

Sponsor: Town of Felton
First Reading: August 10, 2026
Second Reading: September 14, 2026

AN ORDINANCE AMENDING THE PLANNING AND ZONING ORDINANCE OF THE TOWN OF FELTON, DELAWARE, TO UPDATE APPENDIX 1 – APPROVED TREES

WHEREAS, the Felton Town Council has enacted zoning regulations in the Town of Felton as authorized pursuant to 22 *Del. C.* Chapter 3 and Section 3.2.40 of the Town Charter;

WHEREAS, Appendix 1 – Approved Trees, as included in the Planning and Zoning Ordinance of the Town of Felton must be updated to include those tree that are best suited to the Town of Felton;

WHEREAS, the Planning Commission considered this ordinance at a duly noticed meeting held on July 8, 2026, and recommended to the Town Council that this ordinance be approved;

WHEREAS, the Town Council held a public hearing on September 14, 2026 notice for which was published in the Delaware State News on August 24, 2026 and posted at Town Hall on August 24, 2026, at which time all interested members of the public were given an opportunity to comment on this ordinance; and

WHEREAS, the Town Council finds that amending the Zoning Code to update the list of approved trees is in the best interest of the public health, safety, and welfare.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Felton, a majority thereof concurring in Council duly met, as follows:

Section 1. Appendix 1 – Approved Trees of the Planning and Zoning Ordinance of the Town of Felton is hereby deleted in its entirety and replaced with the following, which shall be incorporated and codified in the Planning and Zoning Ordinance:

Appendix 1 – Approved Trees

The following species and varieties of trees are considered acceptable for use in the Town of Felton. All trees must be 1 ½” caliper dimension at the time of planting. The term “caliper dimension” means an outside diameter measurement of the trunk of a tree measured at a vertical distance three (3) feet above grade.

Large Trees (over 40ft): should be planted 40 feet on center.

Acer rubrum “Red Sunset”	Red Maple
Acer saccharum “Green Mountain”	Sugar Maple
Betula nigra	River Birch
Celtis occidentalis*	Common Hackberry*
Gleditsia triacanthos “inermis”	Thornless Honey Locust
Juniperus virginiana	Eastern Red Cedar
Pinus echinata	Shortleaf Pine
Pinus virginiana	Virginia Pine
Pinus taeda	Loblolly pine
Platanus acerifolia	London Plane Tree

Quercus coccinea*	(Liberty or Columbia varieties)
Quercus macrocarpa	Scarlet Oak*
Quercus palustris*	Willow Oak
Quercus rubra*	Pin Oak*
Quercus shumardii	Northern Red Oak*
Thuja Occidentalis "Pyramidalis"	Shumard Oak
Zelkova serrata	Arborvitae
	Japanese Zelkova

Note: maples to be planted in a minimum of 8 foot wide green strip, or, behind the sidewalk.

Medium Trees (over 40ft): should be planted 40 feet on center.

Carpinus betulus	European Hornbeam
Carpinus caroliniana*	American Hornbeam*
Crataegus crusgalli inermis	Thornless Cockspur Hawthorn
Ilex opaca	American Holly
Nyssa sylvatica	Black Tupelo
Prunus serrulate "Kwanzan"	Kwanzan Cherry
Prunus sargentii	Sargent Cherry
Sophora japonica	Scholar Tree

Evergreen Shrubs

Ilex glabra	Inkberry
Kalmia latifolia	Mountain Laurel
Leucothoe fontanesiana	Leucothoe

Deciduous Shrubs

Viburnum dentatum	Arrowwood Viburnum
Clethra alnifolia	Sweet pepperbush
Itea virginica	Virginia sweetspire
Aronia arbutifolia	
Lindera benzoin	Northern spicebush

Ornamental/Understory Trees

Amelanchier canadensis – 15' -30' in height
Cercis canadensis – 20' – 30' in height
Cornus florida – 15' – 25' in height
Ornamental cherries/lilacs/scholar tree – 20' – 40' in height

Section 2. The provisions of this Ordinance shall be severable. If any provisions of this Ordinance are found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that the Town Council would have enacted the remaining valid provisions without the unconstitutional or void provision;

or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the Town Council's intent.

Section 3. This Ordinance shall become effective immediately upon its adoption by the Town Council.

SYNOPSIS

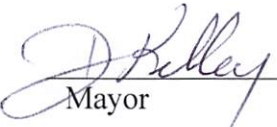
This ordinance updates Appendix 1 – Approved Trees of the Planning and Zoning Ordinance of the Town of Felton to include those trees best suited for planting in the Town of Felton.

This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Felton at its regular Council meeting on August 10, 2026.

ATTEST:



Council Secretary



Mayor