

**SECTION 530**  
**Landscaping, Screening and Outdoor Lighting Regulations**

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**530.1 PURPOSE.**

Landscaping and screening shall be provided to:

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

**530.2 APPLICABILITY.**

- A. All portions of a lot not covered by building(s) or pavement shall be landscaped, and the minimum landscaping, screening and buffering requirements set forth in Section 530 shall be applicable to all development such as:
  - 1. Whenever new commercial, office, or industrial development or planned residential development is proposed;
  - 2. Whenever new development of a conditional use is proposed;

3. Whenever additional building(s) or building addition(s) are proposed for a site that is currently developed with a commercial, office, industrial, conditional, attached single-family or multi-family use; or,
  4. Whenever currently developed sites are to be modified by any change in use, vehicular circulation, and/or parking area design.
- B. Sections 530.4 through 530.10 establish numerical requirements and standards that carry out the purposes of Section 530. However, it should be recognized that existing vegetation and other natural features may also adequately achieve the intended standards and objectives of each section. Also, precise compliance with all of the numerical standards may be preempted or unnecessary because of existing or proposed conditions on the site or adjacent property. Therefore, when complying with Section 530 the Zoning Administrator, and Zoning Commission as applicable, may permit the flexible arrangement of the plant material to best achieve the intent of Section 530 and the purposes of the numerical standards, to preserve existing natural features, and to assure that other health and safety objectives and standards of the Township or any other regulatory agency are not compromised.
- C. Installation of the required landscaping shall be completed within 90 days of occupancy.

**530.3 LAND DISTURBANCE.**

Land shall only be disturbed, including trees cleared, and top soil removed, as defined and regulated in Section 550, in connection with an approved development plan or as otherwise authorized by a zoning certificate for land disturbance permit. All land disturbance shall comply with the requirements of Section 550.

**530.4 LANDSCAPING ALONG STREETS.**

All areas within the required building and parking setback, excluding driveway openings, shall be landscaped and maintained with the following minimum requirements:

- A. Within this area, the following plant material shall be provided:
  1. Three (3) deciduous trees and 30 shrubs for every 100 linear feet of lot frontage, not including drive entrances; or
  2. A three (3) foot high berm (measured from the street centerline elevation) planted with three (3) deciduous trees and six (6) shrubs for every 100 linear feet of lot frontage.
- B. Areas not devoted to trees and shrubs shall be planted with grass, ground cover or other live landscape treatment, excluding paving, gravel, or mulch including land in the street Right-Of-Way that is not occupied by street or sidewalk pavement.
- C. Plantings or earthen berms shall not interfere with sight distance at street/drive intersections or corner lots in accordance with Section 580.3.

D. Landscaping materials shall not be fruit or nut bearing nor have thorns or briars.

**530.5 SCREENING AND BUFFERING OF RESIDENTIAL USES.**

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

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

1. When a Commercial, Office or Industrial District abuts a Residential District, a buffer area with a minimum width of 25 feet or equal to the width of the parking setback whichever is smaller, shall be provided unless a greater setback is required for a conditional use.
2. When a MUPD District abuts a Residential District, a buffer area with a minimum width of 20 feet shall be provided.
3. When attached single-family units in a PRD abut a Residential District, a buffer area with a minimum width of 20 feet shall be provided.
4. When a conditional use is located in an O-C, R-1, R-2, or R-3 District, a buffer area with a minimum width of 20 feet shall be provided unless a greater setback is required by the Board of Zoning Appeals.

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

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

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

1. Visual screening walls, fences, or earthen berms and fences in combination shall be a minimum of six (6) feet high measured from the natural grade, in order to accomplish the desired screening effect.

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

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

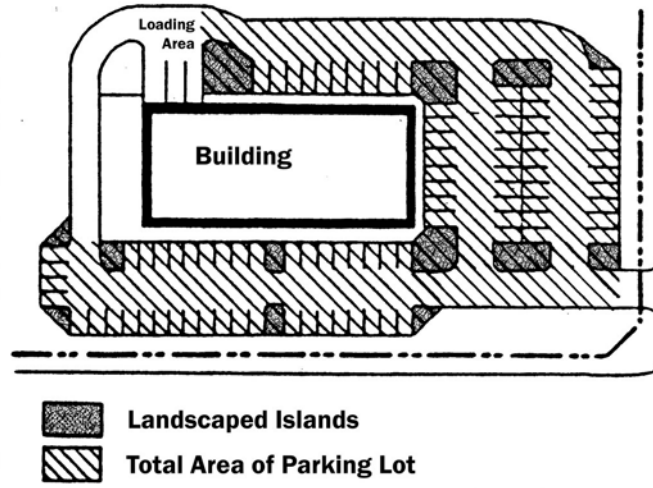
E. Additional Screening Required. Whenever a lot with a lower elevation than the abutting residential parcel requires screening and buffering, the height of the required screening shall be sufficient to adequately screen the site from the adjacent residential lot. The Zoning Administrator, and Zoning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

### **530.6 PARKING LOT LANDSCAPING AND SCREENING.**

A. Interior Landscaping Of Parking Lots. Interior landscaping of parking lots shall be provided in accordance with the following requirements:

1. Any parking area designed to accommodate 40 or more vehicles, a minimum of five percent (5%) of the parking lot shall be planted as landscaped island areas.
2. Landscaped islands shall be developed and distributed throughout the parking lot to define major circulation aisles and driving lanes; and to provide visual and climatic relief from broad expanses of pavement.
  - a. Each island shall be a minimum of nine (9) feet in any horizontal dimension.
  - b. There shall be a minimum of one (1) deciduous tree provided for every 12 parking spaces; such trees shall be planted within the required landscaped islands.
  - c. Shrubs or low, spreading plant materials may be planted within the required landscaped islands provided there is no impairment to the visibility of motorists or pedestrians.
3. Landscaped areas adjacent to the perimeter of the parking area shall not be counted as interior parking lot landscaped areas.
4. For the purpose of this Section, the area of a parking lot shall be the total vehicular surface area including circulation aisles as referenced in Figure 530.6A.

Figure 530.6. Parking Lot Interior Calculation



**B. Screening Parking Lots from Street.**

1. 75% of the frontage of parking lots with five (5) or more spaces shall be screened from view from the street, except in Industrial Districts, which require 100% screening.
2. Screening shall have minimum height of three (3) feet measured from the highest finished grade of the parking area.
3. Screening elements shall consist of shrubs, berms, walls, and/or fences.
4. Screening shall be located parallel to and within five (5) feet of the edge of the parking lot.
5. Plant material required in Section 530.4 may be used to comply with this Section.

**530.7 BUILDING FAÇADE LANDSCAPING.**

Every building except single-family and two family dwellings shall be provided with landscaped materials along its façade according to the following:

- A. At least 75% of the building façade shall be landscaped, and such landscaping shall be located within 20 feet of the building façade.
- B. Landscaping materials shall include a combination of deciduous trees, evergreens, hedges, shrubs, annual and perennial flowers, and ground cover plantings.

- C. Deciduous trees shall be planted at a rate of three (3) trees for every 100 lineal feet of building façade.

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

**530.8 SCREENING OF LOADING AREAS, OUTSIDE STORAGE AREAS AND OTHER SERVICE AREAS.**

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

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

**530.9 LANDSCAPING MATERIALS AND STANDARDS.**

Walls, fences, plants, and mounds, when provided to meet the landscaping and screening requirements set forth in this Section shall comply with the following, subject to review and approval by the Zoning Administrator, and the Zoning Commission when applicable.

- A. Walls and Fences. Walls and fences shall be constructed of weatherproof materials, including pressure treated, redwood, cedar or synthetic lumber and aluminum or galvanized hardware. Except as specifically noted, chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy landscaping and screening requirements.

- B. Measuring Height of Screening. Screening devices measured from highest finished adjacent grade. When street grade is within 50 feet of the screen and has a higher grade, the height of screening is measured from top of the curb or top of the crown of the road or alley where no curb exists.
- C. Plants. All plants shall be living and hardy within the United States Department of Agriculture's Hardiness Zone 5, and thriving in Summit County. Plant materials used in conformance with the provisions of this section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under state regulations. Trees shall be balled and burlapped or in containers. Shrubs, vines and ground covers can be planted as bare root as well as balled and burlapped or containers. All landscaping materials shall be free of noxious weeds, disease and pests. Nursery stock identification tags shall not be removed from any planting prior to inspection and approval of final installation by the Township. The Township may seek the assistance of qualified landscape design professionals during the inspection of planted materials, when deemed necessary.
1. **DECIDUOUS TREES.** Deciduous trees shall have a clear trunk height of at least six (6) feet and a minimum caliper of two (2) inches conforming to acceptable nursery industry procedures at the time of planting. For the purpose of these regulations, a deciduous tree shall be a tree normally growing to a mature height of 20 feet and a mature spread of at least 15 feet.
  2. **EVERGREEN TREES.** Evergreen trees shall be a minimum of six (6) feet in height at the time of planting. Evergreen plantings shall be designed to provide an effective, dense screen within two (2) years of planting. White pine trees are not acceptable trees for screening/buffering purposes.
  3. **HEDGES.** Hedges shall be at least 36 inches in height at the time of planting. All hedges shall be designed to provide an effective, dense screen and mature height of at least six (6) feet within four (4) years after the date of the final approval of each planting when used for perimeter landscaping or screening applications.
  4. **SHRUBS.** A shrub shall be defined as a woody plant smaller than a tree consisting of several small stems from the ground or small branches near the ground. Shrubs shall be at least 20 inches in height at the time of planting and have a mature height of not less than 36 inches.
  5. **GRASS or GROUND COVER.** Grass of the fescue, bluegrass or perennial rye families shall be planted in species normally grown as lawns in Summit County. In swales or other areas subject to erosion, solid sod, erosion reducing net or suitable mulch shall be used and grass seed shall be sown for immediate protection until complete coverage is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted in such a manner as to provide 75% complete coverage after two growing seasons.

- D. Existing Material. The Zoning Administrator, and Zoning Commission when applicable, may approve the use of existing plant material to comply with the landscaping and screening requirements of Section 530. In reviewing such proposals, the Zoning Administrator, and Zoning Commission when applicable, shall consider whether the existing material is capable of performing the landscaping or screening functions required by Section 530, by reason of its size, density, location, deciduous or evergreen foliage, and other characteristics. The Zoning Administrator, and Zoning Commission when applicable, shall also consider the likelihood that the plant material will survive construction-related disruptions, including soil compaction and changes in grading and drainage. Existing vegetation shall be preserved in accordance with acceptable nursery industry procedures.
- E. Mounds. Mounds or berms may be used as physical barriers that block or screen a view. Differences in elevation between areas requiring screening do not constitute a mound. Mounds shall conform to the following standards:
1. The maximum side slope shall be three (3) feet horizontal to one (1) foot vertical (3:1). The design shall be reviewed to ensure that proper erosion prevention and control practices have been utilized and that irrigation or other means are provided to insure plant material will have sufficient moisture for survival.
  2. Mounds shall be designed with physical variations in height and alignment throughout their length.
  3. Landscape plant material installed on mounds shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.
  4. The landscape plan shall show sufficient detail to demonstrate compliance with the above provisions, including a plan and profile of the mound, soil types and construction techniques.
  5. Mounds shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.
  6. No part of any mound shall be elevated more than 30 inches above natural grade within ten (10) feet of any right-of-way or property line, and the toe of such mound shall be located a minimum of three (3) feet from any right-of-way or property line.
  7. Adequate ground cover or mulch shall be used and maintained to prevent erosion.

**530.10 MAINTENANCE OF LANDSCAPING.**

- A. Required yards and all other portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be pruned, trimmed and maintained in good and healthy condition.

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

**530.11 APPROVAL PROCESS FOR REQUIRED LANDSCAPING, FENCES AND WALLS.**

The location of proposed landscaping, fences or walls shall be reviewed and approved as part of a development plan pursuant to Section 720. However, when a fence or wall is proposed at a separate time from any other development for new construction, additions or site renovation, a fence or wall may be approved administratively by the Zoning Administrator when the Zoning Administrator determines that the proposal:

- A. Complies with the requirements of Section 530;
- B. Is consistent with any previously approved plan;
- C. Is compatible with the current site development if there is no approved plan; and
- D. Will have a minimal adverse impact to the surrounding areas.

If, because of the nature and location of the proposed fence or wall, the Zoning Administrator does not make such a determination, the request shall be referred to the Zoning Commission and considered by the Commission according to the development plan review procedures in Section 720.

**530.12 OUTDOOR LIGHTING REGULATIONS.**

The purpose of this section is to regulate the placement, orientation, distribution patterns and fixture types of outdoor lighting in the Commercial and Industrial Districts, all nonresidential conditional uses, and PRDs in the O-C, R-1, R-2, and R-3 Districts in order to preserve, protect

and enhance the character of the Township and the lawful nighttime use and enjoyment of property located within the Township.

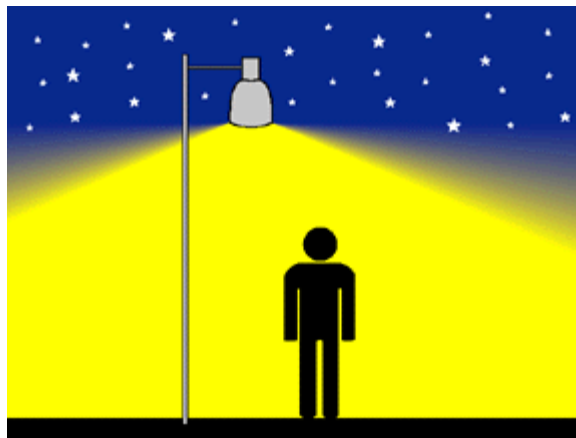
A. Appropriate site lighting, including lights for signs, buildings and streets, shall be arranged so as to:

1. Provide safety, utility and security.
2. Control light trespass and glare on adjacent properties and public roadways.
3. Reduce atmospheric light pollution.

B. For the purpose of this Section, the following definitions shall apply.

1. **Footcandle.** A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.
2. **Full shielded or full cut-off type fixture.** An outdoor lighting fixture that is shielded or constructed so that all light emitted is projected below a horizontal plane running through the lowest light-emitting part of the fixture. See Figure 530.12B.2.

***Figure 530.12B.2: Full cut-off lighting.***

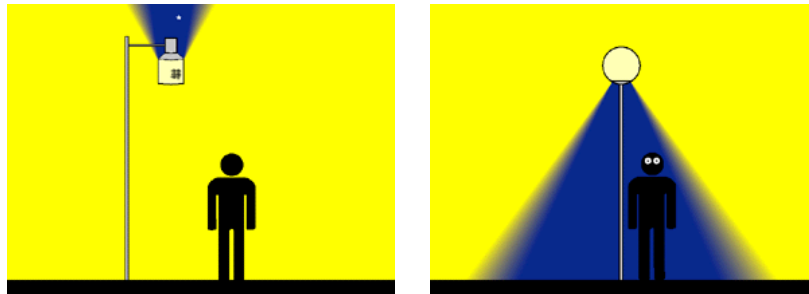


***Full cut-off lighting directs light down and to the sides as needed.***

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3. Glare. Direct light that causes annoyance, discomfort or loss in visual performance and visibility.
4. Illuminance. The quantity of light arriving at a surface divided by the area of that surface, measured in footcandles.
5. Light trespass. Light emitted by a lighting fixture that falls beyond the boundaries of the property on which the fixture is installed.
6. Recessed ceiling fixture. An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling.
7. Uplighting. Any light source that distributes illumination above a 90-degree horizontal plane as shown in Figure 530.12B.7.

**Figure 530.12B.7: Uplighting**



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C. General Requirements.

1. All outdoor lighting fixtures regulated according to this Section, including but not limited to those used for parking areas, buildings, building overhangs, canopies, signs, billboards, displays and landscaping, shall be full cut-off type fixtures.
2. Full-cut off fixtures shall be installed and maintained so that the shielding is effective as described in Section 530.12B.2. above.
3. Automobile-oriented uses such as gasoline stations, service stations and drive-through facilities shall install recessed ceiling fixtures in any canopy.
4. Signs that are wholly illuminated from within and freestanding signs that are externally illuminated with an exposed incandescent lamp not exceeding 25 watts do not require shielding.

5. Light trespass over a commercial property line shall be limited to no more than 0.5 footcandles at the property line. All on-site lighting of buildings, lawns, parking areas and signs shall be designed so as not to shine onto any adjacent property or building, or to cause glare onto any public street or vehicle thereon.
6. Measurement.
  - a. Light levels shall be measured in footcandles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.
  - b. Measurements shall be taken at the commercial property line, along a horizontal plane at a height of three and one-half (3.5) feet above the ground.
7. All non-essential outdoor lighting fixtures, including parking, sign, display and aesthetic lighting, shall be turned off after business hours. Only lighting needed for safety or security may remain lit after close of business, in which case the lighting shall be reduced to the minimum level necessary.
8. Light poles shall not exceed a height of twenty (20) feet.
9. Sodium/yellow or equal lighting shall be required for all outdoor lighting fixtures. Mercury lighting shall be prohibited.

D. Exemptions.

1. Decorative outdoor lighting fixtures with bulbs of less than 25 watts, installed seasonally, are exempt from the requirements of this Section.
2. Temporary construction or emergency lighting is exempt from the requirements of this Section. Such lighting shall be discontinued immediately upon completion of the construction work or abatement of the emergency necessitating such lighting.
3. All outdoor lighting fixtures existing and legally installed prior to the effective date of this Section of the Zoning Resolution shall be exempt from the requirements of this Section. When existing lighting fixtures become inoperative, their replacements are subject to the provisions of this Section.
4. Nothing in this Section shall apply to lighting required by the FAA or any other federal regulatory authority.