

ORDINANCE NO. 13-97
CITY OF CENTERVILLE, OHIO

Sponsored by Councilman JAMES REPERT on the 20th day
of OCTOBER, 1997.

**AN ORDINANCE AMENDING ORDINANCE NO. 11-86, THE ZONING
ORDINANCE OF THE CITY OF CENTERVILLE, OHIO TO ESTABLISH
REGULATIONS AND PROCEDURES FOR THE CREATION OF
LANDSCAPE, SCREENING AND BUFFERYARD REQUIREMENTS
WITHIN THE CITY OF CENTERVILLE, OHIO**

PREAMBLE AND PURPOSE

WHEREAS; The Council of the City of Centerville, Ohio recognizes that the establishment of bufferyards for developing properties provide areas to preserve existing trees, introduce new trees and other landscape elements into the community and to provide a physical separation of land uses, and

WHEREAS; The screening of a higher intensity use from a lower intensity uses by means of installing trees, shrubs, berming, fences, walls and other landscape elements is necessary to lessen the impact from one use to another, and

WHEREAS; Trees and other landscape elements help to naturally control flooding and erosion, moderate noise pollution, dust, and other airborne pollutants, and to moderate the climate, and

WHEREAS; The Centerville City Council also recognizes that it is necessary to provide necessary screening and buffering in order to protect the health, safety, and welfare of the citizens of Centerville,

NOW THEREFORE; The Municipality of Centerville hereby Ordains:

Section 1: All text additions shall be written in *italics* and all text deletions shall be written using ~~strike-out~~ as provided in Section 5.02 of the Centerville Charter:

A. By amending Section 5, Agricultural, E. Requirements as follows:

4. Minimum Parking or Paving Setback for any Non-Residential Use Permitted in this Zoning District - See the Single-Family Residential (Section 6) of this ordinance for requirements.

B. By amending Section 6, R-1a, R-1b, R-1c, R-1d Single-Family Residential, C. Accessory Uses as follows:

~~2. Gardening or landscaping including the placement of a lamppost, a flag pole, a bird house or a bird bath, a trellis, an exterior light, an ornamental structure, or a work of art.~~

2. Gardening or landscaping including the excavation, regrading, shaping, or the establishment of earthen mounding on a premises.

- a. All work performed for any excavation, regrading, shaping or earthen mounding project shall be completed, including seeding, sodding, mulching, and/or landscaping, within 4 months from the date in which the project began.

12. The placement of a lamppost, exterior light, flag pole, bird house or bird bath, trellis, ornamental structure, a work of art.

C. By amending Section 6, R-1a, R-1b, R-1c, R-1d Single-Family Residential, D. Uses Requiring Special Approval, 2. Planning Commission Special Approval, e. Residential Cluster Development as follows:

- 3) A reserve area shall be established where a residential cluster development abuts a major street. This reserve area shall be a lot of record separate from any individual residential lot, have a minimum width of 25 feet and extend along the entire road frontage. No individual, platted lot shall have vehicular access through this reserve area. The reserve area shall be landscaped in accordance to the bufferyard requirements contained in the Supplemental Zoning District Requirements (Section 20) of this Ordinance.

D. By amending Section 6, R-1a, R-1b, R-1c, R-1d Single-Family Residential, E. Requirements as follows:

5. Minimum Parking or Paving Setback for any Non-Residential Use Permitted in this Zoning District

- a. A major use that abuts a residential use 100 feet

- b. *A non-residential use that abuts a major public street* 25 feet
- c. *A non-residential use (excluding a major use) that abuts a residential use* 25 feet
- d. *A non-residential use that abuts a non-residential use or a public street (excluding a major public street)* 10 feet

E. By amending Section 7, R-2, Two-Family Residential, E. Requirements as follows:

- 4. *Minimum Parking or Paving Setback for any Non-Residential Use Permitted in this Zoning District - See the Single-Family Residential (Section 6) of this ordinance for requirements.*

F. By amending Section 8, R-3, Multi-Family Residential, Table of Minimum Requirements and Section 9, R-PD, Residential Planned Development, Table of Minimum Requirements as follows:

~~Minimum Setback of Parking or Paving from any Front, Side or Rear Lot Line~~ ~~10 feet~~

Minimum Setback of Parking or Paving (Multi-Family Residential Uses)

- 1. *Front Lot Line* 25 feet
- 2. *Side or Rear Lot Line* 10 feet
- 3. *Abutting Single-Family Residential* 25 feet

Minimum Parking or Paving Setback (Non-Residential Use Permitted in this Zoning District)

- 1. *A major use that abuts a residential use* 100 feet
- 2. *A non-residential use that abuts a major public street* 25 feet
- 3. *A non-residential use (excluding a major use) that abuts a residential use* 25 feet
- 4. *A non-residential use that abuts a non-residential use or a public street (excluding a major public street)* 10 feet

G. By amending Section 11, O-PD, Office Planned Development, Table of Minimum Requirements, 3); Section 14, B-PD, Business Planned Development, Table of Minimum Requirements, 3); and Section 16, I-PD, Industrial Planned Development, Table of Minimum Requirements, 3); as follows:

- 3) The City may require the installation of screening or other improvements within the buffer strip which increase the effectiveness of the buffer strip in protecting adjacent residential land from potentially adverse impacts in accordance with the Special Approvals section (Section 31) of this ordinance; in accordance with the Supplemental Zoning District Requirements (Section 20) of this ordinance;

H. By amending Section 20, Supplemental Zoning District Requirements, A. District Requirements Applicable to All Zoning Districts, 6. Fences and Walls as follows:

b. Special Approval Required

A Department of Development Special Approval must be obtained from the City prior to the installation of any fence where the proposed fence is not in conjunction with any other special approval granted by the City.

~~b. c.~~ Fences in Public Right-of-Way Prohibited

d. Types of Fence

1) A fence or wall shall be constructed using traditional or natural materials such as wood, brick, stone, wrought iron, chain link or other similar material unless specifically prohibited elsewhere in this Ordinance. Additionally, plastic may be used for any picket or post and rail fence and poured concrete may be used for any post and rail fence.

2) The height of a fence or wall shall be measured from the ground level of the outward face to the highest part of the fence or wall.

3) The finished exposure of any fence situated in a front yard shall face outwards from the property where the fence or wall is situated.

4) The use of poured concrete, concrete masonry unit, metal panel, corrugated metal, rebar, or other similar product where the surface of such material is exposed and visible from any direction, shall be prohibited unless specifically permitted elsewhere in this Ordinance.

~~e. e.~~ Front Yard

~~e. f.~~ Side and Rear Yard

~~e. g.~~ Dangerous Fences

I. By amending Section 20, Supplemental Zoning District Requirements, A. District Requirements Applicable to All Zoning Districts, 7. Screening Requirement as follows:

~~7. Screening Requirement~~

~~Screening shall mean the provision of an eye-level barrier of living or non-living material in order to separate or obscure an adjacent view three hundred sixty-five (365) days of the year.~~

~~a. When Required~~

~~1) Non-Residential Abutting Residential~~

~~Any non-residential use shall be required to provide screening along any mutual property line shared with a residential use. A property having both residential and nonresidential uses shall be considered a non-residential use property. A multi-family residential use shall be required to screen to any adjoining single-family residential use.~~

~~2) — Screening of Large Trash Collection Facilities~~

~~If a site plan contains a large exterior trash collection facility such as a dumpster, this area shall be screened so as to not be visible from a public right-of-way or an adjacent property.~~

~~3) — Front Yard Screening Not Required~~

~~No screening shall be required in the front yard of a property.~~

~~4) — The side yard of a residential premises where a vehicle, exceeding 8 feet in height, 8 feet in width or 20 feet in length, is parked or stored shall require screening along that portion of side lot line within the side yard.~~

~~b. — Height~~

~~Screening, when required, shall be a minimum of six (6) feet high.~~

~~c. — Traffic Hazard~~

~~Where located adjacent to a dedicated public right-of-way, screening shall not be permitted to obstruct clear vision so as to create a potential traffic hazard.~~

~~d. — Materials~~

~~1) — Natural Materials Required~~

~~Only natural materials such as stone, brick, wood, or thick evergreen plants, shall be used for screening.~~

~~2) — Compatibility~~

~~Screening shall be visually compatible with buildings, walls, fences, or other structures in the immediate area.~~

7. **Landscape, Screening and Bufferyard Requirements**

a. **Fence or Wall** Any fence or wall that is required for screening purposes or within a bufferyard shall be constructed using natural materials such as wood, brick or stone. Such a fence or wall shall appear solid with no visible gaps. A fence or wall shall have a minimum height of 6 feet and a maximum height of 7 feet.

b. **Table of Minimum Plant Size** Unless otherwise specifically indicated elsewhere in this ordinance, all plant materials used for screening or within a bufferyard shall meet the following minimum size standards:

<u>Plant Material Type</u>	<u>Minimum Size</u>
Canopy Tree	
Single Stem	2.5 inch caliper
Multi-Stem	10 feet height
Understory Tree	1.5 inch caliper
Evergreen Tree	5 feet height
Shrub	
Deciduous	24 inches height
Evergreen	18 inches height

c. **Planting Requirements** All trees, shrubs and other plantings shall be installed in accordance to standards established by the American Society of Nurserymen.

d. **Location of Required Screening** All planting, berming, fencing and/or walls required by this ordinance shall be installed within the area established as the bufferyard. However, at the discretion of the approving authority, all or a portion of the required screening may be placed outside of the required bufferyard where, because of topographical or other physical constraint, such location provides the most effective screening.

e. **Bufferyard Requirements** Existing vegetation that meet or exceed the requirements in the Table of Minimum Plant Size or any tree required to be preserved by this or other Ordinance that is located within a required bufferyard shall be counted to satisfy the planting requirements contained in this Ordinance. All improvements made to these areas shall be in accordance to Table 20-1: Bufferyard, Landscaping and Screening Requirements.

f. **Earthen Berm:** A earthen berm, when required, shall be constructed in a sculpted and undulating manner to an average height as stated in Table 20-1: Bufferyard, Landscaping and Screening Requirements. Berming shall be required where a bufferyard is devoid of trees or any significant vegetation or where

topographic constraints, or stormwater drainage systems do not preclude its construction.

g. Screening of Large Trash Collection Facilities. If a site plan contains a large exterior trash collection facility such as a dumpster, this area shall be screened by using a fence or wall so as to not be visible from a public right-of-way or an adjacent property.

h. Traffic Hazard. Where located adjacent to a dedicated public right-of-way, landscaping or screening shall not be permitted to obstruct clear vision so as to create a potential traffic hazard.

i. Bond or Other Construction Guarantee Required for Improvements. A performance bond or other construction guarantee shall be required for all landscape, screening or bufferyard improvements required by this ordinance shall be in accordance to the Guarantee of Construction and Installation of Improvements; Inspections Section of Part Twelve, Title Four, Subdivision Regulations of the Code of Ordinances, City of Centerville, Ohio.

Table 20-1: Bufferyard, Landscaping and Screening Requirements

Zoning District by Use or Circumstance	Buffer Width (feet)	Minimum Bufferyard Requirements					
		Earthen Berm (avg. ht.)	Fence or Wall	No. of Plants per 100 Linear Feet of Bufferyard			
				Canopy Tree	Understory Tree	Shrub	Evergreen or Conifer
O-PD, B-PD, and I-PD							
Adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
Adjacent to a Public Street	20	3 feet	No	5	5	10	0
Adjacent to a non-residential use	10*	N/R	No	2	4	6	0
O-S, B-1, B-2, I-1: Non-Residential Use							
Adjacent to a Residential Use	25	4 feet	Yes	5	6	20	15
Adjacent to a Non-Residential Use or a Public Street	10	N/R	No	2	4	6	0
APD, Arechitectural Preservation District							
Non-Residential Use adjacent to a Residential Use	10	N/R	Yes	0	0	0	15
R-1, R-2, R-3, R-PD, Non-Residential Uses							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
Abutting any other Street or a non-Residential use	10	N/R	No	2	4	6	0
Major Use adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
R-3, R-PD: Multi-Family Residential							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
Adjacent to any other Street, Multi-Family, or Non-Residential Use	10	N/R	No	2	4	6	0
R-2, Two-Family Residential							
Adjacent to any Public Street or a Single Family Use	10	N/R	No	2	4	6	0
R-1, Single-Family Residential							
Residential Cluster Development or a individual lot adjacent to a Major Public Street	25	3 feet	No	4	6	10	5
R-1, Single-Family with a RV in the Side Yard abutting a Single-Family Use**	10	N/R	No	1	2	3	7

N/R: Not Required

* Outer Perimeter of the Planned Development Zoning Districts requires a minimum buffer width of 20 feet.

** Number of plants required per 50 linear feet of bufferyard

*** Applies only to a Recreational Vehicle that is greater than 8 feet wide, 20 feet long or 8 feet in height.

J. By amending Section 21, Off-Street Parking and Loading Areas, C. Size and Design as follows:

~~7. Landscaping Required~~

~~All parking lots exceeding twenty (20) parking spaces shall include interior landscaped areas in the overall design. This requirement shall include only those landscaped areas encompassed by the perimeter of the parking lot. Required parking or paving setbacks, screening areas, or other landscaping required by this Ordinance shall not be utilized to meet any requirement of these landscaping provisions.~~

- ~~a. Any parking lot having a capacity of at least twenty (20) parking spaces shall be required to have not less than five (5) percent of the interior of the parking lot landscaped.~~
- ~~b. The landscaped area shall include living plantings aesthetically located and maintained. The use of concrete, asphalt or other paved surface inside the required landscape areas shall be prohibited.~~
- ~~c. All landscaped areas shall be designed and located in a manner that clearly defines internal streets, traffic lanes and parking areas and to standards acceptable to the Department of Development.
 - ~~1) Landscaped areas shall have a minimum width of five (5) feet.~~
 - ~~2) A turning radius shall be constructed where a landscaped area defines an intersection of streets, traffic lanes, or parking stalls.~~
 - ~~3) Concrete curbing shall be placed around the perimeter of all landscaped areas.~~
 - ~~4) Intersection sight distance shall be maintained at all entrance and exit points to a public street and all internal intersections of streets and traffic lanes.~~~~

7. *Landscaping Required*

Any premises having a parking lot or lots with an area of six thousand (6,000) square feet or greater shall provide landscape areas within the interior of the parking lot. This requirement shall include those areas encompassed by the perimeter of the parking lot including parking stalls, access lanes and any driveway providing access to the parking lot. Required parking or paving setbacks, screening, bufferyards, or other landscaping required by this Ordinance shall not be utilized to meet any requirement of these landscaping provisions.

a. Interior landscaping shall be required at a ratio of at least 24 square feet of landscaped area for every 300 square feet of parking lot surface area.

b. The landscaped area shall include plantings of a type and size described in the Screening and Bufferyard Requirements (Section 20, Supplemental Zoning District Requirements) of this Ordinance.

c. All landscaping installed shall be evenly distributed and aesthetically located. A minimum of 1 canopy tree, 1 understory tree, and 2 shrubs shall be installed for every 300 square feet of landscaped area.

d. The use of concrete, asphalt or other paved surface inside the required landscape areas shall be prohibited.

e. All landscaped areas shall be designed and located to standards acceptable to the Department of Development that clearly define internal streets, traffic lanes and parking areas and maintain intersection sight distance.

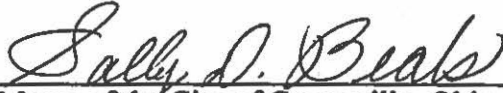
- 1) Landscaped areas shall have a minimum width of nine (9) feet.
- 2) Raised concrete curbing shall be placed around the perimeter of all landscaped areas.

K. By amending Section 37, Definitions as follows:

Bufferyard: A yard, a building setback, or a parking or paving setback required by this ordinance to separate land uses by distance through the use of the width of the required yard or setback and visually through the use of landscaping, fencing, walls, earthen berm or any combination thereof that is installed within the bufferyard.

Section 2: This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 20th day of OCTOBER, 1997.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 13-97, passed by the Council of the City of Centerville, Ohio on the 30th day of OCTOBER, 1997.



Approved as to form, consistency
with existing ordinances, the charter
and constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney