

ORDINANCE NO.: 12-2015
INTRODUCED BY: Alexander

AN ORDINANCE AMENDING SECTION 1177.05 OF THE PLANNING AND ZONING CODE TO AMEND LOT PLANTING REQUIREMENTS.

WHEREAS, the Building Commissioner has proposed amendments to Section 1177.05 of the Planning and Zoning Code regarding lot planting requirements; and

WHEREAS, the Planning and Zoning Committee of Council approved the proposed amendments at their meeting of February 3, 2015 and voted to send them to the full Council for adoption; and

WHEREAS, this Council wishes to adopt the Building Commissioner's proposed amendments to Section 1177.05 of the Planning and Zoning Code regarding lot planting requirements.

NOW, THEREFORE, Be It Ordained by the Council of the City of Richmond Heights, State of Ohio, that:

"1177.05 STANDARDS; LANDSCAPING AND BUFFER STRIPS.

Section 1: Section 1177.05, "Standards: Landscaping and Buffer Strips," of Chapter 1177, "Walls, Landscaping and Ecological Preservation," of Part Eleven, "Planning and Zoning Code," of the Codified Ordinances of the City of Richmond Heights, Ohio be amended to read in its entirety as follows:

"Wherever in this Zoning Code landscaping is required, the area required to be landscaped shall be made fertile and planted ~~within six months from~~ prior to the date of issuance of a final certificate of occupancy, and thereafter reasonably maintained with permanent plantings and materials equal in characteristics to the suggested plant materials in subsections (c) and (d) below.

(a) Lot Planting Requirements.

(1) The unpaved or unimproved portions of ~~required front yards, side yards, rear yards and other open spaces~~ of all lots in all districts which are not in a natural wooded state or in which the natural state has been disturbed by grading or filling, including but not limited to common areas, easements, disturbed wetlands or riparian areas, required front yards, side yards, rear yards and other open spaces, shall be landscaped with sod, grass or other horticultural materials ~~within six months from~~ prior to the date of issuance of a certificate of occupancy. This provision shall not be construed to prohibit private gardening or farming operations.

(2) There shall be not less than one tree or shrub for each 3,000 square feet of the total lot area exclusive of buffer strip planting requirements, in all zoning districts of the City.

(b) Buffer Strip Planting Requirements.

(1) Buffer strips shall be landscaped with sod, grass or other horticultural materials.

- (2) The minimum planting width shall be thirty feet along the common property line.
- (3) Tree and shrub materials shall not be placed closer than four feet from a fence or wall line.
- (4) An evergreen (see subsection (c) hereof) shall be planted at least every ten feet of the length of the buffer strip.
- (5) Three intermediate shrubs (see subsection (d) hereof) shall be planted for each evergreen required in paragraph (4) of this subsection (b)."

Section 2: Section 1177.05, "Standards: Landscaping and Buffer Strips," of Chapter 1177, "Walls, Landscaping and Ecological Preservation," of Part Eleven, "Planning and Zoning Code," of the Codified Ordinances of the City of Richmond Heights, Ohio, as it existed prior to the effective date of this Ordinance, be, and the same hereby is, repealed.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

David H. Roche, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council