



ARTICLE 14 Landscaping, Buffering and Screening

14.01 PURPOSE

Landscaping, buffering and screening shall be provided to:

- A.** Encourage the creation of an attractive appearance, provide interest and lessen the monotony along public streets.
- B.** Remove, reduce, lessen or absorb the impact between one use or district and another.
- C.** Create a visual and/or physical barrier between conflicting, incompatible and/or visually undesirable land uses and to obscure the view of outdoor storage, rubbish areas, dumpsters, parking and loading areas.
- D.** Soften the outline of buildings and to break up and reduce the impact of large parking areas.
- E.** Provide protection from soil erosion.
- F.** Screen glare and reduce dust and noise levels emanating from a site.
- G.** Help effectuate privacy, logical development and enhancement of property values.
- H.** Reduce the urban heat island effect, enhance the local micro-climate and increase biodiversity.

14.02 APPLICABILITY

- A.** All portions of a lot not covered by building(s) or pavement shall be landscaped, and the minimum landscaping, screening and buffering requirements set forth in this Article shall be applicable in the following circumstances.
 - 1.** Whenever new construction of a conditional use or of a commercial, office, industrial development, major residential subdivision, planned residential development, or mixed use compact development is proposed. This subsection does not apply to a residential lot-split creating four or fewer lots.

2. Whenever there is a proposed change in zoning district classification for one or more lots in a commercial or industrial district.
 3. Whenever additional building(s) or building addition(s) are proposed for a site that is currently developed with a commercial, office, industrial, conditional, attached single-family or multi-family use.
 4. Whenever currently developed sites are to be modified by any change in vehicular circulation and/or parking area design.
 5. Subsections 1- 4 above apply both to non-governmental and governmental entities.
- B. Sections 14.03 through 14.09 establish numerical requirements and standards that carry out the purposes of this Article. However, it should be recognized that existing vegetation and other natural features, such as significant changes in topography between adjoining properties, may also adequately achieve the intended standards and objectives of each section. Also, precise compliance with all of the numerical standards may be preempted or unnecessary because of existing or proposed conditions on the site or adjacent property. Therefore, when complying with this Article, the Zoning Inspector or the Architectural Review Board, as applicable, may permit the flexible arrangement of the plant material to best achieve the intent of this Article and the purposes of the numerical standards, to preserve existing natural features, and to assure that other health and safety objectives and standards of the Township or any other regulatory agency are not compromised.

14.03 LANDSCAPING AND BUFFER PLAN

A. Landscaping and Buffer Plan Requirement

1. Any property to which this Article applies shall illustrate all proposed landscaping, including the proposed landscaping material, on a scaled site plan or on a separate scaled landscaping and buffer plan as part of the application for a zoning certificate.
2. All plans shall include a table listing the existing plant material that will be retained and all proposed plant materials within the landscaping and buffer areas. This shall include the common and botanical names, sizes

and other remarks as appropriate to describe the landscaping material selection.

B. Approval of a Landscaping and Buffer Plan

Criteria for the approval of a landscaping and buffer plan shall be as follows:

1. No zoning certificate shall be issued without approval of a landscaping and buffer plan.
2. Failure to implement the landscaping and buffer plan within 12 months of the issuance of a zoning certificate shall be deemed a violation of this resolution.
3. The township may seek professional advice from a landscape architect, professional landscape designer, or licensed nurseryman in the review of the submitted plans. The cost of such consultation may be passed on to the applicant.

14.04 LANDSCAPING ALONG STREETS

For all new residential subdivisions, including Conservation Developments and Mixed Use Compact Developments, all streets along the perimeter of the subdivision and streets within the subdivision, shall be landscaped and maintained with the minimum requirements below. For all other uses listed in 14.02 A. 1, all areas within required building and parking setbacks from the public right-of-way, excluding driveway openings, shall be landscaped and maintained with the minimum requirements below:

- A. For streets within the subdivision, one (1) deciduous tree for every twenty-five (25) feet of street frontage on each side of the street.
- B. For streets along the perimeter of the subdivision, the following plant material shall be provided:
 1. Three (3) deciduous trees and 30 shrubs spaced proportionately for every 100 linear feet of lot frontage, not including drive entrances; or
 2. A three (3) foot high berm (measured from the street centerline elevation) planted with three (3) deciduous trees and six (6) shrubs spaced proportionately for every 100 linear feet of lot frontage.

3. No plantings shall be placed within the public right-of-way.
- C. For streets along the perimeter of the subdivision, areas not devoted to trees and shrubs shall be planted with grass, ground cover or other similar live landscape treatment, excluding paving, gravel, or mulch including land in the public right-of-way that is not occupied by street or sidewalk pavement.
- D. Plantings or earthen berms shall not interfere with sight distance at street/drive intersections or corner lots in accordance with Section 6.01 L of this Resolution.
- E. Landscaping materials shall not be fruit or nut bearing nor have thorns or briars.
- F. None of the above plantings or berms shall be placed in the public right-of-way.
- G. Trees shall not be planted closer than:
 1. Twenty-five (25) feet from an intersection.
 2. Twenty-five (25) feet from stop or yield signs.
 3. Twenty-five (25) feet from street lights.
 4. Ten (10) feet from directional traffic signs.
 5. Ten (10) feet from fire hydrants, underground utilities and utility poles.
 6. Five (5) feet from driveways.
 7. Two (2) feet from property lines.
- H. Lots in a new residential subdivision, Conservation Development or Mixed Use Compact Development that front on a street along the perimeter of the subdivision shall be subject to the requirements of Section A above rather than Sections B and C.

14.05 SCREENING AND BUFFERING OF RESIDENTIAL USES

Screening and buffering along the entire length of the common boundary shall be provided in accordance with the following regulations.

A. Required Buffer Area. Buffer areas shall be provided as set forth below:

1. When a Commercial, Industrial or PDD District abuts a Residential District, a buffer area with a minimum width of 25 feet shall be provided unless a greater setback is required for a conditional use.
2. When a MIXED USE COMPACT DISTRICT (MUCD) abuts a Residential District, a buffer area with a minimum width of 20 feet shall be provided.
3. When attached single-family units in a PRD abut a Residential District, a buffer area with a minimum width of 20 feet shall be provided.
4. When a conditional use is located in any Residential District, a buffer area with a minimum width of 20 feet shall be provided unless a greater setback is required by the Board of Zoning Appeals.

B. Screening. Screening within the buffer area shall consist of one (1) or a combination of two (2) or more of the following in order to form a solid continuous visual screen:

1. A dense vegetative planting incorporating trees/evergreens/hedges of a variety that are equally effective in winter and summer.
2. A non-living opaque structure such as a brick, slump block, stucco masonry wall, or a solid fence that is compatible with the principal structure.
3. A fence having openings with a landscaped area at least ten (10) feet wide along the entire length of the fence. Chain link fencing may be used only if the plantings in the landscaped area are sufficiently dense to hide the chain link fence completely from view.
4. A maintained, landscaped earthen mound or berm at least ten (10) feet wide.
5. Maintenance of the existing natural vegetation that forms a screen with a height not less than six (6) feet and shall be equally effective in winter and summer.

C. Height of Screening. The height of screening shall comply with the following:

1. Visual screening walls, fences, or earthen mounds, berms and fences in combination shall be six (6) feet high measured from the natural grade, in

order to accomplish the desired screening effect.

2. Vegetation shall be six (6) feet high measured from the natural grade, in order to accomplish the desired screening effect. The required height shall be achieved no later than twelve months after the initial installation.

D. Placement of Screening. The location of the wall, fence, or vegetation shall be placed within the buffer area to maximize the screening effect. Trees, evergreens and/or hedges shall be adequately spaced and appropriately staggered to meet the screening objectives within two years after the initial installation. The landscaping plan shall indicate the specific type of option(s) to be used.

E. Additional Screening Required. Whenever a lot with a lower elevation than the abutting residential parcel requires screening and buffering, the height of the required screening shall be sufficient to adequately screen the site from the adjacent residential lot. The Zoning Inspector, or the Architectural Review Board when applicable, may, in its review of the landscaping plan, require more than the minimum requirements specified in this Section in order to accomplish the desired screening effect.

F. Waiver and Modification. The Architectural Review Board is authorized to waive or modify the above requirements where a significant change in topography between adjoining properties effectively achieves the same purpose as the requirements.

14.06 BUILDING FAÇADE LANDSCAPING

Every building except single-family and two family dwellings shall be provided with landscaped materials along its façade (the front or main side of the building) according to the following:

- A.** At least 75% of the building façade shall be landscaped, and such landscaping shall be located within 20 feet of the building façade.
- B.** Landscaping materials shall include a combination of deciduous trees, evergreens, hedges, shrubs, annual or perennial flowers, and ground cover plantings.
- C.** Deciduous trees shall be planted at a rate of three (3) trees for every 100 lineal feet of building façade. In determining the number of trees required, fractional amounts shall be rounded down if less than or equal to 0.50 and rounded up if equal to or greater than 0.51.

All portions of the landscaping along the façade not otherwise devoted to trees and shrubs shall be planted with grass, ground covers or other live landscape treatment, excluding paving, gravel or mulch, except that the area may be broken by entrance walks.

14.07 SCREENING OF LOADING AREAS, OUTSIDE STORAGE AREAS AND OTHER SERVICE AREAS

The following accessory uses/areas shall be screened from any adjacent street or adjoining property in order to prevent direct views of loading areas, outdoor storage areas, service areas, and associated service driveways from adjacent properties or from the public right-of-way when viewed from ground level.

- A.** Each loading area and outdoor storage area shall be screened along any perimeter that faces a street right-of-way or adjoining property. Screening shall consist of:
 - 1.** Brick, slump block, stucco wall, or ornamental fencing that is architecturally compatible with the principal building on the lot, having a height of six (6) feet, or
 - 2.** Dense staggered evergreen planting consisting of a double row of evergreen trees, spaced a minimum of 15 feet on center, of sufficient quantity and having a minimum height of six (6) feet, to completely screen the designated areas.
- B.** Dumpsters shall be enclosed on all four sides by an opaque fence or wall having a height of six (6) feet.
- C.** All screening shall be at a height of six (6) feet.
- D.** Roof mounted mechanical equipment shall be screened by parapet walls or other screening device with height not lower than six (6) inches below the height of mechanical equipment.

14.08 SCREENING AND LANDSCAPING OF PARKING LOTS

A. General Requirements

- 1.** Parking lots containing more than 6,000 square feet of area or 20 or more vehicular parking spaces, whichever is less, shall provide perimeter landscaping and interior landscaping of the peninsular or island types of uncompacted, well-drained soil that contains a minimum of 6 inches of top soil mix.
- 2.** All parking lots shall provide perimeter landscaping.

B. Interior Landscape Requirements for Parking Lots:

- 1.** For every ten (10) parking spaces or fraction thereof, the applicant shall provide not less than one hundred sixty (160) square feet of interior landscaped parking lot areas containing at least one tree with a minimum DBH of 2 inches and 4 shrubs.
- 2.** The minimum landscape area permitted shall be 160 sq. ft. with a minimum planting width of 9 feet.
- 3.** The landscaped islands should be designed, to the maximum extent feasible, to accommodate stormwater runoff. The use of porous pavement and/or specially designed brick or block is encouraged to increase on-site water detention for plant material and ground water supplies and to reduce problems associated with runoff. Add curb cuts for storm water drainage.
- 4.** Maximum contiguous area. In order to encourage the required landscape areas to be properly dispersed, and to break up large expanses of parking, no individual landscape area shall be larger than 500 square feet in size in vehicular use areas less than 30,000 square feet and no individual area shall be larger than 2,000 square feet in vehicular use areas over 30,000 square feet. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.

C. Perimeter Landscaping for Parking Lots

- 1.** Parking lots shall have perimeter landscaping of a minimum width of ten (10) feet exclusive of vehicle overhang.

2. This perimeter landscaping shall contain sufficient plant material that will achieve an effective, year-round opaque screen of a height of at least three feet within (2) years of installation. The perimeter buffer zone shall also contain deciduous trees and allow adequate snow storage area.
3. All snow storage areas shall be sited and used so as to insure there will be no damage from piled snow to landscaping plants, trees or shrubs.

14.09 LANDSCAPING MATERIALS AND STANDARDS

Walls, fences, plants, and mounds or berms, when provided to meet the landscaping and screening requirements set forth in this Section shall comply with the following, subject to review and approval by the Zoning Inspector or the Architectural Review Board when applicable.

- A. Walls and Fences. Walls and fences shall be constructed of weatherproof materials, including pressure treated, redwood, cedar or synthetic lumber, brick or other masonry, stone, and aluminum or galvanized hardware. Except as specifically noted, chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy landscaping and screening requirements.
- B. Measuring Height of Screening. Screening devices shall be measured from the highest finished adjacent natural grade. When street grade is within 50 feet of the screen and has a higher grade, the height of screening is measured from top of the curb or top of the crown of the road or alley where no curb exists.
- C. Plants. All plants shall be living and hardy within the United States Department of Agriculture's Hardiness Zone 6, and thriving in Summit County. Plant materials used in conformance with the provisions of this section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under state regulations. Trees shall be balled and burlapped or in containers. Shrubs, vines and ground covers can be planted as bare root as well as balled and burlapped or in containers. All landscaping materials shall be free of noxious weeds, disease and pests. Nursery stock identification tags shall not be removed from any planting prior to inspection and approval of final installation by the Township. If needed to assist with confirming that planted materials conform with the landscaping plan approved previously, the Township may seek the assistance of qualified landscape design professionals, including a licensed nurseryman, during the inspection of planted materials, when deemed necessary. The Township shall advise the

applicant if such assistance is required and shall determine whether to accept assistance from qualified professionals engaged by the applicant or to require the applicant to deposit funds with the Copley Township Board of Trustees as required to pay for such assistance.

1. Native Plant Requirements and Prohibited Species. All landscape plans must incorporate at least thirty percent (30%) of native trees, shrubs and grasses into the required plant materials to provide habitat for local flora and fauna and reduce irrigation needs. No landscape plan may include species that are included on the list of prohibited species that is maintained by and on file with the Zoning Inspector.*

*Note: The prohibited species include invasive species as provided by the ODNR Division of Natural Areas and Preserves, the Nature Conservancy, and the Ohio Invasive Plants Council.

2. Drought Tolerant Plant and Water-Efficient Landscape Requirements. Plant selection should incorporate drought-tolerant species wherever possible and must be grouped by common water needs.
3. Energy Conservation. Plant material placement must be designed to reduce the energy consumption needs of the development. Shade trees should be included on the exposed west and south elevations.
4. Species Diversity. Diversity among required plant material for on-site landscaping is required not only for visual interest, but to reduce the risk of losing a large population of plants due to diseases or pests. Table 1. Diversity Requirements indicates the percentage of diversity required based on the total quantity of species being used. For example, if a development requires forty-five (45) shade trees, no more than eighteen (18) trees nor less than five (5) trees can be of one (1) species, and there must be a minimum of five (5) different species within the forty-five (45) trees.

Table 1. Diversity Requirements

Total Number of Plants Per Plant Type	Maximum of Any Species	Minimum of Any Species	Minimum Number of Species
1-4	100%	Not Applicable	1
5-10	60%	40%	2
11-15	45%	20%	3
16-75	40%	10%	5
76-500	25%	5%	8
500-1,000	30%	5%	10
1,000 +	15%	4%	15

5. Deciduous Trees. Deciduous trees shall have a clear trunk height of at least six (6) feet and a minimum caliper of two (2) inches conforming to acceptable nursery industry procedures at the time of planting.
6. Evergreen Trees. Evergreen trees shall be a minimum of six (6) feet in height at the time of planting. Evergreen plantings shall be designed to provide an effective, dense screen within two (2) years of planting. White pine trees are not acceptable trees for screening/buffering purposes.
7. Hedges. Hedges shall be at least 36 inches in height at the time of planting. All hedges shall be designed to provide an effective, dense screen and mature height of at least six (6) feet within four (4) years after the date of the final approval of each planting when used for perimeter landscaping or screening applications.
8. Shrubs. A shrub shall be defined as a woody plant smaller than a tree consisting of several small stems from the ground or small branches near the ground. Shrubs shall be at least 20 inches in height at the time of planting and have a mature height of not less than 36 inches.
9. Grass or Ground Cover. Grass of the fescue, bluegrass or perennial rye families shall be planted in species normally grown as lawns in Summit County. In swales or other areas subject to erosion, solid sod, erosion reducing net or suitable mulch shall be used and grass seed shall be sown for immediate protection until complete coverage is achieved. Grass sod

shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted in such a manner as to provide 75% complete coverage after two growing seasons.

D. Existing Material. The Zoning Inspector, and the Architectural Review Board when applicable, may approve the use of existing plant material to comply with the landscaping and screening requirements of this Article. In reviewing such proposals, the Zoning Inspector, or the Architectural Review Board when applicable, shall consider whether the existing material is capable of performing the landscaping or screening functions required by this Article, by reason of its size, density, location, deciduous or evergreen foliage, and other characteristics. The Zoning Inspector, or the Architectural Review Board when applicable, shall also consider the likelihood that the plant material will survive construction-related disruptions, including soil compaction and changes in grading and drainage. Existing vegetation shall be preserved in accordance with acceptable nursery industry procedures.

E. Mounds and Berms. Mounds or berms may be used as physical barriers that block or screen a view. Differences in elevation between areas requiring screening do not constitute a mound. Mounds or berms shall conform to the following standards:

- 1.** The maximum side slope shall be three (3) feet horizontal to one (1) foot vertical (3:1). The design shall be reviewed to ensure that proper erosion prevention and control practices have been utilized and that irrigation or other means are provided to insure plant material will have sufficient moisture for survival.
- 2.** Mounds or berms shall be designed with physical variations in height and alignment throughout their length.
- 3.** Landscape plant material installed on mounds or berms shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.
- 4.** The landscape plan shall show sufficient detail to demonstrate compliance with the above provisions, including a scaled plan, section, and profile of the mound or berm, soil types and construction techniques.
- 5.** Mounds or berms shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.

6. No part of any mound or berm shall be elevated more than 30 inches above natural grade within ten (10) feet of any right-of-way or property line, and the toe of such mound or berm shall be located a minimum of three (3) feet from any right-of-way or property line.
7. Adequate ground cover or mulch shall be used and maintained to prevent erosion.

F. Easements

Nothing shall be planted or installed within any underground or overhead utility, drainage, or gas easement without the written consent of the utility provider, easement holder, or the township.

14.10 MAINTENANCE OF LANDSCAPING

- A. Required yards and all other portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be pruned, trimmed and maintained in good and healthy condition.
- B. All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The property owner shall be responsible for continued, perpetual maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse, debris, and noxious and unsightly weeds at all times.
 1. All unhealthy or dead plant material shall be replaced within thirty (30) days, or by the next planting period, whichever comes first. Replacement material shall conform to the original intent of the landscape plan.
 2. Vehicle parking shall not be permitted in landscaped areas and the parking of vehicles in landscaped areas shall be discouraged by the design of the areas.
 3. All screening shall be free of advertising or other signs, except for pertinent directional or instructional signs for the efficient flow of vehicles.
- C. Violation of installation provisions or failure to maintain the landscaping shall constitute a violation of the Zoning Resolution. A violation shall be grounds for the Zoning Inspector to require replacement of the landscape material or initiate legal proceedings to enforce the provisions of this Section.

14.11 APPROVAL PROCESS FOR FENCES AND WALLS

The location of proposed landscaping, fences or walls required by this Article shall be reviewed and approved as part of any other applicable permit approval process. However, when a fence or wall required by this Article is proposed at a separate time from any other development for new construction, additions or site renovation, a fence or wall may be approved administratively by the Zoning Inspector when the Zoning Inspector determines that the proposal:

- A.** Complies with the requirements of this Article.
- B.** Is consistent with any previously approved plan.
- C.** Is compatible with the current site development if there is no approved plan.
- D.** Will have a minimal adverse impact to the surrounding areas.

If, because of the nature and location of the proposed fence or wall, the Zoning Inspector does not make such a determination, the request shall be referred to the Architectural Review Board.