plant material that dies shall be replaced.
11. Tree Topping and Tree Removal Guarantee Statement. A note shall be added to the landscape plan that states, trees shall not be topped at any time, healthy trees shall not be removed at any time and proper tree pruning techniques as established by the latest edition of ANSI A300 "Standards for Tree Care" shall be utilized for maintenance purposes.
12. Sight Distances. The sight triangle, as described in Section 4.A Sight

Distances, shall be indicated on the plan with a dimensioned shaded area.

**SECTION 6. STREET FRONTAGE BUFFER LANDSCAPING.** The landscaped street frontage buffer is the planting area parallel to the public street right-of-way. Exceptions may be made where significant utility conflicts exist.

A. Requirement. The site plan for any development shall show the landscaped street frontage butter.

1. Minimum Width. The landscaped street frontage buffer shall extend a minimum of sixty (60) feet from the right of way line. Exceptions may be made where significant utility conflicts exist.
2. Sight Distances. All street frontage buffers shall follow the sight distance requirements as described in Section 4.A Sight Distances.
3. Number of Trees. Shade trees shall be provided at a rate of (1) shade tree per every twenty (20) linear feet or fraction thereof of street frontage. When possible, it is encouraged and preferred that trees not be evenly spaced.
4. Clustering or Grouping. Clustering or grouping of shade trees is encouraged and preferred for a decorative effect following professional landscaping standards for spacing, location and design.
5. Tree Size. At time of planting, shade trees shall have a minimum caliper size of two- and-a-half (2.5) inches. Caliper is defined as the measurement of the diameter of the trunk six (6) inches above ground level for trees up to four (4) inches in caliper size.
6. Mulch. At the time of planting and for the life of the tree, all tree root areas shall be mulched with a minimum four (4) foot diameter ring of mulch, three (3) to four (4) inches deep. Mounding or piling mulch against the tree trunk is prohibited. Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch shall be used.
7. Landscaping Materials. Intent is to minimize expansive areas without plant coverage.
  - (a) Living Material. Living materials, such as lawn grass or herbaceous groundcovers like juniper or liriop, etc., shall cover a minimum of eighty percent (80%) of the landscaped street frontage buffer. Herbaceous groundcover shall be planted and maintained in a mulched bed. One hundred percent (100%) of living materials is strongly encouraged.
  - (b) Non-Living Material. Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch may cover up to twenty percent (20%) of the landscaped street frontage buffer. Weed barrier or pre-emergence herbicides shall be installed or applied.

**SECTION 7: PERIMETER LANDSCAPING AND SCREENING.** Perimeter landscaping is a planting strip along the rear and side lot lines that includes landscaping and screening, if required.

- A. **Perimeter Landscape Strip.** The site plan for any development shall show the perimeter landscape strip along rear and side lot lines.
1. **Width.** The perimeter landscape strip shall be a minimum width of seven (7) feet.
  2. **Adjacent Properties.** A seven (7) foot wide perimeter landscape strip is required for each development regardless if one is already in place from an adjacent, developed lot.
  3. **Landscaping Materials.** Intent is to minimize expansive areas without plant coverage.
    - (a) **Living Material.** Living materials, such as lawn grass or herbaceous groundcovers like juniper or liriope, etc., shall cover a minimum of eighty percent (80%) of the perimeter landscape strip. Herbaceous groundcover shall be planted and maintained in a mulched bed. One hundred percent (100%) of living materials is strongly encouraged.
    - (b) **Non-Living Material.** Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch may cover up to twenty percent (20%) of the perimeter landscape strip. Weed barrier or pre-emergence herbicides shall be installed or applied.

- B. **Landscaping and Screening.** The site plan for any development shall show landscaping and screening, if required within the perimeter landscape strip.
1. **Purpose.** To mitigate potential nuisances by visually separating incompatible land uses, shields adjacent properties from any adverse external effects of the development, and shields the development from the negative impacts of existing adjacent uses such as major streets or railroads.
  2. **Determination.** The Table of Screening Requirements shall be used to determine the type of screen, if any that shall be included in the perimeter landscape strip.

Table of Screening Requirements					
	Single Family	Duplex / Townhouse	Multi-Family	Commercial	Industrial
Single Family	N/A	N/A	N/A	A	A
Duplex/Townhouse	N/A	N/A	N/A	A	A
Multi-Family	N/A	N/A	N/A	B	A
Commercial	A	A	B	D	C
Industrial	A	A	A	B	D

### 3. Screen Types.

**Type A: Opaque Screen.** Intended to exclude all visual contact between uses and to create a strong impression of spatial separation.

(a) **Minimum Height.** Minimum height of twenty (20) feet. Opaque from the ground to a minimum height of six (6) feet, intermittent visual obstruction permitted from above the opaque portion.

(b) **Materials.** May be composed of a wall, fence, landscaped earth berm, planted evergreen vegetation, or existing evergreen vegetation. Evergreen vegetation referred to in this section shall be chosen the list located in Section 12.B Approved Plant List.

**Type B: Semi-Opaque Screen.** Intended to partially block visual contact between uses and to create a strong impression of the separation of spaces.

(a) **Minimum Height.** Minimum height of twenty (20) feet. Opaque from the ground to a minimum height of three (3) feet, intermittent visual obstruction permitted from above the opaque portion.

(b) **Materials.** May be composed of a wall, fence, landscaped earth berm, planted evergreen vegetation, or existing evergreen vegetation. Evergreen vegetation referred to in this section shall be chosen the list located in Section 12.B Approved Plant List.

**Type C: Broken Screen.** The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.

(a) **Minimum Height.** Minimum height of twenty (20) feet with intermittent visual obstruction from the ground.

(b) **Materials.** May be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Vegetation referred to in this section shall be chosen the list located in Section 12.B Approved Plant List.

**Type D: No Defined Screen.** Typical perimeter landscaping requirement.

(a) **Number of Trees.** Trees shall be provided at a rate of one (1) tree per every fifty (50) linear feet or fraction thereof. When possible, it is encouraged and preferred that trees not be evenly spaced. May mix shade and ornamental trees with a minimum of fifty percent (50%) shade trees.

(b) **Clustering or Grouping.** Clustering or grouping of trees is encouraged and preferred for a decorative effect following professional landscaping standards for spacing, location and design.

(c) **Shade Tree Size.** At time of planting, shade trees shall have a minimum caliper size of two-and-a-half (2.5) inches. Caliper is defined as the measurement of the diameter of the trunk six (6) inches above ground level for trees up to four (4) inches in caliper size.

(d) **Ornamental Trees.** At time of planting, ornamental trees shall have a minimum caliper size of two (2) inches. Caliper is defined as the measurement

of the diameter of the trunk six (6) inches above ground level for trees up to four (4) inches in caliper size.

(e) **Mulch.** At the time of planting and for the life of the tree, all tree root areas shall be mulched with a minimum four (4) foot diameter ring of mulch, three (3) to four (4) inches deep. Mounding or piling mulch against the tree trunk is prohibited. Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch shall be used.

**SECTION 8. INTERIOR PARKING LOT LANDSCAPING.** Interior parking lot landscaping is the planting area within and adjacent to parking areas and adjacent to the structure.

- A. **Purpose.** The interior parking lot landscaping serves several purposes:
1. It provides necessary green space to give relief to expansive parking areas.
  2. Trees provide shade and serve as windbreaks.
  3. Planting islands assist with vehicular circulation.
  4. Negates the urban heat island effect.

B. **Applicability.** Interior parking lot landscaping requirements shall apply to all parking lots that have six (6) or more parking spaces.

C. **Requirement.** The site plan for any development shall show interior parking lot landscaping within and adjacent to parking areas and adjacent to the structure.

1. **Standard.** Percent of the total area of parking lot dedicated to interior landscaping shall be as follows:

<b>Interior Greenspace Requirements</b>	
<b>Total Area of Parking Lot</b>	<b>Minimum Percent Dedicated to Interior Greenspace</b>
1,000-49,999 sq. ft.	15%
50,000-149,000 sq. ft.	15%
150,000 sq. ft. or larger	10%

2. **Corner Islands.** Corner islands may not be counted toward interior greenspace requirements.

D. **Wheel Stops or Curbs.** Interior landscaped areas shall be protected from vehicular encroachment through appropriate curbs or wheel stops as described in Section 4.B Wheel Stops.

E. **Tree Ratio.** There shall be a minimum of one (1) tree per 125 square feet or fraction thereof of interior parking lot landscaping area. Trees referred to in this section shall be chosen the list located in Section 12.B Approved Plant List.

F. **Mulch.** At the time of planting and for the life of the tree, all tree root areas shall be mulched with a minimum four (4) foot diameter ring of mulch, three (3) to four (4) inches deep. Mounding or piling mulch against the tree trunk is prohibited. Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch shall be used.

G. **Planting Islands.** Interior areas of parking pavement shall contain planting islands.

1. Planting islands shall be spaced no farther than fifteen (15) parking spaces apart.

2. All rows of parking shall terminate with a planting island or landscaped area.

3. **Internal Planting Islands.**

- (a) **Minimum Size.** Internal planting islands shall be a minimum size of eighteen (18) feet by eighteen (18) feet.

- (b) **Number of Trees.** Internal planting islands shall contain a minimum of two (2) shade trees. Trees referred to in this section shall be chosen from the list located in Section 12.B Approved Plant List.

4. **External Planting Islands.** External planting islands are adjacent to the perimeter of the parking lot.

- (a) **Minimum Size.** External planting islands shall be a minimum size of nine (9) feet by eighteen (18) feet.

- (b) **Number of Trees.** External planting islands shall contain a minimum of one (1) shade tree. Trees referred to in this section shall be chosen from the list located in Section 12.B Approved Plant List.

5. **Continuous Planting Islands.**

- (a) **Requirement.** When there are two or more double rows of parking, a continuous planting island shall be located between every other row.

- (b) **Minimum Size.** Continuous planting islands shall be the length of the parking row and a minimum width of nine (9) feet.

- (c) **Number of Trees.** Continuous planting islands shall contain a minimum of one shade tree per every six (6) parking spaces or fraction thereof located in the double row. Trees referred to in this section shall be chosen from the list located in Section 12.B Approved Plant List. Intent is to minimize expansive areas without plant coverage.

6. **Living Material.** Living materials, such as lawn grass or herbaceous groundcovers like juniper or lirioppe, etc., shall cover a minimum of eighty percent (80%) of the planting islands. One hundred percent (100%) of living materials is strongly encouraged.

7. **Non-Living Material.** Organic mulch such as shredded bark mulch, pecan hulls, cotton seed hulls or cypress mulch may cover up to twenty percent (20%) of the planting islands. Weed barrier or pre-emergence herbicides shall be installed or applied.

**SECTION 9. PLANTING ISLAND PREPARATION.** To create favorable conditions conducive to healthy plant growth, planting islands shall be excavated to a depth of three (3) feet and backfilled with grade A sandy loam topsoil. A drainage perk test shall be performed prior to backfilling topsoil. Six (6) inches of water shall be placed in each excavated hole. If all of the water does not percolate out of the excavated hole within 24 hours, then drainage pipe shall be installed.

1. Primary Streets. Designed to accommodate a dense, urban-type, commercial, pedestrian focused development with wide sidewalks.
2. Secondary Streets. Designed to take on a more residential character.

**SECTION 10. COMMERCIAL ZONING STREET TREE PLANTING REQUIREMENTS.**

<b>Commercial Zoning Street Tree Planting Requirements</b>		
	<b>Primary Street</b>	<b>Secondary Street</b>
Requirement	1 tree per 30 linear feet	1 tree per 25 linear feet
Spacing	30 feet maximum on center	25 feet maximum on center
Shade	3-inch caliper	2.5-inch caliper
Ornamental	2-inch caliper	1.5-inch caliper
Planting Beds	5 feet by 6 feet minimum	3 feet by 3 feet minimum
Tree Grates*	5 feet by 6 feet minimum	3 feet by 3 feet minimum
*Made of cast iron and placed a minimum of twelve (12) feet from street lights		

**SECTION 11. TREE PRESERVATION CREDITS.**

A. Healthy trees. No tree preservation credits will be allowed for any dead tree, any tree in poor health, any tree subjected to grade alterations within the drip line or objectionable trees. Refer to Section 12.C Prohibited Tree & Plant List.

B. Protection during construction. Trees for which credit is given shall be protected during construction from:

1. Mechanical injuries to root, trunk and branches.
2. Injuries by chemical poisoning.
3. Injuries by excavation.
4. Injuries by paving.

C. Credit options. If an applicant is preserving and protecting existing trees on the lot, the existing trees may be used as credit toward a reduction in the tree planting requirements,

as described below and as approved by the Planning Commission.

1. Reduction of required trees. Preservation and protection of existing trees on the lot may be credited toward the tree planting requirements. Credit for preserved trees shall be permitted at the following rates:

<b>Tree Reduction Credits</b>	
<b>Total Diameter of all Preserved Trees Diameter at Breast Height (DBH)*</b>	<b>Number of Trees Credited</b>
4 to 7.9-inches DBH	1 shade tree
8 to 22.9-inches DBH	2 shade trees
23 to 29.9-inches DBH	3 shade trees
30-inches + DBH	4 shade trees
<p>*Diameter at Breast Height is defined as the outside diameter of the trunk of a tree, measured four and a half (4.5) feet above ground level. For trees with co-dominant (forked) stems, the trunk is measured below the fork and above the trunk flare, at the point of the smallest diameter. For multi-stemmed trees, the diameter is considered to be the sum of the diameters of all of the stems that contribute significantly to the crown.</p>	

**SECTION 12. LANDSCAPE INSTALLATION REQUIREMENTS**

**A. Location and Clearance.**

1. **Drainage.** Trees and landscaping shall not be placed where they interfere with site drainage.

2. **Overhead Utilities.** Trees planted under overhead utilities shall not exceed a mature height of twenty-five (25) feet. Trees with a mature height above twenty-five (25) feet shall be planted a minimum of twenty-five (25) feet away from the edge of overhead wires. If the requirements of the utility owning the line are more stringent, those distances shall apply. Refer to the list located in Section 12.B Approved Plant List.

3. **Underground Utilities - Water, Sewer and Electric.** Trees shall not be within five (5) feet from underground utilities.

4. **Removal.** The City reserves the right to remove landscaping if it blocks access to utilities.

5. Padmount Switchgear. Trees and landscaping shall not be within ten (10) feet from the sides with doors and three (3) feet from other sides.



6. Primary Junction Box. Trees and landscaping shall not be within ten (10) feet from the sides with doors and three (3) feet from other sides of all types of primary junction boxes.



7. Padmount Transformer. Trees and landscaping shall not be within ten (10) feet from the side with doors and three (3) feet from other sides of all phases of padmount transformers.



8. Secondary Junction Box. Trees and landscaping shall not be within three (3) feet of a secondary junction box.



9. Fire Hydrants. Trees and landscaping shall not be within three (3) feet of a fire hydrant. All landscaping shall be maintained to ensure the visibility of the fire hydrant.

10. Right-of-Way. Trees may be planted in the public right-of-way.

B. Approved Plant List. Arkansas supports approximately 200 species of native trees. Considering the many hybrids, the total approaches 300. The Natural State has a significant percentage of the nearly 1,200 different trees recognized for the United States. As listed below are trees and shrubs that have been historically native to northwest Arkansas, and/or statewide. It is not an all-inclusive comprehensive list, but includes the majority of the species found in Washington and Benton Counties (List compiled based on Trees, Shrubs, & Vines of Arkansas by Carl G. Hunter) with additional information provided, and/or reviewed, by provided by Theo Witsell, Patti Erwin, Greg Howe, and Sarah Patterson). See also Supplemental list below.

Attached as Appendix A are some additional resources and the contact information current as the time of the adoption of this ordinance.

#### SUPPLEMENTAL LIST

**PLANT INDICATOR STATUS CATEGORIES**

<b>Indicator Code</b>	<b>Hydrologic Type</b>	<b>Probability of Adaptation to Wetness/Dryness</b>
<b>UPL (arid)</b>	<b>Obligate Upland</b>	<b>Almost always occurs (estimated probability 99%) in nonwetlands under natural conditions.</b>
<b>FACU (dry)</b>	<b>Facultative Upland</b>	<b>Usually occurs in nonwetlands (estimated probability 67%-99%), but occasionally found on wetlands (estimated probability 1%-33%).</b>
<b>FAC (mixed)</b>	<b>Facultative</b>	<b>Plants with a similar likelihood (estimated probability 33 percent to 67 percent) of occurring in both wetlands and nonwetlands.</b>
<b>FACW (moist)</b>	<b>Facultative Wetland</b>	<b>(Includes FacW+ and FacW-) Plants that occur usually (estimated probability &gt;67 percent to 99 percent) in wetlands, but also occur (estimated probability 1 percent to 33 percent) in nonwetlands.</b>
<b>OBL (wet)</b>	<b>Obligate Wetland</b>	<b>Plants that occur almost always (estimated probability &gt;99 percent) in wetlands under natural conditions, but which may also occur rarely (estimated probability &lt;1 percent) in nonwetlands.</b>
<b>NA</b>	<b>No agreement</b>	<b>The regional panel was not able to reach a unanimous decision on this species.</b>
<b>NI</b>	<b>No indicator</b>	<b>Insufficient information was available to determine an indicator status.</b>
<b>NO</b>	<b>No occurrence</b>	<b>The species does not occur in that region.</b>

**UPLAND (UPL) AND FACULTATIVE UPLAND (FACU) NATIVE TREES, SHRUBS, AND VINES**

<b>Botanical Name</b>	<b>Common Name</b>	<b>Hydrological Indicator</b>
<b>UPL, FACU TREE SPECIES</b>		
<i>Acer saccharum</i>	sugar maple	FACU-
<i>Carya ovata</i>	shagbark hickory	FACU
<i>Celtis occidentalis</i>	common hackberry	FACU
<i>Cercis canadensis</i>	eastern redbud	FACU
<i>Cornus florida</i>	flowering dogwood	FACU
<i>Corylus americana</i>	American hazelnut	FACU
<i>Juglans nigra</i>	black walnut	FACU
<i>Juniperus virginiana</i>	eastern red cedar**1	FACU-
	Osage orange, horse-apple.	FACU
<i>Maclura pomifera</i>	BoisD'Arc	
<i>Ostrya virginiana</i>	hophornbeam	FACU
<i>Prunus americana</i>	American plum	FACU-
<i>Prunus serotina</i>	black cherry**1	FACU
<i>Quercus alba</i>	white oak	FACU
<i>Quercus falcata</i>	southern red oak	FACU-
<i>Quercus marilandica</i>	blackjack oak	UPL
<i>Quercus rubra</i>	northern red oak	FACU
<i>Quercus stellata</i>	post oak	FACU
<i>Quercus velutina</i>	black oak	UPL
<i>Sassafras albidum</i>	sassafras	FACU
<i>Ulmus alata</i>	winged elm**1	FACU+
<b>UPL, FACU SHRUB SPECIES</b>		
<i>Aesculus glabra</i>	Ohio buckeye	FACU
<i>Dirca palustris</i>	eastern leatherwood	FACU-
<i>Frangula (Rhamnus) caroliniana</i>	Carolina Buckthorn	FACU
<i>Hamamelis vernalis</i>	Ozark witchhazel	FACU
<i>Hamamelis virginiana</i>	American witchhazel facu	FACU
<i>Hypericum prolificum</i>	shrubby St. Johnswort	FACU
<i>Rosa carolina</i>	Carolina rose	FACU
<i>Rubus argutus</i>	highbush blackberry	FACU+
<i>Salix humilis</i>	prairie willow	FACU
<b>UPL, FACU VINE SPECIES</b>		
<i>Rosa setigera</i>	climbing rose.	FACU
<i>Rubus flagellaris</i>	northern dewberry	UPL

\*\*1 Can be invasive in prairies; will readily emerge as volunteers without planting

FACULTATIVE (FAC) (INCLUDES FAC+, FAC-) NATIVE TREES, SHRUBS, AND VINES

Botanical Name	Common Name	Hydrological Indicator
<b>FAC, FAC+, FAC- TREE SPECIES</b>		
<i>Acer rubrum</i>	red maple	FAC
<i>Amelanchier arborea</i>	common serviceberry	FAC-
<i>Aralia spinosa</i>	devil's walking stick	FAC
<i>Asimina triloba</i>	pawpaw	FAC
<i>Carpinus caroliniana</i>	blue beech, American hornbeam	FAC
<i>Carva cordiformis</i>	bitternut hickory	FAC
<i>Carva illinoensis</i>	pecan	FAC+
<i>Cornus drummondii</i>	roughleaved dogwood	FAC
<i>Diospyros virginiana</i>	common persimmon**1	FAC
<i>Gleditsia triacanthos</i>	honey locust	FAC-
<i>Liquidambar styraciflua</i>	sweetgum **2	FAC+
<i>Morus rubra</i>	red mulberry	FAC
<i>Nyssa sylvatica</i>	black gum	FAC
<i>Ptelea trifoliata</i>	water ash, hop tree	FAC
<i>Populus deltoides</i>	eastern cottonwood	FAC+
<i>Quercus macrocarpa</i>	bur oak	FAC
<i>Quercus muehlenbergii</i>	chinkapin oak	FAC
<i>Ulmus rubra</i>	slippery elm	FAC
<i>Ulmus thomasi</i>	rock elm, cork elm	FAC
<b>FAC, FAC+, FAC- SHRUB SPECIES</b>		
<i>Amorpha nitens</i>	shining indigo bush	FAC
<i>Crataegus crus-galli</i>	cockspur hawthorn	FAC-
<i>Enonymus americanus</i>	bursting heart, strawberry bush	FAC
<i>Enonymus atropurpureus</i>	burningbush wahoo	FAC
<i>Ptelea trifoliata</i>	water ash, hop tree	FAC
<i>Rhododendron prinophyllum</i>	mountain azalea	FAC
<i>Ribes odoratum</i> var. <i>villosum</i>	golden currant	FAC-
<i>Staphylea trifolia</i>	American bladdernut	FAC
<i>Symphoricarpos orbiculatus</i>	coralberry	FAC-
<i>Tidernum dentatum</i>	Southern arrowwood	FAC
<b>FAC, FAC+, FAC- VINE SPECIES</b>		
<i>Ampelopsis arborea</i>	pepper vine	FAC+
<i>Ampelopsis cordata</i>	false grape	FAC+
<i>Aristolochia tomentosa</i>	pipe vine, Dutchman's Pipe	FAC
<i>Campsis radicans</i>	trumpet creeper	FAC
<i>Cissus incisa</i>	marine vine, sorrelvine	FAC
<i>Coccoloba carolinus</i>	Carolina coralhead	FAC
<i>Dioscorea villosa</i>	wild yam	FAC
<i>Lonicera sempervirens</i>	trumpet honeysuckle	FAC
<i>Parthenocissus quinquefolia</i>	Virginia Creeper	FAC
<i>Rubus trivialis</i>	Southern dewberry**3	FAC
<i>Vitis aestivalis</i>	summer grape	FAC-
<i>Vitis cinerea</i>	grayback, winter grape	FAC+

\*\*1 Can be invasive in prairies; will readily emerge as volunteers without planting, depending upon site hydrology.

\*\*2 Can be invasive in forested areas.

\*\*3 Can be invasive in lawns and will readily emerge as volunteers without planting, depending upon site hydrology.

FAC, FAC+, FAC- VINE SPECIES - CONTINUED		
<i>Vitis rotundifolia</i>	muscadine	FAC
<i>Vitis vulpina</i>	frost grape	FAC+
<i>Smilax bona-nox</i>	greenbrier, bullbrier** <sup>1</sup>	FAC
<i>Smilax glauca</i>	cat greenbrier** <sup>1</sup>	FAC
<i>Smilax rotundifolia</i>	common greenbrier** <sup>1</sup>	FAC
<i>Smilax tannoides</i> var. <i>hispida</i>	bristly greenbrier** <sup>2</sup>	FAC+
<i>Toxicodendron radicans</i>	poison ivy	FAC

\*\*<sup>1</sup> Can be invasive in forested areas.

OBLIGATE (OBL) AND FACULTATIVE WETLAND (FACW) (INCLUDES FACW+, FACW-) NATIVE TREES, SHRUBS, AND VINES

Botanical Name	Common Name	Hydrological Indicator
<b>OBL, FACW, FACW+, FACW- TREE SPECIES</b>		
<i>Acer negundo</i>	box elder, ash-leaved maple	FACW
<i>Acer saccharinum</i>	silver maple	FACW
<i>Alnus serrulata</i>	hazel alder	FACW+
<i>Betula nigra</i>	river birch	FACW
<i>Celtis laevigata</i>	sugarberry	FACW
<i>Fraxinus pennsylvanica</i>	green ash** <sup>1</sup>	FACW
<i>Platanus occidentalis</i>	sycamore** <sup>1</sup>	FACW-
<i>Quercus shumardii</i>	Shumards Oak	FACW-
<i>Salix nigra</i>	black willow	OBL
<i>Ulmus americana</i>	American elm** <sup>1</sup>	FACW
<b>OBL, FACW, FACW+, FACW- SHRUB SPECIES</b>		
<i>Amorpha fruticosa</i>	false indigo	FACW
<i>Arundinaria gigantea</i>	giant cane	FACW
<i>Cephalanthus occidentalis</i>	buttonbush, globe flower	OBL
<i>Ilex decidua</i>	deciduous holly	FACW-
	possum haw	FACW-
<i>Lindera benzoin</i>	Northern spicebush	FACW
<i>Rhododendron viscosum</i>	Texas azalea	FACW
<i>Salix caroliniana</i>	coastal plain willow	OBL
<i>Salix eriocephala</i>	rigid willow	FACW
<i>Salix interior</i>	sandbar willow	OBL
<i>Sambucus canadensis</i>	common elder-berry	FACW
<b>OBL, FACW, FACW+, FACW- VINE SPECIES</b>		
<i>Berchemia scandens</i>	supple-jack, rattan vine	FACW
<i>Calyocarpum lyonii</i>	cupseed	FACW-
<i>Vitis riparia</i>	riverbank grape	FACW
<i>Wisteria frutescens</i>	American wisteria ** <sup>2</sup>	FACW

\*\*<sup>1</sup> Can be invasive in prairies; will readily emerge as volunteers without planting, depending upon site hydrology.

\*\*<sup>2</sup> Can be invasive in forested areas.

**NO INDICATOR (N) NATIVE TREES, SHRUBS, AND VINES (Indicator Status Unknown\*\*\*)**

<b>Botanical Name</b>	<b>Common Name</b>
<b>NI TREE SPECIES</b>	
<i>Castanea ozarkensis</i>	Ozark chinkapin
<i>Carya texana</i>	black hickory
<i>Cofinus obovatus</i>	American smoketree
<i>Pinus echinata</i>	shortleaf pine
<i>Prunus mexicana</i>	Mexican plum
<b>NI SHRUB SPECIES</b>	
<i>Amorpha canescens</i>	leadplant
<i>Ceanothus americanus</i>	New Jersey tea
<i>Cladrastis kentuckea</i>	Kentucky yellowwood
<i>Gymnocladus dioicus</i>	Kentucky coffeetree
<i>Hibiscus lasiocarpus</i>	rose mallow
<i>Juniperus ashei</i>	Ashe's juniper
<i>Prunus angustifolia</i>	Chickasaw plum
<i>Prunus munsoniana</i>	wild goose plum
<i>Rhus aromatica</i>	fragrant sumac
<i>Rhus copallinum</i>	winged sumac
<i>Rhus glabra</i>	smooth sumac
<i>Rubus occidentalis</i>	black raspberry
<i>Ribes missouriense</i>	Missouri gooseberry
<b>NI VINE SPECIES</b>	
<i>Celastrus scandens</i>	American bittersweet
<i>Menispermum canadense</i>	Canada moonseed

\*\*\* These species are native to Benton and Washington Counties, however, neither the Corps of Engineers nor the US Fish & Wildlife Service have assigned indicator status designations to them. A little research will need to be done when selecting a site to plant these species. For example, *Juniperus ashei* only grows in very dry areas, whereas *Hibiscus lasiocarpus* grows in very wet areas.

C. Prohibited Tree & Plant List. The following trees and plants are prohibited.

**INVASIVE AND/OR NON-NATIVE PLANT SPECIES TO AVOID PLANTING**

<b>Botanical name</b>	<b>Common name</b>
<i>Acer platanoides</i>	Norway maple
<i>Ailanthus altissima</i>	tree-of-heaven
<i>Albizia julibrissin</i>	silk tree, mimosa
<i>Alliaria petiolata</i>	garlic mustard
<i>Alternanthera philoxeroides</i> (& <i>A. sessilis</i> )	alligator weed
<i>Ampelopsis brevipedunculata</i>	porcelainberry
<i>Baccharis halimifolia</i>	saltbush
<i>Berberis thunbergii</i>	barberry
<i>Bothriochloa bladhii</i>	Caucasian bluestem
<i>Bromus sterilis</i> (& <i>B. tectorum</i> )	cheatgrass
<i>Carduus nutans</i>	nodding thistle
<i>Catalpa speciosa</i>	catalpa
<i>Celastrus orbiculata</i>	oriental bittersweet
<i>Elaeagnus angustifolia</i>	Russian olive
<i>Elaeagnus</i> spp.	autumn/thorny olive
<i>Eragrostis curvula</i>	weeping lovegrass
<i>Euonymus alatus</i>	burning bush
<i>Euonymus fortunei</i>	creeping euonymus
<i>Festuca arundinacea</i>	tall fescue
<i>Hedera helix</i>	English ivy
<i>Holcus lanatus</i>	velvet grass
<i>Hydrilla verticillata</i>	hydrilla
<i>Imperata cylindrica</i>	cogongrass
<i>Lespedeza bicolor</i>	shrubby lespedeza
<i>Lespedeza cuneata</i>	sericea lespedeza
<i>Ligustrum sinense</i> (& <i>L. lucidum</i> )	Chinese privet
<i>Lonicera japonica</i>	Japanese honeysuckle
<i>Lonicera maackii</i> (& <i>L. fragrantissima</i> & <i>L. morrowii</i> , <i>tatarica</i> , <i>mackii</i> , etc.)	bush honeysuckle
<i>Lygodium japonicum</i>	Japanese climbing fern
<i>Lythrum salicaria</i>	purple loosestrife
<i>Melia azedarach</i>	Chinaberry tree
<i>Melilotus alba</i> (& <i>M. officinalis</i> )	sweetclover
<i>Microstegium vimineum</i>	Japanese stiltgrass
<i>Morus alba</i>	white mulberry
<i>Murdannia keisak</i>	Asian spiderwort
<i>Myriophyllum spicatum</i>	Eurasian water milfoil
<i>Nandina domestica</i>	heavenly bamboo, nandina
<i>Polygonum cuspidatum</i>	Japanese knotweed
<i>Quercus acutissima</i>	sawtooth oak
<i>Rhamnus cathartica</i>	common buckthorn
<i>Robinia pseudoacacia</i>	black locust
<i>Rosa multiflora</i>	multiflora rose
<i>Paulownia tomentosa</i>	empress tree, princess tree
<i>Photinia serrulata</i>	reddip photinia
<i>Phragmites australis</i>	giant reed
<i>Poncirus trifoliata</i>	trifoliolate orange
<i>Pueraria montana</i>	kudzu
<i>Pyrus calleryana</i>	callery pear, Bradford pear

**INVASIVE PLANT SPECIES TO AVOID PLANTING (CONTINUED)**

<b>Botanical name</b>	<b>Common name</b>
<i>Rhamnus spp.</i>	buckthorn, exotic
<i>Salvinia molesta</i>	giant water spangles
<i>Sapium sebiferum</i>	Chinese tallowtree
<i>Solanum viarum</i>	tropical soda apple
<i>Sorghum halapense</i>	Johnson grass
<i>Sphenoclea zeylandica</i>	chicken spike
<i>Ulmus hybrids</i>	elm hybrids
<i>Ulmus parvifolia</i>	Chinese elm
<i>Ulmus pumila</i>	Siberian elm
<i>Viburnum opulus</i>	European highbush cranberry/guelder rose
<i>Vinca major (&amp; V. minor)</i>	periwinkle
<i>Wisteria sinense (&amp; W. floribunda)</i>	Asian wisteria

D. **Minimum Size.** Immediately upon planting, trees and shrubs shall meet the following minimum requirements as presented in the American Standard for Nursery Stock (ANSI Z60.1-2004):

<b>Minimum Size</b>		
Shade Tree	2.5-inch caliper	
Ornamental Tree	2-inch caliper	
Ornamental Tree (Multi-Trunk)	10 to 12-feet in height	
Evergreen Tree	8-feet in height	
Shrubs	3-gallon and a height of 18-inches	
Flowering Perennial	1-gallon	
Other Ground Cover	1-gallon	
<b>Single and Two-Family Residential Structure Minimum Tree Caliper Size</b>		
Shade Tree	2-inch caliper	
Ornamental Tree	2-inch caliper	
<b>All Commercial Districts Landscaping Minimum Size</b>		
	Primary Street	Secondary Street
Shade Tree	3-inch caliper	2-5-inch caliper
Ornamental Tree	2-inch caliper	1.5-inch caliper

**SECTION 13. SIGN LANDSCAPING.** For sign landscaping requirements refer to Sign Ordinance [Ordinance No. 156, as well as any amendments thereto].

**SECTION 14. LANDSCAPING FOR WIRELESS COMMUNICATION FACILITIES.** The following requirements shall govern the landscaping surrounding towers. The landscaping requirements set forth in this section are required for telecommunication tower and antenna sites only; all other development within the City of Goshen must comply with the requirements set forth in this ordinance.

A. Communication facilities shall be landscaped with a buffer of evergreen plant materials that effectively screens the view of the communication facility from adjacent properties.

1. Requirement. The buffer shall be a continuous, solid landscaped area around the wireless communication facility. This shall consist of a minimum of two (2) courses of evergreen trees that are at the time of planting, at least eight (8) feet in height.

2. Street Frontage Buffer Landscaping. The street frontage buffer landscaping outlined in Section 6 shall be followed except when there is existing landscaping to satisfy the requirement.

B. Existing mature tree growth and natural landforms on or surrounding the communication facility shall be preserved to the maximum extent possible. In some cases, such as for towers situated on large, wooded lots, natural growth around the property perimeter may be a sufficient buffer. In such cases, the requirement listed above in the preceding subsection hereof may be waived.

**SECTION 15. FENCE AND WALL REQUIREMENTS**

A. Requirements.

1. New Construction. Construction of a new fence or wall.

2. Extension. Extension of an existing fence or wall.

3. Replacement.

(a) Replacement of an existing fence or wall this is a different size, at a different location or of a different material (e.g. a chain link fence being replaced by a wood privacy fence); or,

(b) Replacement of more than fifty percent (50%) of the linear length of an existing fence.

B. Exemptions. This section shall not apply to replacement of less than fifty percent (50%) of the linear length of an existing fence, except that the portion being replaced shall not:

1. Impede visibility at the sight triangle.

2. Impede a natural drainage way.

3. Be located in certain utility easements that require gated access.

4. Encroach into neighboring property lines.

C. Permit Required. A fence permit shall be obtained prior to beginning construction and replacement of all applicable fences and walls, except those shown on an approved preliminary plat or large scale development.

1. Application. To obtain a fence permit, a completed application form and a plot plan (site plan) must be submitted to the Building Inspection Office. The plot plan shall show:

- (a) Location of all property lines.
- (b) Location of all existing structures.
- (c) Location of existing or proposed pool or spas.
- (d) Location of existing fencing on or adjacent to the property that is to remain in place.
- (e) Portions of existing fence that will be replaced.
- (f) Location of new fencing.
- (g) A note indicating the height of the proposed fence and the type of fence construction (i.e. wood privacy, wrought iron, brick, etc.)

2. Review and Approval. Once all the required information is submitted, it will be reviewed by the Current Planning Official for compliance. If the application is approved, the applicant shall pay the permit fee and the fence permit will be issued.

3. Compliance. All fences or walls must be installed in compliance with the fence regulations and with the information shown on the approved plot plan and fence permit application form.

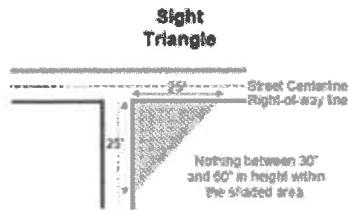
4. Inspection Required. The applicant shall contact Building Inspection Department to request a final inspection upon completion of the fence. If the Building Inspector determines that the fence is constructed in accordance with the ordinance requirements and the approved fence permit, a Certificate of Compliance will be issued. If the fence does not pass the inspection, the building inspector shall prepare an inspection report detailing the deficiencies.

D. Fence Location

1. Private Property. All fences and walls shall be located on private property and shall be built with the consent of the property owner. The installer and/or property owner shall be responsible for correctly locating all property lines. Fences and walls shall not encroach into any neighboring property lines.

2. Adjacent to Public Right-of-Way. A fence or wall shall be placed no closer than five (5) feet to the current or proposed public right-of-way as prescribed within the Master Street Plan.

3. Sight Distances. Safe sight distances at intersections and points of access shall be maintained. In order to provide a reasonable degree of traffic visibility, fences and walls constructed near street intersections shall stay clear of the "sight distance triangle" shown below or as required by applicable state or federal transportation design rules and regulations.



4. Easements.

(a) Utility Easements. Walls used as fences and footings for retaining walls are prohibited in a utility easement. Construction of all other fences in utility easements is permitted, but the fence installer and/or property owner assumes some risk by doing so. The fence enclosing utility easement(s) shall have a gate installed to permit access to the easement.

(b) Drainage Easements. Fences or walls shall not impede the normal flow of storm water and shall not cross an open drainage channel. Fences or walls proposed in drainage easements shall be approved on a case by case basis.

(c) Access Easement. Fences or walls shall not be constructed over a public access easement. Fences or walls proposed over private emergency access easements must be approved by the Fire Department to ensure adequate access for emergency vehicles and equipment at all times.

E. Design Standards. The following design standards shall apply to any new or replacements of any fence or wall where the length of the replacement exceeds fifty percent (50%) of the length of the existing fence.

1. Height. Maximum height shall be eight (8) feet above grade.

2. Finished Surface. Finished surface shall face outward from the property when visible from a public right-of-way. Posts and support beams shall be inside the finished surface or designed to be an integral part of the finished surface.

3. Gates. All fence segments abutting a thoroughfare, except for corner lots, shall provide one gate opening per lot to allow access to the area between the fence and the street pavement for maintenance and mowing. An exception may be granted if the City receives a letter from the Home Owners Association stating that this area is maintained by the Association and not by individual homeowners.

F. Fence Types.

1. Razor Wire. Razor wire is prohibited.

2. Barbed Wire. Barbed wire is prohibited.

3. Electric Fences. Electric fences are prohibited.

**SECTION 16: SEVERABILITY.** If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this chapter or any part thereof is for any reason held to be unconstitutional or


invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The City Council declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivision, paragraphs, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.

**SECTION 17: REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict. Specifically, those sections of the Zoning Regulations as adopted by Ordinance 34 and all ordinances thereafter adopted and amending the Zoning Regulations, which refer to landscaping and regulations thereof, are hereby repealed.

PASSED AND APPROVED this 9<sup>th</sup> day of October, 2018

  
\_\_\_\_\_  
Max Poye, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Baggett, City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Charles L. Harwell, City Attorney

**ROLL CALL**

Names Of Those Voting YEA

Paula Anderson  
Brian Buell  
Cathy Oliver  
Dick Seddon

Names Of Those Voting NAY

Absent

Andy Bethell  
Lanny Samuels

## APPENDIX A

1. Riparian Planting Guide of the Ozarks. Beaver Watershed Alliance. 32 pages.  
<http://www.beaverwatershedalliance.org/pdf/Riparian%20Planting%20Guide%20Ozarks-Update.pdf>
2. Natural Infrastructure Design - Rain Garden Fact Sheet. Beaver Watershed Alliance. Brochure. 2017.  
<http://www.beaverwatershedalliance.org/pdf/BWA-Fact-Sheet-Rain-Gardens-2017.pdf>
3. Natural Infrastructure Design - Ozark Native Plant Fact Sheet. Beaver Watershed Alliance. Brochure. 2017  
<http://www.beaverwatershedalliance.org/pdf/BWA-Fact%20Sheet-Native-Plants.pdf>
4. Invasive Alien Plants of Northwest Arkansas. Steinkraus, D, C Cope, and J. Pennington. Beaver Watershed Alliance. Brochure.  
<http://www.beaverwatershedalliance.org/pdf/Invasive-Alien-Plants.pdf>
5. Trees of Arkansas. Moore, D. Arkansas Forestry Commission. Sixth Edition. 2007.