Article 10: Landscaping and Buffering

10.01: Purpose

The purpose of this article is to:

A) Promote and protect the interest of the public convenience, comfort, prosperity, or general welfare in accordance with Article 1 (General Provisions) of this resolution by providing for the planting and maintenance of trees, shrubs, and other plants within the Township.

B) Require buffering between non-compatible land uses and to protect, preserve and promote the character and value of surrounding neighborhoods, to promote the public health and safety through the reduction of noise pollution, air pollution, visual pollution, air temperature, and artificial light glare by providing for the installation and maintenance of buffer areas in accordance with the standards and requirements of this article.

C) Require reasonable landscaping that is economically beneficial in attracting new residents, visitors, and businesses to the community. This article will enhance this via proper location and quantities of planting and landscaping. This article also will promote the preservation and replacement of trees and significant vegetation removed during the development of land.

10.02: Applicability

A) The development standards of this article shall apply to new property development and any collective substantial expansion of existing structures. Substantial expansion of existing structures shall be defined based on the criteria established in Table 10.02-1 below:

<table>
<thead>
<tr>
<th>When Existing Structure is....</th>
<th>A Substantial Expansion is...</th>
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</thead>
<tbody>
<tr>
<td>0 - 1,000 Sq. Ft.</td>
<td>50% or Greater</td>
</tr>
<tr>
<td>1,001 - 10,000 Sq. Ft.</td>
<td>40% or Greater</td>
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<tr>
<td>10,001 - 25,000 Sq. Ft.</td>
<td>30% or Greater</td>
</tr>
<tr>
<td>25,001 - 50,000 Sq. Ft.</td>
<td>20% or Greater</td>
</tr>
<tr>
<td>50,001 Sq. Ft. and larger</td>
<td>10% or Greater</td>
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</tbody>
</table>

B) For expansion of structures, the landscaping and buffering requirements shall apply to any new or expanded parking or vehicular use areas.

C) For the expansion of structures that will decrease the setback between the structure and a residential zoning district, the buffering and screening standards of this article shall apply.

D) Where there is a change in use that is more intense than the pre-existing use, the buffering and screening standards of this article shall apply.

E) Single-family dwellings and two-family dwellings shall be exempt from the provisions of this article.

F) The applicant for the new development or expansion project that is subject to these standards shall be responsible for the installation of the landscaping and buffering materials on the site subject to the application.
10.03: Landscaping and Buffer Plan

A) Landscaping and Buffer Plan Requirement

1) Any property to which this article applies shall illustrate all proposed landscaping and buffer, including the proposed landscaping material, on a site plan or on a separate buffer plan as part of the application for a zoning permit.

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.

3) Details shall be provided showing the proper planting of trees, shrubs, and ground cover within the landscaping and buffer areas.

B) Approval of the Landscaping and Buffer Plan

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

1) No zoning permit shall be issued without approval of a landscaping and buffer plan drawing (as approved) and schedule for installation of materials.

2) Failure to implement the buffer plan within 12 months of the issuance of a zoning permit shall be deemed a violation of this Resolution.

10.04: Landscaping Materials and Standards

A) Responsibility for Installation of Landscaping Materials

The buffer area requirements shall be provided by the person in charge of or in control of developing the property, whether as owner, lessee, tenant, occupant or otherwise (hereinafter referred to as "Owner").

B) Existing Landscape Material

1) Unless otherwise noted, existing landscape material in healthy condition can be used to satisfy the requirements of this article in whole or in part.

2) The Zoning Inspector shall determine satisfaction of this requirement.

C) Easements

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

D) Landscaping Materials

Existing vegetation shall be preserved as much as possible in accordance with acceptable nursery industry standards. The following items are suitable for landscaping materials used individually or in combination with each other, subject to review and approval by the Zoning Inspector.

1) Walls and Fences

   (a) When walls or fences are used to fulfill screening requirements, they shall be detailed on the plan. They are to be opaque and constructed of weather-proof materials. This includes the use of masonry, stone, pressure treated lumber, or painted lumber as an example. Weather-proof hardware such as aluminum or galvanized hardware shall also be used.

   (b) Chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy the buffer requirements of this article.
(c) Walls and fences shall be designed to orient the best or most attractive side away from the subject lot so the best side faces the adjacent lots.

2) Plants

(a) Plant materials used in conformance with these provisions shall conform to 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 from containers.

(i) Existing Plants and Vegetation

Existing plants and vegetation may be counted toward the minimum landscaping requirements of this article if they meet the minimum standards as established in this section.

(ii) Deciduous Trees

Deciduous trees shall have a minimum caliper of at least 2.5 inches DBH conforming to acceptable nursery industry procedures at the time of planting. If deciduous trees are to be used for screening purposes, additional materials listed in this article shall be used to create a dense buffer.

(iii) Evergreen Trees

Evergreen trees shall be a minimum of 6 feet in height at the time of planting. Evergreen plantings shall be planted at a maximum distance of 20 feet on center to provide an effective buffer.

(iv) Ornamental and Understory Trees

Ornamental and understory trees shall have a minimum height of four feet or a minimum caliper of at least 1.5 inches DBH conforming to acceptable nursery industry procedures at the time of planting.

(v) Shrub's and Hedges

Shrub's and hedges shall be at least 36 inches in height at the time of planting.

(vi) Grass and Ground Cover

Grass shall be planted in species normally grown in permanent lawns in Clermont County, Ohio. In swales or other areas subject to erosion, solid sod shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted at a maximum spacing of one foot on center to provide 75 percent complete coverage after two growing seasons.

(b) Once the minimum landscape requirements have been met, any size plant may be installed on a lot to supplement the minimum requirements.

3) Species Diversity

(a) When fewer than 40 trees are required on a site, at least two different species shall be utilized, in roughly equal proportions.

(b) When 40 or more trees are required on a site, at least three different species shall be utilized, in roughly equal proportions.

(c) Required shrubs shall utilize the same species diversity requirements.
(d) Nothing in this subsection shall be construed so as to prevent the utilization of a larger number of different species than specified above.

4) Earth Mounds

Earth mounds may be used as buffers, however, differences in natural elevation between areas requiring a buffer does not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall conform to the following:

(a) Earth mounds shall conform with the grading requirements of the authority having jurisdiction.

(b) Berms and earth forms shall be designed with physical variations in height and alignment throughout its length.

(c) Landscaping plant materials may be installed on berms and earth mounds and shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.

(d) Berms and earth mounds shall be located and designed to minimize the disturbance of existing trees located on the site or adjacent thereto.

(e) Berms and earth mounds shall not be located so as to restrict the natural flow of water from one lot to another.

(f) Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.

(g) No mound wastewater treatment system or other similar on-site wastewater treatment system shall count toward the buffering requirement.

5) Grade Changes

In cases where grading is necessary that results in a parking lot lower in elevation than the surrounding area or adjacent right-of-way, the resulting embankment shall be planted with low shrubs and shade or ornamental trees. The type and variety of plantings shall be based on the steepness of the slope. A maximum slope of 1:2.5 shall be provided for landscaping between the lot line and the parking lot.

10.05: Required Buffers

A) Minimum Buffer Yard

1) Table 10.05-1 shall define the minimum buffer requirements between lots based on adjacent zoning districts.

2) Where any activity or land falls under more than one of the categories listed, the most stringent requirements shall be applied.

3) Where the minimum setback for the applicable zoning district differs from the required buffer yard, the more restrictive standard shall apply.
### Table 10.05-I: Required Buffer Yard (Feet)

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<th>Abuts</th>
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4) Planting Requirements for Required Buffers
   
   (a) Buffers shall include, at a minimum:
       
   (i) A 6-foot high fence or wall or an earth mound/earth berm; and
       
   (ii) Three evergreen trees and six shrubs for every 60 lineal feet of lot line requiring a buffer.

   (b) In lieu of fence, wall, or earth mound/berm, an applicant may provide a natural buffer of the following:
       
   (i) Eight evergreen trees, planted in an offset manner to provide a solid buffer for every 80 lineal feet of lot line requiring a buffer; and
       
   (ii) Twelve shrubs for 75 lineal feet of lot line requiring a buffer.

5) Buffer Design Standards
   
   (a) Buffers shall not be located on any portion of an existing, dedicated, or reserved public right-of-way or private ingress/egress easement.
   
   (b) On sloped areas, the buffer shall be located to maximize its effectiveness.
   
   (c) No construction shall be permitted within a required buffer other than a wall, fence, or berm, or a driveway in the front yard connecting a parking area on the lot to a street or to a parking area on an abutting lot. A driveway in the side yard that connects a paving area on the lot to the street shall not encroach upon the buffer area. Subsurface constructions are permitted provided the required buffer is placed above said subsurface constructions and further provided no part of a subsurface construction protrudes above the ground surface.
   
   (d) The buffer shall be established on the parcel being developed.
(e) When an adjoining parcel has an existing fence, wall, or berm adjacent to a developing parcel boundary, the existing landscape material on the adjacent parcel may not be used toward the requirements for the boundary buffer required for that boundary edge.

(f) Where development already exists on both sides of a lot line, a buffer shall be established as a condition of any new development. The property owner shall provide the maximum buffer possible under the standards of this article given the location of existing buildings and driveways.

10.06: Parking Area Landscaping

A) Minimum Landscaping Requirement for Parking Areas

A minimum of 10 percent of the parking area shall be landscaped in accordance with the provisions of this section.

B) Landscape Island Locations

1) Landscape islands shall be located at the end of each parking row with a minimum size of 135 square feet for single loaded parking rows, and a minimum size of 270 square feet for double loaded rows. See Figure 10-2.
A double loaded parking row accommodates two cars parked end to end with no median or other serration between parking spots.

A single loaded parking row only accommodates one row of cars that park with the end of the parking space adjacent to a median, continuous curb, landscaping, or other physical barrier.

Figure 10-2: The minimum square footage requirements for islands helps ensure that there is enough area for plant growth.

2) No more than 20 spaces shall be located in a continuous row without being interrupted by a landscaped island. Such landscape islands shall be of the minimum size established in Paragraph (1) above;

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.

4) Landscaped islands shall have a minimum width of nine feet as the narrowest dimension.

C) Planting Requirements

1) Plantings shall be provided at a rate of one tree and three shrubs per 10 parking spaces or fraction thereof.

2) Each individual landscaped island shall include a minimum of one tree, and two shrubs.

3) The trees and shrubs shall be distributed throughout the parking lot islands to decrease the appearance of a single expanse of pavement and to create a canopy effect.

4) The trees should be of a variety to provide the shade canopy and have a clear trunk height of at least six feet.

5) The area not covered by the canopy of the tree, but within an interior landscape area, shall be covered by shrubs, grass, or ground cover, enhanced by landscape gravel, or mulch. Plants in this category may not interfere with visibility. All plants must be living, thriving, and assuming their intended form.

10.07: Maintenance

A) All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the property shall be responsible for the continued property maintenance of all landscaping materials and shall keep them in a proper, neat, and orderly appearance free from refuse and debris at all times.
B) Plants that are required as part of these requirements shall be replaced if unhealthy or dead within one year, or by the next planting season, whichever comes first. This requirement shall apply to the site in perpetuity.

C) Landscaping areas shall be well-maintained and kept free of weeds and litter.

D) Violation of these maintenance practices shall be a violation of this zoning resolution.