

(6) Open Space Requirements

The following open space requirements shall apply to any subdivision not subject to the open space residential subdivision requirements of Section 1227.03:

- (A) Any subdivision greater than 15 acres in the R-1 District must reserve a minimum of 10% of the gross acres, excluding existing public easements and rights-of-way, as permanent open space.
- (B) Any development in the R-2 District must reserve a minimum of 15% of the gross acres, exclusive of public or private right-of-ways, parking areas, land fragments between buildings or between buildings and parking areas, and minimum yards between property lines and buildings or parking areas.

(7) Multiple-Family Dwellings

- (A) Multiple-family dwellings may be permitted in the R-2 or PD Districts in accordance with the following provisions:
 - 1.) In order to ensure and maintain individual privacy, dwellings in a multiple-family development shall be arranged and spaced in compliance with the Table 1227-4.

<i>Minimum Side and Rear Yard Setback</i>	25 feet plus 1 additional foot of setback for every 2 feet of wall length greater than 35 feet. This setback shall only apply when the adjacent walls are parallel to one another or are within 45 degrees of parallel.
<i>Minimum Building Separation</i>	50 feet. However, if the buildings are designed with primary living areas directly facing one another, the minimum separation shall be 85 feet.

- 2.) The minimum building separation may be reduced by the PZC (through site-plan review or PD plan approval) if they determine that adequate screening will be provided to ensure privacy for tenants.
- 3.) The arrangement of units within each building and between buildings shall maximize the privacy of each unit by providing screening walls and private yards where appropriate.
- 4.) Dwelling units in a multi-family dwelling shall meet the minimum floor area requirements as established in Subsection 1227.02 (2).
- 5.) There shall be a maximum impervious surface ratio of 70% for lots developed for multi-family dwellings.

1227.03 Open Space Residential Subdivisions

(1) Open Space Subdivisions in the R-R District

Open space subdivision plans may be permitted in the R-R District provided that they conform to the requirements set forth below:

(A) Minimum Lot Area

The minimum lot area requirement of the R-R District may be reduced to a minimum of 43,560 square feet.

(B) Minimum Site Development Standards

The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-5 below but only for proposed lots that will have access from an interior local street.

Standard	Minimum Requirement (Feet)
Front Yard Setback	50
Side Yard Setback (Each Side)	15
Rear Yard Setback	60
Lot Frontage	85
Lot Width at Building Line	100

(C) Required Open Space

An open space subdivision must reserve a minimum of 25% percent of the gross area, excluding rights-of-way, as permanent open space.

(D) Minimum Project Size

An open space subdivision project shall contain a minimum of 15 gross acres.

(E) Permitted Uses

Only single-family dwellings and accessory uses permitted within the R-R District may be permitted.

(F) Control of Open Space

- 1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners' or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the City.
- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership

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and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.

(G) Summit County Health Department Approval

Any proposed open space subdivision plan project that will be located within an area not served by public sewage treatment must demonstrate approval of any proposed on-site or alternative sewage treatment system by the Summit County Health Department, including department comment on the proposed individual lot sizes in the project.

(2) Open Space Subdivisions as a Permitted Use in the R-1 District

Open space subdivisions with minimum lot areas of 17,000 square feet may be permitted in the R-1 District provided they conform to the requirements set forth below. Open space subdivisions with minimum lot areas of 13,600 square feet may be permitted as a conditional use in the R-1 District provided they conform to the requirements set forth in this section.

(A) Minimum Lot Area

The minimum lot area requirement of the R-1 District may be reduced to a minimum of 17,000 square feet.

(B) Minimum Site Development Standards

The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-6 below but only for proposed lots that will have access from an interior local street.

<i>Standard</i>	<i>Minimum Requirement (Feet)</i>
Front Yard Setback	40
Side Yard Setback (Each Side)	10
Rear Yard Setback	40
Lot Frontage	85
Lot Width at Building Line	85

(C) Required Open Space

An open space subdivision must reserve a minimum of 20% percent of the gross area, excluding rights-of-way, as permanent open space.

(D) Minimum Project Size

An open space subdivision project shall contain a minimum of 10 gross acres.

(E) Permitted Uses

Only single-family dwellings and accessory uses permitted within the R-1 District may be permitted.

(F) Control of Open Space

- 1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners' or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the city.
- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.

(3) Open Space Subdivisions as a Conditional Use in the R-1 District

Open space subdivision plans may be permitted as a conditional use in the R-1 District provided they conform to the requirements set forth below:

(A) Conditional Use Permit

The open space subdivision shall be subject to the review procedure established in Section 1224.08: Conditional Use Permit.

(B) Minimum Lot Area

The minimum lot area requirement of the R-1 District may be reduced to a minimum of 13,600 square feet.

(C) Minimum Site Development Standards

The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-7 below but only for proposed lots that will have access from an interior local street.

Standard	Minimum Requirement (Feet)
Front Yard Setback	40

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Standard	Minimum Requirement (Feet)
Side Yard Setback (Each Side)	10
Rear Yard Setback	40
Lot Frontage	75
Lot Width at Building Line	75

(D) Required Open Space

An open space subdivision as a conditional use must reserve a minimum of 30% percent of the gross area, excluding right-of-ways, as permanent open space.

(E) Minimum Project Size

An open space subdivision project shall contain a minimum of 10 gross acres and must adhere to the standards of the subdivision regulations.

(F) Permitted Uses

Only single-family dwellings and accessory uses permitted within the R-1 District may be permitted.

(G) Control of Open Space

- 1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners' or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the city.
- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.

1227.04 Site Development Standards for Conditional Uses in the R-R and R-1 Districts

Table 1227-8 establishes site development standards for certain conditional uses in addition to any conditions or other regulations that may be applicable to the use.

	Minimum Lot Area	Minimum Lot Width at the Building Line	Minimum Building Setback		Minimum Parking Setback	
			Front	Side and Rear [1] [2]	Front	Side and Rear [1]
<i>Public and Institutional Uses</i>						
Community centers	1 acre	150	75	30	50	20
Educational facilities (public or private)	3 acres	200	75	30	50	20
Libraries, museums, galleries, and cultural centers	1 acre	150	75	30	50	20
Public safety facilities	1 acre	150	50	30	50	20
Religious places of worship	1 acre	150	75	30	50	20
NOTE:						
[1] Side yard setbacks shall be measured from each side.						
[2] The minimum setback shall be increased by one foot for each foot of building wall length greater than 30 feet, up to 100 feet.						

1227.05 Site Development Standards for Business Districts

Development shall be subject to the dimensional standards in Table 1227-9 unless otherwise modified in the use-specific standards or if specific site development standards exist for the conditional use in Section 1227.04 above.

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	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>B-5</i>	<i>B-6</i>
Minimum Lot Area (Acres)						
Minimum Lot Area	1	1	1	1	1	1
Minimum Lot Width (Feet)						
Minimum Lot Width at the Building Line	150	150	100	150	150	150
Minimum Building Setback (Feet)						
Front	50	50	35	50	50	50
Side (Each Side)	25 or the height of the building, whichever is greater					
Rear	25 or the height of the building, whichever is greater					
Maximum Overall Building Height (Feet)						
Maximum Height of Principal Buildings	48	60	36	60	60	60
Maximum Building Footprint (square feet)						
Maximum Footprint Size	None	None	10,000	None	None	None
Maximum Lot Coverage						
Maximum Lot Coverage by Buildings or Accessory Uses (excluding parking areas)	33%	33%	25%	33%	33%	33%
Maximum Lot Coverage by Impervious Surfaces	75%	75%	65%	70%	70%	70%

SECTION EIGHT:

City Council adopts the following provisions and designates them as Chapter 1228 of Green's Codified Ordinances:

1228.01 Planned Developments Require a District Change

In addition to the provisions of this Chapter regarding the development of a PD District, an application request for any type of PD District included in this Chapter is also subject to the procedures set forth in Section 1227.04: Text or Map Amendment. The original establishment and application of a PD District shall be regarded as and subject to the same requirements as a district change.

1228.02 Permitted Uses

- (1) All uses in any type of PD District are subject to the approval of a general plan and a final development plan by the PZC and City Council and also a final site plan by the DRB and PZC pursuant to Subsection 1224.04 (6) and Section 1224.07.
- (2) Table 1226-2 illustrates the permitted uses within a PD District subject to the provisions of this Chapter.
- (3) The PZC and City Council may further limit the specific types of uses permitted within the PD District or place conditions on uses during the map amendment process.
- (4) No more than 30% of the residential dwelling units in a project may be apartment units. Attached dwellings that only share common walls and have separate exterior entrances for each unit shall not count toward this calculation.
- (5) Permitted residential accessory uses shall include those accessory uses that are permitted in the R-1 District and comply with all applicable sections of this Code.
- (6) Permitted nonresidential accessory uses shall include those accessory uses that are permitted in the B-1 District and comply with all applicable sections of this Code.
- (7) Uses not specifically listed as permitted by these districts may be permitted if the PZC determines the uses to be of the same general character as the above permitted uses.

1228.03 General Project Development Standards

The following provisions shall apply to any type of PD District unless expressly stated.

- (1) Gross Project Area

The gross area of a tract of land proposed to be developed in a PD District shall be a minimum of 10 acres. All land within the development shall be contiguous and shall not be divided into segments by any limited access highway, railroad right of way or tract of land (other than streets or rights of way for pipelines or electric transmission lines) not owned by the developer of the planned development.

(2) Mixed-Use PD Definition

As referred to within this chapter, mixed-use PDs are those planned developments which include a central area of nonresidential uses and/or mixed-use buildings that comprises at least 35% of the total project area. The mixed-use PD shall also include any residential uses intended to be served by the nonresidential core.

(3) Minimum Open Space Requirements

- (A) A minimum of 15% of the gross project area for any planned development shall be dedicated as open space pursuant to this Chapter.
- (B) Density bonuses may be provided for residential or mixed-use planned developments in accordance with Section 1228.04: Residential Development Standards below.
- (C) The following areas shall not be counted toward compliance with open space requirements:
 - 1.) Private yards not subject to an open space or conservation easement;
 - 2.) Public or private streets or rights-of-way, including sidewalks;
 - 3.) Open parking areas and driveways for dwellings;
 - 4.) Land covered by structures not designated for active recreational uses; and
 - 5.) Designated outdoor storage areas.

(D) Improved Areas

- 1.) In residential PD Districts, a minimum of 25% of the required open space (i.e., 25% of the total 15% of the gross project area required for open space) shall be reserved for active recreational uses, which may include, but are not limited to, pools, playgrounds, tennis courts, jogging trails, and clubhouses used primarily for recreational purposes.
- 2.) In business PD Districts, a minimum of 15% of the required open space (i.e., 15% of the total 15% of the gross project area required for open space) shall be reserved for active recreational uses, which may include, but are not limited to playgrounds, jogging trails, and other facilities used primarily for recreational purposes.

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- 3.) In mixed-use PD Districts, all open spaces shall be linked by sidewalks to residential, business, and mixed-use areas within the mixed-use district. Additionally, a minimum of 15% of the required open space (i.e., 15% of the total 15% of the gross project area required for open space) shall be reserved for improved activity areas that include, but are not limited to:
 - a.) Playgrounds and improved parks;
 - b.) Community centers;
 - c.) Improved ponds;
 - d.) Public plazas that may serve as gathering places for residents;
or
 - e.) Other improved areas that may be used by the public as approved by the PZC.
 - 4.) Improved open space shall be evenly distributed throughout the planned development, unless otherwise approved by the PZC and City Council.
 - 5.) If the planned development includes areas with single-family detached homes, that area of the development shall be considered a residential PD and shall be required to meet the applicable standards for improved open space.
- (E) Required common open space may include bike or hike paths, parkland, open areas, bridle paths, open drainage ways, swimming pools, clubhouses, tennis courts, golf courses, parking areas for any of the above, and other lands of essentially open or undisturbed or improved character, exclusive of off-street parking areas and street rights-of-way. Land area occupied by stormwater management devices, including retention ponds, may be counted towards the open space requirement when such features are treated as a site amenity as approved by the PZC.
- (F) Wetlands qualify as common open space if recommended for preservation.
- (G) Public utility and similar easements and rights-of-way are not acceptable for common open space dedication unless such land or right-of-way is useable as a trail or similar purpose and has been approved by the PZC.
- (H) Disposition of Common Open Space**
- 1.) Control of common open space shall be accomplished through the use of a conservation easement for the preservation of undisturbed natural land areas, and may be owned by the homeowners' or condominium association.
 - 2.) Open space may be dedicated to the city for park and recreational purposes only if the city agrees to accept such dedication by vote of City Council.

- 3.) The required amount of common space land may also be dedicated to the City of Green who will enter into a perpetual easement with a homeowners' or condominium association.
- 4.) The homeowners' or condominium association shall make adequate provisions for perpetual care and maintenance of all common areas in the legal articles creating such organization.. The legal articles relating to the organization of the homeowners' or condominium association shall be subject to review and approval by the PZC.
- 5.) Where a homeowners' or condominium association becomes defunct, the City may assess the property owners for the cost of maintenance.
- 6.) The responsibility for the maintenance of all open spaces shall be specified by the developer before approval of the final development plan.

(4) Private Improvements

- (A) All improvements shall meet or exceed the standards for public improvements. Bonds shall be posted per Section ().
- (B) Central sanitary sewer and water facilities shall be required for all development within a PD District.
- (C) Other utilities, including but not limited to telephone, cable television and electrical systems, shall be provided for in all developments and shall be underground to the maximum extent feasible.
- (D) Stormwater retention/detention facilities should be grouped together wherever possible to provide a water feature that can become a site amenity.
- (E) Site grading and retention/detention facilities shall be designed to drain the site adequately without creating a negative impact to the drainage characteristics of the neighboring properties.
- (F) Storm drain grate inlets shall be permanently marked with "no dumping" to indicate that dumping is prohibited due to drainage into natural waterways.

(5) General Site Development

- (A) Chain link fences are permitted only when they are painted black and not visible from any public right-of-way or parking areas with more than five parking spaces. Slats may be used in chain link fencing if approved by the PZC.
- (B) All dumpsters, mechanical equipment, service entrances, loading areas, and outdoor storage shall be located behind buildings and be screened in

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accordance with this Chapter. Equipment located on a rooftop is permitted if screened in accordance with the provisions of this Code.

- (C) The construction materials and colors of walls and fences that are visible from any public right-of-way or visible from parking areas with more than five parking spaces shall be uniform and compatible with the architectural style, color, and building materials of the principal building and its surroundings and as approved by the DRB and the PZC.

(6) Vehicular and Pedestrian Circulation

- (A) Cul-de-sacs shall be discouraged unless there is unique topography or other hardships. The use of cul-de-sacs shall require approval by the PZC and in no case shall more than 20% of the lots have frontage on a cul-de-sac.
- (B) Sidewalks shall be provided on each side of every street and shall be creatively developed to interconnect different land use areas and open spaces.
- (C) Pedestrian connections shall be provided between sidewalks and buildings.
- (D) Sidewalks in residential areas shall be a minimum of five feet in width.
- (E) Sidewalks in nonresidential or mixed-use areas shall be of a minimum to allow for six feet of clearance around any outdoor dining areas or streetscaping elements such as benches, trees, etc.

(7) Building Design

- (A) All elevations of a building shall be subject to review. A front façade shall be architecturally emphasized although all sides of a building shall be architecturally consistent with the front façade.
- (B) Buildings shall be architecturally oriented to the street or a public right-of-way and the main entrance shall be located on the street façade or facing the public right-of-way. In cases where there is an anti-access easement or access is not permitted from a particular road or public right-of-way, the building shall not be required to face the subject road or right-of-way.
- (C) Building materials shall be restricted to brick, stone, or other decorative masonry units, exclusive of glass or windows. Stucco, Exterior Insulation and Finish Systems (EIFS), wood for siding, or aluminum/vinyl siding may be permitted but shall not comprise more than 30% of any single facade.
- (D) The following provisions shall apply to all nonresidential, and mixed-use buildings and multi-family dwellings:
 - 1.) No more than 60% of a façade facing a public right-of-way may be constructed of glass or other transparent material. Exceptions shall be made for vertical mixed-use buildings with commercial or office space on the ground floor, in which case the ground floor of the building shall be designed to be at least 60% transparent,

through the use of glass, to allow pedestrians to view the goods and services offered in ground floor businesses.

- 2.) Windows and doors shall be vertical in orientation.
- (E) Flat rooflines are permitted with the use of cornices, parapets, or some form of architectural emphasis along the roofline.

(F) Colors

- 1.) The use of neon lights or bright colors, as determined by the PZC, for building materials shall be restricted to a maximum of ten percent of each building façade. The total area of neon or bright colors cannot be aggregated onto one façade.
- 2.) All vents, gutters, downspouts, flashing, electrical conduits, etc., shall match the color of the adjacent surface, unless approved by the DRB and PZC to be used expressly as a trim or accent element.
- 3.) The chosen color scheme should help tie all of the parts of the building together. Typically, the color that is used in a storefront area should be repeated in the upper story windows or cornice area.

1228.04 Residential Development Standards

(1) Maximum Permitted Residential Density¹

- (A) The maximum development densities of residential development in a residential or mixed use PD shall be based upon the percentage of open space to be provided within the development as illustrated in Table 1228-1.

% of Gross Project Area Dedicated to Common Open Space	Maximum Gross Density	Maximum Units per Acre
15% Open Space	2 units per acre	6 units per acre
20% Open Space	3 units per acre	8 units per acre
25% Open Space	4 units per acre	10 units per acre
30% Open Space	5 units per acre	12 units per acre
35% Open Space	6 units per acre	15 units per acre

- (B) The gross density shall be calculated by dividing the total number of proposed units by the gross acreage of the entire development including land for open space, rights-of-way, and other public dedications.

¹ Staff was going to review and provide possible changes.

- (C) Regardless of the amount of common open space to be dedicated, the maximum gross density within the PD District shall not exceed six units per acre.

(2) Minimum Floor Area Requirements

Dwelling units in a multi-family dwelling shall meet the minimum floor area requirements as established in Subsection 1227.02 (2).

(3) Area and Yard Requirements for Residential Uses

(A) The minimum lot size for residential uses shall be as follows:

- 1.) Single-family detached dwellings shall have a minimum lot size of 5,000 square feet.
- 2.) Attached dwellings with four or fewer units, that are not part of a mixed-use building, shall have a minimum lot size of 7,500 square feet.
- 3.) Attached dwellings with more than four units, that are not part of a mixed-use building, shall have a minimum lot size equal to 2,500 square feet per dwelling unit.

(B) There shall be a minimum lot width of 40 feet for all residential uses.

(C) All residential uses within a residential or mixed-use PD that have frontage along an arterial street shall have a minimum front yard setback of 40 feet.

(D) Unless otherwise specified in this chapter, all other residential building setbacks, which include front yard on a non-arterial street and side/rear yard, shall be established as part of the planned development review process. Generally, these building setbacks should be less than those required in a traditional development.

(4) Single-Family and Two-Family Dwelling Standards

The following standards shall apply to all lots for single-family and two-family dwellings:

- (A) Single-family and two-family dwellings shall not exceed 36 feet in overall height.
- (B) Dwellings shall have a maximum front yard setback of 20 feet if the residence is part of a mixed-use PD, unless frontage is along an arterial street, as stipulated in Subsection 1228.04(3)(C). Setbacks for residential PDs shall be as approved by PZC and City Council.
- (C) In mixed-use PD Districts, all dwellings in a residential area are encouraged to have a front porch, facing the primary street, that extends along a minimum of 50% of the front elevation.
- (D) Principal and accessory buildings or structures may not cover more than 70% of the lot.

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- (E) At least one parking space shall be provided within an enclosed garage whether attached or detached from the main dwelling.
- (F) One accessory garage may be permitted provided it is located in the rear yard.
- (G) One accessory dwelling unit may be constructed above a detached accessory garage. In such case, the accessory structure shall not exceed 24 feet in overall height.
- (H) Accessory uses shall be subject to the regulations of Section 1226.03: Accessory Uses unless otherwise exempted in this chapter.
- (I) Garages and parking areas other than driveways shall be designed as follows:
 - 1.) Garages may be accessed from a rear alley where approved by the PZC and City Council. If alleys are approved, the rear yard setback shall not apply to accessory garages.
 - 2.) Front loading garages shall be flush or setback from the front building line.
 - 3.) Access to a detached accessory garage or a side loading garages may be made by a driveway along the side of the principal building provided the driveway is setback a minimum of three feet from side lot lines.

(5) Multi-Family Dwelling Standards

The following standards shall apply to all multi-family dwellings or mixed-use buildings with attached multi-family units (apartments):

- (A) Areas designated for multi-family dwellings may include all forms of attached housing including two-family dwellings, and residential dwelling units located above businesses.
- (B) Multi-family dwellings shall not exceed 48 feet in overall height in a residential PD or 75 feet as part of a mixed-use building.
- (C) The majority of off-street parking spaces shall be located in the rear yard with an allowance of one parking space per two dwelling units permitted in the front or side yards.
- (D) On-street parking shall be permissible provided the planned development is designed to include on-street parking.
- (E) Building setbacks shall meet the requirements set forth in Subsections 1228.04(3)(C)(D).

(6) Common Ownership of Parcels upon Which Two or More Dwellings are Constructed

Before a zoning permit is issued for the construction of units where two or more dwellings are to be clustered on one parcel of land, the owner of such

parcel shall be bound by a covenant running with the land, approved by the City's legal counsel, that so long as any such dwellings are upon such parcel of land, such parcel upon which such group is erected shall remain in one parcel. No division of property shall be allowed unless granted by the PZC and City Council through an approved subdivision.

1228.05 Nonresidential and Mixed-Use Development Standards

(1) Height and Setback Requirements

- (A) Nonresidential buildings and mixed-use buildings shall not exceed 80 feet in overall height.
- (B) Unless otherwise specified in this Chapter, building setbacks shall be established as part of the planned development review process.

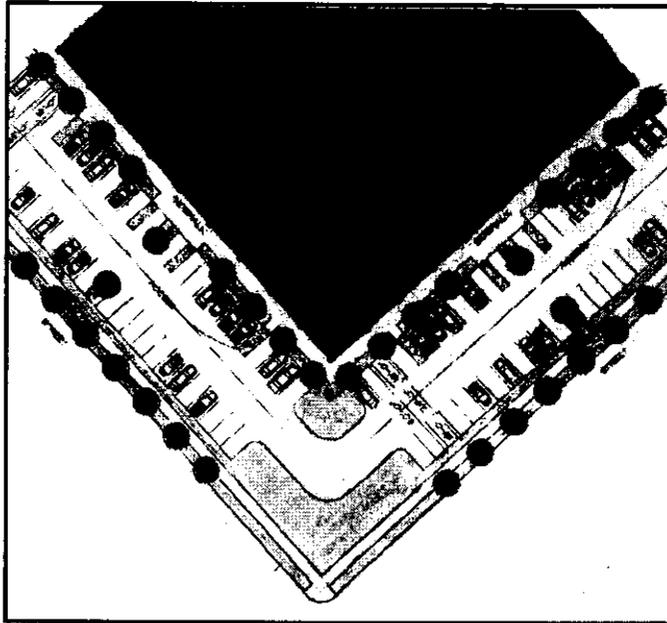
(2) Nonresidential and Mixed-Use Building Standards

The following standards shall apply to all nonresidential or mixed-use buildings:

- (A) Buildings shall be oriented toward the major street. Buildings located on an intersection shall have the main entrance oriented toward the major street and any façade facing other streets shall have a similar architectural style(s).
- (B) The ground floor of the buildings is recommended to be designed to support retail businesses, personal services, restaurants, cafes, and other uses that will encourage street level activities.
- (C) Offices or residential are recommended to be developed on the second, third, and fourth floors of multi-floor buildings.
- (D) On-street parking shall be permissible provided the planned development is designed to include on-street parking.
- (E) Ground-mounted, attached signs, awning signs, and projecting signs shall be permitted to identify businesses in accordance with Section 1229.06: Signs. Attached signage is encouraged when buildings are at the minimum front setback.
- (F) Open spaces between buildings that create courtyards or walkways to the rear of the property or parking areas are strongly encouraged.
- (G) Buildings and parking areas shall be setback a minimum of 20 feet from the right-of-way. Sidewalks may be located in this setback if an easement is provided.
- (H) Parking in the front yard of any nonresidential building shall be limited to one access drive (two if corner lot) and one bay of parking stalls (See Figure 1).

Figure 1: Parking Around Nonresidential Uses

Public and Institutional Uses



SECTION NINE:

City Council adopts the following provisions and designates them as Chapter 1229 of Green's Codified Ordinances:

1229.01 General Subdivision Design and Regulations

(1) Purpose

The purpose of this section is to support the well-planned development of the City of Green through the establishment of general subdivision design standards applicable to all subdivisions.

(2) Applicability

Unless otherwise noted, the standards of this section shall apply to all subdivisions in the City.

(3) General Layout and Design Provisions

(A) Name of the Subdivision

The name of the subdivision shall not duplicate the name of an existing subdivision in the City.

(B) Compliance with Other Provisions of this Code

All subdivisions shall comply with all other applicable regulations of this Code, including but not limited to:

- 1.) The requirements of the zoning district in which the property is located;
- 2.) The requirements relative to specific uses and dimensional standards; and
- 3.) Generally applicable development standards.

(C) Homeowners' Association

Where there are common areas proposed as part of a subdivision that are to be deeded to a homeowners' association, a homeowners' association shall be required and all documents related to the association shall be on file prior to final plat approval and subsequently recorded.

(D) Natural Features

Subdivisions should be planned to take advantage of the topography of the land, to economize in the construction of drainage facilities, to reduce the amount of grading and to minimize destruction of trees and topsoil.

(E) Flood Hazards

If any portion of the land within the subdivision is subject to flooding or other hazards, due consideration shall be given to such problems in the design of the subdivision. Land subject to flooding and land otherwise uninhabitable shall not be platted for residential occupancy, nor for such other uses that may increase danger to health, life or property, or aggravate the flood hazard as delineated on the FEMA flood plain maps or detailed engineering studies.

(4) Construction Specifications

All construction of streets, sidewalks, and infrastructure shall conform to the latest edition of the State of Ohio Department of Transportation Construction and Material Specifications, and any amendments thereto. The City Engineer and/or the agencies having jurisdiction over sanitary sewer or water, where applicable, may also require adjustments in design to conform to special conditions inherent within a particular subdivision including, but not limited to, swamps, quicksand, springs, and landslides.

(5) Infrastructure Requirements

- (A) All subdivision of lands into parcels less than 32,670 square feet and/or less than 100 feet in width at the building line shall have a centralized sanitary sewer.
- (B) All subdivision of lands into parcels, all of which are 32,670 square feet or more and/or 100 feet or more in width at the building line, may be required to have centralized sanitary sewer and/or water facilities if they are reasonably available as determined by the PZC.
- (C) All sanitary sewage systems that will be dedicated to and operated by Summit County, as approved by the County Council and the County Executive through the agency having jurisdiction over sanitary sewer, shall conform to the design standards, specifications, and procedures of the agency having jurisdiction over sanitary sewer as adopted by County Council and as approved by the County Executive pursuant to Section 3.04 of the Summit County Charter.
- (D) All public roadways shall meet the typical specifications on record with the Planning Department and Engineering Department. Any deviation from the typical specifications requires approval by the PZC.

(6) Sidewalks

Sidewalks shall be provided for all roadway sections, ~~unless waived by the PZC~~. All sidewalks shall be five feet in width and shown on the subdivision improvement plans. Sidewalks shall meet the typical specification on record with the City's Planning Department and Engineering Department. In cases where a proposed sidewalk will connect with an existing sidewalk of narrower

dimensions, the new sidewalk shall transition to the existing sidewalk via taper.

(7) Street Lighting District

Street lighting fixtures shall be installed by the subdivider/developer on all streets within major subdivisions where sidewalks are required, the number and location of which shall be determined by engineering studies performed by the authority having jurisdiction over electric power and shall conform to the specifications established by such authority and the City Engineer. The developer shall submit, at the time of the PZC approval, a petition to create a street lighting district so that legislation creating said district will be approved simultaneously with the plat and performance bond.

(8) Street Trees

Street trees shall be required along all streets where sidewalks are required. The developer shall provide, on the subdivision improvement plans, the locations of new trees to be planted in the street right-of-way in conjunction with the requirements of sidewalk installations and in accordance with the proposed street lighting district layout. Tree variety shall be from a list of approved trees available from the Planning Department or as approved by a consultant to the City.

(9) Easements

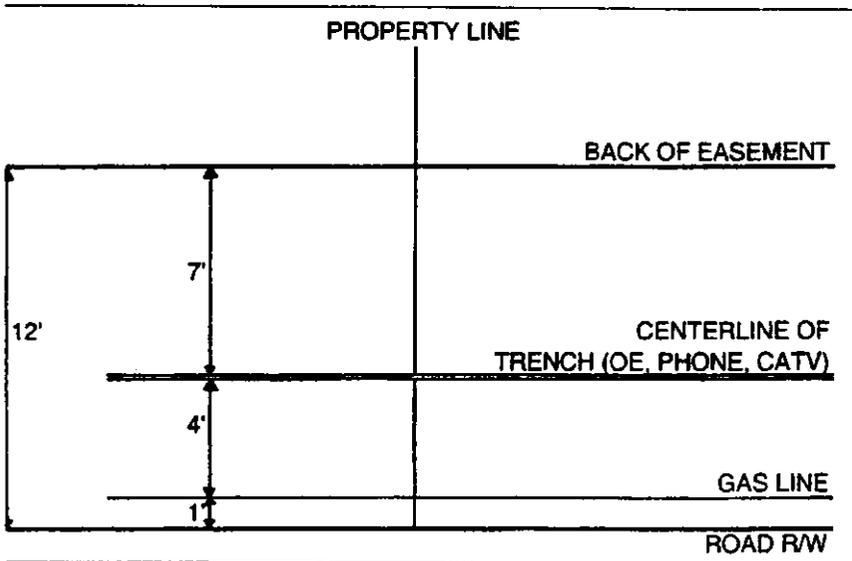
(A) General

- 1.) Adequate easements along rear or side lot lines, or elsewhere as requested by the City, shall be provided for utilities and drainage where necessary. A 12 foot easement on each front lot line for utilities shall be required.
- 2.) All plats shall include the following wording:

The undersigned owners of the land platted by this document, do hereby grant unto the Ohio Edison Company (OE) or authorized electrical power provider, Dominion East Ohio (DEO) or authorized natural gas provider, the locally franchised cable provider, the telecommunications provider, their successor and assigns – a 12 foot wide easement (as it abuts the dedicated streets herein), at the front of each lot, being parallel with and contiguous to the public right-of-way within this allotment. This easement to be used to install, operate, maintain and serve distribution lines, conduits, cables, wiring or other appurtenances for the supply of electric, gas, communication and video signals for public or private use. The City of Green reserves the Temporary Work Rights within the easement for itself and providers of storm water, sanitary sewer and public water supply as authorized and approved by the city.

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Utilization of this easement shall be in compliance with the following exhibit.



This easement allows for the providers of said utilities or services the right to remove trees and landscaping without liability as required to maintain, operate or construct these facilities and the right of access, as needed for exercising the purposes of this easement.

(B) Utility Lines

All utility lines shall be located underground.

(10) Soil Studies

The City Engineer reserves the right to require a soil study where, in their opinion, the existing soil conditions are below average, and may also require adjustments in design to compensate for the existing conditions.

(11) Erosion and Sedimentation Control

- (A) When the developer intends to remove or disturb the natural topsoil, trees, and other vegetation, or where the developer intends to change the surface contour of a proposed subdivision, he or she shall prepare an Erosion Control Plan (ECP) and have such plan approved by the Summit Soil and Water Conservation District and the City. The ECP shall be included in the improvement drawings. Additionally, a Land Disturbance Permit shall be required.
- (B) In general, erosion and sedimentation control work shall consist of, but not be limited to, grading, soil preparation, fertilizing, seeding and mulching as necessary to establish a sufficient growth of grass or other ground cover that minimizes damage to subdivision areas and to adjoining properties.

The City Engineer and the Summit Soil and Water Conservation District will have the work inspected to the extent that they determine is necessary to ensure that the developer has complied with the approved plans.

(12) Oversize and/or Off-Site Improvements

- (A) Oversize and/or off-site extensions of utilities, pavements and other improvements shall be designed and constructed to facilitate the orderly development of nearby land that is an integral part of the neighborhood service or drainage area.
- (B) Where the City Engineer determines that improvements in excess of the size needed to serve the proposed subdivision are necessary, the subdivider shall install improvements required to serve his or her subdivision plus the additional oversize and/or off-site improvements required.

(13) Approval

All necessary improvement plans for proposed roads, storm sewers, and drainage facilities shall be approved by the City Engineer, and all improvement plans for sanitary sewer and water supply systems shall be approved by the agencies having jurisdiction over sanitary sewer or water, if necessary prior to approval of the final plat by the City Engineer.

(14) Construction and Inspection of Improvements

(A) Cooperation of Subdivider and/or Contractor

The subdivider, developer, and/or contractor shall have available on the project site at all times one approved copy of all required plans and specifications. He or she shall cooperate with the City Engineer's inspector and/or the inspectors for agencies having jurisdiction over sanitary sewer or water, where applicable, and with other contractors in every way possible. The subdivider and/or contractor shall, at all times, have a competent representative acting as his or her agent on the project. The representative shall be capable of reading and thoroughly understanding the plans and specifications and promptly supplying such materials, tools, plat equipment, and labor as may be required. A representative shall be furnished regardless of the amount of work sublet.

(B) Inspections

The City Engineer shall be responsible for the inspection of all street, structure and drainage improvements. The developer, his or her engineer or his or her contractor shall give notice to the City Engineer at least 24 hours in advance of any construction of physical public improvements. The agencies having jurisdiction over sanitary sewer or water shall be responsible for inspection of all sanitary (sewage) and water supply system improvements. The following operations will be inspected by the City Engineer's office:

- 1.) Preliminary grading
- 2.) Backfilling of all trenches and excavations in the right-of-way
- 3.) Preparation of the subgrade
- 4.) Setting of forms
- 5.) Paving (rigid and flexible)
- 6.) Inlet construction
- 7.) Curing of rigid pavement
- 8.) Removal of forms and berm compaction
- 9.) Sealing of joints
- 10.) Storm sewer construction
- 11.) Any construction of utilities within the street right-of-way
- 12.) Any construction of structures within the right-of-way

Any of the above listed construction operations that (may be) are performed without advance notice to the City Engineer's office may result in coring of the pavement, subgrade boring and non-acceptance of the improvement if it does not meet the specifications of the City Engineer.

(C) Inspection Fees

The fees shall cover the actual wage, salary or contract cost of the inspection service, plus overhead, as determined by the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water, where applicable, to cover such items as employee benefits, engineering service and transportation. The subdivider is held responsible for all inspection fees, which will be payable monthly. The performance bond posted by the subdivider guarantees the payment of all inspection fees and no bonds will be released until all current inspection fees have been paid in full.

(D) Roadway Construction

All work shall be done in conformance with the approved improvement plans and the State of Ohio Department of Transportation Construction and Material Specifications, as supplied by the City Engineer's notes. This information shall be available upon request from the City Engineer's office.

(E) Construction Staking

The setting and marking of all line, profile and grade stakes necessary for the layout of the work in accordance with the construction plans will be performed under the supervision of a registered professional surveyor. Should any misunderstanding arise as to the intent or meaning of the

construction plans, or any discrepancy appear in the same, or in the proper methods of setting and marking of the construction stakes, the decision of the City Engineer in such cases shall be final. Pavement and pipe grade stakes shall be set at twenty-five foot intervals on horizontal and vertical curves and for all grades less than one percent. Tangent pavement grades and pipe grades over one percent may be set at a maximum interval of fifty feet. The City Engineer's inspector may ask for additional grade stakes if it is deemed necessary. A laser control method as approved by the City Engineer may be substituted for the above.

(F) Testing

All material supplied shall be plant inspected as directed by the City Engineer. Compaction tests shall be made in fill areas in the right-of-way and on the subgrade prior to paving, as directed by the City Engineer. Pavement tests shall be conducted on site as directed by the City Engineer. The City Engineer reserves the right to order pavement cores made if conditions warrant. The testing mentioned above shall be done by a private testing laboratory acceptable to the City Engineer and shall be done at no cost to the City.

(G) Field Changes

Approval of final plans shall not prevent the City Engineer or his or her agent from ordering needed changes he or she deems necessary in the field as work progresses. This extra work shall be at the developer's expense. If it becomes necessary to modify the improvements as approved due to unforeseen circumstances, the subdivider shall inform the City Engineer, in writing, of the conditions requiring modification. Written authorization from the City Engineer to make the required modification must be received by the developer and/or the developer's engineer before proceeding with the construction of the improvement.

(H) Street Name Signs

The developer shall be responsible for the installation of street name signs as agreed upon and authorized at the pre-construction meeting with the City prior to the start of construction. The materials, construction, methods and location shall be approved so as to meet City standards and regulations. Installation shall be complete at such time as the hard surface is open to construction vehicles servicing individual sites within the subdivision. No zoning permits shall be issued for structures within the subdivision prior to the installation of street name signs.

(15) Final Acceptance of Improvements in Major Subdivisions

(A) Monuments

Monuments shall be set where shown on the approved subdivision plat. Before final acceptance of the improvement, the developer shall have his or her registered professional surveyor certify to the City Engineer, in writing, that all required monuments and iron pins are in place and that any monuments or pins that were removed during construction have been replaced.

(B) "As Built" Drawings

At the completion of the construction and before acceptance, the subdivider's engineer shall update for the City Engineer and the agencies having jurisdiction over sanitary sewer or water, where applicable, the set of linen or mylar tracings for permanent record, showing the locations, sizes and elevations of all improvements as constructed. The subdivider may choose to authorize the City Engineer to update the tracings at his or her expense. An electronic media version shall also be submitted in a program compatible with the City's computer systems.

(C) Final Inspection

Upon completion of all improvements, including roads, grading, culverts, seeding, mulching, monumentation, street name signs, and other items, the developer shall notify the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water, where applicable, by letter, that all of the improvements have been completed. The City Engineer will then schedule an inspection of the completed improvements. The developer, his or her engineer, and a City representative may accompany the City Engineer or his or her representative on the inspection. Any discrepancies shall be recorded and the developer and the contractor will be furnished a copy of this report and shall be expected to proceed as soon as possible with any corrections. Another final inspection will be made for acceptance.

(D) Recommendation for Acceptance

If the construction is found to be satisfactory and all inspection monies are paid, the City Engineer and/or the agencies having jurisdiction over sanitary sewer or water, where applicable, will make a recommendation to the Mayor for final acceptance of the improvements and release of the **performance bond and acceptance of the maintenance bond.**

(16) Maintenance Bond Period

(A) Maintenance of Improvements

- 1.) The developer shall be responsible for the maintenance of the improvements during the construction period and **for a minimum period of one year after release of the performance bond and acceptance of the maintenance bond. The developer is responsible to request that the City inspect the improvements.** Upon inspection

by the City, the developer shall be notified of the need for any corrections to be made to the improvements. Should the developer fail to perform such necessary improvements within the time specified, the City may perform said improvements, at which time the developer will forfeit a portion of the cash maintenance bond to pay for said improvements.

- 2.) The maintenance of sanitary sewer and water supply systems shall be the responsibility of the agencies having jurisdiction over sanitary sewer or water or the owner of said service line, upon acceptance by either the City or the respective representative of the owner, subject to call on any bonds if repair work is necessary within a one-year period after acceptance.

(B) Repair of Damage

Any damage done to the improvements by construction traffic, local traffic or any other means shall be repaired, or the damaged materials replaced, before the next phase of construction is begun.

(C) Snow and Ice Removal

Prior to the release of the performance bond, the developer shall perform all work necessary to keep the road passable for automobile traffic to service all families living in the subdivision. The roads shall be open for emergency equipment at all times for all occupied dwellings. Should the developer fail to provide a passable roadway the City may request all costs and expenses incurred in maintaining said roadway from the bonding company. Upon the release of the performance bond, the City shall accept responsibility for the snow and ice removal on accepted roads, even though they may be covered by a maintenance bond.

(D) Mud Removal

The developer and his or her contractor shall be responsible for the removal of mud or other debris that may become located on the pavement surface. Should the developer fail to perform the said removal, he or she shall be liable for all costs and expenses incurred in the removal of mud or debris.

1229.02 Transportation and Access

(1) Purpose

The purpose of this Section is to support the creation of a highly connected transportation system within the City in order to:

- (A) Provide choices for drivers, bicyclists, and pedestrians;
- (B) Increase the effectiveness of municipal service delivery;
- (C) Promote walking and bicycling as an alternative mode of transportation;

- (D) Connect neighborhoods to each other and to local destinations;
- (E) Reduce vehicle miles of travel and travel time;
- (F) Reduce emergency response time; and
- (G) Mitigate traffic impacts of new development.

(2) Applicability

The standards of this Section shall apply to all development in the City.

(3) Traffic Impact Study Required

To promote efficient access management, the Planning Director may request a traffic impact study be conducted by the developer for any project he/she feels warrants the study at the time of submission of the preliminary plan, general plan, or site plan. The Planning Director may base his/her decision on one or more of the following:

- (A) The proposed development generates 100 or more added new peak hour trips to and/or from the site during the adjacent roadway's peak hours or during the development's peak hour, and the proposed development generates more than 1,000 trips daily;
- (B) The development is within 500 feet of a high-accident (5 or more per year) intersection or section of roadway;
- (C) One or more of the proposed access drives to the development is within 500 feet of a public roadway intersection or within 250 feet of a drive that is a high traffic volume generator as determined by the City Engineer;
- (D) The traffic generated by the proposed development will increase the ADT by 25% or more on roadways in adjacent neighborhoods, as determined by the City Engineer;
- (E) Traffic volumes of 10,000 ADT or higher exist on roadways adjacent to the proposed development; or
- (F) The City Engineer determines that other conditions exist in the vicinity of the proposed development that may be negatively impacted by the development.

(4) General Provisions

(A) General Circulation

1.) Site Limitations and Site Layout

Uses, buildings, parking areas, drives, and other site features shall be designed to be suitable for the site location and conditions and shall not create on-site or off-site traffic impacts which exceed those normally expected to be caused by uses in the district.

2.) Public Street Access

Curb cuts and drives providing access between a site and a public or private street shall be designed to:

- a.) Minimize unnecessary impacts on the street, including, but not limited to, poor visibility, steep grades, slowing or obstruction of traffic, causing unusual, confusing or sudden traffic movements, or unnecessary points of conflict with vehicles on the street and with vehicles in nearby access drives.
- b.) Minimize negative impacts on pedestrians by providing good visibility between pedestrians and vehicles and by providing safe pedestrian walking and standing areas.
- c.) Create points of access appropriate for the configuration of the property and the proposed use, but in no greater number than necessary to provide reasonable access to the site.
- d.) Provide sufficient distance between the street and potential points of vehicular or pedestrian conflict within the site (including, but not limited to, cars backing into travel lanes, driveway or parking aisle intersections, pedestrian crossings or loading areas) to prevent obstruction of drives and traffic backups in the street.
- e.) Provide a landscaped median where a curb cut is designed to accommodate more than three lanes of traffic, provided that priority shall be given to proper alignment and sight lines coordinated with other drives in the area. The width of any such median shall not be calculated into the total width of the driveway.
- f.) Reconstruct or eliminate existing nonconforming access such as oversized curb cuts or parking lots which cause obstruction of street traffic, to comply with the provisions of this Code.

3.) Cross-Access with Abutting Sites

Where physically feasible and appropriate for reducing points of conflict in the street, property owners requesting approval for more than one access drive on a public street frontage shall, as directed by the PZC or the Planning Department, make a written request for joint access drives to the owners of the abutting properties having frontage on the same street. The applicant shall provide to the City a copy of the request and any response. Such provision shall not apply to single-family and two-family dwellings.

(B) Guardrails

A guardrail shall be installed as required by the City Engineer. The guardrail shall be in accordance with State standards. The subdivider shall submit details to the City Engineer for approval.

(C) Drives and Driveway Culverts

For drives and driveways along a City highway, a road opening permit is required from the Department of Public Service, a bond may be required and the City Engineer's specifications must be complied with.

(D) Bridges

Bridges, being, by definition, a structure of greater than a ten-foot span, shall be designed in accordance with the latest design regulations as practiced in the Bureau of Bridges and approved by the City Engineer. A copy of all bridge plans shall also be forwarded to the Summit County Engineer for review and comment. Reference shall also be made to current Standard Bridge Drawings. Design flood elevations shall be indicated on plan-profile sheets and on structure site plans.

(5) Street Design Standards

(A) Arrangement

- 1.) The arrangement, character, extent, width and location of all streets shall conform to the Long-Range Land Use Plan. Proposed streets and public access to adjacent unplatted lands shall be designed so that the entire area can be served with a coordinated public street system.
- 2.) The width of any right-of-way should be provided so that all underground utilities can be located outside of pavement areas.
- 3.) All underground utilities should be placed within a utility easement in accordance with Subsection 1229.01 (9).

(B) Dedication

Unless otherwise approved as a private street, all street rights-of-way shall be dedicated to the public in fee simple.

(C) Private Streets

- 1.) Private streets shall comply with the design standards and bonding requirements of this chapter. All references in this section to the public right-of-way shall apply to private street lots.
- 2.) The private street access shall provide perpetual access for authorized emergency vehicles, public and private utility maintenance and service personnel, solid waste collection services, the U.S. Postal Services, and government employees in pursuit of their official duties.
- 3.) Gates on private streets shall only be permitted with approval from the PZC and the City of Green Fire Division.
- 4.) The City may, but is not obligated to, accept private streets for public access and maintenance. The procedure for requesting the City to accept private streets shall be as follows:

- a.) A petition shall be submitted to City Council, signed by all property owners with access to the subject private street;
- b.) All of the streets and roadways shall be in a condition that is acceptable to the City at the time the petition is submitted;
- c.) All access control structures, signage, and other structures not consistent with a public street shall be removed;
- d.) If any maintenance or repair of the private streets is required in order for acceptance, the City may use any outstanding balance of funds established through a homeowners association or the City may assess each individual property owner on a fair and equitable basis as determined by the City Engineer; and
- e.) Each lot owner shall execute an instrument of dedication for filing of record, the form of which shall be approved by the City Law Director.

(D) Classification

- 1.) Major arterial thoroughfares shall be planned for continuation of movement of traffic between points of heavy traffic generation and from one section of the community to another. Said thoroughfare shall contain as few intersections with minor streets as possible.
- 2.) Local streets shall provide direct and full access to each lot and shall be laid out so that their use by through traffic will be discouraged. The street system shall be so designed that all proposed streets shall be in general conformity to a plan for the most advantageous development of the entire neighborhood. The streets shall be extended to the boundaries of the tract to be recorded, unless prevented by topography or other physical conditions, or unless, in the opinion of the PZC, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the development of adjacent tracts.
- 3.) Parallel streets may be required along an existing or proposed major arterial thoroughfare to provide access to lots along such major arterial thoroughfares.

(E) Street Design

Streets shall be designed in accordance with the City of Green's typical street standards as available in the City Engineer's Office.

(F) Half Streets

Half streets shall be prohibited except where there is an existing half street adjacent to the subdivision, in which case the remaining half of the street shall be platted.

(G) Cul-de-Sac and Dead-End Streets

- 1.) Dead-end streets or cul-de-sacs will be approved only when necessitated by topography or other physical conditions or where they are appropriate for the type of development contemplated.
- 2.) A street designed to be a permanent cul-de-sac, which contains central water service and fire hydrants for its full length, may serve up to twenty-five lots; otherwise a permanent cul-de-sac shall not be longer than 1,000 feet. Permanent cul-de-sacs shall be provided at the closed end with a paved turn-around having an outside pavement radius of at least thirty-seven and one-half feet and a street right-of-way line radius of at least 50 feet or such greater dimension agreed upon by the developer and the City Engineer.
- 3.) If a cul-de-sac is of a temporary nature and a future extension into adjacent land is anticipated, then said turning circle beyond the normal street width shall be in the nature of an easement. Such easements shall be automatically vacated to abutting property owners when said dead-end street is legally extended into adjacent land. If such dead-end street extends only the depth of the corner lot past a street intersection, no turn-around will be required. Subdividers shall be required to provide a two-foot reservation strip in the name of the City of Green at the end of all dead-end streets. This strip will become public highway only upon extension of the dedicated street. The developer extending the street will be responsible for removing the temporary portions of the cul-de-sac, regrading, seeding, etc.

(H) Corner Radii

Property lines at street intersections shall be rounded with a radius of not less than 25 feet, or as required by the City Engineer.

(I) Vertical Alignment

Simple parabolic vertical curves shall be used to effect a gradual change between tangent grades where the algebraic difference of grades in percent is greater than zero point fifty (0.50).

(J) Horizontal Alignment

Angles in the alignment of street centerlines shall be connected by a curve with a radius of not less than 300 feet for local streets, 800 feet for collector and industrial streets and 1,200 feet for major arterial thoroughfares. Between reverse curves, there shall be a tangent distance of 100 feet.

(K) Intersections

- 1.) No more than four road legs will be permitted at any intersection, unless otherwise approved by the City Engineer.
- 2.) Road intersection shall be at 90 degrees where practical, but in no case less than 70 degrees.
- 3.) Each intersecting road shall have a tangent distance of at least 150 feet for local roads or a curve with a minimum 1,400 feet radius.
- 4.) Those roads intersecting each other from opposite sides shall be directly opposite where possible. Street jogs with centerline offsets shall be prohibited unless specifically approved by the PZC and the City Engineer.
- 5.) The minimum radius of right-of-way lines at intersection corners shall be 25 feet.
- 6.) The intersection of subdivision roads shall have a minimum horizontal sight distance of 400 feet.
- 7.) Back slopes shall be cut back to aid the sight distance as required by the City Engineer.
- 8.) There shall be a minimum separation of 300 feet between intersections.

(L) Boulevards and Roadway Islands

Boulevards and roadway islands shall be permitted only when approved by the City Engineer and City Council.

(M) Curbs and Gutters

Concrete curbs and gutters shall conform to typical drawings as approved by the City Engineer. In addition, a ramp with a non-slip surface shall be built into the curb at each pedestrian crosswalk so that the sidewalk and street blend to a common level. Such ramps shall be constructed in accordance with State of Ohio standards insofar as feasible.

(6) Sidewalks and Pedestrian Facilities

All site elements shall be located and designed in a manner which promotes safe and efficient movement of pedestrians to, from, and within the site. Pedestrian facilities and site elements which affect pedestrian movement shall comply with the following guidelines:

- (A) Where physically possible and appropriate to the nature of the abutting uses, on-site sidewalks shall be aligned to connect with similar sidewalks on abutting sites.

- (B) City Council may require the construction and dedication of walkways and connecting sidewalks where it finds that such walkways are necessary for pedestrian circulation between a proposed subdivision and commercial uses, schools, parks, and other public facilities. A minimum easement width dedication shall be 20 feet and said sidewalk or walkway shall be a minimum of 5' in width.
- (C) Pedestrian facilities, and parking lots and other areas which will be utilized by pedestrians, shall be designed to facilitate pedestrian use, with special attention given to use by persons with mobility limitations and by persons transporting children or packages between vehicles and buildings. Where main pedestrian routes are designed with steps or steep grades, alternative routes shall be provided to comply with handicapped accessibility standards.
- (D) Signs, pavement markings, and/or special surface materials shall be installed in any location on a site where necessary to promote pedestrian safety at crossings of vehicular drives. Pedestrian crossings of major drives shall be located and marked in a manner to encourage safe crossing.
- (E) Bike storage racks and other bike-friendly facilities shall be required where a site abuts or is in proximity to a bike route.

1229.03 Drainage Standards

(1) Applicability

The standards of this Section shall apply to all development in the City.

(2) Drainage Design

- (A) No development will be approved unless there is an outlet for all storm water. Provisions shall be made to accommodate effectively the increased runoff caused by changed soil and surface conditions during and after development. It may be necessary to direct surface water to a drainage ditch, stream or existing storm system which has the capacity to carry the flow. No natural drainage course shall be altered and no fill, buildings or structures shall be placed in, on or over it, unless provision is made for the flow of water in a manner satisfactory to the City Engineer. An easement shall be provided on both sides of an existing surface drainage course for the purpose of maintaining, protecting, widening, deepening, enclosing or otherwise improving such stream for drainage purposes.
- (B) If the same is across private property, a right-of-way or easement must be obtained by the subdivider or developer in the name of the City, as reviewed and approved by the Planning Department and the City Engineer. These rights-of-way or easements should be shown on the plat, site plan or

construction plans, as applicable. A copy of the recorded easement shall be furnished to the Planning Department.

- (C) Storm sewer laterals will be provided as directed by the City Engineer for each (house) lot on a street having a curb and gutter.

(D) **Drainage System Requirements**

The design criteria for the drainage system shall be based on the State of Ohio Department of Transportation design policy and the criteria established by the City Engineer's office. This criteria shall apply to development along existing roads as well as those requiring new roads to be constructed. This criteria shall be available upon request from the City Engineer's office.

1.) Road Drainage System

The road storm drainage system shall serve as the local drainage system. It shall be designed to carry roadway, adjacent land and residential or commercial development storm water drainage, as applicable. To prevent excessive pipe sizes, storm sewers shall drain into natural waterways as soon as possible.

2.) Off-Road Drainage System

The design of the off-road drainage system shall include the watershed affecting the development and shall be extended to a watercourse or ditch adequate to receive the storm drainage.

(E) **Stormwater Management Requirements**

- 1.) The design and construction of stormwater management facilities shall require the review and approval of the City Engineer in accordance with the technical criteria described in the County of Summit Stormwater Management Program Guidelines as referred to by the City.
- 2.) Allowable types of stormwater management facilities include, but are not limited to:
 - a.) Retention ponds
 - b.) Detention basins
 - c.) Underground storage tanks
 - d.) Rooftop storage areas
 - e.) Parking lot storage areas
 - f.) Infiltration/recharge ditches
 - g.) Swales/screening areas
- 3.) All project sites or development areas required to implement stormwater management practices and facilities shall, at a minimum, limit the peak rate of discharge from the project site or

development area to the downstream receiving watercourse as follows:

- a.) Stormwater management measures shall be required to maintain the post development peak discharge at a level equal to or less than the predevelopment peak discharge rate for a twenty-four hour duration, two-year frequency storm event; and
- b.) Stormwater management facilities shall be designed to control the volume, timing and rate of flows.
- c.) Velocity reduction devices must be placed at all outlet points, where necessary, to provide a non-erosive flow velocity to the receiving watercourse. The City Engineer may waive these requirements if the characteristics of the receiving watercourse, project site or development area are such that this type of control would be contrary to accepted engineering practice or detrimental to the environment.

(F) Wetlands

Wetlands will be identified on the improvement drawings. If they are going to be changed in any manner, the developer must contact the U.S. Army Corps of Engineers. The Summit Soil and Water Conservation District has a copy of the Wetland Resource Maps for Summit County and the City of Green. The Summit Soil and Water Conservation District will point out such wetlands in its review of the preliminary plan. If a U.S. Army Corps of Engineers permit is required, the permit number shall be shown on the final plat.

(3) Drainage System Design and Protection

(A) Flood Hazard

If any portion of the land within a subdivision is subject to flooding (flood plains from the Federal Flood Plain Map), sewer overflow, elevations, or other hazards, due consideration shall be given to such problems in the design of the subdivision, and the flood plain must be shown on the improvement plans and plat.

(B) Dams or Basins (Embankments)

Copies of detailed drawings of proposed dams or basins and all calculations shall be submitted to the City Engineer for approval. The developer or his or her engineer shall apply for a permit from the State of Ohio, Department of Natural Resources, Division of Water, if applicable, and any other applicable agencies.

(C) Protection of Drainage Systems

- 1.) The subdivider shall adequately protect all ditches (roadways and watercourses) to the satisfaction of the City Engineer as shown by calculations made in accordance with the policy of the State of Ohio, Department of Transportation, and the subdivision drainage criteria of the City Engineer.
- 2.) In all cases, any drainage facilities within a subdivision shall be in a stable condition, free from either erosion or sedimentation and/or other debris. Any damage resulting from erosion, scour, silting of drainageways or blockage of storm drainage systems on and off the development, caused by the construction, shall be corrected at the developer's expense.

(D) Drainage Outlets

Where the City Engineer finds it necessary to clean, alter or reconstruct a natural drainage course or storm sewer system outside the development boundary to provide a storm water outlet, or to prevent damage to other properties due to an increased or accelerated flow, the outlet shall be provided and constructed at the expense of the developer and in accordance with plans and specifications approved by the City Engineer.

(E) Drainage Drawings

The developer's engineer shall make a complete study of the drainage area contributing to the development and submit copies of all data and calculation sheets to the City Engineer for review and approval.

(4) Drainage Easements

Where a subdivision is traversed by a drainageway, a storm sewer or drainage easement conforming substantially to the lines of such drainageway shall be provided. The easement shall be a minimum of 20 feet, or as the City Engineer and the PZC may require.

1229.04 Lot Layout and General Site Regulations

(1) Blocks

(A) Residential Block Lengths

The long dimension of a residential block shall not exceed 1,500 feet.

(B) Commercial or Industrial Blocks.

Blocks intended to be used for commercial or industrial purposes shall be designed specifically for such uses with adequate space set aside for off-street parking and loading facilities.

(C) Pedestrian Walkways (Crosswalks)

- 1.) Pedestrian walkways not less than ten feet wide, or of such greater width as is deemed necessary by the Planning Department, shall be required across streets where the Planning Department or the City Engineer determines that pedestrian access to schools, playgrounds, shopping centers, transportation and other community facilities is necessary.
- 2.) Paving, fencing and other improvements may be required by the PZC.

(2) Lots

(A) Conformity to Dimensional Standards

The lot size, width and depth, and the minimum building setback lines, shall, as a minimum, conform to this Code.

(B) Access to Public Streets

The subdivision of land, whether as a major or minor subdivision, shall provide each lot with eighty-five feet of continuous frontage on a dedicated street. This standard may be reduced to fifty feet by the PZC for lots fronting on a permanent cul-de-sac or other curved street frontages (e.g. knuckles).

(C) Double-Frontage Lots

- 1.) Lots shall be laid out so that there are no double-frontages, except:
 - a.) Where extreme conditions in elevation prevent access to the lot from one of the streets; or
 - b.) Where it is necessary to separate residential lots from major arterial thoroughfares.
- 2.) Where double-frontage lots are created adjacent to major arterial thoroughfares, a reserve strip along the major arterial thoroughfares shall be deeded to the City Council, as approved by the Mayor, by resolution or ordinance pursuant to the City of Green Charter. The plat shall state that there shall be no right of access across such reserve strip. The Planning Department may require that a decorative six-foot high solid board fence or masonry fence be constructed or that a ten-foot wide planting screen be provided.

(D) Construction on Two or More Lots

When a building is proposed to be constructed on two or more adjacent recorded lots or tracts of land, such lots shall be combined and the new legal description or replat document depicting one lot shall be recorded.

(E) Access to Public Thoroughfares

No building shall be erected on a lot which does not abut on at least one public thoroughfare, or at least one private road built in accordance with public thoroughfare standards and specifications, except upon presentation to Council of evidence of the existence of a cash bond sufficient to ensure construction of said thoroughfare or private road.

(F) Visual Obstructions

On a corner lot, no visual obstruction of living or non-living material in excess of two feet in height is permitted within a thirty-foot radius from the intersection of the road rights-of-way.

(3) Lot Lines

Lot lines shall be substantially at right angles or radial to street lines. Lot lines should follow municipal, township and county boundary lines rather than cross them.

(4) Lot Depth

No lot depth shall exceed four and one-half times the lot width or be less than one and one-half times the lot width at the minimum building setback line unless otherwise exempted. The lot width shall be measured at the minimum building setback line.

(5) Public Facilities and Open Space

(A) Public Facilities

The design of subdivisions should provide for parks, playgrounds, or other sites for public use as required by the PZC. There shall be a time period of not more than six months during which the developer and public agency can agree upon compensation to the developer and the quantity of property needed for a public facility. If an agreement is not reached within this six-month period, the property will be returned to its original design. If there is an adopted land use and thoroughfare or comprehensive plan for the area, such public facilities shall conform to such plan.

(B) Natural Features

The developer is encouraged to give consideration to preserving outstanding natural features such as scenic spots, water bodies or exceptionally fine groves of trees.

(6) Easements

Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be of such widths as may be reasonably necessary for the utilities using the easement. It shall be the subdivider or

developer's responsibility to determine appropriate easement widths as required by the utility company.

1229.05 Parking, Loading, and Stacking Regulations

(1) Purpose

The purpose of this Section is to prevent and alleviate the congestion of public streets, to minimize the detrimental effects of vehicular use areas on adjacent properties, and to promote the safety and welfare of the public by establishing minimum requirements for parking and loading areas.

(2) Applicability

Off-street parking, loading, and stacking facilities shall be provided in conformity with this section as a condition precedent to occupancy of a residential, business, industrial or recreational use, and at any time a building, structure or use of land is enlarged, expanded or increased in capacity or use.

(3) Rules for Computations

The following rules shall apply when computing parking, loading, or stacking spaces:

(A) On-Street Parking

On-street parking spaces shall not be counted toward off-street parking space requirements.

(B) Multiple Uses

Unless otherwise noted or approved as part of a shared parking agreement, off-street parking areas serving more than one use shall provide parking in an amount equal to the combined total of the requirements for each use.

(C) Fractions

When a measurement of the number of required spaces results in a fractional number, any fraction of $\frac{1}{2}$ or less shall be rounded down to the next lower whole number and any fraction of more than $\frac{1}{2}$ shall be rounded up to the next higher whole number.

(D) Area Measurements

- 1.) Unless otherwise specifically noted, all square footage-based standards shall be computed based on gross floor area of all floors in a nonresidential building.
- 2.) Up to 20 percent of the total gross floor area may be excluded from the calculation if the floor area is used for storage, packaging of merchandise, or maintenance.

(E) Occupancy- or Capacity- Based Standards

- 1.) For the purpose of computing requirements based on employees, students, residents, or occupants, calculations shall be based on the largest number of persons working on a single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable, and whichever results in a greater number of spaces.
- 2.) In hospitals, bassinets shall not be counted as beds.
- 3.) In the case of benches, pews and similar seating accommodations, each 18 inches thereof shall be counted as one seat for the purpose of determining applicable requirements.

(F) Unlisted Uses

- 1.) Upon receiving an application for a use not specifically listed in the schedules below, the Planning Department shall apply the standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size, and intensity of use.
- 2.) If the Planning Department determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE).

(4) Parking Space Requirements

- (A) Table 1229-1 defines the number of parking spaces required for each use within Green.
- (B) A minimum of five spaces is required for any use other than a single family dwelling or two-family dwelling unless approved as a conditional use pursuant to Section 1224.08: Conditional Use Permit.
- (C) Whenever the parking requirements of Table 1229-1 can be shown by the applicant to result in an excessive number of parking spaces and that a lesser number of spaces is appropriate and consistent with this Code, the PZC may approve a reduction in required spaces.

<i>Use</i>	<i>Required Parking Spaces</i>
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Use	Required Parking Spaces
Residential	
Nursing homes and assisted living facilities	1 space per 3 beds
Housing reserved for older adults (65 years or older)	1 space per bed
Multi-family dwellings	2 spaces per dwelling unit
Open space subdivisions	2 spaces per dwelling unit [1]
Single-family dwellings	2 spaces per dwelling unit [1]
Two-family dwellings	2 spaces per dwelling unit [1]
NOTE: [1] A minimum of one parking space shall be located within an attached or detached parking garage.	
Commercial	
Amphitheaters, auditoriums, stadiums, theaters, and other places of assembly	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater
Automotive body repair or automotive repair and service	3 spaces per 1,000 square feet of floor area, excluding service bays, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Automotive car washes	2 spaces per washing bay (washing bay may not be counted as a parking space).
Automotive fuel sales	4 spaces per 1,000 square feet of floor area, excluding service bays, plus 1 space per fuel pump or service bay (service bay may not be counted as a parking space).
Automotive rental or sales	10 spaces per 1,000 square feet of indoor floor area, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Banquet halls	1 space per 2 persons, or 1 per 1,000 square feet, whichever is greater
Bars and taverns	15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater
Bed and breakfast establishment	2 spaces for the owner or operator, plus 1 space for each bedroom rented to the public
Kennels	2 spaces for drop-off and pick-up of animals
Day care centers	1 space for every 4 students
Financial institutions	4 spaces per 1,000 square feet
Funeral homes	1 space per 50 square feet
Garden store, nurseries, or greenhouse	4 spaces per 1,000 square feet of indoor sales area, plus 1 space per 1,000 square feet of greenhouse or net outdoor sales
Health and fitness centers	5 spaces per 1,000 square feet
Hotels and motels	1 space per room or suite
Medical or dental offices	5 spaces per 1,000 square feet
Offices	3 spaces per 1,000 square feet
Outdoor displays, sales or storage	1 space per 750 square feet

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Use	Required Parking Spaces
Personal service establishments	6 spaces per 1,000 square feet, or 2 spaces per station/chair, whichever is greater
Pool or billiard hall	10 spaces per 1,000 square feet
Restaurants	15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater
Retail and service commercial uses	4 spaces per 1,000 square feet
Self-storage facilities	1 space per 20 storage units
Social clubs and fraternal organizations	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater
Theaters	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater
Veterinarian clinics	4 spaces per 1,000 square feet
Wireless telecommunication structures	1 space per structure
Industrial Uses	
Distribution facilities, truck terminals, and warehouses	2.5 spaces per 1,000 square feet
Light or heavy industrial or manufacturing uses	2 spaces per 1,000 square feet
Warehousing or storage	1 space per 1,500 square feet
Institutional/Public/Recreational Uses	
Ballfields	20 spaces per field
Bowling alley	4 spaces per bowling lane
Religious places of worship	1 space per 3 fixed seats in the main assembly room or 1 space per 3 persons of occupancy, whichever is greater
Cemetery	1 space per 4 seats in a chapel or place of assembly
Colleges, universities and other higher educational facilities	1 space for each 5 classroom seats plus 1 space for each auditorium seat
Elementary or middle/junior schools	3 spaces per classroom or 1 space for every 3 seats in auditoriums or assembly halls, whichever is greater
Golf courses	8 spaces per hole
Golf driving ranges or miniature gold courses	2 spaces per tee
Hospitals	1 space for every 2 patient beds plus outpatient clinics, laboratories, pharmacies and other similar uses shall have 4 spaces per 1,000 square feet
Indoor recreational facility	2 spaces per 1,000 square feet
Libraries, museums and galleries	3 spaces per 1,000 square feet

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Use	Required Parking Spaces
Clubs	10 spaces per 1,000 square feet or 1 space per 2 persons, whichever is greater
Parks or playgrounds not otherwise specified	1 space per 10,000 square feet of park or playground area
Racquetball, handball and tennis courts	5 spaces per court
Senior high schools	1 space per 5 students of capacity
Skating rinks	5 spaces per 1,000 square feet
Swimming pool	20 spaces per 1,000 square feet of pool area
Tennis courts	4 spaces per court
Volleyball courts	15 spaces per court

(D) Company Vehicle and Equipment Parking

Additional parking spaces shall be required for company vehicles and equipment. Parking facilities required for customer and employee parking shall not be used for storage of company vehicles and equipment, including but not limited to, company trucks, landscaping equipment, etc. Exceptions may be granted if:

- 1.) The applicant can demonstrate that the storage will occur only during non-peak hours for customer demand;
- 2.) The vehicles are stored in an area which is appropriately screened from the public street; and
- 3.) The storage area is approved by the PZC on the site plan.

(5) Stacking Space Requirements

(A) Applicability

All nonresidential uses with drive-through facilities shall be subject to the stacking space requirements of this section.

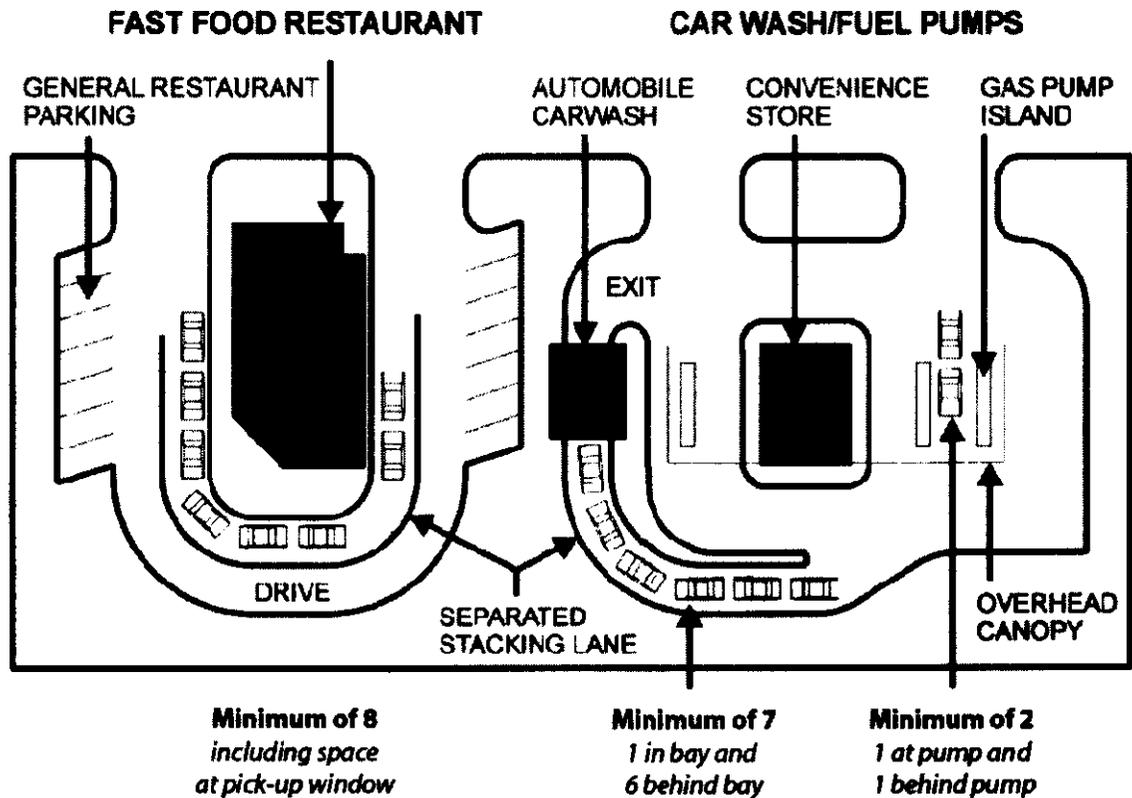
(B) Minimum Number of Stacking Spaces

The number of required stacking spaces shall be as provided for in Table 229-2; see Figure A for illustration of stacking spaces:

Use	Minimum Stacking Spaces (per drive/service window)	Measured From:
Financial Institution or Automated	4	Teller or Window

Activity	Minimum Stacking Spaces (per lane/service window)	Other
Teller Machine (ATM)		
Restaurant	8	Pick-Up Window
Full Service Automotive Wash	7	Washing Bay
Self-Service Automotive Wash	4	Washing Bay
Fuel or Gasoline Pump Island	2	Pump Island
Other	A minimum of 6 spaces per lane or window.	

Figure A: Stacking Spaces



(C) Design and Layout

- 1.) Drive-up facilities shall be located on that part of a site which is most distant from or most screened from existing or planned abutting sensitive uses (such as residences or offices) on abutting properties, except where existing uses are nonconforming. Where site conditions necessitate locating a drive-up facility near to a

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sensitive use, the area between the uses shall be heavily screened as directed by the PZC.

- 2.) Drive-up facilities, their stacking areas, and routes of access shall be located so as to not interfere with vehicles or pedestrian movement on the public street or within the site. Stacking areas for drive-up facilities shall not be the sole or primary site egress route. Stacking areas shall not utilize parking or aisles required for access to parking.
- 3.) Drive-up facilities which utilize microphones or other audible signals shall be designed to minimize sound impacts upon abutting uses. Hours of operation shall be as approved by the PZC.
- 4.) Stacking spaces shall be a minimum of ten feet by 20 feet in size.
- 5.) Stacking spaces may not impede on- or off-site traffic movements or movements in or out of off-street parking spaces.
- 6.) Stacking spaces shall be separated from other internal driveways by surface markings. Raised medians may be required where deemed necessary by the PZC for the purpose of traffic movement and safety.

(6) Loading Space Requirements

(A) Applicability

All nonresidential uses with structures with a gross floor area in excess of 8,000 square feet shall be subject to the off-street loading requirements of this section.

(B) Number of Off-Street Loading Spaces Required

Off-street loading spaces shall be provided in accordance with the schedule set forth in Table 1229-3, Off-Street Loading Requirements and shall not conflict or overlap with any areas used for parking.

<i>Gross Floor Area of Structure (Square Feet)</i>	<i>Number of Required Loading Spaces</i>
0-8,000	0
8,001-50,000	1
50,001-100,000	2
100,001-200,000	3
200,001-400,000	4
Each additional 200,000	1

(C) General Design Standards

Every loading space shall be designed, constructed, and maintained in accordance with the standards and requirements set forth below:

- 1.) Loading spaces shall be located on the same lot as the building or structure to which they are accessory. No loading space shall be located in any required front yard, nor shall it permit any vehicle to extend into any front yard or across any lot lines of a more restrictive district while the vehicle is being loaded or unloaded.
- 2.) Loading facilities for receipt or shipping of equipment, material, or waste shall be located on rear or side facades of a building which are not visible from a public street or from an existing or planned residential area.
- 3.) No required loading space shall be less than 12 feet in width or 40 feet in length or have a vertical clearance of less than 14 feet.
- 4.) Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with traffic movement and parking lot circulation. The Zoning Division shall approve access to and from loading spaces.
- 5.) Loading areas shall not create additional curb cuts unless approved by the PZC.
- 6.) All loading areas shall be clearly marked and distinguishable from parking spaces.
- 7.) No part of any truck or van that is being loaded or unloaded may extend into the right-of-way of a public thoroughfare.
- 8.) Loading spaces shall be designed with sufficient apron area to accommodate truck-turning movements and to prevent backing of trucks onto any street right-of-way.

(7) Design of Vehicular Use Areas

All vehicular use areas, including off-street parking, loading, and stacking areas, shall meet the following provisions unless otherwise provided for in this Code.

(A) General Guidelines for Vehicular Use Areas

- 1.) Parking facilities shall be designed for storage of customer and employee vehicles in a manner suited to the nature of the use and its vehicular impacts, including the number and frequency of visits, length of visits, and vehicle types.
- 2.) Parking facilities shall be designed with adequate locations for storage of plowed snow.

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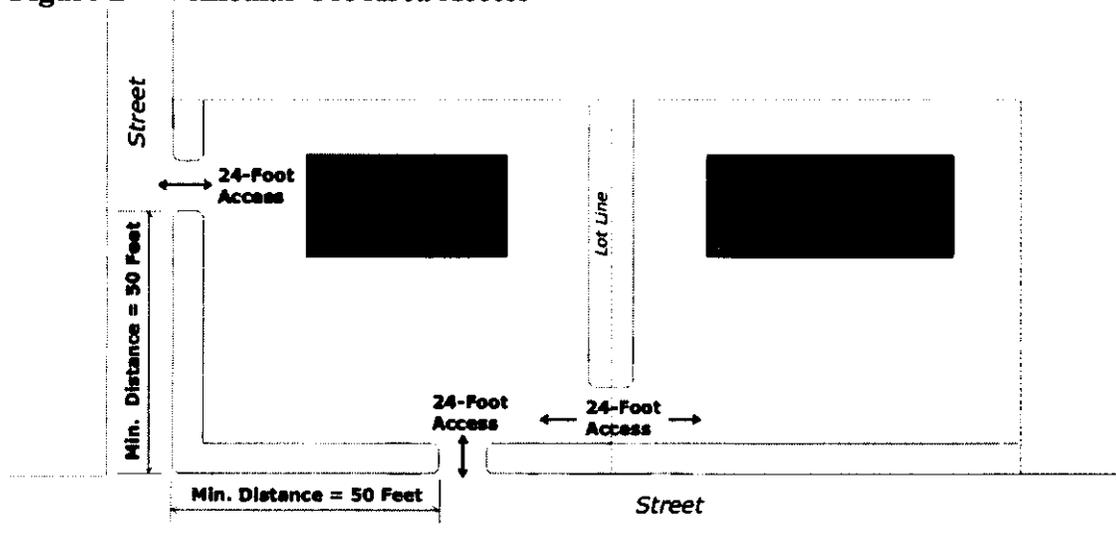
- 3.) Parking facilities shall be designed to facilitate cleaning of pavement and to minimize locations where litter and other waste collects.
- 4.) Parking facilities shall be designed to comply with all specific standards and guidelines of this Code, but applicants shall seek to minimize the amount of pavement required to comply, and no provision of this Code shall be interpreted to require the construction of paved areas not deemed necessary by the PZC for the functioning of the use and its parking facility.
- 5.) Parking facilities shall be equipped with waste containers sufficient in location, type, and volume for customer use.
- 6.) Parking and loading areas shall be lighted to allow for safe movement of both vehicular and pedestrian traffic.
- 7.) Where parking is not provided near the main entrance of a building, space(s) shall be provided for drop off/pick up of a person with mobility limitations. Special attention to this need shall be given where frequent drop offs/pick ups are likely, such as medical facilities and restaurants. Such drop off/pick up sites may be located in drives, provided that they do not unduly interfere with movement into or out of the site from the street.
- 8.) Buildings and uses which involve frequent loading of bulky merchandise by customers (for example, grocery stores or building supply stores), shall provide adequate drive up loading spaces and corrals for the collection of any shopping carts. The location and design of cart corrals shall be as approved by the PZC.
- 9.) Site elements shall be designed to provide safe and speedy access for police, fire, and emergency medical service.

(B) Location and Setback Requirements

- 1.) Vehicular use areas shall be located on the same lot as the principal use they serve unless the spaces meet the requirements of Subsection 1229.05 (8) (C).
- 2.) Vehicular use areas shall be located, to the maximum extent feasible, in the rear or on the side of buildings.
- 3.) Location of Off-Street Residential Parking Spaces
 - a.) For any residential use or parcel, off-street parking shall be prohibited in the front yard with the exception of driveways providing access from the street to the parking area.
 - b.) Within ten feet of the right-of-way, the maximum width of the driveway for a single-family or two-family use shall be 24 feet.

- 4.) No part of a vehicular use area designed for five vehicles or more shall be closer than five feet from the side and rear lot line of any lot in a non-residential district unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district. All setback areas shall be landscaped with grass and planting areas and shall be well maintained.
- 5.) Vehicular use areas shall be set back from the edge of buildings to provide for sidewalk and landscape treatments in front of the building.
- 6.) There shall be a minimum ten-foot front yard buffer area beginning at the right-of-way line of any street. The area within such buffer yard shall be landscaped in accordance with Section 1229.07 (6) and maintained in good condition.
- 7.) All vehicular use areas for five vehicles or more shall be screened on any side that adjoins or faces a property in any residential district. Such screening shall consist of a solid masonry wall or solid fence of not less than four and not more than six feet in height. A tight screen of hardy evergreen shrubbery of not less than four feet in height may be used as an alternative to the solid masonry wall or solid fence. For uses or properties subject to Section 1229.07: Landscaping and Screening, the more restrictive landscaping, screening, or buffering shall apply.
- 8.) No entrance to or exit from a vehicular use areas designed for five vehicles or more shall be closer than 50 feet to the right-of-way line of intersecting public streets or signalized intersection. See Figure B.

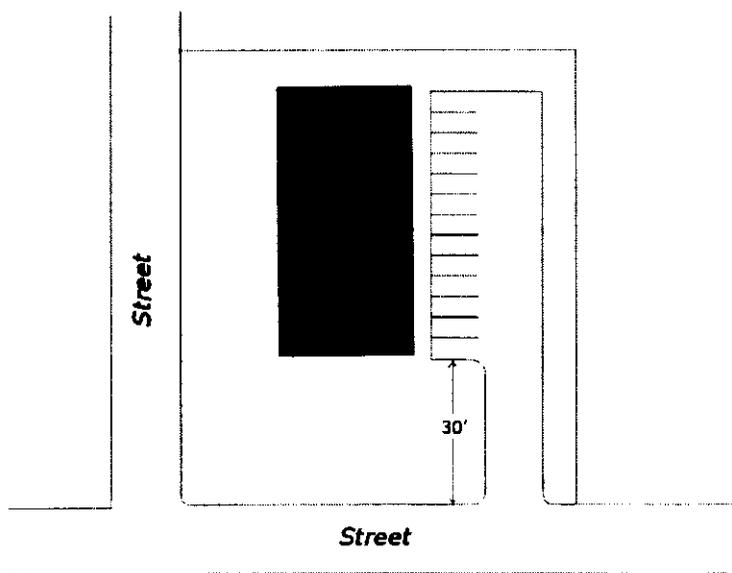
Figure B – Vehicular Use Area Access



(C) Access

- 1.) Adequate access to a public street, easement, or shared access to an adjacent property shall be provided for each parking space with a driveway width of at least 24 feet, but no wider than 40 feet, at the property line for all multi-family dwellings and nonresidential uses. See Figure B.
- 2.) All parking spaces shall be entered and exited along parking aisles arranged perpendicular to access drives or aisles to the maximum extent feasible. Parking spaces shall not be located along entry drives within 30 feet of the right-of-way (See Figure C). This distance may be reduced to ten feet for access from a secondary street when the lot is a corner lot with access to two public streets.

Figure C – Parking Area Access



- 3.) Driveways shall be located so loading and unloading activities will not hinder vehicular ingress and egress.
- 4.) To the maximum extent feasible, all uses shall provide paved, concrete, or paved pedestrian linkages to existing trail systems, parks, schools, adjacent developments, and mass transit stations or stops. Such pedestrian linkages shall be a minimum of five feet in width.
- 5.) To the maximum extent feasible, provisions for primary access along secondary streets shall be provided to minimize traffic congestion on primary arterial streets.

- 6.) Lots having 250 feet or less of public street frontage shall be permitted one, two-way access drive or a pair of one-way drives.
- 7.) Lots having more than 250 feet of public street frontage shall be permitted two, two-way access drives or a pair of one-way drives. The minimum spacing shall be determined by the layout of the project, subject to site plan review.
- 8.) Shared access may be provided, and is encouraged, provided that a legal shared access agreement is submitted and approved by the City Law Director that provides for the rights of the respective parties to use the shared access drives. This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the access will be properly maintained during the life of the development.

(D) Design Standards

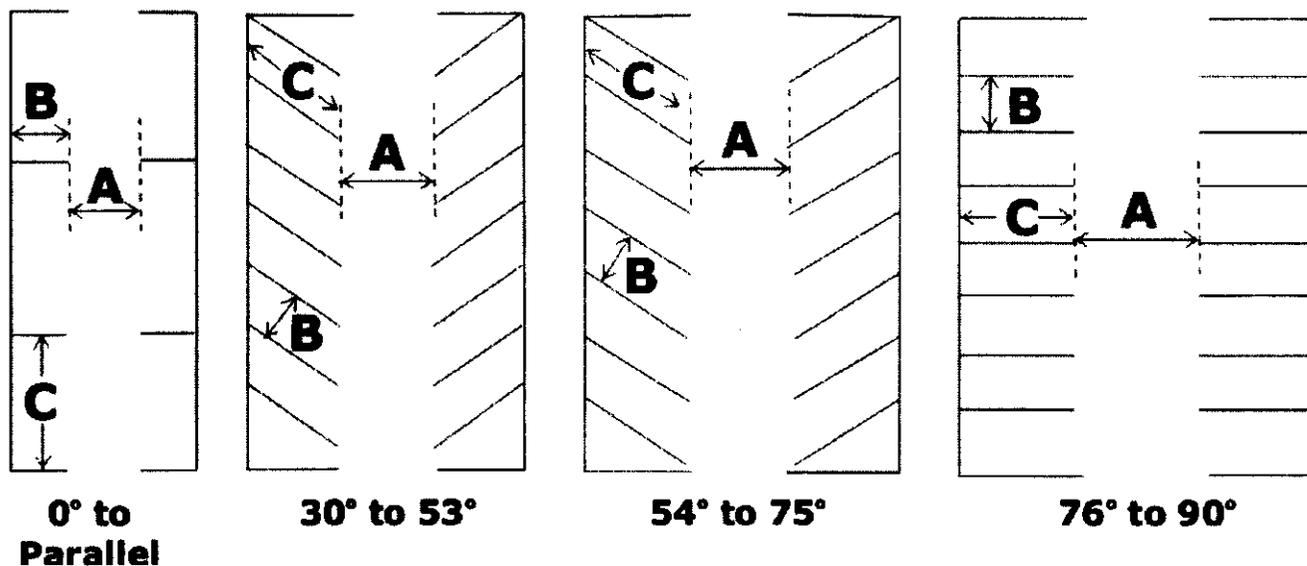
1.) Dimensions

The minimum size of a parking space may be altered based on aisle width and angle of parking. Parking stalls shall conform to the minimum standards set forth in Table 1229-4 and Figure D.

- 2.) PZC may approve parking stall lengths of 18' provided adequate (2') overhead is provided.

Angle Parking (Degrees)	One-Way Maneuvering Aisle Width (Feet) "A"	Two-Way Maneuvering Aisle Width (Feet) "A"	Stall Length (Feet) "B"	Stall Length (Feet) "C"
0 – Parallel	12	20	10	24
30 – 53	13	20	10	20
54 – 75	18	22	10	20
76 – 90	22	22	10	20

Figure D: Parking Area Dimension Illustrations



3.) Maneuverability Areas

The following provisions shall be followed to maintain efficient maneuverability:

- a.) Turn Around Area. Where more than three parking spaces are served by a single driveway, a turn around area shall be provided, or other provisions made, to permit cars to exit the parking lot without backing onto any street or sidewalk. See maneuvering aisle widths in Figure C and D.
- b.) Back-Up Area. Each parking space shall be provided with a sufficient back-up area so as to permit egress in one maneuver, consisting of one backward and forward movement. See maneuvering aisle widths in Figure E.

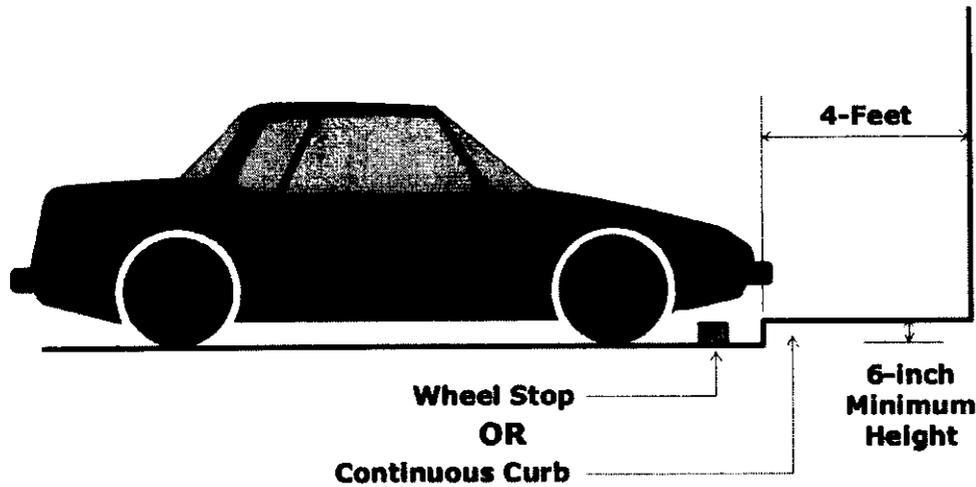
4.) Surface

- a.) All vehicular use areas shall be constructed of hard-surfaced bituminous concrete or asphalt, free from dust and so drained that surface waters therefrom are not permitted to discharge over or onto public sidewalks, roadways or other premises.
- b.) Exceptions to paragraph (a) above shall be that:
 - i.) Off-street parking areas, driveways, and aisles for residential uses on lots larger than one acre in area; and
 - ii.) Pavers that allow for grass to grow through them may be permitted as part of a permitted landbanked parking area as described in Subsection 1229.05 (8)(A).

5.) Continuous Curbs

- a.) Continuous curbs shall be made of asphalt, concrete, stone or other similar material and shall have a minimum height of six inches and a minimum width of six inches. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and maneuverability areas that are not protected by wheel stops. Exceptions may be made where a curb cut provides for drainage or stormwater management. See Figure E.
- b.) Continuous curbs shall be required along all parking areas facing a street right-of-way.
- c.) Continuous curbs shall be required to surround parking areas in all business districts for parking lots with 20 or more parking spaces.
- d.) Wheel stops shall not be used when a continuous curb is provided.

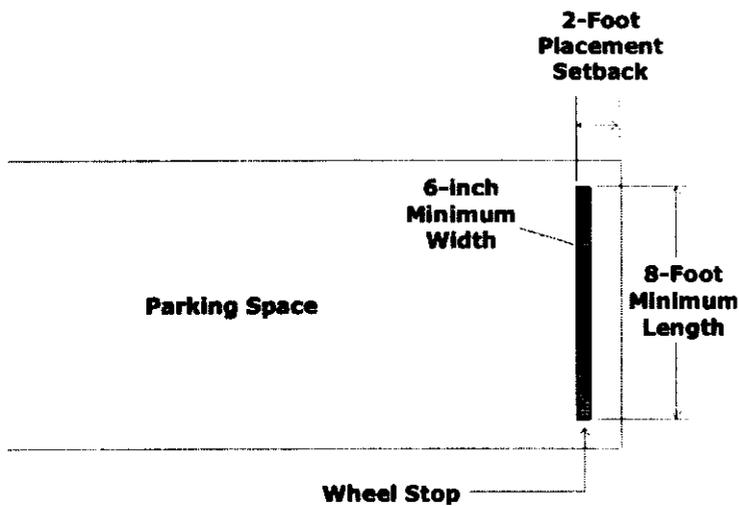
Figure E – Wheel Stop or Continuous Curb Placement



6.) Wheel Stops

Each wheel stop shall be a singular block of reinforced concrete, stone or other durable material with a minimum height of six inches, a minimum width of six inches and a minimum length of eight feet. Wheel stops are to be securely attached to the ground and may be used only at the end of parking stalls. Wheel stops may be attached up to two feet from the rear edge of the parking space. See Figure F.

Figure F – Wheel Stop Placement



7.) Placement

Wheel stops and/or continuous curbs shall be located a minimum of four feet from any structures, buildings, walls, or plant material to prevent a vehicle from driving onto the landscaped area or hitting any structure or plant material at the edge of a parking area with the exception of where the area is an open grass area with no landscaping. See Figure E.

8.) Striping

- a.) The individual parking spaces (stalls) shall be striped according to the approved layout of the parking area.
- b.) Striping shall be maintained in a clearly visible condition.

(E) Parking Requirements for Physically Disabled

Applicants shall provide parking spaces for the physically disabled as required by the Ohio Basic Building Code and shall include all necessary markings, striping, and signage.

(F) Walkway Connections to Public Sidewalks

- 1.) Where a sidewalk exists in a public right-of-way adjacent to the site, or is required to be constructed as part of the development approval, a pedestrian connection shall be constructed from the building to the sidewalk.
- 2.) The pedestrian connections shall be constructed of asphalt, concrete, or of hard surface pavers.
- 3.) The pedestrian connection may be created as part of a driveway provided that it is delineated with a minimum of a painted line and the portion utilized for vehicular traffic is not reduced from the minimum width requirements.
- 4.) The pedestrian connection shall have a minimum width of three feet.

(G) Fire Code

All parking and loading plans shall conform to all requirements set forth in the fire code as adopted by the City and as approved by the City of Green Fire Division.

(H) Maintenance of Vehicular Use Areas

All vehicular use areas shall be provided with satisfactory access to a street, easement, shared access road, or alley by means of a solid and dust free driveway that meets the requirements of this section. All vehicular use areas shall be developed and maintained in accordance with the provisions of this Section.

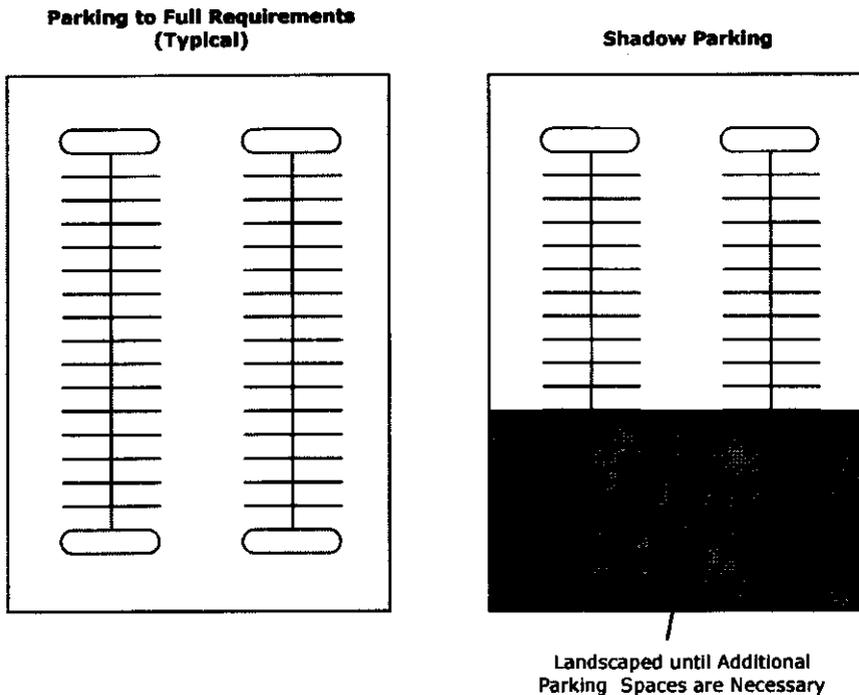
(8) Alternative Parking

The following are permitted methods of accommodating parking as an alternative to constructing the required number of parking spaces on an individual lot.

(A) Landbanked Parking

A portion of the required parking spaces may remain landscaped and unpaved or paved with pervious pavers provided that the parking and unpaved areas complies with the following standards and is authorized by the PZC. See Figure G.

Figure G – Landbanked Parking



- 1.) The site plan shall denote the location and layout of that portion of the parking area that currently is deemed unrequired. The plan shall indicate that the “landbanked” parking spaces will be constructed according to this Code in the event that the Planning Department determines at any time that all or any portion of this parking is necessary.
- 2.) At no time shall any portion of the required parking area that is so designated for future construction be used for the construction of any structure or paved surface with the exception that pervious pavers may be used to provide temporary parking provided that

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the pavers allow for grass and other vegetation to grow through the material.

- 3.) At no time shall any portion of the required parking or loading that is so designated for future construction as provided herein be counted as open space or other non-paved areas required by other provisions of this Code.
- 4.) The owner shall initiate construction of the approved "future" parking area(s), as identified on the approved site plan, within three months of the receipt of a certified letter or a letter through normal postal service (in the event that the certified letter is not accepted) sent to the owner of record from the Planning Department identifying that such parking is determined to be necessary.

(B) Shared Parking

A portion of the required parking spaces may be located on an adjacent property if the parking area complies with the following standards and is authorized by the PZC.

- 1.) Shared parking is encouraged and permitted if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.
- 2.) Shared parking shall not account for more than 25% of the required parking spaces as established in Table 1229-1.
- 3.) The applicant shall have the burden of proof for reduction of the total number of parking spaces and shall document and submit information substantiating their request. Shared parking may be approved if:
 - a.) A sufficient number of spaces are provided to meet the highest demand of the participating uses;
 - b.) The uses are located adjacent to each other;
 - c.) Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the Zoning Division, documenting the nature of uses and the times when the individual uses will operate so as to demonstrate the lack of potential conflict between them.
 - d.) The shared parking spaces will not be located in excess of 200 feet from the uses they are intended to serve;
 - e.) A legal shared parking agreement is submitted and approved by the City Law Director which provides for the rights of the respective parties to use the shared parking areas in a manner adequate to accommodate multiple users or that parking spaces will be shared at specific times of the day (i.e., one activity

uses the spaces during daytime hours and another activity use the spaces during evening hours). This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development. L

- f.) The approved shared parking agreement shall be filed with the application for a Zoning Permit and shall be filed with the Summit County Fiscal Officer and recorded in a manner as to encumber all properties involved in the shared parking agreement.
- g.) No Zoning Permit will be issued until proof of recordation of the agreement is provided to the Zoning Division.

(C) Off-Site Parking

Off-site parking is not encouraged, however, a portion of the required parking spaces may be located on a separate lot from the lot on which the principal use is located if the off-site parking complies with the following standards and is authorized by the PZC.

- 1.) Off-site parking shall be reviewed as a conditional use by the PZC.
- 2.) Off-site parking shall not be used to satisfy the off-street parking standards for residential uses, hospitals, bars (if not incidental to a restaurant), or convenience stores and other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located in an off-site parking facility. L
- 3.) No off-site parking space shall be located more than 500 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
- 4.) Off-site parking shall not be permitted on a vacant lot in a residential zoning district unless permitted by PZC.
- 5.) The off-site parking that is proposed to be used shall exist prior to the agreement and shall be associated with an existing use.
- 6.) Off-site parking areas shall adhere to the regulations of the same or a more intensive zoning classification than that required for the use served.
- 7.) In the event that an off-site parking area is not under the same ownership as the principal use served, a written off-site parking agreement shall be required.
- 8.) An off-site parking agreement shall be submitted and approved as to form by the City Law Director. This agreement shall include provisions, evidence of deed restrictions or other recorded L

covenants that ensure that the spaces will be properly maintained during the life of the development.

- 9.) The off-site parking agreement approved by the City Law Director shall be filed with the application for a Zoning Permit and shall be recorded as a deed restriction or covenant in a manner as to encumber all properties involved in the off-site parking agreement.
- 10.) Final inspection to authorize occupancy shall not be granted until proof of recordation of the agreement is provided to the Zoning Division.
- 11.) Off-site parking shall be used and maintained solely for parking as long as the use, as recorded and approved, exists. The off-site parking agreement may be terminated when the additional site is no longer necessary, there is a change of use, or the approved conditions are no longer applicable.

(9) Storage of House Trailers, Recreational Vehicles, Campers and Boats

- (A) A house trailer, recreational vehicle, camper or boat, **provided it is portable**, may be stored on a zoning lot, provided that such structure is located in the **rear and/or** side yard no less than **ten** feet from the rear and side lot lines on a **hard surface** and provided that such structure has no connections to any electrical, telephone, water, gas or fuel oil source.
- (B) A house trailer, recreational vehicle, camper or boat shall not be used as a dwelling, office or other business structure, or for storage of any material, except as may be permitted in this section as a temporary construction trailer.
- (C) In a residential district, no more than one vehicle trailer or boat exceeding twenty feet in length shall be stored **outdoors** on a lot.

(10) Commercial Vehicles in Residential Districts

No commercial vehicle shall be permitted on a lot in any residential district, except that an occupant shall be permitted to park one truck not exceeding three-fourths of a ton capacity that is used in connection with said occupant's livelihood, provided that such truck is wholly enclosed within a garage.

1229.06 Signs

(1) Purpose

- (A) The purpose of this section is to promote the general health, safety and welfare of the residents of the City and maintain high property values by:
 - 1.) Providing reasonable, yet appropriate, conditions for identifying businesses or services rendered in nonresidential zoning districts;

- 2.) Controlling the size, location, and design of permanent signs so that the appearance of such signs will be aesthetically harmonious with their surroundings;
 - 3.) Eliminating any conflict that would be hazardous between business or identification signs and traffic control signs and devices;
 - 4.) Ensuring that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment; and
 - 5.) Reducing sign clutter.
- (B) In establishing the objectives in division (A) of this section, the City has determined that, without adequate regulation and design standards, signs are a nuisance. The number of signs in the City is excessive and unduly distracting to motorists and pedestrians, creates a traffic hazard and, in some places, reduces the effectiveness of signs needed to direct the public. As the appearance of the City is marred by the excessive number, oversized and poorly designed signs, both business and residential property values are adversely affected. Therefore, the number of such distracting signs ought to be reduced and signs permitted shall conform to the standards of this Code in order to reduce these effects. All signs not conforming with the provisions of this section are declared a nuisance. It is further declared that the regulations contained in this section are the minimum regulations necessary to abate the nuisance(s) and to achieve the purposes of this Code.

(2) Applicability

A zoning permit is required to erect any sign (except as otherwise provided in this subsection), and no permit shall be issued until such signs have been reviewed according to the following:

- (A) The PZC shall have the responsibility to review and make decisions on free-standing signs.
- (B) The Zoning Division shall have the responsibility to review and make decisions on attached signs, directional signs, and temporary signs.
- (C) The Zoning Division shall authorize the issuance of a permit for such sign when the Zoning Division determines that the sign complies with all provisions of this section. The Zoning Division may refer the decision on any of the above signs to the PZC for consideration if the Zoning Division determines that the sign, as proposed, is more appropriately the responsibility of the PZC.
- (D) For multi-tenant buildings in Business or Industrial Districts, and for individual buildings located in business and industrial parks, the PZC may approve with the development plans for new buildings, or at the time a specific sign request is made for a tenant identification sign in an existing

building, basic sign parameters as to the location, size and style of each tenant sign, and authorize the Zoning Division to specifically approve the subsequent individual tenant signs upon specific application when such proposed signs comply with the parameters established by the ~~this code~~.

(3) Calculating Sign Area and Height

(A) Sign Area

- 1.) For a sign that is framed, outlined, painted and otherwise prepared and intended to provide a background for a sign display, the area dimensions shall include the entire portion within such background or frame.
- 2.) For a sign comprised of individual letters, figures or elements on a wall or similar surface, or an irregularly shaped free-standing sign, the area of the sign shall encompass a regular geometric shape, or a combination of regular geometric shapes, which forms or approximates the perimeter of all the elements in the display. When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be calculated by determining the geometric form, or combination of forms, which comprises all the display area, including the space between the elements.
- 3.) The sign area shall include the frame, but shall not include the pole or other structural support unless such pole or structural support is illuminated or otherwise so designated to constitute a display surface or device.

(B) Clearance from Electrical Lines

Signs shall maintain a minimum horizontal clearance of eight feet in addition to the fall radius and a vertical clearance of at least eight feet from electrical lines and in accordance with the provisions of the National Electrical Code, as revised.

(C) Double-Faced Signs

- 1.) A freestanding sign shall have no more than two display surfaces.
- 2.) Display surfaces may be arranged back-to-back and parallel to each other or in a "V" shape.
- 3.) A "V"-shaped sign is permitted, provided that it does not exceed ten feet in height from the average grade, it has identical display surfaces in terms of size, color and copy and its display surfaces do not exceed a ninety-degree angle to each other.

(D) Height for Freestanding Signs

The height of a sign shall be measured from the average grade under the sign to the top of the highest element of the sign or support structure.

(E) Determination of Building and Tenant Frontage

The length of the building or unit of the building which faces the principal street, or the length of the wall of the building or unit which contains the main entrance to the uses therein, shall be considered the building frontage. In the case of an irregular wall surface, a straight line extended along such wall surface shall be used to measure the length. Only one exterior wall of any business shall be considered its frontage. The portion of a building which is owned or leased by a single tenant shall be considered a building unit. The length of a unit is that portion of the building so occupied by a single activity and calculated proportionally in the same manner as the building frontage.

(4) General Sign Standards

In addition to ensuring compliance with the numerical standards of this section, the PZC, when approving signs, shall consider the proposed general design, arrangement, texture, material, colors, lighting, placement and appropriateness of the proposed sign in relationship to other signs and other structures, both on the premises and in the surrounding area, and approve only signs which are consistent with the intent, purposes, standards and criteria of this section. Specific standards for determining the appropriateness of the sign shall include, but not be limited to, the following:

- (A) The size, style and location of the sign shall be appropriate to the activity of the site as prescribed elsewhere in this Code.
- (B) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture.
- (C) A sign should be constructed with a minimum of different types of material so as to provide a consistent overall appearance.
- (D) All signs shall be made, constructed and erected in a professional and workmanlike manner and with materials which are durable for the intended life of the sign.
- (E) Signs shall be placed at the grade approved by the PZC.

(F) Signs in the Right-of-Way; Obstructing Vision or Traffic

- 1.) No signs shall be placed in any public right-of-way except publicly owned signs, such as traffic control signs, City identification signs, and directional signage as permitted in this section.

- 2.) No sign or other advertising structure as regulated by this section shall be erected:
 - a.) At the intersection of streets in such a manner as to obstruct free and clear vision; or
 - b.) At any location where, by reason of the position, shape or color, it may interfere with traffic, obstruct the view of traffic, or be confused with the use of words such as "stop," "danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.

(G) Illumination

The light from any illuminated sign or from any light source shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing residential districts, or adversely affect the safe vision and operation of vehicles moving on public or private roads, highways, or parking areas. Light shall not directly shine or reflect on or into residential structures.

(H) Message Changes

- 1.) Changeable copy may be included as part of the sign message. Changeable copy may be in the form of manually-operated reader boards or electronic message centers. The maximum height limit shall be twelve inches on electronic message copy, and a limit of 50 percent of the total signage may be used for changeable copy with manually-operated copy. All free-standing signage featuring electronic message centers shall be ground-mounted with a maximum height of ten feet, not to exceed 30 square feet per sign face (including the message portion). Such signage may be expanded to a maximum of 50 square feet per sign face when located on a corner or large lot pursuant to Section 1229.06(8)(B)(6).
- 2.) Electronic message centers shall be legible and shall not move or flash in such a manner (i.e. in speed or intensity) so as to be a distraction or disturbance to passing pedestrians or motorists or to adjacent residential districts.
- 3.) Applicants should consider providing a certain percentage of time to be allotted to community/civic related messages.
- 4.) Electronic message centers are not permitted as stand-alone entities and must be incorporated with a free-standing identification sign.
- 5.) Electronic message centers with commercial messages shall be limited to sign copy only (**text only**) and shall not include any

graphics unless it is completely stationary and does not move or change.

- 6.) No moving or flashing parts are permitted on any sign within the City.

(I) Address Signs

All proposed free-standing identification signs shall incorporate the site or building address number, in a legible manner, to assist the general public and emergency response personnel. The area of such address number shall not be calculated toward the total permitted sign face area of the sign.

(J) Required Landscape Area for Signs

- 1.) Unless otherwise provided in this section, all permanent freestanding signs shall be located in a landscaped area with a minimum area equal to the total sign area.
- 2.) The landscape area for permanent freestanding signs shall consist of shrubs, flowers, and/or ground cover. This area shall be in addition to any landscape or screening areas required in Section 1229.07.

(5) Prohibited Signs

The following types of signs are prohibited in all districts:

(A) Abandoned Signs

- 1.) Any sign existing that no longer advertises a bona fide business conducted on the premises or a product sold on the premises for a period of six months shall be deemed abandoned.
- 2.) Such a sign shall be removed by the owner, agent, or person having the beneficial use of the building or structure within 30 days after notification to the owner from the Zoning Division.
- 3.) All signs shall be in conformance with Section 1229.06 (10) regarding the maintenance of all signs.

(B) No sign shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners, or other similar moving devices for the purpose of advertising or attracting attention for commercial or advertising purposes except where otherwise permitted in this Section;

(C) Air activated graphics or balloons used for commercial or advertising reasons shall not be permitted except where otherwise permitted in this section;

(D) No persons shall erect any additional attractions devices or objects, or continue in the operation of such signs for the purpose or result of which is to attract attention to a business or business services and/or which serves to

- divert the attention of the public whether such devices or objects are stationary, mobile, or otherwise revolve, rotate, or move;
- (E) Signs shall not be placed on vehicles or trailers that are parked or located for the primary purpose of displaying such signs. This does not apply to portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business;
 - (F) Signs imitating or resembling official traffic or governmental signs or signals;
 - (G) No person shall display upon any sign or other advertising structure any obscene, indecent, or immoral matter;
 - (H) Signs that consist of lights that revolve or flash are prohibited in all districts with the exception of electronic information signs;
 - (I) Bench signs;
 - (J) Snipe signs;
 - (K) Graffiti;
 - (L) Roof signs;
 - (M) Off-premises sign.

(6) Signs Not Requiring a Zoning Permit

The following sign types shall be exempted from zoning permit requirements but shall be in conformance with all other requirements of this section:

- (A) State, Federal, institutional, or other patriotic flags.
- (B) Any sign authorized by a governmental agency may be installed as provided by applicable law;
- (C) One non-illuminated nameplate in a residential zoning district, or planned residential district, with a maximum sign area of 2 square feet
- (D) Commemorative plaques placed by recognized historical or park agencies;
- (E) Mailbox identification when such is an integral part of such mailbox;
- (F) Warning signs including "no hunting," "no trespassing," "keep off grass," "no dumping," or signs of a similar nature provided that they do not exceed four square feet in area.
- (G) Garage sale signs (which term shall include the terms "yard sale," "porch sale," "house sale," "toy sale" or similar terms) in a house, garage or yard provided:
 - 1.) There is a maximum of two signs on the property holding the sale;
 - 2.) The signs shall not be displayed more than two days in advance of the sale;
 - 3.) All signs must be removed on the last day of the sale; and
 - 4.) The signs shall not be placed in the public right of way or on utility poles.

(7) Signs Permitted in Residential Zoning Districts

The following signs may be permitted in an R-R, R-1, R-2, or for residential uses in a PD District.

(A) Permanent Signs

Permanent ground-mounted signs for a subdivision, multi-family dwelling development, public/institutional use, or commercial enterprise permitted in a residential zoning district (bed and breakfast, kennel, riding stable, etc.) provided that the sign meets the following requirements:

- 1.) The sign(s) must be reviewed and approved by the PZC through the site plan review process.
- 2.) One permanent free-standing sign may be permitted at each entrance to the subdivision, development, or use unless otherwise approved by the PZC.
- 3.) The sign shall be a ground mounted sign;
- 4.) The sign shall be set back a minimum 15 feet from the public right-of-way and 20 feet from any adjacent property lines.
- 5.) The sign face does not exceed 20 square feet in area on a single side. The total sign face area may be distributed into two signs at each entrance as approved by the PZC.
- 6.) No such sign or any portion of the structure shall exceed eight feet in height;
- 7.) The sign may only be illuminated through external lighting; and
- 8.) The applicant obtains a zoning permit for the sign after PZC approval.
- 9.) Additional signs may be authorized by the PZC through the subdivision review process or as part of a planned development.
- 10.) For multi-family dwelling developments or institutional uses, the PZC may approve greater sign areas than specified above if it determines that, because of the large size of the facility or its site, the proposed larger sign will be consistent with the objectives, intent and criteria of this section.

(B) Temporary Signs

1.) Temporary Signs Not Requiring a Permit

Up to two temporary signs may be permitted at any given time on any one parcel. These temporary signs may be displayed for an unspecified amount of time provided:

- a.) These signs do not contain any commercial messages except for the sale or leasing of the property on which the sign is located;
- b.) The temporary signs shall not exceed 6 square feet in sign area;
- c.) The signs shall be set back a minimum of 30 feet from the right-of-way and 20 feet from all lot lines; and
- d.) The signs so not exceed four feet in height.

2.) Temporary Signs in Residential Districts

Temporary signs may be permitted with a zoning permit.

- a.) One temporary sign may be displayed on a vacant site or for a project that is under development provided that the sign area does not exceed 32 square feet in area for a new subdivision or 20 square feet for development on a single-family lot. Such signs shall be removed within 30 days of the completion of the development or construction project.
- b.) One temporary sign may be displayed on site used for public or institutional uses under the following provisions:
 - i.) The temporary sign shall be displayed for not more than 30 days per zoning permit, and not to exceed 90 days per year
 - ii.) There shall be a limit of one sign per parcel and such sign shall not exceed 32 square feet per side with a maximum of two sides;
 - iii.) The sign shall not be illuminated unless authorized by the BZA through the variance process;

(8) Signs Permitted in Nonresidential Zoning Districts

The following signs may be permitted in all zoning districts except the R-R, R-1, and R-2 Districts and except for residential uses in the PD Districts.

(A) Maximum Area of All Permanent Signs

- 1.) The maximum sign area for all permanent signs in a nonresidential district shall be equal to two square feet per each lineal foot of building or tenant frontage.
- 2.) The maximum area for all permanent signs shall include the sum of the areas of all free-standing (ground or pole mounted) signs, directional signage, and attached signage provided that window signs that occupy less than ten percent of the window area shall be exempt from this calculation.

3.) Additional Allowances in Business and Industrial Districts

- a.) For any use which is on a corner lot or has a customer entrance facing a parking lot (when such parking lot does not face the main street), the maximum allowable area for signs may be increased for each such additional frontage.

- b.) The increase for each such frontage shall be equal to 40 percent of the allowable sign area if the additional frontage is considered the principal frontage. However, no sign area on any bonus frontage shall exceed one square foot per linear foot of frontage.

(B) Free-Standing Identification Signs

- 1.) Free-standing signs are only permitted when the principal building is set back from the street right of way a minimum of 25 feet and the parcel has a minimum lot frontage of 100 feet.
- 2.) One free-standing sign with a maximum area of 40 square feet per sign face, or 30 square feet per sign face if "V"-shaped, is permitted per project or development. The free-standing signs can be ground-mounted or pole-mounted.
- 3.) The maximum height of all free-standing signs shall be 16 feet.
- 4.) Bonus for Free-standing Signs on Large Lots
 - a.) The allowable area of any free-standing sign may be increased by ten square feet of sign area for every 100 lineal feet of lot frontage, or fraction thereof, greater than 300 lineal feet.
 - b.) The total allowable sign area of free-standing signs, according to the provisions of this section, may be distributed to one free-standing sign for each 250 feet of the lot frontage, or fraction thereof.
 - c.) The maximum area of a single free-standing sign shall, however, in no case exceed sixty square feet per sign face.
 - d.) Notwithstanding the provisions of this section, the total allowable sign area for all signs shall comply with Section 1229.06 (8)(A) above.
- 5.) No portion of any free-standing sign shall be closer to the street right of way than a distance equal to the height of the sign or ten feet, whichever is greater. A free-standing sign shall also be a minimum of 90 feet from any residential zoning district and a minimum of ten feet from any side property line.
- 6.) One additional free-standing sign may be permitted for a corner lot, provided:
 - a.) The corner lot has a total frontage, on both street frontages, of at least 300 feet;
 - b.) The second free-standing sign is clearly located to provide identification along the secondary street;
 - c.) The total area of both free-standing signs shall not exceed 70 square feet;

- d.) Two signs may only be utilized when spaced a minimum of 200 feet apart as measured along the street right of way; and
 - e.) The two signs may be aggregated into a single sign at the corner, provided that the area of the single free-standing sign face shall not exceed 60 square feet if arranged back-to-back, and 50 square feet if arranged in a "V"-shape.
- 7.) All free-standing signage featuring electronic message centers shall be ground-mounted with a maximum height of ten feet, not to exceed 30 square feet per sign face (including the message portion). Such signage may be expanded to a maximum of 50 square feet per sign face when located on a corner or large lot pursuant to Sections 1229.06 (8)(A)(3) or 1229.06 (8)(B)(4).
 - 8.) When a free-standing sign is permitted on a site with more than one tenant, it is the property owner's responsibility to determine if the allowable area shall be devoted to the identification of the building or the project, be a directory for a select group of tenants, or all tenants, in the project, or be for project identification or a tenant directory in combination.

(C) Directional Signage

Directional signage shall be permitted as follows:

- 1.) Directional signage shall be permanent and ground-mounted with a maximum height of three feet;
- 2.) The sign may be located within 10 feet of the intersection of a public street and a private driveway or within a vehicular use area but not within the right-of-way;
- 3.) The signs may not exceed 4 square feet in area.

(D) Attached Signage

- 1.) Attached signage shall include all types of signage that are attached to the principal building including wall signs, window signs (over the ten percent allowed by Section 1229.06 (8)(A)(2)), projecting signs, fascia signs, awning signs, canopy signs, and marquee signs.
- 2.) Awnings, canopies, fascia, or marquees shall be designated as permanent parts of the building and shall meet all of the requirements of all applicable building and electrical codes.
- 3.) Attached signs shall not extend more than 18 inches from the building as measured from the face of the building.
- 4.) Projecting signs shall provide a minimum clearance of eight feet when projecting over a sidewalk or other right-of-way.

(E) Temporary Signs in Nonresidential Districts

1.) Temporary Signs Not Requiring a Permit

One temporary sign may be permitted at any given time on any one parcel. This temporary sign may be displayed for an unspecified amount of time provided:

- a.) The sign does not contain any commercial messages except for the sale or leasing of the property on which the sign is located;
- b.) The temporary sign shall not exceed 32 square feet in sign area;
- c.) The sign shall be set back a minimum of 20 feet from the right-of-way and 20 feet from all lot lines;
- d.) The signs shall not exceed 10 feet in height; and
- e.) If the lot is a corner lot, there may be one additional sign on the secondary frontage provided it meets the same standards as identified above and there is a minimum separation of 200 feet as measured along the street right-of-way line.

2.) Temporary Signs Requiring a Zoning Permit

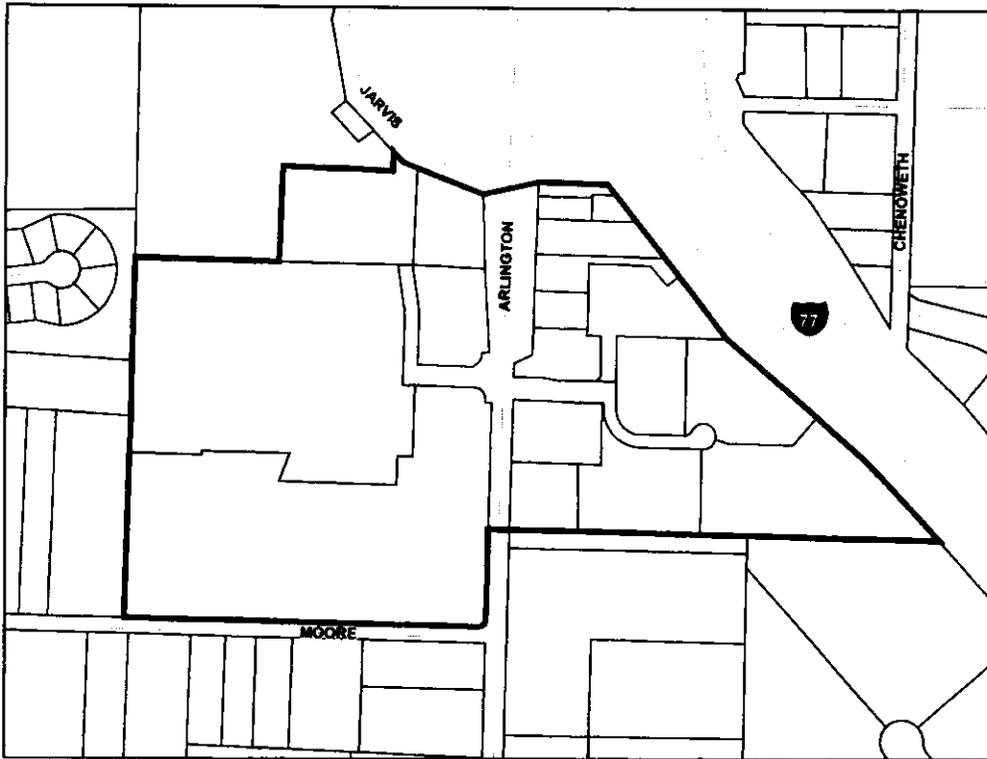
The following temporary signs may be permitted with only after applying for and receiving a zoning permit.

- a.) One temporary sign may be displayed on a vacant site or for a project that is under development provided that the sign area does not exceed 32 square feet in area and 10 feet in height. The sign shall be removed within 30 days of the completion of the development or construction project.
- b.) Temporary promotional signs, banners, pennants or flags (other than institutional, State, Federal or other patriotic flags) intended to promote or advertise special events shall be reviewed by the Zoning Division and may be denied if considered excessive.

(9) Special Sign Districts

- (A) There is herein established a special sign district as illustrated in Figure J.

Figure J – Special Sign District



- (B) Freestanding signs in this special sign district may exceed the sign height provided for in the underlying zoning district but shall in no instance exceed 45 feet in height.
- (C) The maximum sign area shall be 120 square feet, per sign face.
- (D) Signs in the special district shall be setback 15 feet from the right-of-way or property line.
- (E) Electronic message centers shall meet the standards as outlined in this section for electronic message centers, but in no case shall be permitted on freestanding signs intended for highway visibility.

(10) Maintenance

- (A) The owner of the property on which the sign is located is required to maintain the sign in a condition fit for the intended use and in good repair.
- (B) A sign in good repair shall be free of peeling or faded paint, shall not be stained, shall not show uneven soiling or rust streaks, shall not have chipped, cracked, broken or bent letters, panels or framing, shall not otherwise show deterioration, and shall comply with all other applicable maintenance standards of the City.
- (C) If the sign is deemed by the Zoning Division to be in an unsafe condition, such sign shall be considered an unsafe structure, and all applicable codes for the repair and removal of such sign shall be adhered to.
- (D) Whenever any sign, either conforming or nonconforming to this section, is required to be removed for the purpose of repair, relettering or repainting,

the same may be done without a permit or any payment of fees, provided that there is no alteration or enlargement to the structure or the mounting of the sign itself, and that the sign is accessory to a legally permitted or nonconforming use.

(11) Alteration and Removal of Nonconforming Signs

- (A) Consistent with the purposes of this Code, every graphic or other sign in violation of any provision of this section shall only be removed, altered, or replaced so as to conform to the provisions of this section and this Code, and any sign which, on the effective date of this Code, or any amendment thereto, does not comply with the regulations provided in this section and this Code, shall be deemed nonconforming.
- (B) Nonconforming signs shall be removed, and any subsequent modification or replacement (excluding routine maintenance pursuant to Section 1229.06 (10)) shall conform to all requirements of this section:
 - 1.) When more than 50 percent of the value of the sign has been destroyed or been removed;
 - 2.) When the use for which the nonconforming sign is accessory is vacant for 90 consecutive days; or
 - 3.) Following five years from the date of the adoption of this section, or five years from the date of any amendment to this section, which made the sign nonconforming.
- (C) A nonconforming sign shall not be altered, modified or reconstructed other than to comply with this section, except:
 - 1.) When the existing use has new ownership which results in a change of the name of the use or the business on the property;
 - 2.) When the space is reoccupied by a similar use, and the new occupant requires no external building or site renovation; and
 - 3.) When such replacement sign pursuant to subsection 1229.06 (11)(A) or (B) above may be accomplished without any alteration or change to the structure, framing, erection or location of the sign, unless such changes conform to this section.

1229.07 Landscaping and Screening

(1) Purpose

It is the purpose of this section to promote and protect the public health, safety and general welfare by providing for the planting, maintenance, and preservation of trees, shrubs and other plants within the City. The intent of this section is to promote this purpose by:

- (A) Protecting property values and the quality of life;

- (B) Protecting of residents and visitors through proper buffering and screening;
- (C) Mitigating against erosion and sedimentation;
- (D) Enhancing the appearance of public and private areas; and
- (E) Ensuring planting, maintenance, and restoration of vegetation.

(2) Applicability

- (A) This section shall apply to new development and any expansion or change of use that requires landscaping or screening as required by this section.
- (B) Single-family dwellings and two-family dwellings shall be exempt from the provisions of this section.
- (C) Nonconforming Sites and Uses
Whenever an existing nonconforming site or use is subject to site design review, those parts of the site where buffers and screens are required shall be brought into conformance to protect the abutting uses.

(3) Landscaping Materials and Design Standards

(A) Landscaping and Screening Design Guidelines

- 1.) Landscape plans shall be an integral part of the site design, accenting and taking advantage of natural grades, drainage patterns, views, microclimates and other elements of the site and improvements. Landscape plans shall provide screening and buffering of conflicting uses, identification of site and building entries, and direction of movement through the site, in addition to aesthetic enhancement.
- 2.) Landscape plans shall specify a mixture of plant types at various scales and heights, including trees, shrubs, low shrubs, and groundcover. The design and installation of beds for perennials and annual flowers and foliage shall be encouraged.
- 3.) Landscaping areas in parking lots shall be designed with a mixture of trees and shrubs. Planting areas in parking lots and near drives shall be designed to protect plants from damage by vehicles and plowed snow.
- 4.) Site and building entrances shall be accented by landscaping.
- 5.) Use of native plants and hardy, low maintenance plants appropriate to the local climate shall be encouraged.

(B) Responsibility for Installation of Landscaping Materials

Landscaping and screening 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").

(C) Existing Landscape Material

- 1.) Unless otherwise noted, existing landscape material in healthy condition can be used to satisfy the requirements of this section in whole or in part.
- 2.) Where existing vegetation is proposed to be retained as a "natural buffer or screen," or as part of the landscaping, the nature and condition of the existing vegetation shall be shown to be acceptable to the satisfaction of the PZC in terms of hardiness and ability to buffer through all seasons of the year. Supplementing natural buffers with additional landscaping plants, fences, and walls may be required.

(D) Topography, Grading and Drainage

- 1.) Site design which is sensitive to and works with natural grades of the land, in the interest of maintaining the natural appearance of the landforms and minimizing erosion and maintenance costs, shall be encouraged.
- 2.) Sites shall be designed to protect natural watercourses and to minimize siltation and erosion.
- 3.) Stormwater detention and retention facilities shall, wherever feasible, be creatively integrated into the design of a site to reduce the extent of stormwater facilities and to provide aesthetic value and interest.

(E) 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 PZC through the site plan review process.

1.) Walls and Fences

- a.) When walls or fences are used to fulfill screening requirements, they shall be detailed on the site plan. They are to be constructed of weather-proof materials. This includes pressure treating or painting of lumber if it is not redwood or cedar and using aluminum or galvanized hardware. Chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy the screening requirements of this section.
- b.) Walls and fences shall be designed to orient the best, or most aesthetic side, away from the subject lot so the best side faces the adjacent lots.

2.) Plants

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 plants as bare root as well as balled and burlapped or from containers.

a.) 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 section shall be used to create a dense screen.

b.) Evergreen Trees

Evergreen trees shall be a minimum of six feet in height at the time of planting. When used for screening, evergreen plantings shall be planted at a maximum distance of 15 feet on center to provide an effective screen.

c.) Ornamental Trees

Ornamental trees shall have a minimum height of five feet or a minimum caliper of at least 2.5 inches DBH conforming to acceptable nursery industry procedures at the time of planting.

d.) Shrubs and Hedges

Shrubs and hedges shall be at least 36 inches in height at the time of planting. All shrubs and hedges shall be designed to provide an effective screen of at least five feet within a period of four years after planting.

e.) Grass and Ground Cover

i.) Grass shall be planted in species normally grown in permanent lawns in Summit 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 areas 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.

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

f.) Earth Mounds

i.) Earth mounds may be used as a screening requirement, however, differences in natural elevation between areas requiring a screen does not constitute an earth mound. Earth mounds shall be

constructed of earthen materials and shall conform to the following:

- ii.)* Earth mound shall conform with the grading requirements of the City Engineer.
- iii.)* The maximum side slope shall be three horizontal to one vertical (3:1) and the design shall be reviewed by the Zoning Division to ensure that proper erosion control and prevention practices are utilized.
- iv.)* Berms and earth forms shall be designed with physical variations in height and alignment throughout its length.
- v.)* 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.
- vi.)* Berms and earth mounds shall be located and designed to minimize the disturbance of existing trees located on the site or adjacent thereto.
- vii.)* Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.
- viii.)* No mound wastewater treatment system or other similar on-site wastewater treatment system shall count toward the screening requirement.

(F) Easements

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

(4) Screening between Districts

(A) Screening Types

The following screening types are hereby established:

1.) Type A Screen

Type A screens are intended to provide visual screening. A Type A screen is a solid fence or wall with a minimum height of six feet. A fence or wall may be used to create the opaque screen provided that at least 50 percent of the length of the fence or wall along each property line is landscaped on the outside of the fence or wall, or evergreens are used in lieu of 50 percent of the fence or wall. The spacing of the landscaping must comply with Section 1229.07 (4)(C). All fencing and walls shall be setback 15 feet from the lot line separating the less restrictive zoning district to allow for maintenance of the applicable yard.

2.) Type B Screen

Type B screens are intended to provide partial visual screening and to provide aesthetically pleasing delineation of boundaries between

zoning districts. A Type B screen is a densely planted screen which need not be opaque for its entire length. At least 50 percent of the length of the screen along each property line must be opaque. The remaining 50 percent of the length of the screen along each property line may contain any combination of small shrubs or larger plants that comply with Section 1229.07 (4)(C). A mound built in accordance with Section 1229.07 (3)(E) may be used instead of shrubs.

3.) Type C Screen

A Type C screen is intended to separate functions, such as streets, sidewalks, and parking; to provide pleasing visual effects, and to provide areas to serve environmental functions. A Type C screen is a less dense planting than Type A or Type B, and may include deciduous plants. At least 50 percent of the length of the screen must be planted with large or medium trees, and the remaining 50 percent of the screen length may be any combination of shrubs, excluding dwarf shrubs, that will comply with Section 1229.07 (4)(C). A mound built in accordance with Section 1229.07 (3)(E) may be used instead of shrubs.

(B) Screening Requirements

Screening between zoning districts is required in accordance with Table 1229-5. When more than one zoning abuts the property to be landscaped, the more restrictive of the screen types shall apply.

		<i>Subject Property Zoning</i>										
		<i>R-R</i>	<i>R-1</i>	<i>R-2</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>B-5</i>	<i>I-1</i>	<i>PD</i>	
Adjacent Zoning District	R-R			C	A	A	A	A	A	A	A	C
	R-1			C	A	A	A	A	A	A	A	C
	R-2				A	B	A	A	A	A	A	B
	B-1			B						B	B	A
	B-2			B	C		C	C	C	C	C	B
	B-3			B						C	C	B
	B-4			A								A
	B-5			A						C		A
	I-1			A								A
	PD				A	A	A	A	A	A	A	

(C) Screening Standards

- 1.) When fences or walls are used to fulfill requirements for Type A, B, or C screens, the maximum length of each continuous fence or wall segment without landscaping shall be 50 feet. Longer segments must be provided with landscaping in accordance with this Section along the outside of a wall or fence, or planting meeting the screen type requirements in lieu of a fence or wall segment.
- 2.) Dwarf shrubs and ground cover may be planted on the outside of a fence or wall, but these will not count toward the screening requirement.
- 3.) If evergreens are used to fulfill the requirements for an opaque screen, total opacity and a minimum height of six feet shall be required within three years after issuance of a use and occupancy permit. If the planting does not meet these requirements within three years, additional plantings or a fence or wall meeting these requirements shall be constructed and landscaped as required under Section this Section.
- 4.) Each 50-linear-foot segment of screening, including plantings on the outside of a wall or fence as described in this Section shall contain landscaping equivalent to two large trees. For purposes of this section, the following are considered equivalent and may be used in any combination which achieves at least the minimum amount required:
 - a.) Two large trees with a maturity height of 40 feet or taller.
 - b.) Three medium or small trees with a maturity height of less than 40 feet.
 - c.) Ten large shrubs with a maturity height of one foot or larger.
 - d.) Fifteen medium or small shrubs with a maturity height of less than one foot.
- 5.) Berms or mounds may be used to fulfill screening requirements provided they meet the requirements of Section 1229.07 (3)(E).
- 6.) No proposed building addition, structure, merchandise display, parking area or any similar feature shall be located in front of or within a required screen. Notwithstanding the above, a driveway entrance may cross a required screen.
- 7.) Required screens must be installed on the subject property, within the required setback. The minimum width of the screened area is ten feet. The soil in each screen area must be covered by trees, shrubs, grass, ground cover, landscape gravel, or mulch.

- 8.) All screening shall be free of advertising or other signs, except for directional signs and other signs for the efficient flow of vehicles.
- 9.) Whenever, because of unusual size, topography, shape of the property, location of the property or other unusual conditions, the strict application of the requirements of this subsection would result in significant degradation of the site or adjacent properties, the requirement may be varied or waived by the PZC, provided that such variance or waiver shall not be detrimental to the public health, safety or welfare, or to the orderly development of the area.

(5) Landscaping of Vehicular Use Areas

All development subject to site plan review shall include the following required landscaping for parking lots.

(A) Minimum Interior Landscaping Requirements

For parking areas designed to accommodate 20 or more vehicles, a minimum of five percent of the land area within the parking area shall be appropriately designed with landscaped areas and planted islands in accordance with this section.

(B) Landscape Island Locations

- 1.) Landscape islands shall be located at the end of each parking row with a minimum size of 140 square feet for single loaded parking rows, and a minimum size of 280 square feet for double loaded rows;
- 2.) 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.

(C) Planting Requirements

- 1.) Plantings for interior landscaping shall be provided at a rate of two trees and six shrubs per 15 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, ground cover, landscape gravel, or mulch. Plants in this category may not interfere with visibility. All plants must be living, thriving, and assuming their intended form.

(D) Additional Plantings along Public Streets

Whenever parking areas consisting of five spaces or more are located such that the parked cars will be visible from a public street, landscaping, in addition to the required interior landscaping, shall be required between the street and the parking lot. Such landscaping shall be a minimum height of 3.5 feet, located adjacent to the parking lot and shall be placed to effectively obscure a minimum of 50 percent of the parking area.

(6) Front Yard Landscaping

In all districts, every part of a front yard shall be open to the sky, unobstructed except for parking areas and signs as permitted and regulated in the district regulations and sign regulations, and shall be landscaped according to the following minimum requirements.

(A) The entire depth and length of the front yard (except as provided above) shall be permanently protected from soil erosion with grass, trees and shrubs.

(7) Screening of Service Structures

All development subject to site plan review shall include the following required screening for loading areas and service structures.

(A) Screening shall consist of an opaque wall or fence, six feet in height, or dense vegetative planting which effectively obscures 100 percent of a loading area when adjacent to residential districts or visible from a public street.

(B) Loading facilities shall be designed to minimize impacts upon existing or planned uses on abutting properties. Greater amounts of screening shall be required where the frequency or nature of loading is greater than typical. Extension of building walls is encouraged to effectively surround, screen, and screen loading areas. Where the height of solid screening cannot screen loading areas from view of adjacent tall buildings, additional screening shall be provided with trees.

(C) Rubbish areas and dumpsters shall be housed in a wholly enclosed structure, or completely screened from any parking area or street right of - way by a vision-obscuring fence or plant material.

(8) Maintenance

(A) All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The owner of the property shall be