

Yes — Lewes is currently the most explicit Delaware municipality with a codified *tree density ordinance*, but other towns and counties in Delaware also impose tree planting or canopy requirements through zoning, subdivision, or site plan review.

Here's the breakdown:

Lewes, Delaware

- **Ordinance Reference:** Chapter 197 Zoning, §197-78.1 “Tree Density”
 - **Requirement:** A minimum number of trees must be planted on parcels of land.
 - **Applicability:** Major subdivisions, minor subdivisions, site development plans, and new residential construction.
 - **Exemptions:** Interior renovations and building additions.
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Other Delaware Municipalities

While not always labeled “tree density,” several municipalities and counties use canopy or landscaping requirements that function the same way:

- **New Castle County**
 - Requires **landscape plans** for subdivisions and site developments.
 - Standards include **minimum tree planting per lot** and **canopy coverage goals**.
 - Often expressed as “X% of site must be shaded by trees at maturity.”
- **City of Newark**
 - Has a **landscape ordinance** requiring **street trees** and **buffer plantings**.
 - Density is calculated by frontage length and lot size.
- **City of Wilmington**
 - Requires **street tree planting** as part of subdivision/site plan approval.
 - Uses frontage-based formulas rather than per-lot density.
- **Sussex County (outside Lewes/Rehoboth)**

- Subdivision regulations require **tree preservation or replacement**.
 - Developers must either preserve existing canopy or plant new trees to meet minimum coverage standards.
 - **Statewide Guidance (Delaware Forest Service)**
 - Through the **Urban and Community Forestry Program**, municipalities are encouraged to adopt canopy or density requirements.
 - Technical assistance is provided to towns for drafting ordinances that set **minimum trees per lot or per square footage**.
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Logic Across Delaware

- **Lewes:** Explicit density formula (trees per lot).
 - **Other towns/counties:** Often framed as **landscape, buffer, or canopy coverage requirements**, but functionally enforce density.
 - **State support:** Delaware Forest Service promotes “Tree for Every Delawarean” initiative, encouraging municipalities to adopt density or canopy standards.
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In summary: Lewes is the only Delaware municipality with a *named* “Tree Density Ordinance,” but **New Castle County, Newark, Wilmington, and Sussex County** all enforce tree planting or canopy requirements that serve the same purpose. State forestry programs actively encourage municipalities to adopt density-based standards.

Would you like me to create a **comparison table of Lewes vs. other Delaware municipalities** showing how each defines its tree planting requirement (density, canopy %, frontage, etc.)? That would give you a compliance-ready reference for proposals.

Sources:

Here’s a comparison table of Delaware municipalities with tree planting or density requirements. Lewes is the only one with a formal “Tree Density Ordinance,” but other jurisdictions enforce canopy, buffer, or frontage-based planting rules that function similarly.

Delaware Municipal Tree Planting / Density Standards

Municipality / County	Ordinance / Code Reference	Requirement Type	Key Standards
Lewes	Zoning Code §197-78.1 “Tree Density Ordinance”	Tree Density Formula	1 tree per 2,500 sq ft of lot area. Existing trees count. Minimum planting size: 1.5-inch caliper or 5–6 ft height . Invasive species prohibited. Fee-in-lieu option available.
New Castle County	Unified Development Code, Ch. 40, Appendix 3	Landscape / Canopy Coverage	Requires landscape plans with canopy coverage goals. Plant lists specify native species. Bufferyard models dictate minimum trees per linear footage of boundary.
City of Newark	Newark Municipal Code (Landscape Ordinance)	Street & Lot Planting	Requires street trees and buffer plantings for subdivisions. Density calculated by lot frontage length and site size.
City of Wilmington	Urban Forestry Program – Street Tree Permit	Street Tree Planting	Permit required for planting/removal in public ROW. Street trees mandated for subdivisions and site plans. Compliance enforced by Urban Forest Administrator.
Sussex County	Buffer Ordinance Update (2024)	Perimeter Buffers / Forest Retention	Major subdivisions must preserve or plant buffers with ≥15 trees per 100 linear feet . Trees must be native species , minimum 6 ft height at planting. Two-for-one mitigation if mature trees removed. Penalties for clear-cutting (\$10,000 per ¼ acre).

Key Takeaways

- **Lewes** is unique in Delaware for codifying a *lot-based density formula* (1 tree per 2,500 sq ft).

- **New Castle County, Newark, and Wilmington** use **canopy coverage, frontage, or street tree formulas** rather than per-lot density.
 - **Sussex County** emphasizes **buffer zones and forest retention**, requiring high-density planting along subdivision boundaries.
 - Across all jurisdictions, **native species, ANSI planting standards, and minimum caliper/height sizes** are common requirements.
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In summary: Delaware municipalities vary in approach — Lewes uses a strict density formula, while others rely on canopy %, frontage, or buffer rules. Together, they create a patchwork of standards that developers must navigate depending on jurisdiction.

David, would you like me to **draft a compliance checklist** that consolidates these requirements into a single step-by-step format (lot size → jurisdiction → required trees → acceptable species → compliance options)? That would give you a ready-to-use tool for proposals and site plans.

Sources: Lewes Tree Density Ordinance; New Castle County UDC; Newark Municipal Code; Wilmington Urban Forestry Program; Sussex County Buffer Ordinance.

✅ **Appendix 3 of New Castle County’s Unified Development Code (UDC), Chapter 40, establishes the *official plant lists and planting guidance* used for landscaping, tree density, and buffer requirements in site development and subdivision approvals.**

Here’s a detailed breakdown:

Purpose of Appendix 3

- Provides **approved plant lists** for use in landscaping plans submitted with development applications.
 - Ensures species are **appropriate for Delaware’s climate**, resilient in urban conditions, and supportive of ecological goals.
 - Serves as a compliance tool for developers, landscape architects, and arborists when meeting **tree density, buffer, and canopy coverage requirements**.
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Structure of Appendix 3

Appendix 3 is organized into **plant categories**, each with detailed guidance:

1. Large Canopy Trees (50+ ft mature height)

- Examples: Red Maple (*Acer rubrum*), Sugar Maple (*Acer saccharum*), American Beech (*Fagus grandifolia*).
- Notes include soil preferences, tolerance to urban stress, and whether suitable as street trees.

2. Medium Canopy Trees (30–50 ft)

- Examples: River Birch (*Betula nigra*), Black Gum (*Nyssa sylvatica*).
- Often recommended for buffer zones and smaller lots.

3. Small Ornamental Trees (<30 ft)

- Examples: Flowering Dogwood (*Cornus florida*), Serviceberry (*Amelanchier canadensis*).
- Used for frontage, decorative planting, and utility-constrained areas.

4. Evergreens / Conifers

- Examples: Eastern Redcedar (*Juniperus virginiana*), American Holly (*Ilex opaca*).
- Provide year-round screening and buffer compliance.

5. Shrubs and Groundcovers

- Used for **perimeter buffers, parking lot islands, and erosion control**.
- Includes native species like Inkberry (*Ilex glabra*) and Bayberry (*Myrica pensylvanica*).

 **Compliance Requirements**

- **Native Preference:** Species indigenous to Delaware are strongly encouraged.
- **Non-listed Species:** Developers may propose alternatives, but must provide **arboricultural documentation** for approval.
- **Minimum Planting Standards:**

- Trees must meet **ANSI Z60.1 nursery stock standards** (caliper, height, health).
 - Buffers require **specific densities** (e.g., 15 trees per 100 linear feet in some cases).
 - **Urban Tolerance Ratings:** Appendix 3 notes whether species are suitable for **street tree use** (resistant to salt, compacted soils, pollution).
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Practical Application

- When submitting a **site plan or subdivision application**, developers must:
 1. Select species from Appendix 3 lists.
 2. Demonstrate compliance with **tree density or canopy coverage formulas**.
 3. Provide planting details (spacing, soil prep, irrigation).
 4. Replace invasive or non-compliant species with approved alternatives.
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In summary: Appendix 3 of New Castle County's UDC is the **official plant list and guidance document** that governs tree density, buffer planting, and landscaping compliance. It specifies **approved species, minimum sizes, and urban tolerance ratings**, ensuring that development projects contribute to canopy coverage, ecological resilience, and community aesthetics.

David, would you like me to **extract the actual density formulas and buffer requirements from Chapter 40** (beyond Appendix 3's plant lists) so you have the *numeric compliance thresholds* alongside the species guidance? That would give you a complete compliance toolkit.

Sources: New Castle County UDC [Chapter 40](#); [Appendix 3 Plant Lists and Guidance](#).