

CHAPTER 1165
Landscaping and Land Use Buffers

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1165.01 INTENT.

The preservation of existing trees and vegetation, as well as the planting of new trees and vegetation, can significantly add to the quality of the physical environment of the City of Wooster. The regulations contained below are designed to provide for the health, safety, and welfare of the residents of the City by:

- (a) Promoting the proper utilization of landscaping and screening as a buffer between certain land uses to minimize the possibility of nuisances including potential noise, glare, and the visual clutter associated with parking and service areas;
- (b) Providing interruption of large expanses of vehicular use areas and reduction of reflected heat and glare through the implementation of interior and perimeter vehicular use area landscaping.
- (c) Improving the appearance of off-street parking areas of five or more spaces and vehicular use areas and properties abutting public rights of way, thereby reducing conditions which lead to urban blight;
- (d) Providing areas of permeable surfaces in order to:
 - (1) Allow the infiltration of surface water into groundwater resources;
 - (2) Reduce the quantity of storm water discharge, which helps to reduce the hazards of flooding and aids in the control of erosion and storm water runoff;
 - (3) Improve the quality of storm water discharge.
- (e) Establishing minimum standards for the consistent appearance of plant material in the community landscape.
- (f) Providing physiologically, psychologically, sociologically, and aesthetically necessary counterpoints to the man-made environment; and,

- (g) Protecting, preserving, and promoting the aesthetic character valued by the residents of the City of Wooster. (Ord. 2006-49. Passed 5-21-07.)

1165.02 SCOPE OF APPLICATION: COMPLIANCE NECESSARY FOR SITE PLAN OR PLAT APPROVAL.

- (a) The provisions of this Chapter shall apply to:
 - (1) All new development on vacant land that requires the submission of a development plan and issuance of a zoning certificate or building permit. The required landscaping shall be so indicated on plans submitted as part of the application.
 - (2) The entire site of existing development when substantial expansion is conducted. An expansion of an existing property is substantial when:
 - A. The expansion of the square footage of an existing building exceeds twenty-five percent (25%) of the gross floor area of the existing building.
 - B. The expansion of the square footage of the vehicular use area exceeds 25% of the total existing vehicular use area.
 - C. The land area of the development site is increased by 20 percent or more.
 - (3) The portion of a developed site devoted to the expansion of an existing building, structure or expansion/alteration of a vehicular use area when such site is not governed by sub-section 1165.02(a)(2) above. The minimum landscaping and screening required by this Chapter shall be provided to the extent of the alteration or expansion, but not for the entire property of which the alteration or expansion is a part.
- (b) Single-family and two-family residences shall be exempt from the requirements of this Chapter except those regulations in Section 1165.09, Residential Landscaping.
- (c) The requirements of this Chapter are minimum landscaping requirements, and nothing herein shall preclude a developer and the City from agreeing to more extensive landscaping.
- (d) All requirements of Chapter 907 of the Codified Ordinances, Erosion and Stormwater Runoff Controls shall be applicable.
(Ord. 2006-49. Passed 5-21-07; Ord. 2012-24. Passed 8-20-12.)

1165.03 DEFINITIONS.

Terms related to required landscaping and screening shall have the following meanings:

- (a) Berm. An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise. The height of a berm shall be measured from the average natural grade at the base of the berm.
- (b) Caliper. The American Association of Nurserymen standard for trunk measurement of nursery stock. Caliper of the trunk shall be taken six (6) inches above the ground up to and including four-inch caliper size, and

twelve (12) inches above the ground for a caliper size greater than four (4) inches.

- (c) Diameter-at-breast-height (DBH). The diameter of a tree trunk measured in inches at a height 4.5 feet above ground. If a tree splits into multiple trunks below 4.5 feet, the trunk is measured at its most narrow point below the split.
- (d) Large Tree. A living tree with a DBH measurement at maturity of at least six (6) inches.
- (e) Shade Tree. A tree with foliage that usually sheds annually and is planted primarily for its high crown of foliage or overhead canopy.
- (f) Shrub. A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.
- (g) Small Tree. A living tree with a DBH measurement at maturity of at least four (4) inches. (Ord. 2006-49. Passed 5-21-07.)
- (f) Woodlands. An area of no less than one (1) contiguous acre which contains dense vegetation primarily composed of large and small trees as defined herein. (Ord. 2013-44(a). Passed 12-16-13.)

1165.04 STREET TREE PLANTING REQUIREMENTS.

In all zoning districts, developers shall plant and maintain shade trees along public streets in compliance with the following:

- (a) Species. Trees shall be limited to species found in the Wooster City Urban Forestry Policy Manual, current edition. If other species are desired, the developer must apply to the Shade Tree Commission for approval.
- (b) Quantity, Size and Location Requirements.
 - (1) One (1) tree shall be provided for every forty (40) linear feet of frontage, or fraction thereof, along each road.
 - (2) Trees shall be planted in accordance with the Wooster City Urban Forestry Policy Manual, current edition. In the C-4 Central Business District, street trees shall be planted in sidewalk pits accordance with the Wooster City Urban Forestry Policy Manual, current edition. Street trees shall be planted in the public right of way, however, due to varying conditions near public roads and rights-of-way, street trees may be located elsewhere on the property at the discretion of the Zoning Administrator or the Planning Commission, as applicable.
 - (3) Each tree at the time of installation shall have a minimum caliper of two and one-half (2.5) inches and a clear trunk height of at least six (6) feet.
 - (4) Trees shall be planted an adequate distance from intersections so that at full maturity such planting shall comply with Section 1125.15, Visibility at Intersections, to ensure the unobstructed visibility of motorists and pedestrians.
- (c) Installation. In the case of residential subdivisions, street trees shall be planted on developed lots after seventy-five (75) percent of the residential

- dwelling units have been occupied or received a certificate of zoning compliance. Undeveloped residential subdivision lots at the time of the above required street tree planting shall have street trees planted prior to receiving a certificate of zoning compliance. For all other developments that require Development Plan Review pursuant to Section 1107.05, street trees shall be planted prior to receiving a certificate of zoning compliance.
- (d) Maintenance. The developer shall be required to maintain the trees for two (2) years after the trees are planted and to replace any tree that dies within such two year guarantee period.
- (1) Upon completion of the street tree planting, the landscape contractor shall contact the Zoning Administrator.
 - (2) The two (2) year guarantee period shall begin after the approval from the Zoning Administrator and submission of a guarantee in accordance with Section 1165.04(d)(7).
 - (3) A final inspection shall be made at the end of the guarantee period.
 - (4) The developer shall notify the Zoning Administrator within five (5) business days of the end of the guarantee period to schedule the final inspection.
 - (5) All trees not exhibiting a healthy, vigorous growing condition, as determined by the Zoning Administrator, shall be replaced at the expense of the developer or builder.
 - (6) If the Zoning Administrator determines that replacement of a tree is required, such replacement shall occur within thirty (30) days of the date the City's inspection report is submitted to the developer. The two (2) year guarantee period shall begin anew for each replacement tree.
 - (7) Developments requiring ten (10) or more street trees shall require the developer to deposit a guarantee amount equal to fifty (50) percent of the total cost of providing and installing the street trees as determined by the Zoning Administrator. The deposit shall be in the form of a bond, with the developer as principal and with a surety company authorized to do business in the State of Ohio, a certified check, or an irrevocable letter of credit. The deposit shall be in a form acceptable to the Law Director.
- (Ord. 2015-04. Passed 2-17-15.)

1165.05 LANDSCAPING ALONG THE STREET FRONTAGE.

All areas within the front yard or corner side yard, excluding driveway openings, shall be landscaped as required below. The following minimum plant materials shall be provided and maintained on all lots or developments except lots devoted to single-family detached and two-family dwellings.

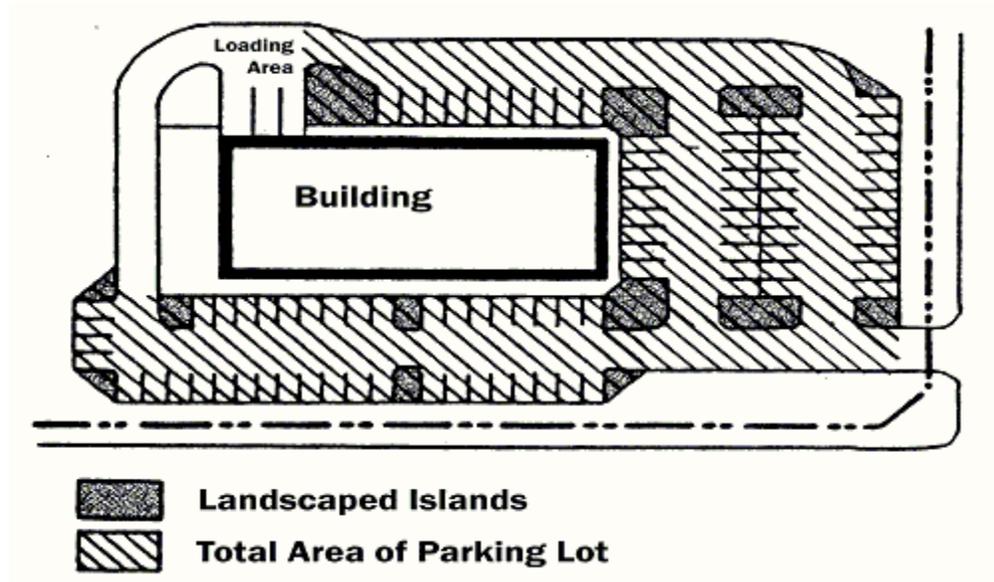
- (a) Two (2) large deciduous trees and fifteen (15) shrubs shall be provided for every one hundred (100) linear feet of lot frontage or fraction thereof, not including drive entrances. Trees or shrubs required in Section 1165.06, which are located in the front yard or corner side yard, may be included in this calculation.

- (b) All areas not devoted to trees and shrubs shall be planted with grass, ground cover or other live landscape treatment.
- (c) Trees and shrubs may be aggregated appropriately.
- (d) Whenever the building setback is five (5) feet or less, these requirements shall not apply. (Ord. 2013-44(a). Passed 12-16-13.)

1165.06 SCREENING AND LANDSCAPING OF PARKING LOTS.

- (a) Landscaping on the Interior of Parking Lots: Interior landscaping of parking lots shall be provided in accordance with the following requirements.
 - (1) For any parking area designed to accommodate five (5) or more vehicles, a minimum of five percent (5%) of the parking lot shall be planted as landscaped island areas, developed and reasonably distributed throughout the parking lot to define major circulation aisles and driving lanes and provide visual and climatic relief from broad expanses of pavement.
 - (2) Interior landscaped areas shall be dispersed so as to define aisles and break up the expanse of paving and limit unbroken rows of parking to a maximum of 100 feet. Each interior landscaped area shall be no less than 100 square feet. The minimum width for each area shall be ten (10) feet;
 - (3) Within the landscaped islands, there shall be provided one shade tree for every 10 parking spaces. Each landscape island shall have at least one (1) shade tree.
 - (4) 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.
 - (5) If the specific application of the interior landscape requirements will seriously limit functions of the building site, the Zoning Administrator shall have authority to permit consolidation and relocation of these landscaped areas on the building site.
 - (6) Landscaped areas along the perimeter of the parking area, or in any part of a yard, shall not be counted as interior parking lot landscaped areas. Except perimeter plantings may be used to satisfy the requirements in this section when parking facilities are less than forty-two feet in width and accommodate 20 or fewer vehicles.
 - (7) For the purpose of this Section, the area of a parking lot shall be the total vehicular surface area within the perimeter of the parking lot, including the landscaped islands, parking spaces and all circulation aisles except those with no parking spaces or landscaped islands located on either side. See Figure 1, Parking Lot Interior Calculation.

Figure 1. Parking Lot Interior Calculation.



- (b) Perimeter Landscaping Requirements. landscaping shall be required along any side of a parking lot that abuts adjoining property that is not a right-of-way. A landscaped strip meeting the required minimum parking setback (in depth) of the zoning district in which the property is located, shall be located between the parking area and the abutting property lines. One (1) large deciduous or two (2) small deciduous trees for each forty (40) lineal feet shall be planted in the landscaping strip. The requirements of this section shall not apply where planting is required for screening pursuant to Section 1165.07.
- (c) Street Frontage Planting Requirements. When a parking lot is located adjacent to a public right-of-way, screening shall be provided to reduce the visual impact of the parking lot. A landscaped buffer shall be installed between parking lots and public rights-of-way per the following requirements:
- (1) A landscaped buffer shall be located directly adjacent to the parking lot and be no less than ten (10) feet in width. The buffer shall be composed of a continuous evergreen hedge or dense planting of evergreen shrubs.
 - (2) Landscaping shall be at a height of no less than three (3) feet at the time of installation. Landscaping may be placed upon a berm to achieve the required height at planting. The minimum buffer height requirement shall not apply when the grading of the site results in an elevation of the adjacent street which is three (3) or more feet higher than the parking lot.
 - (3) A fence or a wall may be incorporated into the landscape buffer per the fence requirements of the applicable zoning district.
(Ord. 2013-44(a). Passed 12-16-13.)

- (d) Landscaping Design Criteria.
- (1) The primary landscaping materials used in parking lots shall be trees that provide shade or are capable of providing shade at maturity. Shrubbery, hedges, and other live planting material may be used to complement the tree planting scheme or landscape design but shall not be the sole components of the landscaping. Avoid tall shrubs or low branching trees that will restrict visibility. Effective use of earth berms and existing topography is also encouraged as a component of the landscape plan.
 - (2) In large parking lots, separate pedestrian walkways should be provided to allow safe movement within the lots. These walkways should generally be oriented perpendicular to and between parking bays. Adjacent to the walks, trees should be planted. These plantings will aid in the identification of walkway locations within the lot and also aid in providing shade for the pedestrian. The following guidelines apply to the development of walkways within large parking lots.
 - A. One walkway can serve as a collector for up to four bays of parked cars.
 - B. The walkways should be a minimum of 4 feet wide, allowing an additional 30 inches on each side for overhanging of automobiles.
 - C. All walkways should be raised to a standard sidewalk height and should be constructed of different paving material than the parking lot.
- (e) Accessways. Necessary accessways shall be permitted to traverse the required landscaping area. The width of such accessways shall not be subtracted from the linear dimensions used to determine the minimum number of trees required in this Section.
- (f) Vehicular Encroachment. A vehicle shall not encroach upon any landscaped area.
- (g) Vehicular Use Areas. Vehicular use areas, other than parking spaces or parking lots, for all land uses require two (2) square feet of landscaped area for each 100 square feet of pavement or fraction thereof.
(Ord. 2006-49. Passed 5-21-07; Ord. 2012-24. Passed 8-20-12.)

1165.07 BUFFERING AND SCREENING BETWEEN DISTRICTS AND USES.

- (a) Intent. The intent of this section is to establish provisions for a visual screen or buffer between incompatible uses and to reduce the effects of glare from automobile headlights, noise and other objectionable activities conducted on a given lot.
- (b) Screening. Screening, as required by the provisions of this Code, shall be of such nature and density that will screen the activities on the lot from view from the normal level of a first story window on an abutting lot.

- (c) When Required. A buffer yard shall be required when:
- (1) A lot in any Commercial, Community Facility, or Manufacturing District abuts a Residential district;
 - (2) A lot in a Multi-family Zoning District or a Manufactured Home Park District abuts a Single-Family Residential District;
 - (3) A lot in a Residential District is devoted to a non-residential conditional use or a nonresidential nonconforming use;
 - (4) Required by the Conditional Use Regulations in Chapter 1147;
 - (5) When areas of a Planned Residential Development, which abut single-family detached dwellings, are developed with non-residential uses or two family dwellings; and,
 - (6) When any wall of a non-residential building in a Commercial, Community Facilities, or Manufacturing district faces or is across the street from a Residential district, screening shall be installed along the full length of such street frontage. No screening shall be required when the Commercial, Community Facilities, or Manufacturing district lot is either not in use or is used for residential purposes.
- (d) Width of Buffer Yard. The width of the buffer yard shall be equal to the applicable parking set back set forth in the applicable zoning district or ten (10) feet, whichever is greater.
- (e) Location. The buffer yard shall be located entirely within the higher intensity zoning district or use and abutting the zoning district line or lot line of lower intensity use. However, the buffer yard may be placed in the lower intensity zoning district or partially within both zoning districts if both sides of the zoning district line and the entire buffer yard width are within common ownership and a permanent easement is provided over any portion of the buffer yard not within the higher intensity zoning district. If a buffer yard is located in a residential development that has an owners' association or other similar legal entity, all buffer yards shall be located in open space owned by the association or in an open space easement controlled by the owners' association.
- (f) Buffer Yard Abutting an Adjacent Jurisdiction. When property lines abut an adjacent jurisdiction, the Planning Commission shall determine the specific screening and buffering requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City of Wooster.
- (g) Screening. When the natural vegetation within the required buffer yard does not form a solid, continuous, visual screen or does not have a minimum height of six (6) feet along the entire length of the common boundary at the time of occupancy, screening shall be installed in compliance with the following:
- (1) Screening Materials. Screening design and development shall be compatible with the existing and proposed land use and development character of the surrounding land and structures.

Screening within the buffer yard shall consist of one or more or combination thereof of the following:

- A. A dense vegetative planting incorporating trees and/or shrubs of a variety which shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid, continuous visual screen within three (3) years after the initial installation. At a minimum, at the time of planting, the spacing of trees shall not exceed twelve (12) feet on center, and the planting pattern shall be staggered. Shrubbery shall be more closely spaced.
 - B. Non-living opaque structures such as a solid masonry wall that is compatible with the principal structure or a solid wood fence together with a landscaped area at least ten (10) feet wide. For solid fences, fences shall be designed, constructed, and finished so that the supporting members face the property owner of the fence and they shall be maintained in good condition, be structurally sound, and attractively finished at all times.
 - C. An ornamental fence with openings through which light and air may pass together with a landscaped area at least ten (10) feet wide. A chain link fence shall not be permitted.
 - D. A landscaped mound or berm at least seven (7) feet wide, with no more than a 2.5:1 slope.
- (2) Location. The location of the wall, fence, or vegetation shall be placed within the buffer yard to maximize the screening effect, as determined by the Zoning Administrator or the Planning Commission.
- (3) Installation of Screening. Screening shall be continuous and in place at the time of occupancy. If vehicular or pedestrian access through the screen is necessary, the screening function shall be preserved.
- (4) Height of Screening. The height of screening shall be in accordance with the following:
- A. Visual screening by walls, fences, or mounds in combination with vegetation, fences or walls shall be a minimum of six (6) feet high measured from the natural grade, except as set forth in sub-section B. below.
 - B. Whenever the required screening is located within a front yard or within twenty-five (25) feet of a parking lot, drive, or driveway entrance, the required screening shall not exceed a height of three (3) feet.
 - C. When used alone, vegetation shall be a minimum of six (6) feet high, as measured from the natural grade, in order to accomplish the desired screening effect. The required

height shall be achieved no later than two (2) years after the initial installation.

- (h) Modifications to Buffering and Screening Requirements. Buffer yards required by this Chapter shall be applied equally to all similarly situated properties. The Zoning Administrator is empowered to modify the above buffering and screening requirements if, and only if:
- (1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent as this Section.
 - (2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening and buffering effect.
 - (3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and/or the location of the improvements on the site.
 - (4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.
 - (5) A written request is received from the owners of the abutting residential district property that the screening as required herein should be waived or varied based on stated purposes;
 - (6) It can be clearly demonstrated that it is highly improbable that the abutting property will be developed for residential purposes due to circumstances, which have taken place since the adoption of the Comprehensive Plan and this Code.
(Ord. 2006-49. Passed 5-21-07; Ord. 2012-24. Passed 8-20-12; Ord. 2012-24. Passed 8-20-12.)

1165.08 SCREENING OF ACCESSORY USES.

Screening of accessory uses shall be provided according to the following:

- (a) Trash Collection Areas. Trash and/or garbage collection areas shall be enclosed on all sides by a solid wall or fence and a solid gate at least one (1) foot higher than the highest refuse container in the collection area if such area is not within an enclosed building or structure. Such solid wall or solid fence shall be situated so as to screen the view of the collection area from the public right-of-way and abutting properties. Such wall or fence shall be constructed of wood, brick, decorative concrete, block, stone or shrubs and shall be a minimum of six (6) feet in height.
- (b) Ground-mounted Mechanical Equipment. Ground mounted mechanical equipment shall be screened from the public right-of-way and abutting properties with evergreen shrubbery so that within two (2) years the equipment is completely obscured from view.
- (c) Loading Areas. Permitted loading areas shall be screened from the public right-of-way and abutting properties in nonmanufacturing zoning districts per the following:
 - (1) Screening shall be composed of either a wall or fence according to the requirements set forth in the subject property's zoning district

- or dense landscaping with no less than eighty (80) percent opacity at the time of planting.
- (2) Screening provided shall be no less than six (6) feet in height at the time of installation. Landscaping utilized to provide such screening may employ a mound of no more than three (3) feet in height.
 - (3) A single gap of no more than forty (40) feet in such required screening shall be permissible to allow for ingress and egress to a loading area. (Ord. 2014-24(a). Passed 10-20-14.)
 - (d) Outdoor Storage Areas. Permitted areas for the outdoor storage of goods, supplies, equipment or vehicles used in the operation of an establishment, where permitted, shall be screened per the requirements of the applicable zoning district. (Ord. 2013-44(a). Passed 12-16-13.)

1165.09 RESIDENTIAL LANDSCAPING.

- (a) Intent. This section is intended to maintain or improve the unique character of residential neighborhoods and streets and to contribute to the general welfare through the planting of trees.
- (b) Application. This section shall apply to all new developments and to alterations to existing buildings that will increase the number of dwelling units. Existing trees may fulfill these minimum requirements.
- (c) Required Trees for Residential Unit Types.
 - (1) Single Family and Two-Family Lots: One large deciduous or evergreen tree per forty (40) feet of lot frontage or fraction thereof, to be planted in the front yard setback area when the lawn is installed.
 - (2) Attached Single-Family and Multi-Family Dwelling Units. One large deciduous or evergreen tree per unit to be planted between the building and the public, private street or private drive and planted when the lawn is installed; or in the case of a conversion, trees shall be planted within six months of the issuance of a building permit. No parking spaces, parking area aisles or driveways running parallel to the street shall be permitted in the required front setback that is to be landscaped.
(Ord. 2006-49. Passed 5-21-07.)

1165.10 PUBLIC USE LANDSCAPING.

All publicly funded buildings shall have as part of submitted contract documents a landscape plan prepared and sealed by a landscape architect registered in the State of Ohio. This plan shall be submitted to the City Shade Tree Commission and the Zoning Administrator for approval. Provisions for the implementation of the approved landscape plan shall be included in the final project contract. Any additional construction on public lands, buildings, additions, parking lots, etc., shall be subject to the provisions of this Chapter. Criteria for review will include appropriate buffering from adjacent properties, environmental impact, and agreement with the intent of this chapter as stated above.
(Ord. 2006-49. Passed 5-21-07.)

1165.11 GENERAL REQUIREMENTS, INSTALLATION, AND MAINTENANCE.

Areas within the setback 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 maintained in good and healthy condition.

- (a) Installation.
 - (1) Each tree at the time of installation shall have a minimum caliper of 2 inches and a clear trunk height of at least six (6) feet, unless otherwise specified.
 - (2) When a small tree is permitted by this Chapter, such tree shall have a minimum caliper of 1.5 inches and a clear trunk height of at least five (5) feet at the time of installation.
 - (3) If installation of plantings is not completed in a planting season, then landscaping must be installed during the next planting season.
- (b) Performance Guarantee. No landscape plan required by this Code shall be approved and no zoning certificate issued until the owner of the lot and/or building in question has posted a performance guarantee with the City conditioned upon satisfactory installation of the approved landscaping in the owner's landscape plan. Such guarantee shall be in the form of a performance, surety bond, certified check or any other such type of guarantee approved by the Law Director. The financial guarantee shall cover the estimated cost of all required landscaping, installation of such landscaping and any other landscaping obligations on the part of the owner.
- (c) Planting Arrangement. Trees and shrubs shall be arranged to create varied and attractive views and plant material should provide a variety of color displayed throughout the year.
- (d) Screening. All screening and buffer yards shall be free of advertising or other signs, except for directional signs and other signs for the efficient flow of vehicles.
- (e) Parking. Vehicle parking shall not be permitted in landscaped areas.
- (f) Pedestrian Movement. Materials shall not be placed where they will prevent pedestrian movement unless so planted for that or similar purpose.
- (g) Damage to Public Works. In no case shall any plant material interfere with or cause damage to underground utility lines, public roadways or other public works. Species of trees whose roots are known to cause damage to pavements or other public works shall not be planted closer than fifteen (15) feet to such public works. A list of such species is maintained in the office of the Zoning Administrator.
- (h) Maintenance. The owner of landscaping required by this Code shall maintain such landscaping in good condition so as to present a healthy, neat and orderly appearance, free from refuse and debris. No plant material required by this Planning and Zoning Code shall be removed for any reason unless replaced with like kind and size at the time of removal. Prior to such removal, a revised landscape plan shall be submitted to the

Zoning Administrator for review and approval per Section 1107.07 (a), Minor Development Plan Review.

- (i) Sidewalk Pits. When planting trees in sidewalk pits, the minimum dimensions for the pit shall be 5 feet X 5 feet. (Ord. 2006-49. Passed 5-21-07.)

1165.12 RECOMMENDED TREE SPECIES.

Acceptable trees and trees not acceptable to fulfill the requirements of this Chapter include, but are not limited to, ones found in the Wooster City Urban Forestry Policy Manual, current edition. If other trees are to be considered, the matter must be brought before the Wooster Shade Tree Commission for approval.

(Ord. 2015-04. Passed 2-17-15.)

1165.13 APPROVAL PROCESS FOR REQUIRED LANDSCAPING, FENCES, AND WALLS.

- (a) The location of proposed landscaping, fences or walls required to fulfill the standards and criteria of this Chapter shall be reviewed and approved as part of a development plan pursuant to Chapter 1107.
- (b) 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:
 - (1) Complies with the requirements of this Chapter;
 - (2) Is consistent with any previously approved plan;
 - (3) Is compatible with the current site development if there is no approved plan; and
 - (4) Will have a minimal adverse impact to the surrounding areas.(Ord. 2006-49. Passed 5-21-07.)

1165.14 WOODLAND PRESERVATION.

Residential and commercial developments on properties with Woodlands shall be configured to provide as little impact as practically possible to the Woodland area.

Woodlands shall be shown on preliminary plans per Section 1115.05 and final development plans per Section 1115.11 . (Ord. 2013-44(a). Passed 12-16-13.)

1165.15 FLEXIBILITY.

The standards and criteria in this Chapter establish the City's objectives and levels of landscaping intensity expected. However, in applying these standards during the site design plan review, the Zoning Administrator and the Planning Commission may exercise discretion and flexibility with respect to the placement and arrangement of the required elements to assure that the objectives of the district and the proposed development or redevelopment are best satisfied.

(Ord. 2006-49. Passed 5-21-07.)