

Tree Number	Approximate Distance from Western Property Line	Approximate Distance from Edge of Pavement	Diameter Size	Possible Tree Credit
1	35'	23'	4"	2
2	75'	25'	4"	2
3	200'	13'	12"	8
4	210'	13'	8"	5
5	220'	13'	6"	4
6	230'	13'	6"	4
7	290'	13'	16"	10
8	310'	13'	8"	5
Total				40



Cadastral Lines		Line Type	
Corporate Line	Parcel Line	Aid for Trad Line	Quil Township Line
County Line	ROW Unknown Width Line	Overpass Line	Subdivision Limit Line
Farm Lot Line	Road ROW	School Line	Section Line
Heritage	Subdivision Ld Line	Township and Range Line	Trad Line
WMS Line	Weather Road Line		

1 inch = 100 feet

4629 Utica Rd

Date: 6/14/2024

The provider makes no warranty or representation with respect to this information, its quality or suitability for a particular purpose. This information is provided AS IS, and the requester assumes the entire risk as to its quality and suitability. The provider will not be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information. The provider shall have no liability for any other information, Programs or data used with or combined with the requested information, including the cost of recovering information, programs or data.

RE RD OF RESOLUTIONS

Exhibit 2000-2 Buffer & Screening Text Amendment

12/14/00

Shuman Legal Blank Co. Form No. 30824

Resolution No. 2237 Passed December 14, 2000

CLEARCREEK TOWNSHIP
WARREN COUNTY, OHIO

A RESOLUTION ~~AMENDING~~ EXHIBIT 2000-2, A TEXT AMENDMENT THAT ESTABLISHES STANDARDS FOR BUFFERS AND SCREENING ALONG THE PUBLIC RIGHT-OF-WAY AND BETWEEN ZONING CLASSIFICATIONS.

WHEREAS, all public hearings, public notices, and the recommendation of the Warren County Regional Planning Commission for the Zoning Resolution amendment have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 of the Ohio Revised Code; and,

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek Township Trustees that the said Amendment, establishes standards for buffers and screening along the public right-of-way and between zoning classifications, be ~~adopted~~ Exhibit 2000-2 is attached and deemed a part of this Resolution as if fully rewritten herein.

Mr. Lamb moved to adopt the foregoing Resolution. Dr. McDonald seconded the motion and upon the call of the roll the following vote resulted:

Mr. Wade - yes
Dr. McDonald - yes
Mr. Lamb - yes

Resolution adopted at a regular public meeting conducted December 14, 2000.

THE BOARD OF CLEARCREEK
TOWNSHIP TRUSTEES

Ed Wade
Dr. McDonald
R. Lamb

ADD: SEC. 3.152 to Chapter 3, Definitions:

BUFFER: A COMBINATION OF PHYSICAL SPACE AND VERTICAL ELEMENTS, SUCH AS PLANTS, BERMS, FENCES, AND/OR WALLS, FOR THE PURPOSES OF SEPARATING AND SCREENING INCOMPATIBLE LAND USES OF DIFFERENT TYPES AND/OR INTENSITIES FROM EACH OTHER.

ADD: SEC. 3.153 to Chapter 3, Definitions:

BUFFER, PERIMETER: A BUFFER TO SEPARATE CONTIGUOUS INCOMPATIBLE LAND USES. THE PERIMETER BUFFER IS INSIDE AND PARALLEL TO THE REAR AND THE SIDE BOUNDARY LINES OF A LOT ON WHICH REQUIRED AND ABUTS THE OUTSIDE EDGE OF ANY EASEMENT AND/OR RIGHT-OF-WAY THAT ABUTS OR TRAVERSES THE LOT.

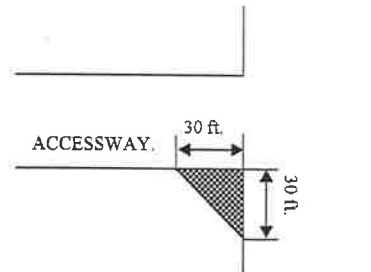
ADD: SEC. 3.1534 to Chapter 3, Definitions:

BUFFER, STREETSCAPE: BUFFER THAT IS PARALLEL TO THE PARCEL FRONTAGE AND WHICH ABUTS ALL EASEMENTS AND/OR RIGHT-OF-WAY.

ADD: SEC. 3.191 to Chapter 3, Definitions:

CLEAR SIGHT TRIANGLE: THE AREA TO THE INSIDE CORNER OF THE INTERSECTING PAVEMENT EDGES OF ONE PRIVATE ACCESSWAY OR PUBLIC STREET AND ANOTHER PUBLIC STREET, IN THE SHAPE OF A TRIANGLE FORMED BY A LINE OF SIGHT CONNECTING THE PAVEMENT EDGE OF EACH THIRTY (30) FEET OUTWARD FROM SUCH INTERSECTION, UNLESS OTHERWISE REQUIRED AT A GREATER DISTANCE THEREFROM BY THE PUBLIC ROAD AUTHORITY OF JURISDICTION.

FIGURE OF CLEAR SIGHT TRIANGLE



ADD: SEC. 3.214 to Chapter 3, Definitions:

CROWN: THE TOP OF A TREE FOLIAGE CANOPY, IN REPRESENTING THE GREATEST EXTENT OF SUCH OUTWARD BRANCHING GROWTH FROM THE TREE TRUNK.

ADD: SEC. 3.221 to Chapter 3, Definitions:

DECIDUOUS PLANT: A PLANT WITH FOLIAGE THAT IS SHED ANNUALLY.

AMEND: SEC. ~~3.221~~ to 3.222 Chapter 3, Definitions:

Development: Any man-made change to improved or unimproved real estate including but not limited to building or other structures, the placement of mobile homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations.

ADD: SEC. 3.235 to Chapter 3, Definitions:

DRIPLINE: THE OUTERMOST PERIMETER OF THE CROWN OF A PLANT AS PROJECTED VERTICALLY TO THE GROUND.

ADD: SEC. 3.307 to Chapter 3, Definitions:

EVERGREEN PLANT: A CONIFER TREE OR SHRUB, NOTED FOR PERPETUAL FOLIAGE THAT ALWAYS REMAINS GREEN THROUGHOUT THE LIFE OF SUCH PLANTS.

ADD: SEC. 3.5607 to Chapter 3, Definitions:

OPACITY: THE STATE, QUALITY OR DEGREE OF BEING IMPENETRABLE BY LIGHT.

AMEND: SEC. ~~3.5607~~ to 3.5608 Chapter 3, Definitions:

Operator means and includes the owner, permit or license holder, custodian, manager, operator or person in charge of any business premises.

ADD: SEC. 3.5609 to Chapter 3, Definitions:

ORNAMENTAL PLANT: A DECIDUOUS OR CONIFER TREE OR SHRUB PLANTED PRIMARILY FOR ITS DECORATIVE CHARACTERISTICS, SUCH AS FLOWERING AND FOLIAGE COLOR, AND/OR FOR SCREENING PURPOSES BEING SMALLER IN HEIGHT, WIDTH AND FOLIAGE DENSITY AT MATURITY COMPARED TO OTHER PLANT VARIETIES WHICH WOULD BE INAPPROPRIATE OR UNDESIRABLE TO SUCH REGARD IN A CONSTRAINED SPACIAL ALLOWANCE OR A SETTING WHERE BLOCKING A VIEW IS NOT WANTED FOR SIGHT DISTANCE SAFETY OR OTHER REASONS.

ADD: SEC. 3.649 to Chapter 3, Definitions:

SCREEN: A METHOD OR DEVISE FOR BUFFERING THE OTHERWISE POTENTIALLY GREATER IMPACTS OF NOISE AND/OR UNSIGHTLY VISUAL INTRUSIONS FROM ONE LAND USE ON ANOTHER WITH MORE HARMONIOUS ELEMENTS, SUCH AS PLANTS, EARTH FORMS, FENCES, WALLS OR ANY APPROPRIATE COMBINATION THEREOF TO ACCOMPLISH THE DESIRED DEGREE OF BUFFERING.

ADD: SEC. 3.64051 to Chapter 3, Definitions:

SERVICE EQUIPMENT: PROPANE TANKS, LOADING DOCKS, TRASH DUMPSTERS, ELECTRICAL TRANSFORMERS, AIR CONDITIONERS/COOLING TOWERS, HEAT PUMPS, UTILITY VAULTS THAT EXTEND ABOVE GRADE, AND OTHER EQUIPMENT THAT PROVIDES SERVICE TO A BUILDING OR SITE.

ADD: SEC. 3.64061 to Chapter 3, Definitions:

SHADE TREE: A DECIDUOUS TREE PLANTED PRIMARILY FOR ITS HIGH CROWN OF FOLIAGE OR OVERHEAD CANOPY.

ADD: SEC. 3.64062 to Chapter 3, Definitions:

SHRUB: A DECIDUOUS OR EVERGREEN PLANT THAT IS TYPICALLY MORE WOODY AND WITH DENSER FOLIAGE AND SMALLER IN SIZE AND HEIGHT THAN A TREE, CONSISTING OF NUMEROUS SMALL BRANCHING STEMS AT OR NEAR THE GROUND, FOR DECORATIVE AND/OR BUFFER SCREENING PURPOSES.

ADD: SEC. 3.681 to Chapter 3, Definitions:

STREET, LOCAL: A PUBLIC OR PRIVATE STREET PRIMARILY INTENDED TO PROVIDE DIRECT VEHICULAR ACCESS FOR ABUTTING PROPERTIES, WHILE ALSO LINKING SUCH TO ARTERIAL AND COLLECTOR STREETS.

ADD: SEC. 3.682 to Chapter 3, Definitions:

STREET, MAJOR ARTERIAL: A PUBLIC STREET, TYPICALLY WITH MULTIPLE TRAVEL LANES, PRIMARILY INTENDED TO PROVIDE FOR VEHICULAR THROUGH-TRAFFIC MOVEMENT TO AND FROM OTHER ARTERIAL CLASS AND/OR COLLECTOR CLASS STREETS, PREFERABLY HAVING NO DIRECT ACCESS TO LOCAL STREETS AND LAND, EXCEPT FOR LARGE-SCALE USES, WITH CONTROLLED ACCESS AND CHANNELIZED MEDIAN-SEPARATED TRAVEL LANES WHERE LAND ACCESS IS PERMITTED AND AT SIGNALIZED INTERSECTIONS WITH OTHER ROADS, AND ON WHICH LITTLE OR NO PARKING IS PERMITTED.

ADD: SEC. 3.683 to Chapter 3, Definitions:

STREET, MAJOR COLLECTOR: A PUBLIC STREET WITH TYPICALLY TWO TO THREE LANES THAT FUNCTION OR IS INTENDED TO COLLECT AND CONVEY VEHICULAR TRAFFIC TO AND FROM LOCAL AND MINOR COLLECTOR CLASS STREETS IN PROVIDING LINKAGE WITH ARTERIAL CLASS STREETS AND ALONG WHICH DIRECT ACCESS TO ABUTTING PROPERTY IS DISCOURAGED AND PARKING IS NOT PERMITTED.

ADD: SEC. 3.684 to Chapter 3, Definitions:

STREET, MINOR ARTERIAL: A PUBLIC STREET TYPICALLY WITH THREE OR MORE TRAVEL LANES AT INTERSECTIONS WITH ARTERIAL CLASS STREETS, THAT IS PRIMARILY INTENDED TO PROVIDE FOR VEHICULAR THROUGH-TRAFFIC MOVEMENT TO AND FROM OTHER ARTERIAL CLASS AND/OR COLLECTOR CLASS STREETS, PREFERABLY HAVING MINIMAL DIRECT ACCESS TO LOCAL STREETS AND LAND USES, UNLESS WITH ACCESS CONTROL IMPROVEMENTS WHERE LAND ACCESS IS PERMITTED AND HAVING SIGNALIZED INTERSECTIONS WITH OTHER ROADS AND ON WHICH LITTLE OR NO PARKING IS PERMITTED.

ADD: SEC. 3.685 to Chapter 3, Definitions:

STREET, MINOR COLLECTOR: A PUBLIC STREET WITH TYPICALLY TWO TO THREE LANES THAT FUNCTIONS OR INTENDED TO COLLECT AND CONVEY VEHICULAR TRAFFIC TO AND FROM LOCAL, COLLECTOR CLASS AND ARTERIAL CLASS STREETS AND ALONG WHICH DIRECT ACCESS TO ABUTTING PROPERTY IS PROVIDED AND PARKING MAY BE PERMITTED.

ADD: SEC. 3.72051 to Chapter 3, Definitions:

TREE: A LARGE, WOODY PLANT HAVING ONE OR SEVERAL SELF-SUPPORTING STEMS OR TRUNKS AND NUMEROUS BRANCHES, MAY BE CLASSIFIED AS DECIDUOUS OR EVERGREEN.

ADD: SEC. 3.78 to Chapter 3, Definitions:

ZONING COMPLIANCE CERTIFICATE: AN APPLICANT INITIATED DOCUMENT ISSUED BY THE ZONING INSPECTOR THAT CERTIFIES COMPLIANCE OF A GIVEN PROPERTY USE AND STRUCTURES WITH ALL APPLICABLE REQUIREMENTS SET FORTH IN THE ZONING RESOLUTION.

DELETE: SEC. 16.05 (A) Parking and Loading Regulations

~~Screening: Off-street parking areas for ten (10) vehicles or more shall be effectively screened on each side which adjoins or faces premises in any residence zone. Such screening shall consist of a solid masonry wall or solid fence not less than four (4) feet and not more than six (6) feet in height, or a screen of hardy evergreen shrubbery may be used. Any such screen shall be maintained in good condition. The space between such screen and the adjoining side or front lot line shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.~~

AMEND: SEC. 16.05 (B)(A) Parking and Loading Regulations

~~Distances: No part of a parking area for ten (10) vehicles or more shall be closer than ten (10) feet to the side lot of any lot in a residential zone, except that this limitation shall not apply within the required rear yard. No entrance to or exit from a parking area for ten (10) OR MORE vehicles shall be closer than fifty (50) feet to any street intersection.~~

AMEND: SEC. 16.05 (C) (B) Parking and Loading Regulations

Surface and lighting: All off-street parking areas, including any commercial parking lot, for more than ten (10) vehicles shall be graded and permanently surfaced with an asphalt or Portland cement binder pavement so as to provide a durable and dustless surface, AND shall be graded for proper disposal of surface water, SUBJECT TO THE REVIEW SATISFACTION OF THE ZONING INSPECTOR AND THE WARREN COUNTY ENGINEER. THE DESIGN AND LOCATION OF ANY PARKING AREA ACCESSWAY INTERSECTION OF A PUBLIC STREET IS SUBJECT TO APPROVAL BY THE STREET AUTHORITY OF JURISDICTION. Any lighting used to illuminate SUCH parking area, shall be arranged to reflect the light away from adjoining premises in any residence zone OF A TYPE, HEIGHT, INTENSITY AND SHIELDING NECESSARY SO NOT TO BE SPOT-GLARE NUISANCE OR SAFETY HAZARD TO ANYONE IN VIEW THEREOF. APPROVAL BY THE AFOREMENTIONED APPLICABLE AUTHORITIES IS ALSO REQUIRED TO ENSURE THAT NO SIGHT DISTANCE OBSTRUCTION IS POSED BY ANY LIGHTING AS TO DESIGN OR LOCATION IN AND AROUND SUCH PARKING AREA.

ADD: SEC. 16.05 (C) PARKING AND LOADING REGULATIONS, SERVICE EQUIPMENT:

1. A BUFFER, SPECIFIED AS FOLLOWS, SHALL BE REQUIRED TO COMPLETELY SURROUND SERVICE EQUIPMENT FOR INSTALLATION ON ANY PROPERTY, IN THE OFFICE "O", BUSINESS "B1" OR "B-2" AND INDUSTRIAL "M-1" OR "M-2" ZONES.
 - a. A CONTINUOUS ONE HUNDRED (100) PERCENT OPAQUE HEDGE, FENCE, WALL OR EARTH FORM IS REQUIRED TO ENCLOSE ANY SERVICE EQUIPMENT ON ALL SIDES.
 - b. THE BUFFER SHALL EXCEED THE HEIGHT OF THE SERVICE EQUIPMENT BY AT LEAST ONE (1) FOOT.
 - c. IF THE SERVICE EQUIPMENT IS FREQUENTLY MOVED OR ACCESSED, THREE SIDES SHALL HAVE A BUFFER. THE FOURTH SIDE SHALL HAVE A SOLID GATE, WHICH EXCEEDS THE HEIGHT OF THE SERVICE EQUIPMENT BY AT LEAST ONE (1) FOOT.

AMEND: CHAPTER 17 18, Fees and Permits

AMEND: SEC 17.01 18.01 Chapter 17 18, Fees and Permits:

Except as provided in Chapter 5, no buildings or other structures shall hereafter be located, constructed, enlarged or structurally altered or shall any work be started upon same until a zoning permit has been issued by the Clearcreek Township Zoning commission INSPECTOR, which permit shall state that the proposed building and use comply with all the provisions of this Code, ZONING Permits shall expire ~~six (6) months~~ ONE (1) YEAR after date of issue, if work has not been started.

AMEND: SEC 17.02 18.02 Chapter 18, Fees and Permits:

UNLESS OTHERWISE INDICATED ~~Except as provided in Chapter 5, no land shall be occupied or used and no building OR OTHER STRUCTURE hereafter SHALL BE located, constructed, reconstructed or enlarged or structurally altered shall be occupied or used FOR USE in part or in whole for any purpose whatsoever until a zoning certificate of occupancy ZONING COMPLIANCE CERTIFICATE is issued by the Clearcreek Township Zoning Commission INSPECTOR, stating that the building and use AND STRUCTURES comply ARE IN COMPLIANCE with the APPLICABLE provisions of this Code. No change of use shall be made in any building, or part thereof, now or hereafter located, constructed, reconstructed, enlarged or structurally altered without a zoning permit.~~

AMEND: SEC 17.03 18.03 Chapter 18, Fees and Permits:

Each outdoor advertising sign, except those specifically permitted in Zones: "R-1", "R-2", "R-3", shall be considered a separate structure for which a zoning permit shall be secured prior to BEGINNING its construction.

AMEND: SEC 17.04 18.04 Chapter 18, Fees and Permits:

A reasonable fee determined by the Clearcreek Township Trustees shall be charged for each zoning permit.

AMEND: SEC 17.05 18.05 Chapter 18, Fees and Permits:

A reasonable fee determined by the Clearcreek Township Trustees shall accompany each application for a change in zoning and for each appeal made to the Board of Zoning Appeals.

AMEND: SEC 18.01 27.01 Chapter 27, Enforcement:

It shall be the duty of the Clearcreek Township Zoning Commission ~~Inspection Department~~ INSPECTOR to enforce the Zoning Code.

ADD: SEC 17.01, FINDINGS AND INTENT

A. FINDINGS

THE CLEARCREEK BOARD OF TRUSTEES FIND THAT:

1. LANDSCAPING AND BUFFERING DEVELOPMENT WITH TREES AND OTHER VEGETATION PROMOTES THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY TO SUCH AN EXTENT AS TO JUSTIFY THE DEMAND OF LANDSCAPING AND BUFFERING REQUIREMENTS FOR CONSISTENT APPLICATION THROUGHOUT THE CLEARCREEK TOWNSHIP COMMUNITY.
2. TREES AND LANDSCAPING BENEFIT THE COMMUNITY BY:
 - a. ABSORBING CARBON DIOXIDE AND RETURNING OXYGEN TO THE ATMOSPHERE;
 - b. PRECIPITATING DUST AND OTHER PARTICULATES FROM THE AIR;
 - c. PROVIDING WILDLIFE HABITAT, PARTICULARLY FOR BIRDS, WHICH IN TURN HELP CONTROL INSECTS;

- d. PROVIDING SOIL STABILIZATION, WHICH REDUCES EROSION AND MITIGATES THE EFFECT OF FLOODING;
 - e. PROVIDING SHADE, WHICH REDUCES ENERGY CONSUMPTION AND GLARE, AND MAKING OUTDOOR AREAS MORE COMFORTABLE DURING WARM TEMPERATURE MONTHS;
 - f. MAKING THE BUILT ENVIRONMENT MORE ATTRACTIVE BY ADDING A VARIETY OF COLOR, SHAPE, AND PATTERN AND THUS INCREASING COMMUNITY PRIDE AND THE VALUE OF THE PROPERTY;
 - g. PROVIDING ATTRACTIVE BUFFERING BETWEEN INCOMPATIBLE LAND USES OF A DIFFERENT TYPE AND/OR INTENSITY;
 - h. HELPING TO MITIGATE THE EFFECTS OF TRAFFIC FLOW ON PROPERTY OWNERS BY SCREENING AND SEPARATING THE PUBLIC AND PRIVATE AREAS OF INTERACTION. THIS SCREEN HELPS TO MOLD THE VISUAL EXPERIENCE OF THE VEHICULAR TRAVELER AND PROVIDES A RURAL FLAVOR TO THE NETWORK. CONVERSELY, THIS SCREEN REDUCES THE IMPACT OF HEADLIGHTS AND VEHICULAR NOISE ON THE PROPERTY OWNER WHILE PROHIBITING HAPHAZARD PEDESTRIAN TO VEHICULAR INTERACTION;
3. OPEN FIELDS, PASTURES AND CROPLAND BENEFIT THE COMMUNITY BY:
 - a. SERVING AS AN INTERVENING BUFFER BETWEEN THE DEVELOPED USE ON A LOT AND THE ADJOINING PUBLIC STREET TRAFFIC;
 - b. PERPETUATING A DESIRED SENSE AND CHARACTERISTICS OF RURALNESS THAT IMPACTS THE PERCEIVED IMAGE OF THE COMMUNITY AND ITS SENSE OF WELFARE;
 - c. ACTING TO ENCOURAGE THE PRESERVATION AND/OR UTILIZATION OF FARMLAND IN THE TOWNSHIP;
 4. BECAUSE NATIVE VEGETATION IS ADAPTED TO LOCAL DISEASES, PESTS, SOIL AND CLIMATE, IT IS GENERALLY MORE ECONOMICAL AND DESIRABLE THAN NON-NATIVE SPECIES, WHICH REQUIRE MORE PESTICIDE, FERTILIZER, AND WATER.
 5. NON-NATIVE VEGETATION CAN CROWD OUT NATIVE VEGETATION, USE MORE WATER, AND DAMAGE THE ENVIRONMENTS FROM INCREASED USE OF FERTILIZERS AND PESTICIDES.

B. INTENT

REQUIREMENTS OF THIS CHAPTER SHALL BE APPLIED, AND IMPLEMENTED IN EFFORT TO ACHIEVE THE FOLLOWING:

1. TO ENHANCE THE ATTRACTIVENESS OF THE COMMUNITY;
2. TO CONSERVE ENERGY THROUGH THE COOLING AND SHADING EFFECTS OF TREES;
3. TO MITIGATE OTHERWISE POTENTIALLY GREATER NUISANCES SUCH AS NOISE, GLARE, HEAT, AIR POLLUTION, AND STORMWATER RUNOFF;
4. TO MITIGATE CONFLICTS BETWEEN ADJOINING LAND USES OF DIFFERENT TYPES AND/OR INTENSITIES;
5. TO PRESERVE THE ENVIRONMENT AND ECOLOGICAL BENEFITS OF EXISTING NATIVE TREES AND VEGETATION;
6. TO INCREASE THE SAFETY OF PRIVATE PROPERTY BY ERECTING A SCREEN FROM ROADS THAT ARE DESIGNED TO CARRY TRAFFIC AT SPEEDS OVER THIRTY-FIVE MILES PER HOUR;
7. TO PROMOTE SAFE AND EFFICIENT USE OF OFF-STREET PARKING FACILITIES AND OTHER VEHICULAR USE AREAS BY:
 - a. CLEARLY DELINEATING AND BUFFERING THE BOUNDS OF VEHICULAR USE AREAS, PARTICULARLY WHERE THEY ABUT PUBLIC RIGHTS OF WAY, SO THAT MOVEMENT, NOISE AND GLARE IN ONE AREA DO NOT ADVERSELY DISTRACT ACTIVITY OR IMPARE SAFETY IN ANOTHER AREA;
 - b. LIMITING PHYSICAL SITE ACCESS TO ESTABLISHED POINTS OF INGRESS AND EGRESS;
 - c. LIMITING THE INTERNAL MOVEMENT OF VEHICLES AND PEDESTRIANS TO DESIGNATED TRAFFIC CONFIGURATIONS;
 - 8 ~~✓~~ PRESERVING IRREPLACEABLE NATURAL HERITAGE FOR EXISTING AND FUTURE GENERATIONS;
 - 9 ~~✓~~ SERVING TO MAINTAIN A SENSE OF RURALNESS THROUGH THE PROMOTION OF VARIOUS FORMS OF BUFFERS;
 - 10 ~~✓~~ ACTING TO PROMOTE A SENSE OF PRIVATE SPACE SEPARATE FROM THE PUBLIC REALM.

ADD: SEC 17.02, APPLICATION

THE PROVISIONS OF THIS CHAPTER APPLY TO THE FOLLOWING:

- A. NEW SITES OF RESIDENCE ZONE "R-2", RESIDENCE ZONE "R-3", OFFICE ZONE "O", NEIGHBORHOOD BUSINESS "B-1", GENERAL BUSINESS "B-2", LIGHT INDUSTRY "M-1" AND HEAVY INDUSTRY "M-2". RURAL RESIDENCE ZONE "R-1" WHEN A PARCEL HAS FRONTAGE ON A COLLECTOR OR ARTERIAL STREET. A CERTIFICATE OF ZONING COMPLIANCE SHALL BE ISSUED HEREAFTER FOR ANY SITE DEVELOPMENT OR THE CONSTRUCTION OR IMPROVEMENT OF ANY BUILDING, STRUCTURE OR VEHICULAR USE AREA EXCEPT WHERE

LANDSCAPING FOR DEVELOPMENT CONSTRUCTION HAS BEEN APPROVED AS REQUIRED BY THE PROVISIONS OF THIS CHAPTER.

- B. EXISTING SITES OF RESIDENCE ZONE "R-2", RESIDENCE ZONE "R-3", OFFICE ZONE "O", NEIGHBORHOOD BUSINESS "B-1", GENERAL BUSINESS "B-2", LIGHT INDUSTRY "M-1" AND HEAVY INDUSTRY "M-2". RURAL RESIDENCE ZONE "R-1" WHEN A PARCEL HAS FRONTAGE ON A COLLECTOR OR ARTERIAL STREET. NO BUILDING, STRUCTURE OR VEHICULAR USE AREA SHALL BE CONSTRUCTED OR EXPANDED UNLESS THE MINIMUM LANDSCAPING REQUIRED BY THE PROVISION OF THIS CHAPTER IS PROVIDED TO THE PROPERTY TO THE EXTENT OF ITS ALTERATION OR EXPANSION. IN CASE OF A SUBSTANTIAL ALTERATION, AS DETERMINED BY THE ZONING INSPECTOR PER THE BELOW LISTED CRITERIA, THE ENTIRE SITE MUST BE BROUGHT INTO COMPLIANCE WITH THE MINIMUM REQUIREMENTS OF THIS CHAPTER. AN ALTERATION OR EXPANSION TO AN EXISTING PROPERTY IS SUBSTANTIAL WHEN:
 1. IN THE CASE OF A BUILDING OR STRUCTURE EXPANSION WHICH DOES NOT INVOLVE AN ALTERATION OF THE SIZE OF THE PARCEL, THE SQUARE FOOTAGE OF THE ALTERATION OR EXPANSION EXCEEDS 25% OF THE SQUARE FOOTAGE OF THE EXISTING BUILDING EXCLUSIVE OF THE ALTERATION OR EXPANSION.
 2. IN THE CASE OF AN ALTERATION OR EXPANSION INVOLVING BOTH AN EXISTING BUILDING OR STRUCTURE AND ADDITIONAL LAND, AND IF APPLICABLE, ADDITIONAL STRUCTURES OR BUILDINGS, THE AREA OR SQUARE FOOTAGE OF THE EXPANDED OR ALTERED LAND OR STRUCTURE OR BUILDING RESPECTIVELY, EXCEEDS 25% OF THE AREAS OR SQUARE FOOTAGE OF THE EXISTING LAND OR STRUCTURE OR BUILDING, RESPECTIVELY, EXCLUSIVE OF THE ALTERATION OR EXPANSION.
- C. CHANGE IN USE. EITHER THROUGH A ZONE CHANGE, THAT INCREASES THE INTENSITY OF THE USE OR FROM THE ACTUALIZATION OF THE UNDERLYING ZONE DUE TO THE ELIMINATION OF A NON-CONFORMING STRUCTURE.
- D. EXCEPTIONS. THE PROVISIONS OF THIS CHAPTER DO NOT APPLY TO THE FOLLOWING:
 1. APPROVED RECORDED PLATS FOR WHICH A DEVELOPMENT PLAN WAS APPROVED OR DEVELOPMENT SUBJECT TO AN APPROVED SITE PLAN ON FILE WITH THE TOWNSHIP PRIOR TO (INSERT DATE 30 DAYS AFTER TRUSTEE APPROVAL), IF THE SITE IS DEVELOPED IN ACCORDANCE WITH THE APPROVED PLAT OR PLAN.

ADD: SEC 17.03, LANDSCAPE PLAN REQUIRED

- A. PLANS MUST BE AT LEAST A MINIMUM SCALE OF 1" = 20' AND SHALL INCLUDE THE FOLLOWING INFORMATION:
1. NORTH ARROW AND SCALE.
 2. NAME OF THE APPLICANT AND/OR OWNER.
 3. THE NAME, ADDRESS, AND PHONE NUMBER OF THE PERSON OR FIRM WHO PREPARED THE LANDSCAPE PLANS.
 4. THE EXISTING ZONING AND LAND USE.
 5. PROPERTY LINES, EASEMENTS, AND DEDICATED RIGHT-OF-WAY.
 6. ALL EXISTING AND PROPOSED BUILDINGS, STRUCTURES, PAVED AREAS, PLANTED AREAS, EARTH FORMS, FENCES, AND OTHER PERMANENT FEATURES TO BE ADDED AND OR RETAINED.
 7. CONTOUR LINES IF THE GRADE EXCEEDS A SIX (6) PERCENT SLOPE.
 8. ALL AREA CALCULATIONS ARE TO BE EXPRESSED IN SQUARE FEET.
 9. THE LOCATION, BOTANICAL NAME, COMMON NAME, AND SIZE OF EXISTING VEGETATION, WHICH IS GOING TO BE RETAINED.
 10. THE LOCATION, BOTANICAL NAME, COMMON NAME, AND SIZE OF PLANNED VEGETATION.
 11. THE LOCATION OF MATERIALS, SUCH AS FENCING, TO PROTECT EXISTING VEGETATION DURING CONSTRUCTION.
 12. SCHEDULE OF INSTALLATION OF BUFFER AND LANDSCAPING.

ADD: SEC 17.04, INSTALLATION AND MAINTENANCE

- A. INSTALLATION STANDARDS
ALL PLANT MATERIAL SHALL MEET OR EXCEED SIZE AND SHAPE RELATIONSHIPS SPECIFIED IN THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN. ALL SIZES SPECIFIED REFER TO SIZE AT THE TIME OF PLANTING. NO ZONING PERMIT SHALL BE ISSUED NOR GRADING BEGUN UNTIL A PLAN FOR BUFFERS AND LANDSCAPING HAS BEEN APPROVED.
- B. MAINTENANCE RESPONSIBILITY
1. UNLESS OTHERWISE STATED, THE OWNER OF ANY PROPERTY WHERE LANDSCAPING IS REQUIRED SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF REQUIRED PLANT MATERIAL AND CONTINUED COMPLIANCE WITH THIS CHAPTER.
 2. DEAD OR DISEASED PLANT MATERIAL SHALL BE REPLACED DURING THE GROWTH SEASON WHEN IT IS FIRST IDENTIFIED.
 3. BUFFER AREAS SHALL BE REGULARLY MAINTAINED. SUCH MAINTENANCE INCLUDES, BUT IS NOT LIMITED TO TRIMMING, MULCHING AND MOWING, AS WELL AS THE REGULAR REMOVAL OF WEEDS.

4. BUFFER MATERIAL REQUIRED BY THE CODE MAY NOT BE PRUNED OR ALTERED IN A MANNER WHICH REDUCES THE REQUIRED OPACITY.
5. THE BUFFER AREA AND BUFFER MATERIAL SHALL BE MAINTAINED SO THAT EACH DOES NOT IMPEDE OR OBSTRUCT THE CLEAR SIGHT TRIANGLE.
6. NO ELEMENTS OF THE BUFFER SHALL ENCROACH UPON THE ACCESSWAY AT A HEIGHT LESS THAN THIRTEEN (13) FEET SIX (6) INCHES.
7. VIOLATIONS OF THESE INSTALLATION AND MAINTENANCE PROVISIONS SHALL BE GROUNDS FOR THE REVOCATION OF THE ZONING COMPLIANCE CERTIFICATE UNTIL THE REQUIRED REPLACEMENT FOR THE LANDSCAPED MATERIALS OCCURS. IF THE OWNER FAILS TO REPLACE THE BUFFERS WITHIN THIRTY (30) DAYS AFTER NOTIFICATION, LEGAL PROCEEDINGS TO ENFORCE THE PROVISIONS OF THIS SECTION WILL BE INITIATED.

ADD: SEC 17.05, VARIATIONS

THE BOARD OF ZONING APPEALS (BZA) MAY MODIFY BUFFER AND LANDSCAPING STANDARDS WHERE:

- A. THERE ARE SPECIAL CONSIDERATIONS OF SITE DESIGN AND/OR TOPOGRAPHY.
- B. THERE EXISTS A UNIQUE RELATIONSHIP TO OTHER PROPERTIES.
- C. THE PLANTINGS OR PLANTING AREA WOULD CONFLICT WITH UTILITIES, EASEMENTS, OR OVERHEAD POWER LINES.
- D. PROPOSED STREET WIDENING NOT PROVIDED BY THE DEVELOPER WILL CONSUME THE LANDSCAPING AREA.
- E. THE ADDITIONAL SCREENING OR LANDSCAPING REQUIREMENTS OF ANY OTHER SECTION WARRANT A VARIANCE, IN WHICH CASE, THE APPROVING AUTHORITY MAY VARY THE REQUIREMENTS OF THIS SECTION SO LONG AS THE INTENT OF ALL SECTIONS ARE MET.
- F. THE APPROVING AUTHORITY MAY REQUIRE ALTERNATIVE BUFFERS OF LANDSCAPING WHEN A MODIFICATION TO THE REQUIREMENTS OF THIS SECTION IS WARRANTED IN ORDER TO MEET THE INTENT OF THE SPECIFIED STANDARDS.
- G. THE TEST TO GUIDE THE BZA SHALL BE THAT OF PRACTICAL DIFFICULTIES.

ADD: SEC 17.06, BUFFER AREAS

- A. TO SEPARATE INCOMPATIBLE USES, PERIMETER AND/OR STREETScape BUFFERS SHALL BE REQUIRED.
- B. IN CALCULATING A BUFFER, THE WIDTH OF THE PROPERTY MUST BE ESTABLISHED. THE FOLLOWING EXAMPLES ARE BASED ON A LOT WIDTH OF ONE (100) FEET. THE MINIMUM BUFFER WIDTH, THE NUMBER

AND TYPE OF VEGETATION AS WELL AS SCREENING MATERIALS ARE BASED ON THIS STANDARD. IF THE WIDTH OF THE PROPERTY IS GREATER OR LESS THAN THE STANDARD, A PERCENTAGE SHALL BE ESTABLISHED BASED ON THE ONE HUNDRED (100) FEET STANDARD. THIS DERIVED PERCENTAGE SHALL BE USED TO COMPUTE THE REQUIREMENTS FOR VEGETATION. THE STANDARD WIDTH AND THE MAXIMUM PERCENTAGE OF SCREENING MATERIALS SHALL REMAIN CONSTANT, REGARDLESS OF THE WIDTH.







C. STREETScape BUFFER


IF THE ZONE LISTED IN THE FIRST ROW OF THE STREETScape INTERACTION TABLE HAS FRONTAGE ON A PUBLIC RIGHT-OF-WAY THEN A STREETScape BUFFER IS REQUIRED. THE DESIGNATION OF AN "X" WILL REQUIRE A STREETScape BUFFER.

STREETScape INTERACTION TABLE

RURAL RESIDENTIAL "R-1" PARCELS WITH FRONTAGE ON A STREET MEETING CRITERIA	RESIDENCE "R-2" ZONE	RESIDENCE "R-3" ZONE	OFFICE "O" ZONE	NEIGHBORHOOD BUSINESS "B-1" Zone	GENERAL BUSINESS "B-2" ZONE	LIGHT INDUSTRIAL "M-1" ZONE	HEAVY INDUSTRIAL "M-2" ZONE
X	X	X	X	X	X	X	X

Legend for Options

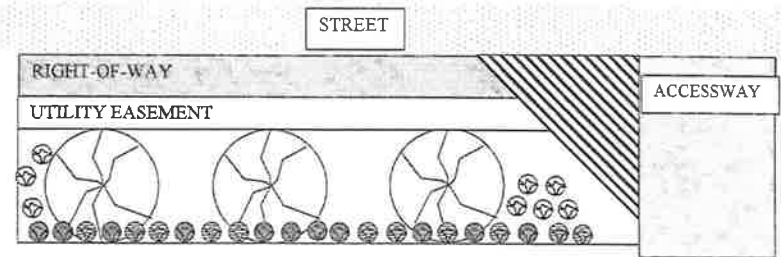
-  Deciduous Tree
-  Evergreen Tree
-  Deciduous Shrub
-  Evergreen Shrub
-  Fence/Wall
-  Clear Sight Triangle



OPTION 1: STANDARDIZED STREETScape BUFFER PER EVERY ONE HUNDRED (100) FEET OF ROAD FRONTAGE

MINIMUM CONTINUOUS STREETScape WIDTH	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
15'	3 SHADE	30	33

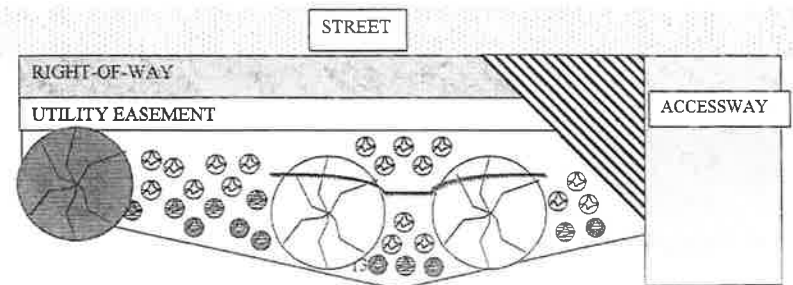
OPTION 1: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 2 VARYING WIDTH STREETScape BUFFER PER EVERY ONE HUNDRED FEET OF ROAD FRONTAGE

THE AREA MUST AVERAGE A MINIMUM OF _____ SQUARE FEET	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
1500	3 SHADE TREE	30	33

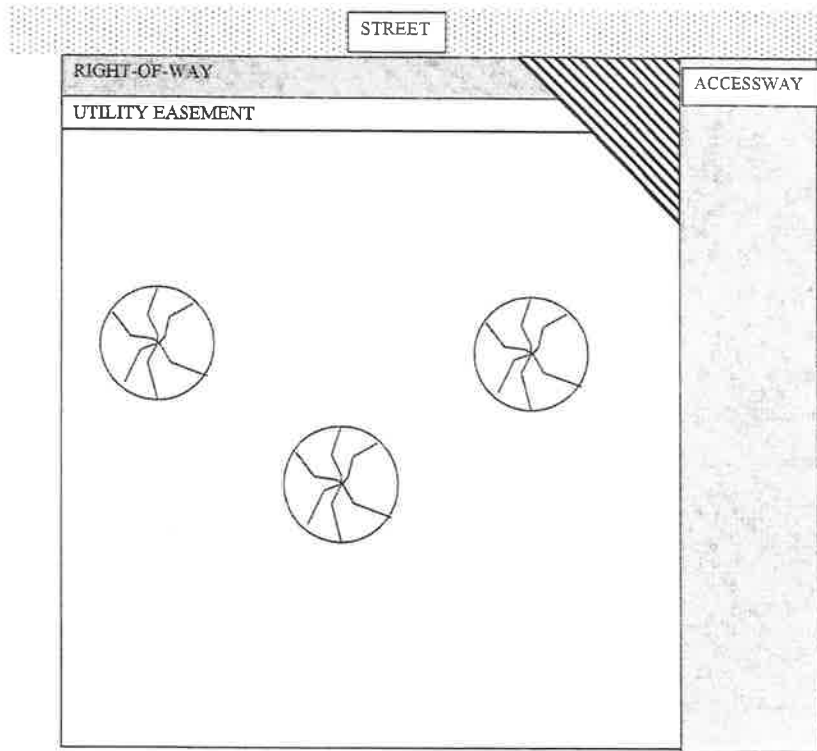
OPTION 2: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 3 OPEN SPACE STREETScape BUFFER PER ONE HUNDRED FEET OF ROAD FRONTAGE

MINIMUM CONTINUOUS STREETScape WIDTH BEFORE THE PLACEMENT OF A STRUCTURE	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
100'	3 SHADE TREE	0	33

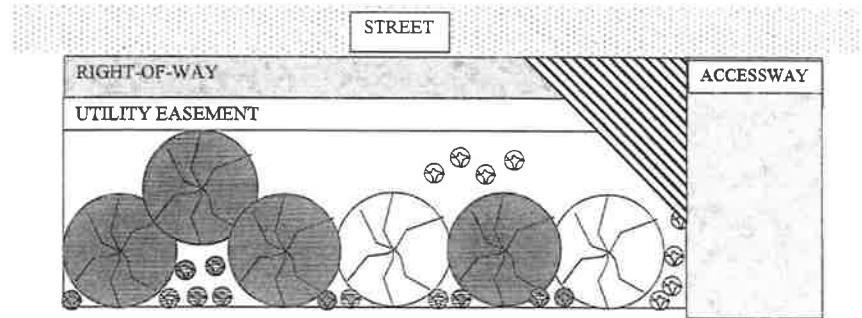
OPTION 3: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 4 PRESERVATION OF EXISTING GROWTH STREETScape BUFFER PER ONE HUNDRED FEET OF ROAD FRONTAGE

MINIMUM CONTINUOUS STREETScape WIDTH	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
25'	3 SHADE TREE OR 6 EVERGREEN OR 6 ORNAMENTAL	20	33

OPTION 4: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



D. PERIMETER BUFFER

IF THE ZONE LISTED IN THE FIRST COLUMN OF THE PERIMETER INTERACTION TABLE ABUTS A ZONE IDENTIFIED IN THE REMAINING COLUMNS THEN THE DESIGNATION OF AN "X" WILL REQUIRE A PERIMETER BUFFER. SEVERAL OPTIONS EXIST TO FULFILL THIS BUFFER REQUIREMENT:

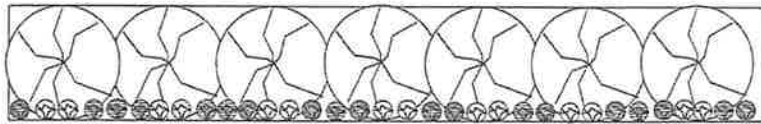
PERIMETER INTERACTION TABLE

	RURAL RESIDENTIAL "R-1"	RESIDENCE "R-2" ZONE	RESIDENCE "R-3" ZONE	OFFICE "O" ZONE	NEIGHBORHOOD BUSINESS "B-1"	GENERAL BUSINESS "B-2" ZONE	LIGHT INDUSTRIAL "M-1" ZONE	HEAVY INDUSTRIAL "M-2" ZONE
"R-1"								
"R-2"	X							
"R-3"	X	X						
"O"	X	X	X					
"B-1"	X	X	X	X				
"B-2"	X	X	X	X				
"M-1"	X	X	X	X	X	X		
"M-2"	X	X	X	X	X	X		

OPTION 5 STANDARDIZED PERIMETER BUFFER PER EVERY ONE HUNDRED FEET OF PARCEL LENGTH

MINIMUM CONTINUOUS WIDTH OF THE PERIMETER	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
15'	7 SHADE OR 7 EVERGREEN	33	33

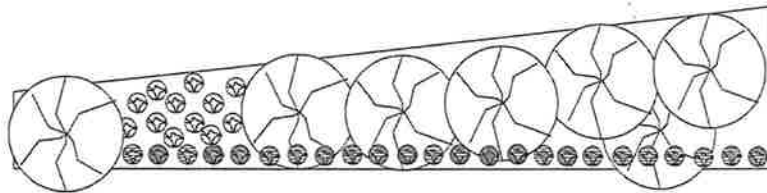
OPTION 5: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 6 VARYING WIDTH PERIMETER BUFFER PER ONE HUNDRED FEET OF PARCEL LENGTH

THE AREA MUST AVERAGE A MINIMUM OF _____ SQUARE FEET ALONG THE PERIMETER	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
1500	7 SHADE OR 7 EVERGREEN	33	33

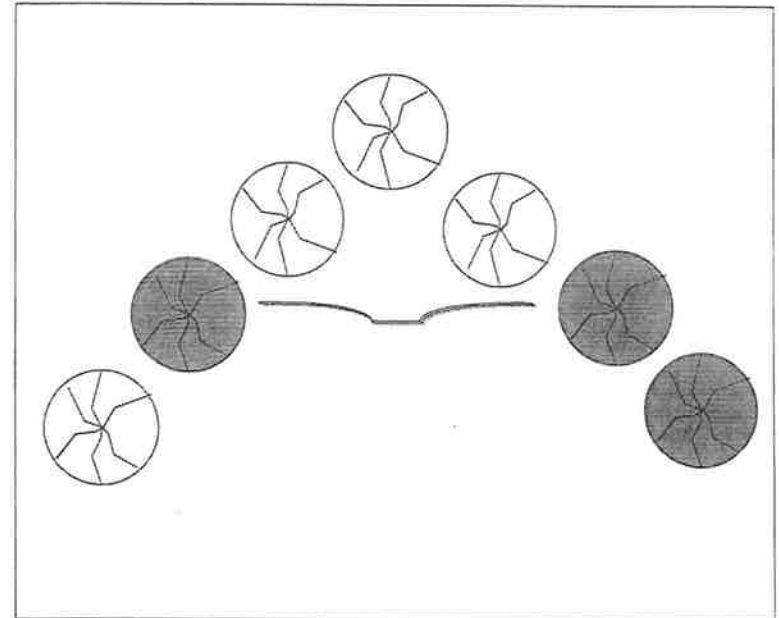
OPTION 6: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 7 OPEN SPACE PERIMETER BUFFER PER ONE HUNDRED FEET OF PARCEL LENGTH

MINIMUM CONTINUOUS PERIMETER WIDTH BEFORE A THE PLACEMENT OF A STRUCTURE	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
100'	7 SHADE TREE OR 7 EVERGREEN	0	33

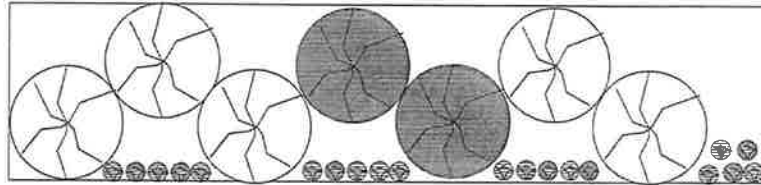
OPTION 7: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET



OPTION 8 PRESERVATION OF EXISTING GROWTH PERIMETER BUFFER PER ONE HUNDRED FEET OF PARCEL LENGTH

MINIMUM CONTINUOUS WIDTH ALONG PERIMETER	MINIMUM NUMBER OF TREES	MINIMUM NUMBER OF SHRUBS	MAXIMUM PERCENTAGE OF FENCE, WALL OR EARTHFORM
25'	7 SHADE TREE OR 7 EVERGREEN	20	33

OPTION 8: EXAMPLE OF POSSIBLE DESIGN PER EVERY ONE HUNDRED (100) FEET OF PARCEL LENGTH



E. PARKING LOT BUFFER

IF THE ZONE LISTED IN THE FIRST COLUMN OF THE PARKING LOT INTERACTION TABLE ABUTS A ZONE IDENTIFIED IN THE REMAINING COLUMNS THEN THE DESIGNATION OF AN "X" WILL REQUIRE A PARKING LOT BUFFER IN ADDITION TO ANY REQUIRED PERIMETER BUFFER. SEVERAL OPTIONS EXIST TO FULFILL THIS BUFFER REQUIREMENT:

PARKING LOT INTERACTION TABLE

	RURAL RESIDENTIAL "R-1"	RESIDENCE "R-2" ZONE	RESIDENCE "R-3" ZONE	OFFICE "O" ZONE	NEIGHBORHOOD BUSINESS "B-1" Zone	GENERAL BUSINESS "B-2" ZONE	LIGHT INDUSTRIAL "M-1" ZONE	HEAVY INDUSTRIAL "M-2" ZONE
"R-1"								
"R-2"	X							
"R-3"	X	X						
"O"	X	X	X					
"B-1"	X	X	X	X				
"B-2"	X	X	X	X	X			
"M-1"	X	X	X	X	X	X		
"M-2"	X	X	X	X	X	X	X	

OPTION 9 WALLED PARKING LOT BUFFER PER EVERY THIRTY (33) FEET OF LINEAR PARKING LOT WIDTH AND/OR LINEAR PARKING LOT LENGTH

MAXIMUM CONTINUOUS WIDTH OF BUFFER	MINIMUM CONTINUOUS LENGTH OF BUFFER	MAXIMUM HEIGHT OF FENCE OR WALL	CURB OR WHEEL STOP SHALL BE REQUIRED TO BE PARALLEL TO THE BUFFER AND BE A MINIMUM OF ___ FEET FROM THE BUFFER
1'	EQUAL TO THAT OF PARKING LOT	3'	4'

OPTION 9: EXAMPLE OF POSSIBLE DESIGN PER EVERY THIRTY-THREE (33) FEET



OPTION 10 SHRUB PARKING LOT BUFFER PER EVERY THIRTY-THREE (33) FEET OF LINEAR PARKING LOT WIDTH AND/OR LINEAR PARKING LOT LENGTH

MINIMUM CONTINUOUS WIDTH OF BUFFER	MINIMUM CONTINUOUS LENGTH OF BUFFER	MINIMUM NUMBER OF SHRUBS	MAXIMUM DISTANCE FROM CENTER OF SHRUB TO CENTER OF SHRUB	ONE HUNDRED PERCENT OPACITY WITHIN ___ YEARS	CURB OR WHEEL STOP REQUIRED ALONG EDGE OF THE INNER BOUNDARY
6'	EQUAL TO THAT OF PARKING LOT	13 EVERGREEN	4'	3	YES

OPTION 10: EXAMPLE OF POSSIBLE DESIGN PER EVERY THIRTY-THREE (33) FEET



ADD: SEC 17.07, LANDSCAPE REQUIREMENTS FOR BUFFER AREAS

A. EXISTING VEGETATION

BUFFERS REQUIRE PROVISION OF BOTH PHYSICAL SEPARATION AND LANDSCAPE ELEMENTS TO MEET THE INTENT OF THIS CHAPTER. EXISTING VEGETATION SHALL BE USED TO MEET ALL OR PART OF THE REQUIREMENTS OF THIS SECTION WHEREVER POSSIBLE, IF IT PROVIDED THE SAME LEVEL OF OBSCURITY, AS THE PLANTED BUFFER REQUIRED BELOW. VEGETATION TO BE SAVED SHALL BE IDENTIFIED ON SITE PLANS ALONG WITH PROTECTION MEASURES TO BE USED DURING GRADING AND CONSTRUCTION. SEE SECTION 17.10 FOR PROTECTION MEASURES REQUIRED AND CALCULATION OF CREDITS FOR EXISTING TREES.

B. PROHIBITED VEGETATION

PLANTS IDENTIFIED AS NOXIOUS WEEDS IN THE OHIO ADMINISTRATIVE CODE SECTION 901:5-31-01, THAT IS UPDATED FROM TIME TO TIME, SHALL BE PROHIBITED IN ALL REQUIRED LANDSCAPE AREAS.

C. PLANTED VEGETATION

REQUIRED PLANTINGS ALLOW FOR A MIX OF LARGE SHADE TREES, SMALL TREES/LARGE SHRUBS, AND SMALLER SHRUBS TO PROVIDE VARIABLE HEIGHT SCREENING, AND A VARIETY OF PLANTINGS AND SEASONAL COLOR. EVERGREEN TREES ARE ADDED TO WIDER BUFFERS TO PROVIDE MORE OPAQUE SCREEN, AS WELL AS A MORE NATURAL APPEARANCE TO THE BUFFER. THE MIX IS DESIGNED TO CREATE A BUFFER WHICH WILL GIVE A SATISFACTORY SCREEN WITHIN FOUR (4) YEARS OF PLANTING, UNDER NORMAL MAINTENANCE, WHILE ALLOWING ROOM FOR VARIOUS PLANTS TO GROW.

PLANTING REQUIREMENTS FOR BUFFERS INCLUDE BOTH TREES AND SHRUBS AS DESCRIBED BELOW. LISTS OF DECIDUOUS AND EVERGREEN TREES SHALL BE SELECTED FROM TABLE 17.13. SHRUB SPECIES ARE ENCOURAGED FROM TABLE 17.14.

1. TREE STANDARDS FOR DECIDUOUS TREES. THIS REQUIREMENT SHALL BE SATISFIED AS FOLLOWS:
 - a. TREES SHALL BE BALLED AND BURLAPPED OR IN A CONTAINER PRIOR TO INSTALLATION.
 - b. TREES SHALL HAVE A MINIMUM CALIPER SIZE OF TWO AND ONE HALF (2 1/2) INCHES FOR AT LEAST ONE TRUNK.
 - c. TREES UNDER THREE AND FIFTEEN SIXTEENTHS (3 15/16) OF AN INCH SHALL HAVE THE CALIPER MEASUREMENT SIX (6) INCHES ABOVE THE GROUND.

- d. TREES OVER FOUR (4) INCHES IN DIAMETER SHALL HAVE THE CALIPER MEASUREMENT TWELVE (12) INCHES ABOVE THE GROUND.
 - e. ALL TREES SHALL BE PLANTED ACCORDING TO THE FOLLOWING FORMULA: MAXIMUM CROWN DIAMETER MINUS FIVE (5) FEET EQUALS THE DISTANCE OF THE PLANTING FROM THE CENTER OF ANY OTHER PLANTING.
 - f. IT IS REQUIRED THAT A MINIMUM OF THREE (3) TREE SPECIES BE PLANTED IN A LANDSCAPE BUFFER TO INCREASE THE RESIST DISEASES.
 - g. THE HEIGHT AT THE TIME OF INSTALLATION SHALL BE MEASURED FROM THE LEVEL OF THE FINAL SURFACE GRADE TO THE MOST VERTICAL HEIGHT OF THE TREE.
2. TREE STANDARDS FOR EVERGREEN TREES. THIS REQUIREMENT SHALL BE SATISFIED AS FOLLOWS:
 - a. TREES SHALL BE BALLED AND BURLAPPED OR IN A CONTAINER PRIOR TO INSTALLATION.
 - b. TREES SHALL BE A MINIMUM OF FIVE (5) FEET IN HEIGHT AT THE TIME OF INSTALLATION.
 - c. THE TREES SHALL PROVIDE AN EFFECTIVE, DENSE SCREEN WITH AN OPACITY OF EIGHTY (80) PERCENT WITHIN FOUR (4) YEARS OF PLANTING.
 - d. ALL TREES SHALL BE PLANTED ACCORDING TO THE FOLLOWING FORMULA: MAXIMUM CROWN DIAMETER MINUS FIVE (5) FEET EQUALS THE DISTANCE OF THE PLANTING FROM THE CENTER OF ANY OTHER PLANTING.
 - e. IT IS REQUIRED THAT A MINIMUM OF THREE (3) TREE SPECIES BE PLANTED IN A LANDSCAPE BUFFER TO INCREASE THE RESISTANCE TO DISEASE.
 - f. THE HEIGHT AT THE TIME OF INSTALLATION SHALL BE MEASURED FROM THE LEVEL OF THE FINAL SURFACE GRADE TO THE MOST VERTICAL HEIGHT OF THE TREE.
 3. SHRUBS, HEDGES AND GROUND COVER STANDARDS
 - a. SHRUBS, HEDGES, AS WELL AS VINES CAN BE BARE ROOTS, BALLED AND BURLAPPED OR FROM CONTAINERS PRIOR TO INSTALLATION.
 - b. SHRUBS AND HEDGES SHALL BE A MINIMUM OF THIRTY SIX (36) INCHES IN HEIGHT AT THE TIME OF PLANTING. UNLESS LOCATED IN THE CLEAR SIGHT TRIANGLE, THIS HEIGHT SHALL NOT EXCEED TWENTY FOUR (24) INCHES.
 - c. SHRUBS AND HEDGES SHALL PROVIDE AN EFFECTIVE, DENSE SCREEN WITH AN OPACITY OF EIGHTY (80) PERCENT, A MATURE HEIGHT OF FIVE (5) FEET WITHIN FOUR (4) YEARS OF PLANTING.

- d. THE HEIGHT AT THE TIME OF INSTALLATION SHALL BE MEASURED FROM THE LEVEL OF THE FINAL SURFACE GRADE TO THE MOST VERTICAL HEIGHT OF THE MAJORITY OF THE BRANCHES.

ADD: SEC 17.08, SCREENING MATERIALS

A. SCREENING MATERIALS

1. WALLS

- a. ALL WALLS REQUIRED BY THIS CHAPTER MUST BE OF MASONRY MATERIAL OR MASONRY WITH A STUCCO OR TEXTURED FINISH.
- b. DECORATIVE OPENINGS MAY BE INCORPORATED INTO THE UPPER TWENTY (20) PERCENT OF AN OTHERWISE SOLID MASONRY WALL LOCATED ALONG A STREET FRONTAGE.

2. EARTH FORMS

- a. THE SLOPE OF AN EARTH FORM, USED ALONE OR IN COMBINATION WITH A RETAINING WALL, SHALL NOT EXCEED ONE (1) FOOT OF RISE FOR EVERY (3) FEET OF LINEAR DISTANCE.
- b. THE WIDTH OF AN EARTH FORM MUST BE SELF-STABILIZING.
- c. THE HEIGHT OF AN EARTH FORM SHALL NOT EXCEED SIX (6) FEET.
- d. REVIEW TO THE SATISFACTION OF HE WARREN COUNTY SOIL AND WATER CONSERVATION DISTRICT REGARDING ANY PROPOSED INSTALLATION OF AN EARTHFORM WHICH THEY MAY DETERMINE NECESSATES THEIR APPROVAL IN PERTINENCE TO EROSION AND SEDIMENTATION CONTROL AND/OR DUE TO ALTERATION OF EXISTING STORMWATER DRAINAGE PRIOR TO INSTALLATION OF SUCH.
- e. ADEQUATE GROUND COVER SHALL BE USED AND MAINTAINED TO PREVENT EROSION OF THE EARTH FORM.
- f. EARTH FORMS SHALL BE DESIGNED WITH PHYSICAL VARIATIONS IN HEIGHT ALONG THEIR OVERALL LENGTH.
- g. LANDSCAPE PLANT MATERIAL SHALL BE ARRANGED IN AN IRREGULAR PATTERN TO ACCENTUATE THE PHYSICAL VARIATION AND ACHIEVE A NATURAL APPEARANCE.
- h. EARTH FORMS SHALL BE LOCATED AND DESIGNED TO MINIMIZE THE DISTURBANCE TO EXISTING TREES LOCATED ON THE SITE OR ADJACENT THERETO.
- i. ONCE THE EARTH FORM IS ESTABLISHED, SUBSTANTIAL CHANGES, INCLUDING BUT NOT LIMITED TO, CHANGES IN GRADE, HEIGHT, AND WIDTH REQUIRE AN AMENDED LANDSCAPE PLAN.

4. FENCES

- a. THE FOLLOWING TYPES OF FENCES WILL NOT SATISFY THE LANDSCAPE BUFFER REQUIREMENT: CHAIN LINK FENCES,

METAL FARM FENCES, BARBED WIRE, WIRE STOCK FENCE OR OTHER WIRE MESH FENCING.

- b. WOOD FENCES, INCLUDING BUT NOT LIMITED TO STAKES, LATTICE, CLOSE BOARDING, SHEETS, OR WOVEN SAPLING SHALL BE APPLIED TOWARD THE LANDSCAPE BUFFER REQUIREMENT.
- c. PVC VINYL FENCE, ORNAMENTAL ALUMINUM, OR WROUGHT IRON FABRICATION MAY BE APPLIED TOWARD THE LANDSCAPE BUFFER REQUIREMENT IF THE OPACITY THRESHOLD IS MET.
- d. FENCES MUST PROVIDE A MINIMUM OPACITY OF EIGHTY (80) PERCENT FROM GRADE TO THE DERIVED HEIGHT.
- e. FENCES MAY VARY IN HEIGHT ALONG THE GRADE, BUT SHALL NOT EXCEED SIX (6) FEET IN HEIGHT FROM GRADE.
- f. THE FINISHED SIDE OF THE FENCE SHALL FACE THE ADJACENT PROPERTY OR THE PUBLIC RIGHT-OF-WAY.

B. LOCATION OF SCREENS

- 1. THE BUFFER MUST BE LOCATED ON THE APPLICANT'S PROPERTY.
- 2. A TYPICAL LOCATION IS ADJACENT TO ANY RIGHT-OF-WAY AND /OR EASEMENTS.
- 3. NO ELEMENTS OF THE BUFFER SHALL BE LOCATED SO AS TO PREVENT OR HINDER PROPER ACCESS TO WATER OR GAS SHUT-OFF VALVES, FIRE HYDRANTS, SANITARY AND STORM SEWER MANHOLES, COMMUNICATION TERMINALS, ELECTRIC SERVICE DISCONNECTS OR OTHER CONTROLS AND DEVICES TO WHICH IMMEDIATE ACCESS MAY BE REQUIRED UNDER EMERGENCY CONDITIONS.
- 4. HEIGHT MEASUREMENT. THE HEIGHT OF A SCREEN IS MEASURED AS FOLLOWS:
 - a. THE HEIGHT OF A SCREEN ADJACENT TO A PROPERTY LINE OR ALONG A STREET FRONTAGE IS THE VERTICAL DISTANCE MEASURED ON THE DEVELOPMENT SIDE OF THE SCREEN FROM THE FINISHED GRADE AT THE BASE OF THE SCREEN AT ALL POINTS ALONG THE SCREEN TO THE TOP OF THE SCREEN.
 - b. WHERE GROUND MOUNTED SERVICE EQUIPMENT IS VISIBLE FROM THE STREET FRONTAGE, THE SCREEN HEIGHT IS MEASURED FROM THE FINISHED GRADE AT THE BASE OF THE SERVICE EQUIPMENT TO ITS HIGHEST POINT.
- 5. SIGHT VISIBILITY TRIANGLE. ANY SCREEN HIGHER THAN THIRTY (30) INCHES MUST BE LOCATED OUTSIDE OF THE SIGHT VISIBILITY TRIANGLE OR TO A PERHAPS GREATER DISTANCE IS SO REQUIRED THEREFORE BY THE STREET AUTHORITY OF JURISDICTION.

ADD: SEC 17.09, EXISTING VEGETATION CREDITS FOR REQUIRED LANDSCAPING
EXISTING HEALTHY VEGETATION SHALL BE RETAINED WHEN POSSIBLE AND MAY BE CREDITED TOWARD LANDSCAPE REQUIREMENTS.

1. VEGETATION TO BE SAVED SHALL BE LOCATED AND IDENTIFIED ON SITE PLANS.
 2. CREDIT GIVEN FOR EXISTING, HEALTHY, PROTECTED TREES SHALL BE A NUMBER EQUAL TO THE VALUE OF THE DIAMETER IN INCHES OF EACH PROTECTED TREE DIVIDED BY TWO (2) INCHES, BUT NO FRACTION THEREOF, AS MEASURED AT FOUR (4) FEET ABOVE GRADE.
 3. TREES SO CREDITED MUST BE AS LEAST TWO (2) INCH CALIPER AND BE UNIFORMLY ENCIRCLED BY A DRIPLINE PROTECTION AREA, SHOWN ON THE LANDSCAPE PLAN.
 4. THE SIZE, TYPE AND LOCATION OF EACH TREE SHALL BE DESIGNATED ON THE LANDSCAPE PLAN WITH THE ZONE PROTECTION AREA SHOWN GRAPHICALLY.
 5. TWO EXISTING ORNAMENTAL TREES MAY SUBSTITUTE FOR ONE SHADE OR EVERGREEN TREE.
 6. ONE EXISTING DECIDUOUS TREE MAY SUBSTITUTE FOR TEN (10) SHRUBS.
 7. IF THE TREE(S) FOR WHICH CREDIT WAS GIVEN DIES WITHIN FIVE YEARS OF CONSTRUCTION ON THE PRESERVATION SITE, ONE TREE SHALL BE REPLACED FOR EACH TREE CREDIT GIVEN.
- B. PROTECTION OF NATURAL GROUPS OF TREES IS ENCOURAGED, WITH EACH TREE WITHIN THE GROUPING BEING CREDITED AS IF STANDING ALONE. DRIPLINE ZONE PROTECTION AREAS SHALL ENCOMPASS ALL TREES WITHIN THE GROUPING.

ADD: SEC 17.10, TREE PROTECTION REQUIREMENTS

- A. THESE REQUIREMENTS APPLY TO ALL TREES SHOWN ON THE LANDSCAPE PLAN.
- B. A CONSTRUCTION FENCE MUST BE PLACED AROUND EACH TREE AT THE EDGE OF THE ROOT PROTECTION ZONE. THE FENCE MUST BE PLACED BEFORE CONSTRUCTION STARTS AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETE. THE FENCE SHALL MEET ONE OF THE FOLLOWING:
 1. THE FENCE MUST BE SIX (6) FOOT HIGH ORANGE PLASTIC AND BE SECURED TO THE GROUND WITH EIGHT (8) FOOT METAL POSTS, OR
 2. THE FENCE MUST BE SIX (6) FOOT HIGH STEEL ON CONCRETE BLOCKS.
- C. WITHIN THE ROOT PROTECTION ZONE OF EACH TREE, THE FOLLOWING DEVELOPMENT IS NOT ALLOWED:
 1. NEW BUILDINGS;
 2. GRADE CHANGE OR CUT AND FILL DURING OR AFTER CONSTRUCTION;
 3. NEW IMPERVIOUS SURFACES;
 4. UTILITY OR DRAINAGE FIELD PLACEMENT;

5. STAGING OR STORAGE OF MATERIALS AND EQUIPMENT DURING CONSTRUCTION;
6. ATTACHMENTS, INCLUDING BUT NOT LIMITED TO; ROPES, NAILS, ADVERTISING POSTERS, SIGNS, FENCES, OR WIRE (OTHER THAN THOSE APPROVED FOR BRACING, GUYING OR WRAPPING) SHALL BE ATTACHED TO ANY TREE;
7. FIRE OR HEAT;
8. LIQUIDS OTHER THAN WATER;
9. VEHICLE MANEUVERING DURING CONSTRUCTION.

ADD: SEC 17.11, ADMINISTRATION

- A. DESIGN AND REVIEW PROCEEDINGS. THE APPLICANT FOR DEVELOPMENT IS ADVISED TO SCHEDULE A PRE-SUBMITTAL CONFERENCE WITH THE ZONING INSPECTOR WITH REFERENCE TO SPECIFIC DESIGN OR REVIEW PROCEDURES.
- B. PLAN SUBMITTAL. LANDSCAPE PLANS ARE TO BE SUBMITTED CONCURRENTLY WITH THE INITIAL SUBMITTAL OF THE APPLICABLE PLAN OR PLANS REQUIRED FOR DEVELOPMENT APPROVAL.
- C. REVIEW PROCEDURES. LANDSCAPE PLANS ARE REVIEWED IN THE SAME MANNER AND CONCURRENT WITH THE APPLICABLE PLAN REVIEW REQUIRED FOR DEVELOPMENTAL APPROVAL. COMMENTS ON THE LANDSCAPE PLANS AND REQUESTS FOR CORRECTIONS, OR RE-SUBMITTALS ARE MADE IN CONJUNCTION WITH RESPONSES TO THE APPLICABLE DEVELOPMENT PLAN OR SITE PLAN.
- D. EXISTING VEGETATION. IF THE LANDSCAPE PLAN INCORPORATES EXISTING VEGETATION, THE ZONING INSPECTOR WILL USE THE CRITERIA IN SECTIONS 17.07(A), 17.09 AND 17.10 TO DETERMINE COMPLIANCE WITH THE VEGETATION CREDIT STANDARD AND TO DETERMINE THE VEGETATION CREDIT. THE VEGETATION CREDIT WILL BE DEDUCTED FROM THE VEGETATION REQUIRED PER SECTION 17.06.
- E. ENFORCEMENT. THE ZONING INSPECTOR ENFORCES THE LANDSCAPING REGULATIONS. IN ORDER TO DETERMINE IF A ZONING COMPLIANCE CERTIFICATE IS TO BE ISSUED, A SITE INSPECTION WILL BE SCHEDULED WITH THE PROPERTY OWNER.
- F. VARIANCES. THE BOARD OF ZONING APPEALS (BZA) WILL REVIEW VARIANCE REQUESTS AS OUTLINED IN SECTION 17.05.
- G. A ZONING COMPLIANCE CERTIFICATE WILL BE ISSUED WHEN THE FOLLOWING CRITERIA ARE MET:
 - a. THE LANDSCAPE PLAN IS FULLY IMPLEMENTED, OR
 - b. THE APPLICANT EXECUTES A PERFORMANCE BOND OR SURETY BOND, CERTIFIED CHECK, ESCROW ACCOUNT LETTER OF CREDIT, OR OTHER MEANS OF SECURITY WITH THE TOWNSHIP. THE ASSURANCE SHALL BE EQUAL TO THE COST OF INSTALLATION PLUS A TWENTY (20) PERCENT ALLOWANCE FOR ADMINISTRATIVE COSTS, INFLATION AND POTENTIAL DAMAGE

TO EXISTING VEGETATION OR IMPROVEMENTS SHOWN ON THE LANDSCAPE PLANS.

- IF THE LANDSCAPE PLAN IS NOT COMPLETED WITHIN ONE (1) YEAR FROM THE DATE OF SUBMITTAL, THE TOWNSHIP SHALL COMPLETE THE PLAN USING THE FUNDS POSTED AS SECURITY.

ADD: SEC 17.13, TABLE OF HARDY TREES

COMMON PLANT NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE CROWN WIDTH	SOIL TYPE	CHARACTERISTIC	TYPE OF TREE
WHITE ASH	FRAXINUS AMERICANA	30'	45'	POOR SOILS	LONG COMPACT OVAL CROWN	DECIDUOUS
OHIO BUCKEYE	AESCULUS GLABRA	50-70'	10'	MOIST OR DRY	IRREGULAR ROUNDED CROWN	DECIDUOUS
FLOWERING CRABAPPLE	MALUS ADIRONDACK	18"	10'	WIDE RANGE OF SOILS	DENSE UPRIGHT AN INVERTED CONE	DECIDUOUS
BALD CYPRESS	TAXODIUM DISTICHUM	55'	30'	WIDE RANGE OF SOILS	PYRAMDAL	CONIFER
AMERICAN SWEET GUM	LIQUIDAMBAR STYRACIFLUA	60-70'	25'	WIDE RANGE OF SOILS	SYMMETRICAL PYRAMD	DECIDUOUS
BITTERNUT HICKORY	CARYA CORDIFORMIS	60-80'	23-30'	MOIST & DRY	BROAD ROUND CROWN	DECIDUOUS
PIGNOT HICKORY	CARYA GLABRA	60-80'	25-30'	MOIST & DRY	IRREGULAR SPREADING CROWN	DECIDUOUS
SHELLBARK HICKORY	CARYA OVATA	70-100'	23-30'	MOIST & WET	LARGE NARROW CROWN	DECIDUOUS
SHAGBARK HICKORY	CARYA OVATA	70-100'	23-30'	MOIST	IRREGULAR CROWN	DECIDUOUS
WHITE HICKORY	CARYA TOMENTOSA	40-70'	23-30'	MOIST & DRY	BROAD OPEN CROWN	DECIDUOUS
AMERICAN HORNBEAM	Ostrya VIRGINIANA	20-30'	30-30'	RICH MOIST	SPREADING BRANCHES WITHIN ROUNDED CROWN	DECIDUOUS
BLACK MAPLE	ACER NIGRUM	50-80'	20'	MOIST SOILS	ROUNDED DENSE CROWN	DECIDUOUS
FLAME MAPLE	ACER GINNALA	20'	20'	WIDE RANGE OF SOILS	LOW BRANCHED ROUNDED CROWN	DECIDUOUS
RED MAPLE	ACER RUBRUM	30-40'	15-40'	WET & MOIST	NARROW COMPACT CROWN	DECIDUOUS
SUGAR MAPLE	ACER SACCHARUM	50'	20-40'	MOIST	COMPACT OVAL CROWN	DECIDUOUS
RED MULBERRY	MORUS RUBRA	60'	40-50'	MOIST	BROAD ROUNDED CROWN	DECIDUOUS
BLACK OAK RED OAK SCARLET OAK	QUERCUS VELUTINA	50-80'	45'	WIDE RANGE OF SOILS	LARGE WITH OPEN CROWN	DECIDUOUS
BLACKJACK OAK	QUERCUS MARILANDICA	20-50'	30'	DRY	IRREGULAR CROWN OF CROOKED BRANCHES	DECIDUOUS

COMMON PLANT NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE CROWN WIDTH	SOIL TYPE	CHARACTERISTIC	TYPE OF TREE
BUR OAK	QUERCUS MACROCARPA	50-80'	45'	DRY	STOUT TRUNK, ROUNDED OPEN CROWN	DECIDUOUS
WHITE OAK	QUERCUS ALBA	80-100'	40'	WELL DRAINED	BROAD RAGGED ROUNDED CROWN, SLOW GROWER	DECIDUOUS
FLOWERING PEAR	PYRUS CALLARYANA	20-40'	12-25'	WIDE RANGE OF SOILS	PYRAMID	DECIDUOUS
AUSTRIAN PINE	PINUS NIGRA	60'	20-30'	WELL DRAINED	BROADLY PYRAMDAL TO ROUNDED	CONIFER
YELLOW POPLAR	LINODENDRON TULPIFERA	80-120'	35-50'	MOIST, WELL DRAINED	NARROW CROWN	DECIDUOUS
EASTERN REDBUD	CERCIS CANADENSIS	40'	30'	MOIST	ROUNDED WITH PINK FLOWER	DECIDUOUS
NORWAY SPRUCE	PICEA ABIES	80'	20-30'	MOIST	PYRAMID	CONIFER
COLORADO BLUE SPRUCE	PICEA PUNGENS	80'	25'	WELL DRAINED SOILS	PYRAMID	CONIFER
AMERICAN SWEETGUM	LIQUIDAMBAR ASTYRACIFLUA	40-45'	25'	MOIST	STRAIGHT TRUNK CONICAL CROWN	DECIDUOUS
AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	60-100'	35'	WET	SPREADING CROOKED CROWN	DECIDUOUS
BLACK TUPELO	NYSSA SYLVATICA	50-100'	20-30'	MOIST	DENSE CONICAL OR FLAT TOPPED CROWN	DECIDUOUS

ADD: SEC 17.14, TABLE OF NATIVE OHIO LOW GROWING TREE OR SHRUB SPECIES

COMMON PLANT NAME	BOTANICAL NAME	TYPE
AMERICAN FILBERT	CORYLUS AMERICANA	DECIDUOUS
COMMON BUTTONBUSH	CEPHALANTHUS OCCIDENTALIS	DECIDUOUS
BLACK CHOKEBERRY	ARONIA MELANOCARPA	DECIDUOUS
RED CHOKEBERRY	ARONIA MELANOCARPA	DECIDUOUS
BUSH CINQUEFOIL	POTENTILLA FRUTICOSA	DECIDUOUS
VIRGINIA CREEPER	PARTHENOCISSUS QUINQUEROLIA	DECIDUOUS
COMMON DEERBERRY	VACCINIUM STAMINEUM	DECIDUOUS
SCARLET ELDER	SAMBUCUS PUBENS	DECIDUOUS
EASTERN HOPHORNBEAM	OSIRYA VIGINIANA	DECIDUOUS
SMOOTH HYDRANGEA	HYDRANGEA ARBORESCENS	DECIDUOUS
LEATHERWOOD	DIRCA PALUSTRIS	DECIDUOUS
COMMON NINEBARK	PHYSCALPUS OPUFOLIUS	DECIDUOUS
PRAIRIE ROSE	ROSA SETIGERA	DECIDUOUS
CAROLINA ROSE	ROSA CAROLINA	DECIDUOUS
SPICEBUSH	LINDEA BENZOIN	DECIDUOUS
FRAGRANT SUMAX	RHUS AROMATICA	DECIDUOUS
STAGHORN SUMAC	RHUS TYPHINA	DECIDUOUS
FRAGRANT THIMBLEBERRY	RUBUS ODORATUS	DECIDUOUS
WITHEROD VIBURNUM	VIBURNUM CASSENOIDES	DECIDUOUS

RESOLUTIONS

2404

January 10 2002

CLEARCREEK TOWNSHIP
WARREN COUNTY, OHIO

A RESOLUTION ~~ADOPTING~~ EXHIBIT 2001-4, A TEXT AMENDMENT, THAT REFINES STANDARDS FOR BUFFERS AND SCREENING ALONG THE PUBLIC RIGHT-OF-WAY AND BETWEEN ZONING CLASSIFICATIONS.

WHEREAS, all public hearings, public notices, and the recommendation of the Warren County Regional Planning Commission for the Zoning Resolution amendment have been conducted and made pursuant to the Clearcreek Township Zoning Resolution and Section 519.12 of the Ohio Revised Code; and,

NOW THEREFORE BE IT RESOLVED by the Board of Clearcreek Township Trustees that the said amendment that refines standards for buffers and screening along the public right-of-way and between zoning classifications to the Zoning Resolution be ~~ADOPTED~~. Exhibit "2001-4" is attached and deemed a part of this Resolution as if fully rewritten herein.

~~Dr. McDonald~~ moved to adopt the foregoing Resolution. ~~Mr. Lamb~~ seconded the motion and upon the call of the roll the following vote resulted:

- Mr. Wade - yea
- Dr. McDonald - yea
- Mr. Lamb - yea

Resolution adopted at a regular public meeting conducted January 10, 2002.

THE BOARD OF CLEARCREEK
TOWNSHIP TRUSTEES

Exhibit 2001-4 Update to Buffer and Screening Text Amendment 12-04-01

AMEND SEC. 17.01, Findings and Intent, B (6):

To increase the safety of private property by erecting a screen from roads that are designed to carry traffic at speeds EQUAL TO OR over thirty-five miles per hour;

AMEND SEC. 17.02, Application, A:

New sites of residence zone "R-2", residence zone "R-3", office zone "O", neighborhood business "B-1", general business "B-2", light industry "M-1" and heavy industry "M-2". Rural residence zone "R-1" when a parcel has frontage on a collector or arterial street AND AN APPLICANT APPLIES FOR A SINGLE FAMILY DWELLING ZONING PERMIT. A certificate of zoning compliance shall be issued hereafter for any site development or the construction or improvement of any building, structure or vehicular use area except where landscaping for development construction has been approved as required by the provisions of this chapter.

DELETE SEC. 17.02, Application, B:

~~Existing sites of residence zone "R-2", residence zone "R-3", office zone "O", neighborhood business "B-1", general business "B-2", light industry "M-1" and heavy industry "M-2". Rural residence zone "R-1" when a parcel has frontage on a collector or arterial street. No building, structure or vehicular use area shall be constructed or expanded unless the minimum landscaping required by the provision of this chapter is provided to the property to the extent of its alteration or expansion. In case of a substantial alteration, as determined by the zoning inspector per the below listed criteria, the entire site must be brought into compliance with the minimum requirements of this chapter. An alteration or expansion to an existing property is substantial when:~~

- ~~1. In the case of a building or structure expansion which does not involve an alteration of the size of the parcel, the square footage of the alteration or expansion exceeds 25% of the square footage of the existing building exclusive of the alteration or expansion.~~
- ~~2. In the case of an alteration or expansion involving both an existing building or structure and additional land, and if applicable, additional structures or buildings, the area or square footage of the expanded or altered land or structure or building respectively, exceeds 25% of the areas or square footage of the existing land or structure or building, respectively, exclusive of the alteration or expansion.~~

AMEND SEC. 17.02, Application, C, B:

Change in use. Either through a zone change, that increases the intensity of the use or from the actualization of the underlying zone due to the elimination of a non-conforming structure. THE BUFFER SHALL BE ESTABLISHED AT OR BEFORE THE TIME THE PROPERTY IS UTILIZED FOR THE MORE INTENSIVE USE.

DELETE SEC. 17.02, Application, D)

Exceptions. The provisions of this chapter do not apply to the following:

1. Approved recorded plats for which a development plan was approved or development subject to an approved site plan on file with the township prior to January 14, 2001, if the site is developed in accordance with the approved plat or plan.

AMEND SEC. 17.06, Option 1:

Standardized Streetscape Buffer per Every One Hundred (100) Feet of Road Frontage, WHEN THE BUILDING SETBACK IS EQUAL TO OR GREATER THAN FIFTY (50) FEET AND LESS THAN ONE HUNDRED (100) FEET FROM THE EDGE OF THE RIGHT-OF-WAY

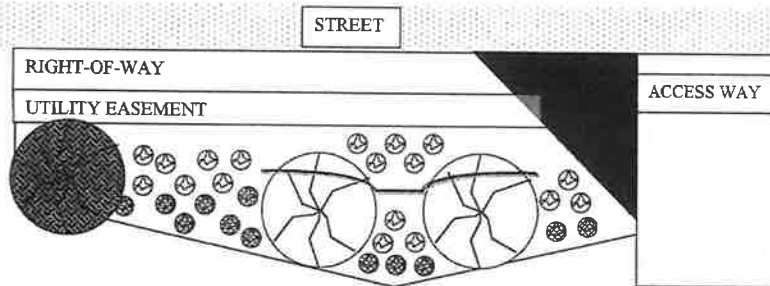
Minimum continuous streetscape width	Minimum number of trees	Minimum number of shrubs	Maximum percentage of fence, wall or earth form
15'	3 shade	30	33

AMEND SEC. 17.06, Option 2:

Varying Width Streetscape Buffer per Every One Hundred Feet of Road Frontage

The area must average a minimum of _____ square feet	Minimum number of trees	Minimum number of shrubs	Maximum percentage of fence, wall or earth form
1500	3 shade tree	30	33

OPTION 2: Example of Possible Design per Every One Hundred (100) Feet



AMEND SEC. 17.06, Option 3 2:

Open Space Streetscape Buffer per One Hundred Feet of Road Frontage, WHEN THE BUILDING IS SETBACK EQUAL TO OR GREATER THAN ONE HUNDRED (100) FEET AND LESS THAN THREE HUNDRED (300) FEET FROM THE EDGE OF THE RIGHT-OF-WAY

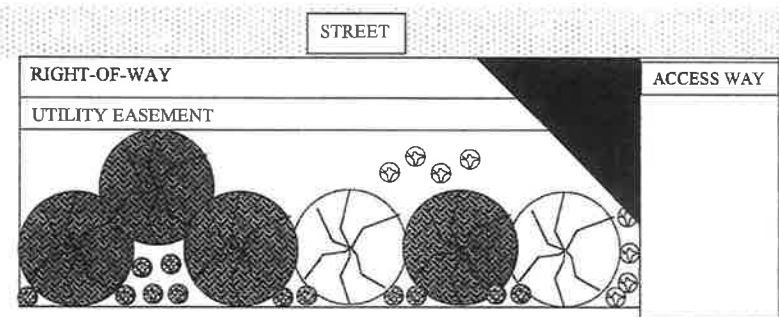
Minimum continuous streetscape width before the placement of a structure	Minimum number of trees	Minimum number of shrubs	Maximum percentage of fence, wall or earth form
100'	3 shade tree	0	33

DELETE SEC. 17.06, Option 4:

Preservation of Existing Growth Streetscape Buffer per One Hundred Feet of Road Frontage

Minimum continuous streetscape width	Minimum number of trees	Minimum number of shrubs	Maximum percentage of fence, wall or earth form
25'	3 shade tree or 6 evergreen or 6 ornamental	20	33

Option 4: Example Of Possible Design Per Every One Hundred (100) Feet



ADD SEC. 17.06, Option 3:

OPEN SPACE STREETSCAPE BUFFER PER ONE HUNDRED FEET OF ROAD FRONTAGE, WHEN THE BUILDING IS SETBACK EQUAL TO OR GREATER THAN THREE HUNDRED (300) FEET FROM THE EDGE OF THE RIGHT-OF-WAY

Minimum number of trees	Minimum number of shrubs	Maximum percentage of fence, wall or earth form
0	0	0

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Existing vegetation, A
 Buffers require provision of both physical separation and landscape elements to meet the intent of this chapter. Existing vegetation shall be used to meet all or part of the requirements of this section wherever possible, if it provided the same level of obscurity, as the planted buffer required below. Vegetation to be saved shall be identified on site plans along with protection measures to be used during grading and construction. See section 17.10 for protection measures required and SECTION 17.09 FOR calculation of credits for existing trees.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C
 Required plantings allow for a mix of large shade trees, small trees/large shrubs, and smaller shrubs to provide variable height screening, and a variety of plantings and seasonal color. Evergreen trees are added to wider buffers to provide more opaque screen, as well as a more natural appearance to the buffer. The mix is designed to create a buffer which will give a satisfactory screen within four (4) years of planting, under normal maintenance, while allowing room for various plants to grow.

Planting requirements for buffers include both trees and shrubs as described below. Lists of BUFFERS PROPOSING NEW VEGETATION SHALL SELECT deciduous and evergreen trees shall be selected from table 17.13. BUFFERS PROPOSING NEW VEGETATION SHALL SELECT Shrub species are encouraged from table 17.14.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C (1) (b):
 Trees shall have a minimum caliper size of two ONE and one half (2 1 ½) inches for at least one trunk.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C (1) (f):
 It is required SUGGESTED that a minimum of three (3) tree species be planted in a landscape buffer to increase the resist diseases.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C (2) (b):
 Trees shall be a minimum of five FOUR (5 4) feet in height at the time of installation.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C (2) (e):
 It is required SUGGESTED that a minimum of three (3) tree species be planted in a landscape buffer to increase the resistance to disease.

AMEND SEC. 17.07 Landscape Requirements For Buffer Areas, Planted vegetation, C (3) (b):
 Shrubs and hedges shall be a minimum of thirty-six TWENTY-FOUR (36 24) inches in height at the time of planting. Unless located in the clear sight triangle, this height shall not exceed twenty-four (24) inches.

AMEND SEC. 17.09 Existing Vegetation Credits for Required Landscaping, A (2):
 Credit given for existing, healthy, protected trees shall be a number equal to the value of the diameter in inches of each protected tree divided by two ONE AND ONE HALF (2 1 ½) inches, but no fraction thereof, as measured at four (4) feet above grade.

AMEND SEC. 17.09 Existing Vegetation Credits for Required Landscaping, A (3):
 Trees so credited must be as least two ONE AND ONE HALF (2 1 ½) inches IN caliper and be uniformly encircled by a dripline protection area, shown on the landscape plan.

ADD SEC. 17.09 Existing Vegetation Credits for Required Landscaping A (8)
 VEGETATION RECEIVING CREDIT IS ENCOURAGED BUT NOT REQUIRED TO BE FROM TABLES 17.13 AND 17.14.

ADD SEC. 17.09 (A)(9) VEGETATION RECEIVING CREDIT SHALL BE LOCATED PARALLEL TO THE PUBLIC RIGHT-OF-WAY.