

Canal Winchester

*Town Hall
10 North High Street
Canal Winchester, OH 43110*



Meeting Agenda

December 3, 2018

6:00 PM

PUBLIC HEARING

City Council

*Bruce Jarvis – President
Mike Walker – Vice President
Jill Amos
Will Bennett
Bob Clark
Mike Coolman
Patrick Lynch*

A. Call To Order**B. Roll Call****C. Purpose of Public Hearing****[ORD-18-046](#)**

An Ordinance To Amend Part 11 Of The Codified Ordinances And The Zoning Map Of The City Of Canal Winchester, Rezoning An Approximately 69.237 Acre Tract Of Exceptional Use (EU) To Limited Manufacturing (LM), Owned By Gender/Thirty Three, Located On The North Side Of Winchester Boulevard (PID 184-000532 And 184-000871) (**[Ordinance, Exhibit A, P&Z Recommendation](#)**)

[ORD-18-047](#)

An Ordinance Adopting Section 1198 Of The Codified Ordinances Regarding Residential Appearance Standards (**[Ordinance, Exhibit A, Residential Appearance Standards Redline Copy, P&Z Recommendation](#)**)

[ORD-18-048](#)

An Ordinance Amending Section 11991 Of The Codified Ordinances Regarding Landscaping And Screening (**[Ordinance, CHAPTER 1191 Redline Copy, P&Z Recommendation](#)**)

D. Staff Report**[18-134](#)**

ORD-18-046 Staff Report and Rezoning Application

E. Public Comments - Five Minute Limit Per Person**F. Council Discussion and Recommendation****G. Adjournment**

ORDINANCE NO. 18-046

AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE CITY OF CANAL WINCHESTER, REZONING AN APPROXIMATELY 69.237 ACRE TRACT OF EXCEPTIONAL USE (EU) TO LIMITED MANUFACTURING (LM), OWNED BY GENDER/THIRTY THREE, LOCATED ON THE NORTH SIDE OF WINCHESTER BOULEVARD (PID 184-000532 AND 184-000871)

WHEREAS, the rezoning of the area hereinafter described has been proposed to the Council of the City of Canal Winchester; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester; and

WHEREAS, a public hearing has been held by the Planning and Zoning Commission of the City of Canal Winchester with a recommendation for approval of the rezoning;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Part 11 of the Codified Ordinances and the Zoning Map of the City of Canal Winchester, Ohio, which is part thereof, be and hereby is amended as follows:

That approximately 69.237 acres, located on the north side of Winchester Boulevard, PID 184-000532 and 184-000871, owned by Gender/Thirty Three, as fully set forth in the description attached hereto as Exhibit A and incorporated herein by reference, is rezoned from Exceptional Use (EU) to Limited Manufacturing (LM).

SECTION 2. That all other provisions of Part 11 of the Codified Ordinances and accompanying zoning map shall remain in full force and effect.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

APPROVED AS TO FORM:

DATE APPROVED

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

ZONING DESCRIPTION

69.237 Acres

Situated in the State of Ohio, county of Franklin, City of Canal Winchester, Section 24, Township 11, Range 21, Congress Lands and being all of those tracts of land as conveyed to Gender/Thirty-three of Official Record 11357F13 and Official Record 1135F16, all deed references refer to the records of The Recorder's Office, Franklin County, Ohio and described as follows:

Beginning for reference at F.C.G.S. Monument 2270 reset located at the intersection of the northerly right-of-way line of Winchester Boulevard extended, also being the southerly line of said Section 24, with the centerline of Gender Road;

Thence, North 85°45'23" West with said northerly right-of-way line and said southerly section line a distance of 1231.68 feet to an iron pin set at the southwesterly corner of a 14.828 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 200412200286893, the northwesterly corner of that 2.119 acre tract as conveyed to the City of Canal Winchester Official Record 31057H09, and the northeasterly corner of that 0.629 tract as conveyed to the City of Canal Winchester of record in Instrument Number 201608180109326, at the **True Point of Beginning** for the description;

Thence, North 85°45'23" West continuing with said South section line, partly with northerly line of said 0.629 acre tract, partly with the northerly line of an original 3.924 acre tract as conveyed to Gender/Thirty-Three of record in Official Record 27286D07 and partly with the northerly line of that 11.280 acre tract of land as conveyed to Phele Investment of record in Instrument Number 201706150081040, a distance of 1493.31 feet to a 13/16" pipe with an EMH&T cap at the northwesterly corner of said 11.280 acre tract and the northeasterly corner of a 78.384 acre tract as conveyed to Baker Levin Farms, LLC of record in Instrument Number 200704240071166, the southeasterly corner of a 134.50 acre tract as conveyed to Baker Levin Farms LLC of record in Instrument Number 200704240071166, also being the southwesterly corner of Section 24 at its common corner with Sections 23, 25, and 26;

Thence, North 4°26'33" East with the easterly line of said 134.50 acre tract and the common line between Section 24 and 23 a distance of 1597.99 feet to a 13/16" pipe found with EMH&T cap at an angle point in said line;

Thence, North 4°20'59" East partly with the easterly line of said 134.50 acre tract and partly with the easterly line of a 20.1366 acre tract as conveyed to Dill's Realty LLC of record in Instrument Number 200111050255847, and the common line between sections 24 and 23 a distance of 866.30 feet to a ¾" pipe found no cap at a corner thereof in the southerly right-of-way line of State Route 33 as recorded in Deed Book 2390, page 592, Parcel 69LA;

Thence, South 61°24'34" East with said southerly limited access right-of-way line a distance of 1698.02 feet to a 5/8" rebar found with a Preferred Surveying Company cap at the northwesterly line of an 11.315 acre tract as conveyed to H.D. Development of Maryland Inc. of record in Instrument Number 200707020115156;

Thence, with the westerly line of said 11.315 acre tract the following courses:

South 26°50'00" West a distance of 217.80 feet to an iron pin set at a corner thereof;
North 85°06'32" West a distance of 135.03 feet to an iron pint set at a corner thereof;

Thence, South 4°55'08" West partly with said westerly line and partly with the westerly line of a 6.395 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 201412150165939 a distance of 822.51 feet to an iron pin set at a corner thereof;

Thence, South 64°45'23" East partly with the westerly line of said 7.393 acre tract and partly with the westerly line of said 14.828 acre tract passing a 13/16" iron pipe found with the EMH&T cap at a distance of 162.39 feet a total distance of 345.56 feet to an iron pin set at a corner thereof;

Thence, South 4°14'37" West with the westerly line of said 14.828 acre tract a distance of 440.00 feet to the **True Point of Beginning** and containing 69.237 acres of land more or less, 51.032 acres being out of PID 184-000532 and 18.205 acres out of PID 184.000871. This description is for zoning purposes only.

ZONING DESCRIPTION

69.237 Acres

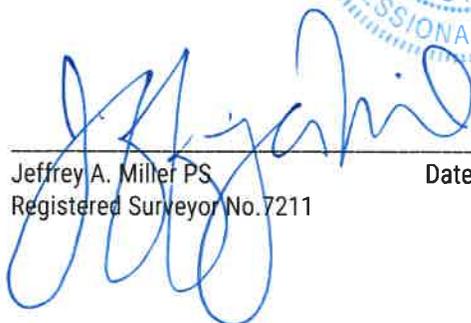
Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

All iron pins called as set are 5/8" x 30" rebar with yellow cap stamped "CESO".

The basis of bearing is based on a bearing of North 85°45'23" West for the southerly line of Section 24 as determined by GPS observation, based on NAD 83 (2011), Ohio State Plane South zone and post processed using and OPUS Solution.

CESO, Inc.



 9-12-18

Jeffrey A. Miller PS
Registered Surveyor No.7211

Date 9/12/2018



To: Amanda Jackson, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: October 9, 2018
RE: Application ZM-18-005

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **October 8, 2018**

Motion by Donahue, seconded by Wildenthaler, to recommend to council approval of Zoning Map Amendment ZM-18-005; to consider a Zoning Map Amendment from EU to LM; for 69.24 acres located at PID: 184-000532 and 184-000871 (Located on the north side of Winchester Blvd, west of Gender Road). Project CASTO applicant Douglas Swain, Owner Gender/Thirty-Three, LLC.

Voting yes: Mark Caulk; Mike Vasko; Bill Christensen; June Konold; Joe Donahue; Joe Wildenthaler. **Motion Carried 6-0**

Andrew Moore
Planning and Zoning Administrator

ORDINANCE NO. 18-047

AN ORDINANCE ADOPTING SECTION 1198 OF THE CODIFIED ORDINANCES REGARDING RESIDENTIAL APPEARANCE STANDARDS

WHEREAS, City Council had formed a committee to review standards for residential development in the City of Canal Winchester to further assist developers and city officials in the preparation and review process of said developments; and

WHEREAS, the Residential Appearance Standards prepared by the committee have been presented to the Planning and Zoning Commission who held a public hearing and subsequently recommended their adoption by City Council; and

WHEREAS, Ordinance 82-06 adopting Section 1130 Planning and Zoning Residential Standards shall be repealed;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. Section 1198 Residential Appearance Standards attached hereto as Exhibit "A" are hereby adopted.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

CHAPTER 1198
Residential Appearance Standards

1198.01	Purpose	1187.03	Definitions
1198.02	Applicability	1198.04	Residential Design Requirements

1198.01 Purpose

(a) Residential development in Canal Winchester has a direct effect on the character and livability of the community. Therefore, the City of Canal Winchester has the responsibility to adopt standards that promote desirable residential development that fits the context and character of the existing community. The following findings warrant the need for exterior appearance requirements for residential development:

(1) The adopted community plan recommends promoting high quality standards in building design that is in good scale and harmony with surrounding neighborhoods and buildings, and the natural surroundings.

(2) Providing for compliance with appearance regulations will assist in creating quality development with residential neighborhoods.

(3) Limiting the garage appearance within the front elevation limits the negative visual impact.

(4) A balance of natural and synthetic building materials allows for design creativity and promotes a high quality development.

(5) Trim around windows completes the appearance on every elevation.

(6) Placing windows, doors, porches, and other features on each elevation enhances the visual environment and contributes to the overall architectural diversity of a neighborhood.

(7) The lack of detailing, architectural features, and trim on elevations detracts from a dwelling and reduces the visual quality of a neighborhood.

(b) Residential appearance standards provide design requirements that are applicable to single, two, and three-family dwelling units. For purposes of this section, a single-, two-, and three-family dwelling unit will be defined as a "house." These requirements are designed to increase the quality of neighborhoods, to promote positive architectural appearance within residential areas, to encourage design flexibility and creativity, and to establish an interesting, aesthetically pleasing residential environment. It is also the intent of this section to promote durable, quality materials that will allow residential neighborhoods to endure and mature for future generations in the city.

1198.02 Applicability

(a) These requirements shall apply to the construction of all new homes, and additions to homes, unless designated as exempt in section (a)(3).

(1) Compliance Required. These requirements shall apply to any new home or to certain additions or alterations of an existing house constructed in compliance with the regulations of

this section. If an existing home is expanded or altered, the addition or alteration must comply with these architectural requirements when the alteration encompasses more than fifty percent (50%) of the Ground Floor Area (square feet), or the ground floor area is expanded by more than fifty percent (50%).

(2) Minimum Requirements. These requirements are minimum appearance requirements applicable to all houses in all districts, including Planned Development Districts, except as may be specifically approved in the Planned Development District ordinance.

(3) Exemption. Houses in the districts described below are exempt with these requirements:

(A) Houses located within a planned district approved prior to the effective date of this section.

(B) Houses located in a planned district approved after the effective date of this section with specific substitute residential appearance requirements contained in the adopted planned district ordinance. Residential appearance objectives for Planned Development Districts shall be adopted by City Council. These objectives explain more general intents regarding appearance in order to allow for creativity in meeting them through the Planned Development District process. Planned Development District proposals must demonstrate how the proposal addresses the residential appearance objectives and replace these minimum requirements.

(C) Houses located within the Old Town Overlay District (Chapter 1175) are exempt from the requirements of this section. These residential homes shall be regulated by the Landmarks Commission with the Certificate of Appropriateness Procedures for Design Review.

1198.03 Definitions

(a) For the purpose of this section, the following definitions apply:

(1) "*Blank Elevation*" An elevation that lacks the minimum required openings and architectural features, such as windows, doors, exterior chimneys, or other similar architectural features.

(2) "*Breastboard*" A lower flat area of a door or window crosshead.

(3) "*Chimney*" A structure projecting from the exterior wall of a house and enclosing or appearing to enclose a flue that carries off smoke. A chimney may or may not extend vertically to the eaves line or have a foundation/connected to the ground.

(A) "*Cantilevered Chimney*" A chimney that projects from the exterior wall and does not have a foundation or extension to the ground.

(B) "*Shed-type Chimney*" A chimney that does not extend full height vertically to the eaves line. A shed chimney typically includes a direct vent outlet in the chimney wall.

(4) "*Corbel*" A build out of one or more courses of brick or stone from the face of a wall, traditionally to form a support for timbers.

(5) "*Cornice*" Overhang of a pitched roof at the eaves line, usually consisting of a fascia board, a soffit for a closed cornice, and appropriate moldings.

(6) "*Corrugated Metal Roofing*" A roofing material that consists of interlocking rippled metal sheets that are fastened directly to the roof sheathing.

(7) "*Crosshead*" Decorative form that resembles a lintel used to top a door or window, consisting of a breastboard with crown moulding surrounding the top portion, and moulded together as one piece. Crossheads come in heights from 6" to 18". A variety of accessories can be added to complement the design of a simple crosshead.

(8) "*Crown Moulding*" Moulding used on cornice or wherever an interior angle is to be covered.

(9) "*Direct Vent Outlet*" An outlet through an exterior wall associated with the air supply and/or exhaust of a fire burner. It may or may not occur in a projecting box/chimney.

(10) "*Dormer*" A window set vertically in a structure projecting through a sloping roof; also the roofed structure containing that window.

(11) "*Eaves*" The margin or lower part of a roof projecting over a wall.

(12) "*Elevation*" A geometric projection of the front, side, or rear outer surface of a building onto a plane perpendicular to the horizontal; a vertical projection.

(13) "*Façade*" The front, sides or rear faces of a building.

(14) "*Fascia*" A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves also called a fascia board.

(15) "*French Drain*" A French drain or weeping tile is a trench filled with gravel or rock containing a perforated pipe that redirects surface water and groundwater away from an area. A French drain can have perforated hollow pipes along the bottom to quickly vent water that seeps down through the upper gravel or rock.

(16) "*Frieze Board*" A decorated band along the upper part of an exterior wall. In house construction a horizontal member connecting the top of the siding with the soffit of the cornice.

(17) "*Foundation Cladding*" An aesthetic enhancement to the foundation concealing exposed portions with an approved material.

(18) "*Gable*"

(A) *The vertical triangular end of a building from cornice or eaves to ridge.*

(B) *The similar end of a gambrel roof.*

(C) *The end wall of a building.*

(D) *A triangular part of a structure.*

(19) “*Masonry*” Natural or natural-appearing stone or brick.

(20) “*Plinth*” A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.

(21) “*Projection*” Any component of a structure that extends out from the main building.

(22) “*Quoin*” Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap the corner of an elevation and join two abutting walls.

(23) “*Soffit*” *The exposed undersurface of any overhead component of a building.*

(24) “*Standing Seam Metal Roof*” Roofing material constructed of interlocking metal panels that run from the ridge of the roof to the eave. The seams of the two panels are raised above the surface to allow the water to run off rather than seep between the panels. The seams are fastened to the roof using hidden anchors that are located on the raised portion of the panel that is overlapped by the adjacent panel hiding the fastener.

(25) “*Stucco*” A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(26) “*Trim*” The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(27) “*Vinyl Siding Accessories*” Exterior design elements that serve to provide more visual interest and complement the primary home design.

(28) “*Water Table*” A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

1198.04 Residential Design Requirements

(a) Design Requirements. In addition to all applicable zoning and development requirements, the following design requirements shall apply as outlined per 1198.02.

(1) Architectural Diversity (Same house next to each other). To discourage the appearance of tract-type housing, all single-family residential developments shall incorporate architectural diversity.

(A) Houses with the same or very similar design shall not be directly across the street and shall have a minimum 3-lot separation on the same side of the street or diagonal from each other.

(B) Minimum variations in house design shall be created by providing a minimum of two items from each of the two lists below, or by any other means as approved by the Planning and Zoning Commission with a similar degree of variation.

(i) Alterations of perceived scale and massing:

Reorientation/relocation of the garage and driveway.

Change in the basic roof by a change of the roof type, the roof form through the addition of dormers and gables, and/or reorientation of the roof spine from parallel to perpendicular to the street.

Addition or relocation of significant bump outs to the front or side of the house that alter the perceived massing of the house such as, two story bay windows, one story sunrooms, corner towers, balconies or other approved features.

Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(ii) Alterations of character, detail and color:

Change architectural style.

Change in material of significant proportions (40%) of the house façade.

Addition or alteration of significant new detailing package with altered accent color to include any three items such as, trims, shutters, style and color of a front door or garage door.

Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(2) Chimneys. All chimneys must extend full height, from ground and vertically past the eaves line. Cantilevered and shed-type chimneys are prohibited. Chimneys must be finished in masonry or stucco but need not match the background wall in material or color.

(3) Driveways. Driveways for residential developments shall consist of concrete, asphalt, or brick pavers. The Planning and Zoning Commission may permit a similar construction material as an alternative only upon prior approval. All driveway aprons shall be concrete. All driveways shall be a flat, earth tone color. The maximum driveway width at the right-of-way line shall be ten (10) feet wide, not including the approach. The Driveway may flare to be wider at the garage. Driveways should be designed to be grouped to increase the amount of open space along the street.

(4) Entryways and Porches. The design of each houses shall emphasize the house mass and entry. The front entrance should be the focal point of the home and be designed to shelter you from the elements and be inviting. Flat front entryways shall be prohibited. All front entryways must include features which extend beyond the front façade of the primary living area.

(A) Portico. Porticos offer a visual cue on where to enter the house and connects the indoors to the outdoors. Typically, it is a structure consisting of a roof supported by columns or piers, usually attached to the building as a porch. Portico's can encroach the front setback or a build-to line by up-to seven (7) feet.

(B) Front Porches. Front porches provide a "stage" for interaction between the house and the street. Neighbors can publicly communicate much like the older neighborhoods in Canal Winchester. Front porches shall be a minimum of seven (7) feet in depth and ten (10)

feet wide. Front porches can encroach the established front setback or build-to line by up-to seven (7) feet.

(5) Finish Building Materials. The design of buildings shall coordinate the materials and details of all sides of the building with the design of the front elevation and street sides. Wood board or shake, brick, stone, cultured stone, fibrous cement siding, stucco and vinyl siding are the permitted finish building materials. Asphalt dimensional shingles, natural or simulated slate, tile, standing seam metal, natural or simulated wood shingles or shakes are the permitted roof materials. Corrugated metal roofing is not a permitted roof material.

(A) Asphalt Dimensional Shingles. Asphalt Dimensional shingles must be a 25-year “true” dimensional shingle. Painted shadows are not permitted. Shingles must have a minimum weight of 240 pounds per 100 square feet and be installed according to the manufacturer’s specifications.

(B) When a change in materials occurs at corners, the change must occur at the inside of the corner unless the masonry on the street-facing façade extends at least two feet past the outside corner. If a house has a side gable and a material change occurs on the outside corner, or if two different materials are used on the facades of main and upper floors, rather than extending the materials around the corner, a quoin or minimum 5 ¼-inch wide corner board must be used along the vertical length of the non-masonry corner.

(6) Foundations. There shall be no more than twelve (12) inches of exposed foundation walls. If there are more than twelve (12) inches of foundation wall exposed, they must be finished with one of the following: brick, veneer brick, stone or cultured stone designed by the manufacturer for at-grade or below-grade installation.

(7) Four-Sided Architecture. The purpose of requiring four-sided architecture on all residential dwellings is to avoid large areas of blank exterior walls. Each side elevation must contain at least two (2) design elements per floor and each elevation facing a street or rear elevation must contain at least three (3) design elements per floor. Blank facades are not permitted for any detached garages or accessory structures. Typical design elements are included below, but this list is not all-inclusive.

(A) The eligible design elements are as follows:

- A door of at least seventeen (17) square feet in area.
- A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) element. A set of adjacent windows, such as double or bay windows, shall be considered as one element.
- A chimney.
- An articulated gable vent of at least four (4) square feet in area.
- A dormer.
- Porches, decks, balconies or similar structure.
- A Sunroom.

Architectural cornice returns.

A similar significant permanent architectural feature consistent with the style of the house only upon prior approval by the Planning and Zoning Commission.

(B) Unacceptable design elements include:

Sides of porches.

Rooflines.

Water Tables.

Garage Doors.

Egress Steps required by building code.

(8) Garages. Design of each houses shall be designed to emphasize the house mass and entry, garages shall be clearly secondary in character. Garages may be attached or detached. All single-family residential developments shall have a mix of front loaded and side loaded garages. A minimum 25% of the lots must be designed for a detached or standard side entrance garage. Garages attached via a breezeway shall be considered detached for purposes of this standard. For corner lots, the garage shall be oriented towards the “lower” defined street classification as determined by the Planning and Zoning Commission. Garage doors shall be a maximum 9 feet height. If there is a living area above the garage, the maximum height of the roof over the garage shall be 35 feet. Otherwise, the maximum height of the roof over the garage is 18 feet.

(A) Front Loaded Garages:

Shall be located a minimum four (4) feet behind the front line of the livable area of the home. A covered or uncovered porch shall not be considered a livable area of a home.

Garage doors shall not exceed forty-five percent (45%) of the house width (frontage). Where more than a standard 2-car front loaded garage is provided, the additional garage bay(s) shall be offset from and architecturally designed to appear separate and distinct from the 2-car garage and the garage doors shall not exceed fifty percent (50%) of the house width.

(B) Side Loaded Garages:

Side loaded garages may be loaded from an inside court area.

The garage elevation facing the street must incorporate design features also found in the front elevation of the home including, but not limited to, windows.

(9) Gutters and Downspouts. Gutters and downspouts are required on all homes. Downspouts may be tied into curb drains or exit directly into a French drain system to discharge the water in the rear of the yard. No more than 50% of the roof drainage may lead to the curb.

(10) Roof Pitch. The main architectural roof of a house must have a minimum 6:12 pitch. Dormers, porches, and other similar secondary architectural features may have roofs with a minimum 4:12 pitch. Eaves and overhangs are required and in no case shall they be less than eight (8) inches on any elevation.

(11) Vinyl Homes. This section shall serve as a guide for constructing a vinyl sided home. Where the vinyl sided home requirements overlap with four-sided architecture requirements, the requirements of this section shall not be counted towards the minimum four-sided architecture requirements, but shall be in addition those requirements. All vinyl materials must have a minimum thickness of .046 inches. The siding must have a low-gloss finish. Any predominantly vinyl-sided home must include complementary accessories and detailing where vinyl siding elevations occur, as follows:

(A) A detailed main entryway by use of a minimum eight (8) inch wide three-dimensional door-surround system;

(B) Minimum six (6) inch wide frieze or fascia boards; and

(C) Minimum eight (8) inch wide water table trim board at the foundation.

(D) At least two of the following accessory types must be utilized per home. The selected accessory type must occur on each vinyl-sided elevation as indicated on the following table. Additional accessories may be utilized in addition to the minimum requirements.

Minimum Accessories for Vinyl-Sided Homes	Select Accessory Type Must Occur (at least) When the Exterior Wall Elevation is Vinyl.
Select two accessory types:	
Shutters Pairs	X
Crosshead	X
Masonry Water Table	X
Gable Vent	X

Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank or substantially similar materials as determined by the Planning and Zoning Commission.

Crossheads must occur at least above all windows on vinyl-sided elevations.

Masonry water table and plinth must occur along all elevations of a vinyl-sided house. The height of this feature shall be at least two (2) feet as measured from grade.

Gable vents must be articulated decorative gable vent(s) of at least four square feet in area and occur in at least the front, or side of vinyl-sided homes.

(12) Windows (Trim and Shutters): Trim is required with all windows on any elevation. Trim shall include either a top and bottom finish of soldier course, rowlock, lintel or sill; or a minimum 3 ½- inch board around all sides of the window.

(A) Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank, or substantially similar materials as determined by the Planning and Zoning Commission.

City of Canal Winchester

Residential Appearance
Standards

DRAFT

Adopted on
Effective:

CHAPTER 1198 Residential Appearance Standards

1198.01	Purpose	1187.03	Definitions
1198.02	Applicability	1198.04	Residential Design Requirements

1198.01 Purpose

(a) Residential development in Canal Winchester has a direct effect on the character and livability of the community. Therefore, the City of Canal Winchester has the responsibility to adopt standards that promote desirable residential development that fits the context and character of the existing community. The following findings warrant the need for exterior appearance requirements for residential development:

(1) The adopted community plan recommends promoting high quality standards in building design that is in good scale and harmony with surrounding neighborhoods and buildings, and the natural surroundings.

(2) Providing for compliance with appearance regulations will assist in creating quality development with residential neighborhoods.

(3) Limiting the garage appearance within the front elevation limits the negative visual impact.

(4) A balance of natural and synthetic building materials allows for design creativity and promotes a high quality development.

(5) Trim around windows completes the appearance on every elevation.

(6) Placing windows, doors, porches, and other features on each elevation enhances the visual environment and contributes to the overall architectural diversity of a neighborhood.

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(b) Residential appearance standards provide design requirements that are applicable to single, two, and three-family dwelling units. For purposes of this section, a single-, two-, and three-family dwelling unit will be defined as a “house.” These requirements are designed to increase the quality of neighborhoods, to promote positive architectural appearance within residential areas, to encourage design flexibility and creativity, and to establish an interesting, aesthetically pleasing residential environment. It is also the intent of this section to promote durable, quality materials that will allow residential neighborhoods to endure and mature for future generations in the city.

1198.02 Applicability

(a) These requirements shall apply to the construction of all new homes, and additions to homes, unless designated as exempt in section (a)(3).

(1) Compliance Required. These requirements shall apply to any new home or to certain additions or alterations of an existing house constructed in compliance with the regulations of this section. If an existing home is expanded or altered, the addition or alteration must comply with these architectural requirements when the alteration encompasses more than fifty percent (50%) of the Ground Floor Area (square feet), or the ground floor area is expanded by more than fifty percent (50%).

(2) Minimum Requirements. These requirements are minimum appearance requirements applicable to all houses in all districts, including Planned Development Districts, except as may be specifically approved in the Planned Development District ordinance.

(3) Exemption. Houses in the districts described below are exempt with these requirements:

(A) Houses located within a planned district approved prior to the effective date of this section.

(B) Houses located in a planned district approved after the effective date of this section with specific substitute residential appearance requirements contained in the adopted planned district ordinance. Residential appearance objectives for Planned Development Districts shall be adopted by City Council. These objectives explain more general intents regarding appearance in order to allow for creativity in meeting them through the Planned Development District process. Planned Development Districts proposals must demonstrate how the proposal addresses the residential appearance objectives and replace these minimum requirements.

(C) Houses located within the Old Town Overlay District (Chapter 1175) are exempt from the requirements of this section. These residential homes shall be regulated by the Landmarks Commission with the Certificate of Appropriateness Procedures for Design Review.

1198.03 Definitions

(a) For the purpose of this section, the following definitions apply:

(1) *“Blank Elevation”* An elevation that lacks the minimum required openings and architectural features, such as windows, doors, exterior chimneys, or other similar architectural features.

(2) *“Breastboard”* A lower flat area of a door or window crosshead.

(3) *“Chimney”* A structure projecting from the exterior wall of a house and enclosing or appearing to enclose a flue that carries off smoke. A chimney may or may not extend vertically to the eaves line or have a foundation/connected to the ground.

(A) “*Cantilevered Chimney*” A chimney that projects from the exterior wall and does not have a foundation or extension to the ground.

(B) “*Shed-type Chimney*” A chimney that does not extend full height vertically to the eaves line. A shed chimney typically includes a direct vent outlet in the chimney wall.

(4) “*Corbel*” A build out of one or more courses of brick or stone from the face of a wall, traditionally to form a support for timbers.

(5) “*Cornice*” Overhang of a pitched roof at the eaves line, usually consisting of a fascia board, a soffit for a closed cornice, and appropriate moldings.

(6) “*Corrugated Metal Roofing*” A roofing material that consists of interlocking rippled metal sheets that are fastened directly to the roof sheathing.

(7) “*Crosshead*” Decorative form that resembles a lintel used to top a door or window, consisting of a breastboard with crown moulding surrounding the top portion, and moulded together as one piece. Crossheads come in heights from 6” to 18”. A variety of accessories can be added to complement the design of a simple crosshead.

(8) “*Crown Moulding*” Moulding used on cornice or wherever an interior angle is to be covered.

(9) “*Direct Vent Outlet*” An outlet through an exterior wall associated with the air supply and/or exhaust of a fire burner. It may or may not occur in a projecting box/chimney.

(10) “*Dormer*” A window set vertically in a structure projecting through a sloping roof; also the roofed structure containing that window.

(11) “*Eaves*” The margin or lower part of a roof projecting over a wall.

(12) “*Elevation*” A geometric projection of the front, side, or rear outer surface of a building onto a plane perpendicular to the horizontal; a vertical projection.

(13) “*Façade*” The front, sides or rear faces of a building.

(14) “*Fascia*” A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves also called a fascia board.

(15) “*French Drain*” A French drain or weeping tile is a trench filled with gravel or rock containing a perforated pipe that redirects surface water and groundwater away from an area. A French drain can have perforated hollow pipes along the bottom to quickly vent water that seeps down through the upper gravel or rock.

(16) “*Frieze Board*” A decorated band along the upper part of an exterior wall. In house construction a horizontal member connecting the top of the siding with the soffit of the cornice.

(17) “*Foundation Cladding*” An aesthetic enhancement to the foundation concealing exposed portions with an approved material.

(18) “*Gable*”

(A) *The vertical triangular end of a building from cornice or eaves to ridge.*

(B) *The similar end of a gambrel roof.*

(C) *The end wall of a building.*

(D) *A triangular part of a structure.*

(19) “*Masonry*” Natural or natural-appearing stone or brick.

(20) “*Plinth*” A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.

(21) “*Projection*” Any component of a structure that extends out from the main building.

(22) “*Quoin*” Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap the corner of an elevation and join two abutting walls.

(23) “*Soffit*” *The exposed undersurface of any overhead component of a building.*

(24) “*Standing Seam Metal Roof*” Roofing material constructed of interlocking metal panels that run from the ridge of the roof to the eave. The seams of the two panels are raised above the surface to allow the water to run off rather than seep between the panels. The seams are fastened to the roof using hidden anchors that are located on the raised portion of the panel that is overlapped by the adjacent panel hiding the fastener.

(25) “*Stucco*” A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(26) “*Trim*” The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(27) “*Vinyl Siding Accessories*” Exterior design elements that serve to provide more visual interest and complement the primary home design.

(28) “*Water Table*” A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

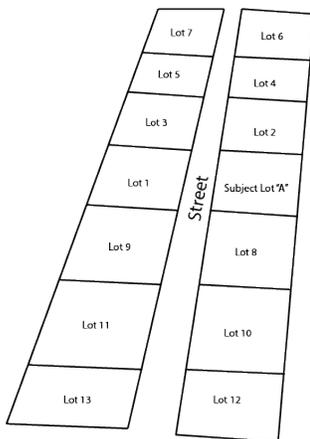
1198.04 Residential Design Requirements

(a) Design Requirements. In addition to all applicable zoning and development requirements, the following design requirements shall apply as outlined per 1198.02.

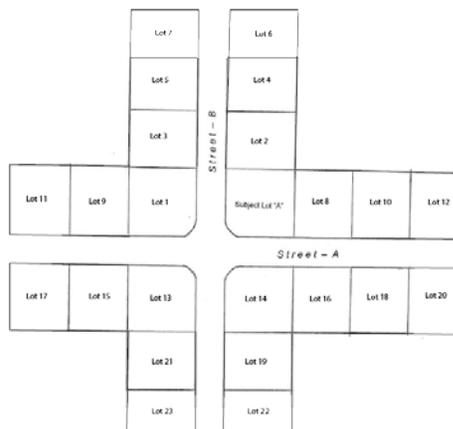
(1) Architectural Diversity (Same house models next to each other). **To discourage the appearance of tract-type housing**, all single-family residential developments shall incorporate architectural diversity. ~~whereby~~

(A) **Houses with the same the same house model or very similar design** shall not be directly across the street and ~~(b)~~ shall have a minimum 3-lot separation ~~shall be required between the same house model~~ on the same side of the street or diagonal from each other.

Example:
The **same or very similar** house model located on Subject Lot “A” cannot occur on Lots 1 through 13.



Example:
The **same or very similar** house model located on Subject Lot “A” cannot occur on Lots 1 through 23.



(B) **Minimum variations in house design shall be created by providing a minimum of two items from each of the two lists below, or by any other means as approved by the Planning and Zoning Commission with a similar degree of variation.**

(i) **Alterations of perceived scale and massing:**

- Reorientation/relocation of the garage and driveway.
- Change in the basic roof by a change of the roof type, the roof form through the addition of dormers and gables, and/or reorientation of the roof spine from parallel to perpendicular to the street.
- Addition or relocation of significant bump outs to the front or side of the house that alter the perceived massing of the house such as, two story bay windows, one story sunrooms, corner towers, balconies or other approved features.
- Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(ii) **Alterations of character, detail and color:**

- Change architectural style.

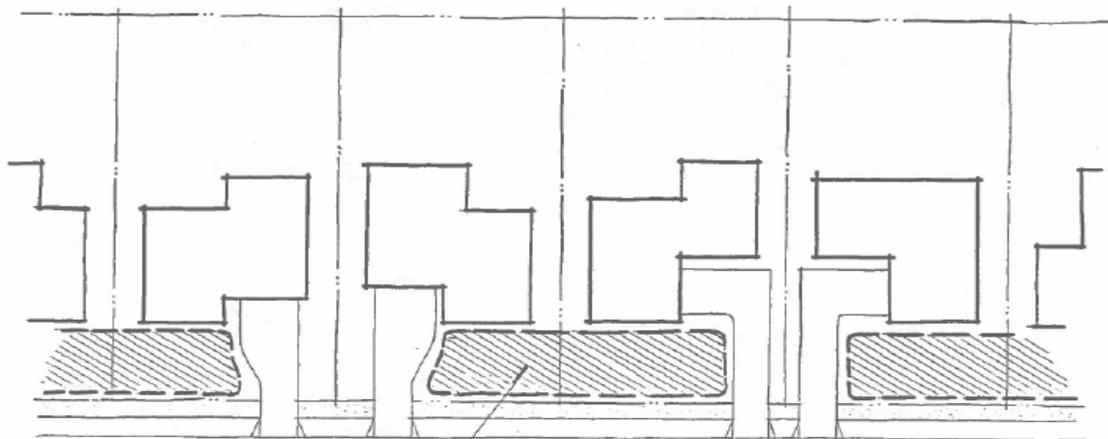
Change in material of significant proportions (40%) of the house façade.

Addition or alteration of significant new detailing package with altered accent color to include any three items such as, trims, shutters, style and color of a front door or garage door.

Other significant exterior features proposed by the applicant if approved by the Planning and Zoning Commission.

(2) Chimneys. All chimneys must extend full height, from ground and vertically past the eaves line. Cantilevered and shed-type chimneys are prohibited. Chimneys must be finished in masonry or stucco but need not match the background wall in material or color.

(3) Driveways. Driveways for residential developments shall consist of concrete, asphalt, or brick pavers. The Planning and Zoning Commission may permit a similar construction material as an alternative only upon prior approval. All driveway aprons shall be concrete. All driveways shall be a flat, earth tone color. The maximum driveway width at the right-of-way line shall be ten (10) feet wide, not including the approach. The Driveway may flare to be wider at the garage. Driveways should be designed to be grouped to increase the amount of open space along the street.

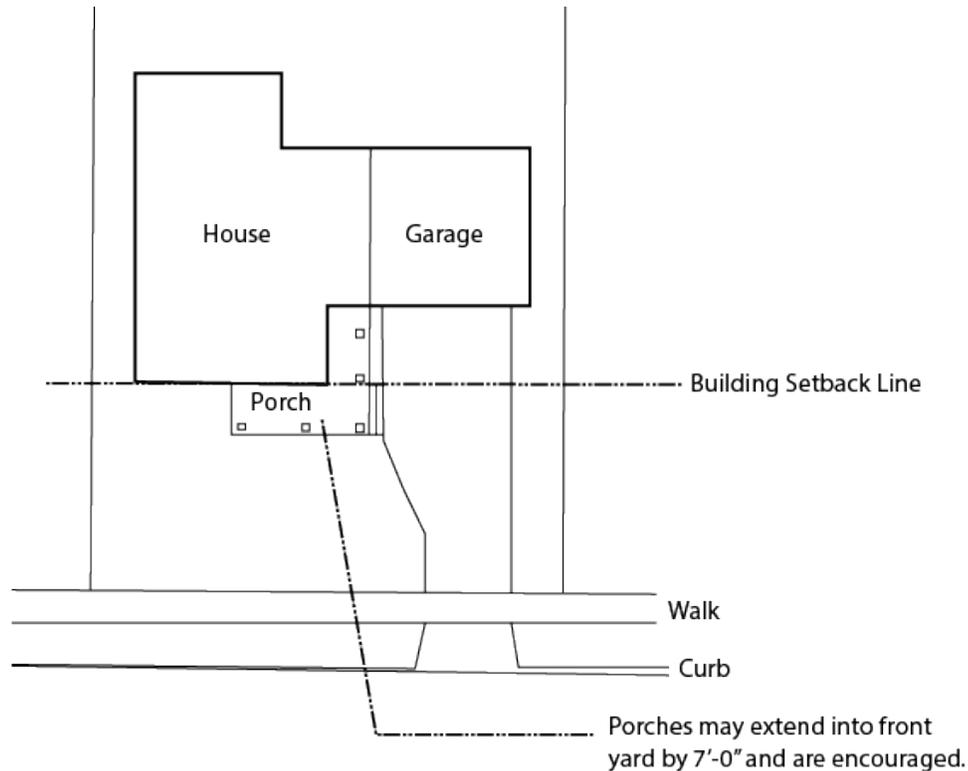


Grouped Driveways allow adjacent front yards to be combined. Creating more continuous green space along the street.

(4) Entryways and Porches. The design of each house shall emphasize the house mass and entry. The front entrance should be the focal point of the home and be designed to shelter you from the elements and be inviting. Flat front entryways shall be prohibited. All front entryways must include features which extend beyond the front façade of the primary living area.

(A) Portico. Porticos offer a visual cue on where to enter the house and connects the indoors to the outdoors. Typically, it is a structure consisting of a roof supported by columns or piers, usually attached to the building as a porch. Portico's can encroach the front setback or a build-to line by up-to seven (7) feet.

(B) Front Porches. ~~Front porches are required on all homes.~~ Front porches provide a “stage” for interaction between the house and the street. Neighbors can publicly communicate much like the older neighborhoods in Canal Winchester. Front porches shall be a minimum of seven (7) feet in depth and ten (10) feet wide. Front porches can encroach the established front setback or build-to line by up-to seven (7) feet.



(5) Finish Building Materials. **The design of buildings shall coordinate the materials and details of all sides of the building with the design of the front elevation and street sides.** Wood board or shake, brick, stone, cultured stone, fibrous cement siding, stucco and vinyl siding are the permitted finish building materials. Asphalt dimensional shingles, natural or simulated slate, tile, standing seam metal, natural or simulated wood shingles or shakes are the permitted roof materials. Corrugated metal roofing is not a permitted roof material.

(A) Asphalt Dimensional Shingles. Asphalt Dimensional shingles must be a 25-year “true” dimensional shingle. Painted shadows are not permitted. Shingles must have a minimum weight of 240 pounds per 100 square feet and be installed according to the manufacture’s specifications.

(B) When a change in materials occurs at corners, the change must occur at the inside of the corner unless the masonry on the street-facing façade extends at least two feet past the outside corner. If a house has a side gable and a material change occurs on the outside corner, or if two different materials are used on the facades of main and upper floors,

rather than extending the materials around the corner, a quoin or minimum 5 ¼-inch wide corner board must be used along the vertical length of the non-masonry corner.

(6) Foundations. There shall be no more than twelve (12) inches of exposed foundation walls. If there are more than twelve (12) inches of foundation wall exposed, they must be finished with one of the following: brick, veneer brick, stone or cultured stone designed by the manufacturer for at-grade or below-grade installation.

(7) Four-Sided Architecture. The purpose of requiring four-sided architecture on all residential dwellings is to avoid large areas of blank exterior walls. Each side elevation must contain at least two (2) design elements per floor and each elevation facing a street or rear elevation must contain at least three (3) design elements per floor. Blank facades are not permitted for any detached garages or accessory structures. Typical design elements are included below, but this list is not all-inclusive.

(A) The eligible design elements are as follows:

- A door of at least seventeen (17) square feet in area.
- A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) element. A set of adjacent windows, such as double or bay windows, shall be considered as one element.
- A chimney.
- An articulated gable vent of at least four (4) square feet in area.
- A dormer.**
- Porches, decks, balconies or similar structure.
- A Sunroom.**
- Architectural cornice returns.**
- A similar significant permanent architectural feature consistent with the style of the house only upon prior approval by the Planning and Zoning Commission.

(B) Unacceptable design elements include:

- Sides of porches.
- Rooflines.
- Water Tables.
- Garage Doors.
- Egress Steps required by building code.

(8) Garages. **Design of each houses shall be designed to emphasize the house mass and entry,** garages shall be clearly secondary in character. ~~by means of a simplified design compatible with that of the primary structure.~~ Garages may be attached or detached. All single-family residential developments shall have a mix of front loaded and side loaded garages. A minimum 25% of the lots must be designed for a detached or standard side entrance garage.

Garages attached via a breezeway shall be considered detached for purposes of this standard. For corner lots, the garage shall be oriented towards the “lower” defined street classification as determined by the Planning and Zoning Commission. Garage doors shall be a maximum 9 feet height. If there is a living area above the garage, the maximum height of the roof over the garage shall be 35 feet. Otherwise, the maximum height of the roof over the garage is 18 feet.

(A) Front Loaded Garages:

Shall be located a minimum four (4) feet behind the front line of the livable area of the home. A covered or uncovered porch shall not be considered a livable area of a home.

Garage doors shall not exceed forty-five percent (45%) of the house width (frontage). Where more than a standard 2-car front loaded garage is provided, the additional garage bay(s) shall be offset from and architecturally designed to appear separate and distinct from the 2-car garage and the garage doors shall not exceed fifty percent (50%) of the house width.

(B) Side Loaded Garages:

Side loaded garages may be loaded from an inside court area.

The garage elevation facing the street must incorporate design features also found in the front elevation of the home including, but not limited to, windows.

(9) Gutters and Downspouts. Gutters and downspouts are required on all homes. Downspouts may be tied into curb drains or exit directly into a French drain system to discharge the water in the rear of the yard. No more than 50% of the roof drainage may lead to the curb.

(10) Roof Pitch. The main architectural roof of a house must have a minimum 6:12 pitch. Dormers, porches, and other similar secondary architectural features may have roofs with a minimum 4:12 pitch. Eaves and overhangs are required and in no case shall they be less than eight (8) inches on any elevation.

(11) Vinyl Homes. **This section shall serve as a guide for constructing a vinyl sided home. Where the vinyl sided home requirements overlap with four-sided architecture requirements, the requirements of this section shall not be counted towards the minimum four-sided architecture requirements, but shall be in addition those requirements.** All vinyl materials must have a minimum thickness of .046 inches. The siding must have a low-gloss finish. Any predominantly vinyl-sided home must include complementary accessories and detailing where vinyl siding elevations occur, as follows:

(A) A detailed main entryway by use of a minimum eight (8) inch wide three-dimensional door-surround system;

(B) Minimum six (6) inch wide frieze or fascia boards; and

(C) Minimum eight (8) inch wide water table trim board at the foundation.

(D) At least two of the following accessory types must be utilized per home. The selected accessory type must occur on each vinyl-sided elevation as indicated on the following table. Additional accessories may be utilized in addition to the minimum requirements.

Minimum Accessories for Vinyl-Sided Homes	Select Accessory Type Must Occur (at least) When the Exterior Wall Elevation is Vinyl.
Select two accessory types:	
Shutters Pairs	X
Crosshead	X
Masonry Water Table	X
Gable Vent	X

Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank **or substantially similar materials as determined by the Planning and Zoning Commission.**

Crossheads must occur at least above all windows on vinyl-sided elevations.

Masonry water table and plinth must occur along all elevations of a vinyl-sided house. The height of this feature shall be at least two (2) feet as measured from grade.

Gable vents must be articulated decorative gable vent(s) of at least four square feet in area and occur in at least the front, or side of vinyl-sided homes.

(12) Windows (Trim and Shutters):

Trim is required with all windows on any elevation. Trim shall include either a top and bottom finish of soldier course, rowlock, lintel or sill; or a minimum 3 ½- inch board around all sides of the window.

(A) Shutter shall be sized to fully cover the window and shall be operable or appear as such, and utilize shutter hardware including s-clips and hinges. Shutters shall be louvered, raised or flat paneled or board and batten and made of painted wood, vinyl, painted synthetic, PVC or Hardiplank, **or substantially similar materials as determined by the Planning and Zoning Commission.**



To: Amanda Jackson, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: October 9, 2018
RE: Application ZA-18-003

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **October 8, 2018**

Motion by Donahue, seconded by Wildenthaler, to recommend to council approval of ZA-18-003; to consider a Zoning Text Amendment(s) to Chapter 1130 Residential Design Standards, and to modify and create Chapter 1198 Residential Appearance Standards. The proposed amendments have been initiated by the Planning and Zoning Commission. Voting yes: Bill Christensen; Joe Donahue; Mark Caulk; Joe Wildenthaler; Michael Vasko; June Konold. **Motion Carried 6-0**

A handwritten signature in blue ink, appearing to read "Andrew Moore", is written above a horizontal line.

Andrew Moore
Planning and Zoning Administrator

ORDINANCE NO. 18-048

AN ORDINANCE AMENDING SECTION 11991 OF THE CODIFIED ORDINANCES REGARDING LANDSCAPING AND SCREENING

WHEREAS, in order to promote, protect, and preserve the character of the municipality it is necessary to revise the requirements for landscaping and screening in the City;

WHEREAS, the Planning and Zoning Commission initiated Application #ZA-18-006 following a public hearing held on October 8, 2018 and has recommended approval of this ordinance; and

WHEREAS, notice of a public hearing has been duly advertised and the public hearing has been held before the Council of the City of Canal Winchester.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

SECTION 1. That Section 1191 of the Codified Ordinance of the City of Canal Winchester is hereby amended to read as follows:

**CHAPTER 1191
Landscaping and Screening**

- 1191.01 Purpose
- 1191.02 Preservation of Trees and Wooded Areas
- 1191.03 Tree Replacement
- 1191.04 Landscape Standards
- 1191.05 Development Standards
- 1191.06 Off-Street Parking Standards
- 1191.07 Signage
- 1191.08 Screening of Service Courts and Loading Dock Areas
- 1191.09 Submittal Requirements
- 1191.10 Installation and Maintenance
- 1191.11 Tree Removal Permits
- 1191.12 Public Spaces

CROSS REFERENCES

- Administration, Enforcement and Penalty - see P. & Z. Chapter 1135
- Off-Street Parking - see P. & Z. Chapter 1185
- Signage - see P. & Z. Chapter 1189

1191.01 PURPOSE.

The purpose and intent of this chapter is the preservation and promotion of tree canopy coverage and landscaping as a suitable and necessary aspect of land development, as a component of Municipal development character, as an important beneficial element of the microclimate through the provision of shade and as buffers, and to promote the public health, safety and general welfare. It is further the purpose of this chapter to promote the preservation and, when necessary, replacement of major trees removed in the course of land development, to promote the proper utilization of landscaping as a buffer between certain land uses to minimize conflicts, and to protect, preserve and promote the character of the Municipality.

(a) *“Caliper”* the caliper of a tree shall be measured at six (6) inches above grade. For this chapter the term “caliper” only applies to new trees.

(b) *“Diameter Breast Height (dbh)”* the dbh of a tree shall be measured at four and one half (4 1/2 feet) above ground level. For this chapter the term “diameter breast height (dbh) only applies to existing trees.

(c) *“Major Tree”* For the purposes of this section, a major tree is defined by having diameter breast

height of six (6) inches or greater.

(d) "Woodlands" For the purposes of this section, a Woodland is an area of trees and unique site characteristic that have been determined by the City of Canal Winchester and identified on the Canal Winchester Woodland Map.

1191.02 PRESERVATION OF TREES AND WOODED AREAS.

(a) All major trees shall be preserved unless exempted, as follows: The Urban Forester may approve the cutting down, removal or destruction of a major tree when the tree interferes with the proper development of a lot, provided that the lot is in the subject of application for approval of a zoning certificate, a site plan, a development plan, a variance, or a conditional use permit and one of the following applies:

(1) The tree will be located within a public right-of-way or easement.

(2) The tree is located within the area to be covered by proposed structures or within twelve feet from the perimeter of structures, and the proposed structures cannot be located in a manner to avoid removal of the tree at the same time permitting desirable and logical development of the lot.

(3) The tree will be located within a proposed driveway designed to service a single family home.

(4) The tree is damaged, diseased or a safety hazard.

(5) The tree is an undesirable species in its present location.

(6) Established single family lots shall be exempt from this section, however; new subdivision development of single family lots shall not be exempt.

(b) When preparing and reviewing subdivision plans and landscape plans, good faith effort shall be made to preserve natural vegetation areas. Streets, lots, structures and parking areas shall be laid out to avoid the unnecessary destruction of wooded areas or outstanding tree specimens. Developers of land are encouraged to designate wooded areas as park reserves.

1191.03 TREE REPLACEMENT.

(a) Major Tree Replacement. During the course of development of a single lot or a subdivision, including Woodlands, the developer or owner shall be required to replace major trees removed pursuant to Section 1191.02 in accordance with the following schedule with trees having a trunk diameter of at least six (6) inches dbh.

Major Tree Replacement Schedule	
Trunk Diameter dbh	Replacement Schedule
Six (6) inches up to twelve (12) inches	One-for-one
Twelve (12) inches up to eighteen (18) inches	Two-for-one
Eighteen (18) inches up to twenty four (24) inches	Three-for-one
Twenty four (24) inches and greater	Four-for-one

(1) Replacements for major trees shall have a trunk diameter at planting of at least two and one-half (2.5) inches caliper.

(2) The requirement for major tree replacement shall be considered as being in addition to any other landscaping required by Section(s) 1191.02 through 1191.05.

(b) Replacement Schedule for Woodlands. In addition to the provisions in Section 1191.03(a), the developer or owner of a woodland, as identified on the Canal Winchester Woodland Map shall, during the course of development, be required to retain a minimum of forty percent (40%) of the woodland.

(c) Where it is impractical or not feasible to replace all of the trees on the affected lot or within the affected subdivision, staff may approve one, or any combination of the following alternatives as a means of meeting the tree replacement requirements:

- (1) Replace as many trees as is practical on the affected lot;
- (2) Replace as many trees as is practical within this affected subdivision phase;
- (3) Replace as many trees as is practical within the affected subdivision;
- (4) For those trees that cannot be replaced through steps one through three above, the developer shall be required to replace the trees elsewhere in the City, or
- (5) Pay a fee as determined by the Canal Winchester Fee Schedule to support the City's effort to replace the trees on public land in the City;
- (6) Use larger caliper replacement trees to achieve a planting of equal or greater value with fewer numbers.

1191.04 LANDSCAPE STANDARDS.

Proposed landscape materials should complement existing vegetation, all architectural features and general layout, and should be comprised of viable plant material. Landscaping design and materials shall consist of the following:

(a) Plants. All plant materials shall be living plants that conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations. Artificial plants are prohibited in all landscaped areas in the Municipality required as per this chapter.

(1) The Urban Forest Tree and Plants list for Canal Winchester shall be referenced for approved tree species in new landscape plans.

(b) Deciduous Trees. Deciduous trees shall be species having an average mature crown spread of greater than fifteen (15) feet in Central Ohio and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where eight (8) foot clear wood requirements will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen (15) foot crown spread. Deciduous trees shall be a minimum of five (5) feet in height with a minimum caliper of one and three-fourth (1 ¾) inches at planting. The deciduous trees recommended as appropriate for Municipal environment and encouraged for use in meeting the requirements of this chapter are found in the recommended street tree list maintained by the Urban Forester.

(c) Evergreen Trees. Evergreen trees shall be a minimum of five (5) feet in height at planting.

(d) Shrubs and Hedges. Shrubs and hedges shall be at least two (2) feet in average height when planted.

(e) Earth Mounds. Earth mounds shall be physical barriers, which when planted block or screen the view just as a hedge or low wall would. Mounds shall be constructed of clean fill, top soil and similar materials, and shall be designed with proper plant material to prevent erosion and facilitate drainage. Earth mounds shall not exceed four (4) feet in height and shall be planted completely by plant material, which may include mulching limited to the immediate base of plantings, of which no greater than fifty (50) percent shall be turf.

(f) Screening Materials. Screening may consist of walls, fences, natural vegetation or a combination thereof acceptable to the Planning and Zoning Commission and with an opacity of no less than seventy-five (75) percent, except where superseded under Section 1191.02(f). Only masonry and brick walls or solid wood privacy fencing is permitted for built screening. Such screening shall be between four (4) and six (6) feet in height and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than four (4) feet in height.

(g) Monoculture. Monoculture, or the extensive use of a single species of trees, shall be limited in order to minimize the potential for disease or pests to strike a particular species resulting in significant same-species loss. The following limits shall apply:

Maximum Use of Same Genus	
Number of Trees on Site	Maximum % of Same Genus
10-19	50%
20-39	33%
40-59	25%
Over 60	15%

1191.05 DEVELOPMENT STANDARDS.

(a) Non-Residential Uses. For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply:

(1) All non-residential uses shall provide thirty (30) square feet of landscaped area for every one thousand (1,000) square feet of building ground coverage area, or fraction thereof. All areas of a lot not covered by buildings, structures, paving, or the landscaping required herein shall be covered by natural turf at a minimum.

(2) All commercial structures, and all industrial warehouse structures, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 2,000 sq. ft.
60,001 sq. ft. to 90,000 sq. ft.	One Tree per 4,000 sq. ft.
90,001 sq. ft. and greater	One Tree per 8,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(3) All office uses, institutional uses, convalescent and nursing homes and child daycare facilities, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 1,500 sq. ft.
60,001 sq. ft. and greater	One Tree per 2,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(b) Residential Uses. For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply:

(1) All residences and residential land uses, per dwelling unit, there shall be a minimum of one (1) tree planted for every five hundred (500) square feet or fraction hereof of building ground coverage.

(2) Multi-Family Perimeter Treatment. For all multi-family residential uses a fifteen (15) foot landscaped perimeter shall be provided where such development is adjacent to or abuts a residential zoning district or public right-of-way, excluding on-site access drives. Such landscaping shall include a combination of

trees, shrubs, hedges, earth mounds, and other natural features. No more than eighty (80) percent of natural landscaping material shall consist of turf.

(A) Screening Between Multi-Family Developments and Non-Residential Zoned Property. Screening shall consist of walls, fences, or natural vegetation in combination with a minimum four (4) foot mounding, said screening shall have an opacity of no less than fifty (50) percent, except where superseded under Section 1191.02 (f). Screening between multi-family residential and non-residential developments shall be reviewed for approval by the Planning and Zoning Commission. Only masonry and brick walls or solid wood privacy fencing is permitted for built screening, shall be maintained in good condition, and comply with Section 1181.07. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than two (2) feet in height or evergreen trees at no more than thirty (30) feet spacing at five (5) feet in height at the time of planting. A minimum of one evergreen tree and four evergreen or deciduous shrubs per 1,000 sq. ft. of landscaped area for areas in all combinations of screening materials will be planted.

(B) The opacity of fifty (50) percent will take into consideration existing vegetation to be preserved and shall contain at least the minimum evergreen trees and shrubs. The minimum tree shall be five (5) feet in height with a minimum caliper of 1 ¼ inches at the time of planting. The minimum shrub shall be two (2) feet in height at the time of planting.

(c) Existing Trees. Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practical as determined by the City. Existing trees may be credited towards minimum tree planning requirements as follows:

(1) Existing trees, which are preserved, may be credited toward the tree planting requirements of this Section according to the Credit for Existing Trees Table. Tree credits shall be given as long as all other provisions and the intent of this Code is met. Fractional caliper measurements shall be attributed to the next lowest category.

Credit for Existing Trees – in aggregate inches	
DBH	Number of Tree Credits
20+ total inches	4 Trees
13 - 19 total inches	3 Trees
8 - 12 total inches	2 Trees
2 - 7 total inches	1 Tree

(2) No credit shall be given for existing preserved trees that are:

- (A) Not located on the actual development site;
- (B) Not properly protected from damage during the construction process;
- (C) Prohibited Species in the Urban Forester Street Tree List;
- (D) Dead, dying, diseased, or infested with harmful insects.

(3) No new tree planting shall be required if existing trees to remain on site after development, and the aggregate trunk sizes of such trees, meet or exceed the requirements set forth above.

(d) Any combination of existing and new trees may be used to meet the requirements of this section.

1191.06 OFF-STREET PARKING STANDARDS

(a) Off-Street Parking Areas. Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which abuts a residential zoning district or public right-of- way by a masonry wall or solid wood fence. Such wall or fence shall be no higher than four (4) feet and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen (15) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height. This subsection shall apply to bed and breakfast inns regardless of the size of off-street parking area.

(1) All off-street parking areas shall provide one (1) tree of no less than two (2) inches caliper, for every six (6) parking spaces, unless specified below. A minimum of fifty percent (50%) of the off-street parking trees shall be planted in parking lot islands. The remainder must be planted within ten (10) feet of the perimeter of the parking lot.

(A) Parking Lot Islands. Each landscaped tree island in a single loaded parking stall design shall have a minimum area of one hundred and sixty two (162) square feet with a minimum width of nine (9) feet. Each landscaped tree island located in a double loaded parking stall shall have a minimum area of three hundred twenty-four (324) square feet, with a minimum width of nine (9) feet.

(B) Exemptions. Parking lots with landscape tree islands that provide a minimum area of 1,200 cubic feet to accommodate a large species shade tree shall be credited on a two-to-one ratio on the off-street tree planting requirements. The minimum dimensions for planting areas shall be nine (9) feet on one side.

(2) All parking lot islands and peninsulas shall be designed to provide a minimum of three (3) feet in depth, for soil in a friable condition for healthy tree and plant growth.

(3) All trees shall be balled and burlapped or containerized/potted when planted. The top eighteen (18) inches of the burlap bag and cage shall be removed when planting.

(4) All trees shall be maintained in a healthy condition.

1191.07 SIGNAGE

(a) Signage. A landscaped area totaling a minimum of fifty (50) square feet shall be provided centered on the base of all freestanding signs and should be comprised of a variety of natural materials, such as turf, ground cover, shrubs, and hedges. No more than fifty (50) percent of natural landscaping material shall consist of turf. Low maintenance plant materials should be utilized. A sketch plan drawn to scale and indicating plant material by type (Latin/Botanical names) and quantity shall be provided with the application for a Sign Permit.

1191.08 SCREENING OF SERVICE COURTS AND LOADING DOCK AREAS.

(a) Screening of Service Courts and Loading Dock Areas. All areas used for service, loading and unloading activities shall be screened along the entire lot line if adjacent to or abutting a residential zoning district or public right-of-way. The following requirements shall apply:

(1) Screening of Trash Container Receptacles. For all non-single family residential uses requiring trash container receptacles, such as dumpsters, all such containers or receptacles shall be enclosed on all sides by walls or fences with an opacity of one hundred (100) percent and a minimum height of six (6) feet. Such containers or receptacles when located adjacent to or abutting a residential zoning district shall in addition be landscaped on all sides visible from such districts by shrubs and hedges with an opacity of seventy-five (75) percent. Trash containers and receptacles shall be located behind the building line and shall be located to the rear of non-residential uses. Trash containers and receptacles shall conform to side and rear yard setback requirements and for non-residential uses adjacent to a residential zoning district, such containers and receptacles shall be located no closer than twenty-five (25) feet to any property line.

1191.09 SUBMITTAL REQUIREMENTS.

(a) Procedure. Landscaping plans shall be submitted to the Planning and Zoning Administrator whenever an application is filed for a non-single family residential use as a part of a request for a Certificate of Zoning Compliance, zoning map amendment, conditional use permit, and in conjunction with the submittal requirements for Planned Districts.

(b) Plan Contents. The landscaping plan shall be prepared by a licensed design professional or landscape architect and shall include the following information:

(1) Plot plan drawn to scale indicating property lines, easements, proposed improvements, natural features, drainage, adjacent uses and structures, and proposed landscaping which shall include botanical and common names, dbh of deciduous trees, installation size, on-center planting dimensions where applicable, and a summary of all landscaping materials used on-site, new and existing, by type, common name, and quantity.

(2) In the case where trees are to be removed as part of any site development, the plot plan shall, in addition to items included in (1) above, also specifically indicate any trees to be removed and include botanical and common names and location of any major trees and any significant trees, as determined by a site visit.

(3) Title block with the pertinent names and addresses of property owner, applicant, design professional or landscape architect including the architect's seal, scale, date, north arrow, address of the subject property, and name of the subdivision (if applicable).

(c) Criteria for Review. The submitted landscaping plan shall be reviewed to determine if proposed improvements comply with the requirements and standards of this Chapter and commonly accepted landscaping and design standards. The Planning and Zoning Commission and/or Planning and Zoning Administrator may call upon professional services from either the public or private sectors to provide an evaluation relative to any submitted landscaping plan.

1191.10 INSTALLATION AND MAINTENANCE.

(a) Installation. Landscaping plans and the improvements identified therein meeting the requirements of this Chapter shall be completely installed no later than six (6) months subsequent to the date of issuance of a Temporary Certificate of Use and Occupancy. A single three (3) month extension may be granted by the Planning and Zoning Administrator upon request of the Applicant upon demonstration that such extension is warranted because of adverse weather conditions or unavailability of approved landscaping material. All landscaping material shall be installed in a sound, professional manner and according to accepted landscaping and planting procedures.

(b) Maintenance. All landscaping material shall be maintained in proper and healthful condition. Property owners shall maintain landscaped areas in a proper, neat and orderly appearance, and free from refuse and debris. Upon issuance of a citation, corrective action shall be completed within sixty (60) days unless the Planning and Zoning Administrator determines that weather constraints require one additional sixty (60) day period. Failure to meet the requirements of this section shall constitute violation of this Zoning Code and enforcement and penalty requirements of Chapter 1135 shall apply.

(c) Dead or Diseased Trees. It shall be unlawful for any property owner to maintain or permit to stand on his or her property, dead, diseased, or damaged trees, shrubs, evergreens or other plants which are deemed by the Municipality to be a menace to the public peace, health, and safety.

1191.11 TREE REMOVAL PERMITS.

(a) No person shall do any of the following without first having obtained a tree removal permit:

(1) Remove, damage, or destroy any tree or similar woody vegetation of any dbh in a woodland.

(2) Remove, damage, or destroy any tree or similar woody vegetation of six inch (6") dbh or greater which is not located in a woodland.

(3) Conduct any tree clearing activities.

(b) Exceptions.

(1) The removal or trimming of any trees by or on behalf of a resident owner of a one-family dwelling unit, one-family cluster-housing unit, site condominium unit, or residential condominium unit from an area under the owner's exclusive control. This exception shall not apply to removal of trees from common areas.

(2) Upon prior approval by the Urban Forester, the removal of or trimming of trees necessitated by the installation, repair or maintenance work performed in a public utility easement or approved private easement for public utilities.

(3) The removal or trimming of trees if performed by or on behalf of Canal Winchester,

Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies, or a public utility company in a public right-of-way, upon public property, or upon a private easement for public utilities in connection with a publicly awarded construction project, the installation of public streets or public sidewalks, or installation of public utilities within a private or public easement established for such purpose.

(4) The trimming and pruning of trees as part of normal maintenance of landscaping or orchards, if performed in accordance with accepted forestry or agricultural standards and techniques.

(5) The removal or trimming of dead, diseased or damaged trees if performed by or on behalf of Canal Winchester, Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies in a public right-of-way or upon public property if done to prevent injury or damage to persons or property.

(6) The removal or trimming of dead, diseased or damaged trees provided that the damage resulted from an accident or non-human cause, and provided further that the removal or trimming is accomplished through the use of standard forestry practices and techniques.

(7) The removal or transplanting of trees during the operation of a commercial nursery or tree farm or practicing sustained-yield forestry (land stays a productive forest).

(8) Actions made necessary by an emergency, such as a tornado, windstorm, flood, freeze, dangerous and infectious insect infestation or disease or other disaster, in order to prevent injury or damage to persons or property or restore order.

(d) Content of Application.

(1) Required Information. An applicant for a tree removal permit for a parcel of one (1) acre or more, if required by Section 1191.11, shall submit the following materials to the Municipality:

(A) A completed tree removal permit application on a form prescribed by Planning and Zoning Administrator, which such application shall include the following information:

i. The name, address and telephone number of the applicant and/or the applicant's agent.

ii. The name, address and telephone number of the owner of the property.

iii. The project location, including as applicable, the address, the street, road, or highway, section number, lot or unit number, and the name of the subdivision or development.

iv. A detailed description and statement of the activity to be undertaken.

(B) A tree removal permit application fee in the amount as established by the adopted fee schedule.

(C) If the applicant is not the owner of the property, a written authorization from the owner allowing the proposed activity.

(D) Five (5) copies of a tree survey prepared by a certified arborist and a plan for proposed tree removal containing all of the following information:

i. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.

ii. The location of all existing trees of six inch (6") or greater dbh, identified by common and botanical name. Trees proposed to remain, to be transplanted, or to be removed shall be designated. A cluster of trees may be designated as a "stand" of trees, and predominant species, estimated

number, and average size shall be indicated. Clusters of trees located within an approved open space which is to be preserved may be designated as an "open space stand" and identified in the same manner as a "stand" without individual identification and location.

iii. A description of tree species, size, density, health and vigor.

iv. The location and dimension of all setbacks required by existing zoning requirements.

v. A statement that all retained trees will be identified by a method, such as painting or flagging. If protective barriers are deemed necessary by Canal Winchester, the statement shall include a description of how the retained trees are to be protected, with an acknowledgment that the barriers must be in place before operations commence.

vi. A general grading plan prepared by a registered engineer or land surveyor showing the anticipated drainage patterns, including the location of any areas where cut and fill operations are likely to occur, to enable Canal Winchester to determine the impact of the proposal on the viability of the existing trees.

(e) Application Review Procedures.

(1) Procedure. Canal Winchester shall review the submitted application for a tree removal permit required by Section 1191.11 to determine that all required information has been provided. At the request of the applicant or the Municipality, an administrative review meeting may be held to review the request in light of the purpose and the review standards of Section 1191.11. A field inspection of the site may be conducted by the Urban Forester and/or his or her designee. Where the site proposed for development requires review or approval by the Planning and Zoning Commission of the subdivision layout, qualification for one-family cluster, or special land use approval, the Planning and Zoning Commission shall be responsible for approval or denial of the request for a tree removal permit (subject to affirmance, reversal or modification by the Council of Canal Winchester with respect to tentative preliminary plat approval, or any other approval for which Council has final authority). In all other instances, the review of tree removal permit requests shall be the responsibility of the Urban Forester or his or her designee. All decisions shall be made in accordance with the review standards of Section 1191.11.

(2) Denial. If an application for a tree removal permit is denied, the permit applicant shall be notified in writing of the reasons for denial by the Urban Forester.

(3) Approval; Conditions; Performance Requirements. If an application for a tree removal permit is granted, the reviewing authority may do any or all of the following:

(A) Attach to the granting of the permit reasonable conditions considered necessary by the reviewing authority to ensure the intent of Section 1191.11 is fulfilled and to minimize damage to, encroachment in, or interference with natural resources and processes within wooded areas.

(B) Set a reasonable time frame within which to complete tree removal operations.

(C) Require a permit holder to deposit a performance bond, or other acceptable security, equal to 100% of the cost of the improvements to ensure compliance with the terms of Section 1191.11, including the planting of any required replacement trees. Once the trees designated to be removed have been removed and any required replacement trees have been planted and inspected, the Municipality shall release the bond or security. If the permit holder has provided a bond or other performance guarantee to the Municipality under any other ordinance or regulation, and such bond or guarantee is deemed adequate by the Municipality to ensure compliance with Section 1191.11, no additional performance guarantee shall be required under this Section.

(f) Term of Permit.

(1) Any and all tree removal permits issued by the Municipality to a developer shall expire (unless extended) at the same time as the contemporaneous approval granted by the Municipality for the

development, if any (e.g. preliminary plan, preliminary site plan, special land use, site plan approval, etc.).

(2) Any and all tree removal permits issued by the Municipality to any person for an activity regulated under Section 1191.11 for which a contemporaneous approval of the development is not required (e.g. removal of trees by a builder in connection with construction of a residence upon a lot or parcel) shall expire one year from the date of issuance.

(3) Any activity regulated under Section 1191.11 which is to be commenced after expiration of a tree removal permit shall require a new application, additional fees, and new review and approval.

(g) Protection of Trees and Woodlands during Construction; Display of Permit.

(1) No individual shall conduct any activity within ten (10) feet of the drip line of any tree designated to remain, including but not limited to placing solvents, building material, construction equipment, or soil deposits within the drip line.

(2) During construction, no individual shall attach a device or wire to any remaining tree, except to cordon off protected areas.

(3) Before development, land clearing, filling, or any property alteration for which a tree removal permit is required, the developer or builder shall erect and maintain suitable barriers such as snow fencing, cyclone fencing, etc., to protect remaining trees. Wood, metal, or other substantial material shall be utilized in the construction of barriers. Protective barriers shall remain in place until the Urban Forester, or his or her designee, authorizes their removal. Barriers are required for all trees designated to remain, except in the following cases:

A. Street right-of-way and utility easement may be cordoned by placing stakes a minimum of twenty-five (25) feet apart and tying ribbon, plastic tape, or other brightly visible materials at least two and one-half (2 ½) feet above the ground from stake to stake along the outside perimeters of areas to be cleared.

B. Large property areas separate from the construction or land clearing area onto which no equipment will venture shall be cordoned off.

(4) The permit holder shall conspicuously display the tree removal permit on-site. The permit shall be displayed continuously while trees are being removed or while activities authorized under the permit are performed, and for ten (10) days following completion of those activities. The permit holder shall allow the Urban Forester to enter and inspect the premises during reasonable business hours. Failure to allow an inspection is a violation of Section 1191.11.

(h) Enforcement and Administration. To ensure enforcement of Section 1191.11 and the approved plan for tree removal, various inspections will be performed at the site by the Urban Forester. The applicant will be responsible for all inspection fees in accordance with the Inspection Fees set and established by Resolution of the Council.

(i) Penalties and Remedies.

(1) In addition to the penalties as set forth in Section 1135.12, any person who violates any provision of Section 1191.11 shall forfeit and pay a civil penalty equal to the total value of those trees illegally removed or damaged, as computed from the International Society of Arboriculture shade tree value formula. Such sum shall accrue to the Municipality and may be recovered in a civil action brought by the Municipality. Such sum so collected shall be placed into the Street Tree Fund. Replacement of illegally removed trees may be required as restoration in lieu of money. This replacement will be computed on an inch-for-inch ratio based on the total diameter measured at dbh in inches of the illegally removed trees. If, because of destruction of the removed trees, exact inch-for-inch measurements cannot be obtained, the Municipality may use other means to estimate the tree loss. A combination of money and tree replacement may be required.

(2) Any person authorized or designated by the Planning and Zoning Administrator to enforce or administer Section 1191.11 may issue a stop work order to any person conducting any operation in violation

of Section 1191.11, including but not limited to failing to conspicuously display the tree removal permit upon the site. The written stop work order shall be posted upon the premises. A person shall not continue, or cause or allow to be continued, any operation in violation of such an order, except as authorized by the enforcing agency to abate a dangerous condition or remove the violation.

(3) If a stop work order is not obeyed, the enforcing agency or person may apply to a court of competent jurisdiction for any order enjoining the violation of the order. This remedy is in addition to, and not in limitation of, any other remedy provided by law or ordinance, and does not prevent criminal prosecution for failure to obey the order.

(4) Any person aggrieved by a stop work order may request review by the Planning and Zoning Administrator or his or her designee of the stop work order within one (1) working day of its issuance. The Planning and Zoning Administrator or his or her designee shall then determine whether the stop work order was properly issued due to operations being conducted in violation of the terms of Section 1191.11. The Planning and Zoning Administrator or his or her designee may lift the stop work order if the operations are determined to be in compliance with Section 1191.11.

(5) Any use or activity in violation of the terms of Section 1191.11 is hereby declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. In addition to other remedies, the Municipality may institute any appropriate action or proceeding to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action, including attorney fees incurred by the Municipality, shall be assessed against the violator.

1191.12 PUBLIC SPACES.

Within the public right-of-way and on public properties, no person or entity other than the Municipality shall plant a tree, shrub, evergreen, woody shrub or other obstruction on public property without the written consent of the City of Canal Winchester. The enforcement and penalty provisions of Chapter 1135 shall apply to this section.

(a) Tree Topping. No person shall, as a normal practice, top any tree within the public right-of-way. Topping is defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy or disfigure the tree. With an immature tree, removing more than twenty-five percent (25%) of the canopy will be considered topping.

(b) Height of Limbs Over Sidewalks and Streets. Tree limbs extending over a sidewalk shall be trimmed to such an extent that no portion of the same shall be less than ten (10) feet above the sidewalks. Tree limbs extending over streets shall be trimmed to such an extent that no portion of the same shall interfere with the normal flow of traffic.

(c) Municipal Rights. The Municipality shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the rights-of-way of all streets, alleys, avenues, lanes and other public grounds as may be necessary to ensure public safety or to preserve or enhance the environmental quality and beauty of such public grounds. The Planning and Zoning Administrator may cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature poses a threat to the interruption of service to sewers, electric power lines, gas lines, water lines or other public improvements.

(d) Reducing Tree Lawn. No person shall by any type of construction reduce the size of a tree lawn without first securing permission from the Planning and Zoning Administrator.

(e) Utility Companies. Utility companies shall provide written evidence to the Planning and Zoning Administrator, of adherence to established guidelines (as recommended by the National Arborists Association) for line clearance work. These guidelines shall cover the following areas:

- (1) Tree trimming/pruning.
- (2) Tree removal.
- (3) Brushing.

(4) Right-of-way clearance for new transmission conductors on private rights-of-way.

(5) Chemical brush control and appropriate precautions.

(f) Removal, Replanting and Replacement in Public Places.

(1) Wherever it is necessary to remove a tree(s) or shrub(s) from any Municipally owned property, in connection with the paving of a sidewalk, or the paving or widening of a portion of a street, alley, or highway used for vehicular traffic, or any other reason, the Urban Forester must be contacted. At that time, the Urban Forester will determine if replacement of the trees and/or shrubs is feasible.

(g) Public Tree Care.

(1) The Urban Forester or its consultants shall notify the Street Tree Advisory Board those locations at which it deems the removal of street trees is necessary. The Urban Forester will notify the adjacent property owner(s) of the Municipality's intentions to remove the tree(s).

(2) The Municipality shall have the right to enter private property to gain access to trees adjacent to public areas for the purpose of proper pruning, after reasonable prior notice has been given to the property owner. To ensure that street trees thrive, homeowners are encouraged to confer with the Urban Forester, and water and mulch the trees as needed.

(3) No person or contractor, unless working on behalf of the municipality, shall attach any rope, wire, nails, advertising poster, decoration, decorative lighting, or other contrivance to any tree on Municipally owned property. No person shall permit any fire to burn where such fire or heat there from, or heat from any source will injure any portion of any tree on Municipally owned property. No person or contractor, unless working on behalf of the municipality, shall use herbicides or other chemicals on any trees, shrubs or evergreens locate on Municipally owned property.

(4) No person shall hinder, prevent, or interfere with the agents or employees of the Municipality while the agents or employees are engaged in planting, maintaining, or removing any tree, shrub, evergreen, or other plant material on Municipally owned property.

(5) No person shall excavate any ditch, tunnel, trench, or lay any drive within ten (10) feet from the drip line of any tree, shrub, evergreen, or other plant material standing on any Municipally owned property.

(6) It shall be unlawful for any person or contractor, unless working on behalf of the municipality, to break, deface, injure, mutilate, kill, or destroy any tree, shrub, or evergreen on any Municipally owned property.

(h) Removal of Stumps. All stumps of street trees shall be removed twelve (12) inches below the surface of the ground. Stumps shall be removed or shall be ground at the site. All residual material shall be removed from the site at the time the tree is removed and the site shall be restored as approved by the Urban Forester.

(i) Arborist License and Bond. It shall be unlawful for any person or contractor working on behalf of the municipality, to act as an arborist in the business or occupation of planting, pruning, treating, or removing street trees within the Municipality without providing documentation as a certified arborist or as the authorized representative of a certified arborist. Each applicant shall file evidence of possession of liability insurance in the minimum amount of \$1,000,000 indemnifying the Municipality or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

(j) Appeal Procedures. Any person aggrieved by a decision of the Planning and Zoning Administrator may appeal the decision to the Planning and Zoning Commission as prescribed in Section 1137.06 (c).

(k) Tree Fund.

(1) Upon the issuance of a building permit for the construction of a building or structure in any

zoning district, the owner of said building or structure shall pay the sum as determined by the Canal Winchester Fee Schedule, a set fee per one lineal foot of frontage at the right-of-way to the Municipality's Street Tree Fund. This measurement shall include the side yard frontage on corner lots. The Street Tree Fund shall be used for the purpose of implementing the Street Tree Program, whose goal is to provide uniform street tree plantings and maintenance along public roadways within the Municipality.

(2) Payment to the Street Tree Fund shall be upon the issuance of a building permit. Such fee shall be waived if the fee was paid at the time of the original construction of the building or structure or if the buildings are part of a development project where landscaping at the interior streets is part of the overall development plan approved by the Planning and Zoning Commission. In such cases, the fee charged shall be only for the areas that are part of the development that front on existing streets and/or roads.

(3) All alterations or additions to buildings or structures on properties in the "Downtown" area shall only be charged one-third (1/3) of the street tree fee per lineal foot of frontage to be applied for street tree maintenance within the municipality.

(m) Donations. The Finance Director is hereby authorized to accept, on behalf of the Municipality, all gifts, money or other things or items of value for the purpose of planting, maintaining, removing, protecting, utilizing and promoting shade trees in accordance with the decision and approval of the STAB. However, a gift given expressly for a specific purpose shall, before the Municipality is deemed to have accepted it, be accepted by motion and vote of Council. If such motion to accept is rejected by Council, such gift, if already delivered to the Municipality, shall be returned to the donor and not accepted.

SECTION 2: That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

MAYOR

DATE APPROVED

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Clerk of Council/Finance Director

CHAPTER 1191
Landscaping and Screening

1191.01	Purpose	1191.07	Signage
1191.02	Preservation of Trees and Wooded Areas	1191.08	Screening of Service Courts and Loading Dock Areas
1191.03	Tree Replacement	1191.09	Submittal Requirements
1191.04	Landscape Standards	1191.10	Installation and Maintenance
1191.05	Development Standards	1191.11	Tree Removal Permits
1191.06	Off-Street Parking Standards	1191.12	Public Spaces

CROSS REFERENCES

Administration, Enforcement and Penalty - see P. & Z. Chapter 1135
Off-Street Parking - see P. & Z. Chapter 1185
Signage - see P. & Z. Chapter 1189

1191.01 PURPOSE.

The purpose and intent of this chapter is the preservation and promotion of **tree canopy coverage and** landscaping as a suitable and necessary aspect of land development, as a component of Municipal development character, as an important beneficial element of the microclimate through the provision of shade and as buffers, and to promote the public health, safety and general welfare. It is further the purpose of this chapter to promote the preservation and, when necessary, replacement of major trees removed in the course of land development, to promote the proper utilization of landscaping as a buffer between certain land uses to minimize conflicts, and to protect, preserve and promote the character of the Municipality.

(a) **“Caliper”** the caliper of a tree shall be measured at six (6) inches above grade. For this chapter the term “caliper” only applies to new trees.

(b) **“Diameter Breast Height (dbh)”** the dbh of a tree shall be measured at four and one half (4 1/2 feet) above ground level. For this chapter the term “diameter breast height (dbh) only applies to existing trees.

(c) **“Major Tree”** For the purposes of this section, a major tree is defined by having diameter breast height of six (6) inches or greater.

(d) **“Woodlands”** For the purposes of this section, a Woodland is an area of trees and unique site characteristic that have been determined by the City of Canal Winchester and identified on the Canal Winchester Woodland Map.

1191.02 PRESERVATION OF TREES AND WOODED AREAS.

(a) All major trees shall be preserved unless exempted, as follows: The Urban Forester may approve the cutting down, removal or destruction of a major tree when the tree interferes with the proper development of a lot, provided that the lot is in the subject of application for approval of a zoning certificate, a site plan, a development plan, a variance, or a conditional use permit and one of the following applies:

(1) The tree will be located within a public right-of-way or easement.

(2) The tree is located within the area to be covered by proposed structures or within twelve feet from the perimeter of structures, and the proposed structures cannot be located in a manner to avoid removal of the tree at the same time permitting desirable and logical development of the lot.

(3) The tree will be located within a proposed driveway designed to service a single family home.

(4) The tree is damaged, diseased or a safety hazard.

(5) The tree is an undesirable species in its present location.

(6) Established single family lots shall be exempt from this section, however; new subdivision development of single family lots shall not be exempt.

(b) When preparing and reviewing subdivision plans and landscape plans, good faith effort shall be made to preserve natural vegetation areas. Streets, lots, structures and parking areas shall be laid out to avoid the unnecessary destruction of wooded areas or outstanding tree specimens. Developers of land are encouraged to designate wooded areas as park reserves.

1191.03 TREE REPLACEMENT.

(a) Major Tree Replacement. During the course of development of a single lot or a subdivision, including Woodlands, the developer or owner shall be required to replace major trees removed pursuant to Section 1191.02 in accordance with the following schedule with trees having a trunk diameter of at least six (6) inches dbh.

Major Tree Replacement Schedule	
Trunk Diameter dbh	Replacement Schedule
Six (6) inches up to twelve (12) inches	One-for-one
Twelve (12) inches up to eighteen (18) inches	Two-for-one
Eighteen (18) inches up to twenty four (24) inches	Three-for-one
Twenty four (24) inches and greater	Four-for-one

(1) Replacements for major trees shall have a trunk diameter at planting of at least two and one-half (2.5) inches caliper.

(2) The requirement for major tree replacement shall be considered as being in addition to any other landscaping required by Section(s) 1191.02 through 1191.05.

(b) Replacement Schedule for Woodlands. In addition to the provisions in Section 1191.03(a), the developer or owner of a woodland, as identified on the Canal Winchester Woodland Map shall, during the course of development, be required to retain a minimum of forty percent (40%) of the woodland.

(c) Where it is impractical or not feasible to replace all of the trees on the affected lot or within the affected subdivision, staff may approve one, or any combination of the following alternatives as a means of meeting the tree replacement requirements:

- (1) Replace as many trees as is practical on the affected lot;
- (2) Replace as many trees as is practical within this affected subdivision phase;
- (3) Replace as many trees as is practical within the affected subdivision;
- (4) For those trees that cannot be replaced through steps one through three above, the developer shall be required to replace the trees elsewhere in the City, or
- (5) Pay a fee as determined by the Canal Winchester Fee Schedule to support the City's effort to replace the trees on public land in the City;
- (6) Use larger caliper replacement trees to achieve a planting of equal or greater value with fewer numbers.

~~1191.03~~ **1191.04 LANDSCAPE STANDARDS.**

Proposed landscape materials should complement existing vegetation, all architectural features and general layout, and should be comprised of viable plant material. Landscaping design and materials shall consist of the following:

(a) Plants. All plant materials shall be living plants that conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations. Artificial plants are prohibited in all landscaped areas in the Municipality required as per this chapter.

(1) The Urban Forest Tree and Plants list for Canal Winchester shall be referenced for approved tree species in new landscape plans.

(b) Deciduous Trees. Deciduous trees shall be species having an average mature crown spread of greater than fifteen (15) feet in Central Ohio and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where eight (8) foot clear wood requirements will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen (15) foot crown spread. Deciduous trees shall be a minimum of five (5) feet in height with a minimum ~~dbh~~ **caliper** of one and three-fourth (1 ¾) inches at planting. The deciduous trees recommended as appropriate for Municipal environment and encouraged for use in meeting the requirements of this chapter are found in the recommended street tree list maintained by the Urban Forester.

(c) Evergreen Trees. Evergreen trees shall be a minimum of five (5) feet in height ~~with a minimum dbh of one and one-half (1-1/2) inches at planting.~~

(d) Shrubs and Hedges. Shrubs and hedges shall be at least two (2) feet in average height when planted.

(e) Earth Mounds. Earth mounds shall be physical barriers, which when planted block or screen the view just as a hedge or low wall would. Mounds shall be constructed of clean fill, top soil and similar materials, and shall be designed with proper plant material to prevent

erosion and facilitate drainage. Earth mounds shall not exceed four (4) feet in height and shall be planted completely by plant material, which may include mulching limited to the immediate base of plantings, of which no greater than fifty (50) percent shall be turf.

(f) **Screening Materials.** Screening may consist of walls, fences, natural vegetation or a combination thereof acceptable to the Planning and Zoning Commission and with an opacity of no less than seventy-five (75) percent, except where superseded under Section 1191.02(f). Only masonry and brick walls or solid wood privacy fencing is permitted for built screening. Such screening shall be between four (4) and six (6) feet in height and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than four (4) feet in height.

(g) **Monoculture.** Monoculture, or the extensive use of a single species of trees, shall be limited in order to minimize the potential for disease or pests to strike a particular species resulting in significant same-species loss. The following limits shall apply:

Maximum Use of Same Genus	
Number of Trees on Site	Maximum % of Same Genus
10-19	50%
20-39	33%
40-59	25%
Over 60	15%

1191.02 1191.05 DEVELOPMENT STANDARDS.

(a) **Non-Residential Uses.** For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply: All trees with a dbh of four (4) inches or more shall be maintained and preserved as part of all non-residential development. The location of all driveways, off-street parking and loading areas, and all other improvements, including grading, shall be designed to avoid the destruction of any such existing tree defined herein. As part of an approved landscaping plan, any such tree may be replaced by a tree of like species on a one (1) inch for one (1) inch replacement basis only under the following conditions:

(1) An existing tree will be located within a public right-of-way or easement.

(2) An existing tree is located within the area to be covered by a proposed structure or within twelve (12) feet from the perimeter of such structure(s) and such structure(s) cannot be located in a manner to avoid removal of an existing tree at the same time permitting desirable, logical and appropriate development of the lot.

(3) An existing tree will be located within a proposed driveway, off-street parking area or other improvement and relocation of such improvement would not permit desirable, logical, and appropriate development of the lot.

(4) An existing tree is damaged or diseased.

In addition to the requirements for off-street parking areas, all non-residential uses shall provide thirty (30) square feet of landscaped area for every one thousand (1,000) square feet of building ground coverage area, or fraction thereof, and a tree with a dbh not less than two (2)

inches for every one thousand (1,000) square feet of building ground coverage. All areas of a lot not covered by buildings, structures, paving, or the landscaping required herein shall be covered by natural turf at a minimum. Tree planting requirements may be waived by the Planning and Zoning Commission per the recommendation of the Urban Forester if the quantity of existing trees and their aggregate trunk sizes meet or exceed these requirements and are evenly distributed throughout the subject site.

(1) All non-residential uses shall provide thirty (30) square feet of landscaped area for every one thousand (1,000) square feet of building ground coverage area, or fraction thereof. All areas of a lot not covered by buildings, structures, paving, or the landscaping required herein shall be covered by natural turf at a minimum.

(2) All commercial structures, and all industrial warehouse structures, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 2,000 sq. ft.
60,001 sq. ft. to 90,000 sq. ft.	One Tree per 4,000 sq. ft.
90,001 sq. ft. and greater	One Tree per 8,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(3) All office uses, institutional uses, convalescent and nursing homes and child daycare facilities, shall be required to plant the required minimum landscaping listed below:

Minimum Tree Planting Required per Building Size	
Square Foot of Building	Number of Trees per Square Foot
Up to 30,000 sq. ft.	One Tree per 1,000 sq. ft.
30,001 sq. ft. to 60,000 sq. ft.	One Tree per 1,500 sq. ft.
60,001 sq. ft. and greater	One Tree per 2,000 sq. ft.

(A) In no instance shall the number of trees required to be planted exceed one hundred (100) trees.

(B) Over fifty (50) trees, a fee-in-lieu planting per tree, as determined by the Canal Winchester Fee Schedule may be made to support the City's effort to replace the trees on public land in the City.

(b) Residential Uses. For all new construction, building additions, or land development for which a building permit and/or zoning certificate is required the following shall apply:

(1) All residences and residential land uses, per dwelling unit, there shall be a minimum of one (1) tree planted for every five hundred (500) square feet or fraction hereof of building ground coverage.

(2)(b) Multi-Family Perimeter Treatment. For all multi-family residential uses a fifteen (15) foot landscaped perimeter shall be provided where such development is adjacent to or abuts a residential zoning district or public right-of-way, excluding on-site access drives. Such landscaping shall include a combination of trees, shrubs, hedges, earth mounds, and other natural features. No more than **eighty (80)** ~~fifty (50)~~ percent of natural landscaping material shall consist of turf.

(A) ~~(4)~~ Screening Between Multi-Family Developments and Non-Residential Zoned Property. Screening shall consist of walls, fences, or natural vegetation in combination with a minimum four (4) foot mounding, said screening shall have an opacity of no less than fifty (50) percent, except where superceded under Section 1191.02 (f). Screening between multi-family residential and non-residential developments shall be reviewed for approval by the Planning and Zoning Commission. Only masonry and brick walls or solid wood privacy fencing is permitted for built screening, shall be maintained in good condition, and comply with Section 1181.07. Landscaping provided in lieu of such wall or fence shall consist of dense evergreen bushes planted no less than two (2) feet in height or evergreen trees at no more than thirty (30) feet spacing at five (5) feet in height at the time of planting. A minimum of one evergreen tree and four evergreen or deciduous shrubs per 1,000 sq. ft. of landscaped area for areas in all combinations of screening materials will be planted.

(B)~~(2)~~ The opacity of fifty (50) percent will take into consideration existing vegetation to be preserved and shall contain at least the minimum evergreen trees and shrubs. The minimum tree shall be five (5) feet in height with a minimum **caliper dbh** of 1 ¾ inches at the time of planting. The minimum shrub shall be two (2) feet in height at the time of planting.

(c) Existing Trees. Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practical as determined by the City. Existing trees may be credited towards minimum tree planning requirements as follows:

(1) Existing trees, which are preserved, may be credited toward the tree planting requirements of this Section according to the Credit for Existing Trees Table. Tree credits shall be given as long as all other provisions and the intent of this Code is met. Fractional caliper measurements shall be attributed to the next lowest category.

Credit for Existing Trees – in aggregate inches	
DBH	Number of Tree Credits
20+ total inches	4 Trees
13 - 19 total inches	3 Trees
8 - 12 total inches	2 Trees
2 - 7 total inches	1 Tree

(2) No credit shall be given for existing preserved trees that are:

(A) Not located on the actual development site;

process; (B) Not properly protected from damage during the construction

(C) Prohibited Species in the Urban Forester Street Tree List;

(D) Dead, dying, diseased, or infested with harmful insects.

(3) No new tree planting shall be required if existing trees to remain on site after development, and the aggregate trunk sizes of such trees, meet or exceed the requirements set forth above.

(d) Any combination of existing and new trees may be used to meet the requirements of this section.

1191.06 OFF-STREET PARKING STANDARDS

~~(a)(e)~~ Off-Street Parking Areas. Off-street parking areas for more than five (5) vehicles shall be effectively screened on each side which abuts a residential zoning district or public right-of-way by a masonry wall or solid wood fence. Such wall or fence shall be no higher than four (4) feet and shall be maintained in good condition. Landscaping provided in lieu of such wall or fence shall consist of a strip of land not less than fifteen (15) feet in width planted with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height. This subsection shall apply to bed and breakfast inns regardless of the size of off-street parking area.

(1) All off-street parking areas shall provide one (1) tree of no less than two (2) inches caliper dbh, for every six (6) parking spaces, **unless specified below. A minimum of fifty percent (50%) of the off-street parking trees shall be planted in parking lot islands. The remainder must be planted within ten (10) feet of the perimeter of the parking lot.**

(A) Parking Lot Islands. Each landscaped tree island in a single loaded parking stall design shall have a minimum area of one hundred and sixty two (162) square feet with a minimum width of nine (9) feet. Each landscaped tree island located in a double loaded parking stall shall have a minimum area of three hundred twenty-four (324) square feet, with a minimum width of nine (9) feet.

(B) Exemptions. Parking lots with landscape tree islands that provide a minimum area of 1,200 cubic feet to accommodate a large species shade tree shall be credited on a two-to-one ratio on the off-street tree planting requirements. The minimum dimensions for planting areas shall be nine (9) feet on one side.

(2) All parking lot islands and peninsulas shall be designed to provide a minimum of three (3) feet in depth, for soil in a friable condition for healthy tree and plant growth.

(3) All trees shall be balled and burlapped or containerized/potted when planted. The top eighteen (18) inches of the burlap bag and cage shall be removed when planting.

(4) All trees shall be maintained in a healthy condition.

~~These trees shall be planted in a parking island and located uniformly within the interior of the~~

~~parking area. All trees shall be balled and burlapped or containerized/potted when planted. The top eighteen (18) inches of the burlap bag and cage shall be removed when planting. Planting beds for parking lot trees shall be constructed so as to minimize damage to trunks and roots of the trees from vehicles, pedestrians and parking lot maintenance through the use of adequate soil planting area and curbing or parking blocks. Planting soil area per tree shall be a minimum of sixteen (16) square feet. The minimum dimension for the planting areas shall be four (4) feet on one side. All trees shall be maintained in a healthy condition.~~

~~(2) Relative to landscaping within off-street parking areas and screening of parking area perimeters, for off-street parking areas equal to or larger than twenty-five hundred (2,500) square feet in total area or ten (10) or more parking spaces, whichever is greater, minimum landscaping areas within the interior of the parking area shall be provided at the rate of ten (10) square feet for every 1,000 square feet of parking area. No more than fifty (50) percent of natural landscaping material shall consist of turf.~~

1191.07 SIGNAGE

~~(a)(d) Signage. In addition to requirements of subsections (a), (b), and (c) herein, A landscaped area totaling a minimum of fifty (50) square feet shall be provided centered on the base of all freestanding signs and should be comprised of a variety of natural materials, such as turf, ground cover, shrubs, and hedges. Within the Limited Commercial Overlay District and Limited Residential Overlay District the total amount of landscaped area shall not exceed fifteen square feet once the off-street parking requirements have been met. No more than fifty (50) percent of natural landscaping material shall consist of turf. Low maintenance plant materials should be utilized. A sketch plan drawn to scale and indicating plant material by type (Latin/Botanical names) and quantity shall be provided with the application for a Sign Permit.~~

1191.08 SCREENING OF SERVICE COURTS AND LOADING DOCK AREAS.

~~(a)(e) Screening of Service Courts and Loading Dock Areas. All areas used for service, loading and unloading activities shall be screened along the entire lot line if adjacent to or abutting a residential zoning district or public right-of-way. The following requirements shall apply:~~

~~(1)(f) Screening of Trash Container Receptacles. For all non-single family residential uses requiring trash container receptacles, such as dumpsters, all such containers or receptacles shall be enclosed on all sides by walls or fences with an opacity of one hundred (100) percent and a minimum height of six (6) feet. Such containers or receptacles when located adjacent to or abutting a residential zoning district shall in addition be landscaped on all sides visible from such districts by shrubs and hedges with an opacity of seventy-five (75) percent. Trash containers and receptacles shall be located behind the building line and shall be located to the rear of non-residential uses. Trash containers and receptacles shall conform to side and rear yard setback requirements and for non-residential uses adjacent to a residential zoning district, such containers and receptacles shall be located no closer than twenty-five (25) feet to any property line.~~

~~(g) Significant Trees. All significant trees shall be protected and preserved to ensure that the value provided to Canal Winchester and its citizens by the cultural, historical, biological, or horticultural significance of any tree is continued into the future.~~

1191.09 1191.04 SUBMITTAL REQUIREMENTS.

~~(a) Procedure. Landscaping plans shall be submitted to the Planning and Zoning Administrator whenever an application is filed for a non-single family residential use as a part of~~

a request for a Certificate of Zoning Compliance, zoning map amendment, conditional use permit, and in conjunction with the submittal requirements for Planned Districts.

(b) Plan Contents. The landscaping plan shall be prepared by a licensed design professional or landscape architect and shall include the following information:

(1) Plot plan drawn to scale indicating property lines, easements, proposed improvements, natural features, drainage, adjacent uses and structures, and proposed landscaping which shall include botanical and common names, dbh of deciduous trees, installation size, on-center planting dimensions where applicable, and a summary of all landscaping materials used on-site, new and existing, by type, common name, and quantity.

(2) In the case where trees are to be removed as part of any site development, the plot plan shall, in addition to items included in (1) above, also specifically indicate any trees to be removed and include botanical and common names and location of any major trees and any significant trees, as determined by a site visit.

(3) Title block with the pertinent names and addresses of property owner, applicant, design professional or landscape architect including the architect's seal, scale, date, north arrow, address of the subject property, and name of the subdivision (if applicable).

(c) Criteria for Review. The submitted landscaping plan shall be reviewed to determine if proposed improvements comply with the requirements and standards of this Chapter and commonly accepted landscaping and design standards. The Planning and Zoning Commission and/or Planning and Zoning Administrator may call upon professional services from either the public or private sectors to provide an evaluation relative to any submitted landscaping plan.

1191.10 ~~1191.05~~ INSTALLATION AND MAINTENANCE.

(a) Installation. Landscaping plans and the improvements identified therein meeting the requirements of this Chapter shall be completely installed no later than six (6) months subsequent to the date of issuance of a Temporary Certificate of Use and Occupancy. A single three (3) month extension may be granted by the Planning and Zoning Administrator upon request of the Applicant upon demonstration that such extension is warranted because of adverse weather conditions or unavailability of approved landscaping material. All landscaping material shall be installed in a sound, professional manner and according to accepted landscaping and planting procedures.

(b) Maintenance. All landscaping material shall be maintained in proper and healthful condition. Property owners shall maintain landscaped areas in a proper, neat and orderly appearance, and free from refuse and debris. Upon issuance of a citation, corrective action shall be completed within sixty (60) days unless the Planning and Zoning Administrator determines that weather constraints require one additional sixty (60) day period. Failure to meet the requirements of this section shall constitute violation of this Zoning Code and enforcement and penalty requirements of Chapter 1135 shall apply.

(c) Dead or Diseased Trees. It shall be unlawful for any property owner to maintain or permit to stand on his or her property, dead, diseased, or damaged trees, shrubs, evergreens or other plants which are deemed by the Municipality to be a menace to the public peace, health, and safety.

~~1191.06 WOODLANDS.~~

~~(a) Findings. Rapid growth, the spread of development, and increasing demands upon natural resources have had the effect of encroaching upon, despoiling, or eliminating many of the trees and other forms of vegetation and natural resources and associated processes which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of Canal Winchester. In addition to the foregoing, Canal Winchester finds and determines that woodlands and trees:~~

~~(1) Protect public health by absorbing air pollutants and contamination, by providing buffering to reduce excessive noise, wind and storm impacts, and by maintaining visual screening with its accompanying cooling effect during the summer months.~~

~~(2) Provide for public safety through the prevention of erosion, siltation, and flooding.~~

~~(3) Contribute significantly to the general welfare of Canal Winchester by providing natural beauty and recreational opportunities for existing and future residents.~~

~~(b) Purpose.~~

~~(1) Provide for the protection, preservation, replacement, proper maintenance and use of trees and woodlands located within Canal Winchester in order to minimize disturbance to them and to prevent damage from erosion and siltation, and loss of wildlife habitat and vegetation. In this regard, it is the intent of this regulation to protect the integrity of woodland areas as a whole, in recognition that woodland areas serve as part of an ecosystem, and to place priority on the preservation of woodlands and trees, to the greatest extent reasonably possible.~~

~~(2) Protect the woodlands and trees of Canal Winchester in order to support local property values and to promote the natural beauty of Canal Winchester.~~

~~(3) Prevent owners or developers of property from removing trees from land prior to or in anticipation of development.~~

~~(4) Provide for the replacement of trees removed where no feasible alternative site development is available.~~

~~(5) Respond to the public concern for the preservation of these natural resources in the interest of the health, safety and general welfare of the residents of Canal Winchester.~~

~~(c) Application of Regulation. These regulations shall apply to any parcel of property within Canal Winchester which is undeveloped on the effective date of this regulation, unless the development has received (1) A preliminary site plan approval within one (1) year of the effective date of these regulations, or (2) A final site plan approval which has not yet expired. If the developer allows such approval to expire without proceeding with the development, and the development is thereafter resumed, the development must then be reviewed again to determine compliance with the requirements of these regulations.~~

1191.11 TREE REMOVAL PERMITS.

(a) **No person shall do any of the following without first having obtained a tree removal permit:** ~~Except as provided in Section 1191.06(c), no person shall do any of the following without first having obtained a tree removal permit in accordance with the provisions of these regulations:~~

(1) Remove, damage, or destroy any tree or similar woody vegetation of any dbh in a woodland.

(2) Remove, damage, or destroy any tree or similar woody vegetation of six inch (6") dbh or greater which is not located in a woodland.

(3) Conduct any tree clearing activities.

~~D.—When necessary for the location of a structure or site improvements and when no reasonable alternative location for the structure or improvements can be had without causing undue hardship, considering all development options which are available to the applicant under the Zoning Code.~~

~~(4)—Where necessary to provide reasonable drainage upon the site and when no reasonable alternative drainage is available without the removal of the trees.~~

~~F.—Where the prospective owner of the residential dwelling unit has requested the builder in writing to remove the trees in order to facilitate the homeowner making certain specified improvements.~~

(b) Exceptions.

(1) The removal or trimming of any trees by or on behalf of a resident owner of a one-family dwelling unit, one-family cluster-housing unit, site condominium unit, or residential condominium unit from an area under the owner's exclusive control. This exception shall not apply to removal of trees from common areas.

(2) Upon prior approval by the Urban Forester, the removal of or trimming of trees necessitated by the installation, repair or maintenance work performed in a public utility easement or approved private easement for public utilities.

(3) The removal or trimming of trees if performed by or on behalf of Canal Winchester, Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies, or a public utility company in a public right-of-way, upon public property, or upon a private easement for public utilities in connection with a publicly awarded construction project, the installation of public streets or public sidewalks, or installation of public utilities within a private or public easement established for such purpose.

(4) The trimming and pruning of trees as part of normal maintenance of landscaping or orchards, if performed in accordance with accepted forestry or agricultural standards and techniques.

(5) The removal or trimming of dead, diseased or damaged trees if performed by or on behalf of Canal Winchester, Franklin or Fairfield County, Ohio Department of Transportation, Franklin or Fairfield County Public Works Office or other public agencies in a

public right-of-way or upon public property if done to prevent injury or damage to persons or property.

(6) The removal or trimming of dead, diseased or damaged trees provided that the damage resulted from an accident or non-human cause, and provided further that the removal or trimming is accomplished through the use of standard forestry practices and techniques.

(7) The removal or transplanting of trees during the operation of a commercial nursery or tree farm or practicing sustained-yield forestry (land stays a productive forest).

(8) Actions made necessary by an emergency, such as a tornado, windstorm, flood, freeze, dangerous and infectious insect infestation or disease or other disaster, in order to prevent injury or damage to persons or property or restore order.

~~(c) Development on Parcels of One (1) Acre or Greater. The following requirements shall apply to all property containing one (1) or more acres upon which any activity as defined herein is undertaken after the effective date of these regulations:~~

~~(1) The developer of any development shall, as part of the permit approval under these regulations, identify the location of all proposed streets, loading and unloading areas, off-street parking areas, and maneuvering lanes providing general circulation within the development. In addition, the developer shall designate building envelopes and driveway envelopes for construction of buildings, known accessory structures, and other on-site improvements to be made. Once a tree removal permit has been obtained by the developer for these areas, no additional tree removal permit shall be required for the erection of a structure within the building envelope or the installation of approved improvements in the approved locations. Activities which extend beyond the confines of the designated building or driveway envelopes or areas approved for the installation of specific site improvements shall require an additional tree removal permit.~~

~~(2) Except as otherwise provided in these regulations, the developer of any parcel containing one (1) or more acres shall preserve and leave standing a minimum of 45 percent (45%) of the total number of trees of four inch (4") dbh or greater within the development.~~

~~(4) Tree Removal Permits in Conjunction with Construction by Builders on Building Sites. A builder who wishes to either clear any property or construct any building upon a site, or perform any operation within a woodland, must first obtain a tree removal permit in order to remove, damage, or destroy any tree of four inches(4") dbh or greater from the property or work within a woodland as designated on the official woodlands map.~~

(d) Content of Application.

(1) Required Information. An applicant for a tree removal permit for a parcel of one (1) acre or more, if required by Section 1191.11, shall submit the following materials to the Municipality:

(A) A completed tree removal permit application on a form prescribed by Planning and Zoning Administrator, which such application shall include the following information:

i. The name, address and telephone number of the applicant and/or the applicant's agent.

ii. The name, address and telephone number of the owner of the property.

iii. The project location, including as applicable, the address, the street, road, or highway, section number, lot or unit number, and the name of the subdivision or development.

iv. A detailed description and statement of the activity to be undertaken.

(B) A tree removal permit application fee in the amount as established by the adopted fee schedule. ~~a resolution of Council.~~

(C) If the applicant is not the owner of the property, a written authorization from the owner allowing the proposed activity.

(D) Five (5) copies of a tree survey prepared by a certified arborist and a plan for proposed tree removal containing all of the following information:

i. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.

ii. The location of all existing trees of six inch (6") or greater dbh, identified by common and botanical name. Trees proposed to remain, to be transplanted, or to be removed shall be designated. A cluster of trees may be designated as a "stand" of trees, and predominant species, estimated number, and average size shall be indicated. Clusters of trees located within an approved open space which is to be preserved may be designated as an "open space stand" and identified in the same manner as a "stand" without individual identification and location.

iii. A description of tree species, size, density, health and vigor.

iv. The location and dimension of all setbacks required by existing zoning requirements.

v. A statement that all retained trees will be identified by a method, such as painting or flagging. If protective barriers are deemed necessary by Canal Winchester, the statement shall include a description of how the retained trees are to be protected, with an acknowledgment that the barriers must be in place before operations commence.

vi. A general grading plan prepared by a registered engineer or land surveyor showing the anticipated drainage patterns, including the location of any areas where cut and fill operations are likely to occur, to enable Canal Winchester to determine the impact of the proposal on the viability of the existing trees.

~~B. Alternate Site Plan Information – All Sites. Where the request for a tree~~

~~removal permit relates to any site which contains no trees of four inches (4") or greater dbh, the applicant shall so indicate in their application and submit a "no tree" affidavit. In such case, Canal Winchester shall conduct an inspection of the site. If the inspection substantiates the applicant's claim, the applicant shall be relieved from the requirement of obtaining a tree removal permit.~~

(e) Application Review Procedures.

(1) Procedure. Canal Winchester shall review the submitted application for a tree removal permit required by Section 1191.11 to determine that all required information has been provided. At the request of the applicant or the Municipality, an administrative review meeting may be held to review the request in light of the purpose and the review standards of Section 1191.11. A field inspection of the site may be conducted by the Urban Forester and/or his or her designee. Where the site proposed for development requires review or approval by the Planning and Zoning Commission of the subdivision layout, qualification for one-family cluster, or special land use approval, the Planning and Zoning Commission shall be responsible for approval or denial of the request for a tree removal permit (subject to affirmance, reversal or modification by the Council of Canal Winchester with respect to tentative preliminary plat approval, or any other approval for which Council has final authority). In all other instances, the review of tree removal permit requests shall be the responsibility of the Urban Forester or his or her designee. All decisions shall be made in accordance with the review standards of Section 1191.11.

(2) Denial. If an application for a tree removal permit is denied, the permit applicant shall be notified in writing of the reasons for denial by the Urban Forester.

(3) Approval; Conditions; Performance Requirements. If an application for a tree removal permit is granted, the reviewing authority may do any or all of the following:

(A) Attach to the granting of the permit reasonable conditions considered necessary by the reviewing authority to ensure the intent of Section 1191.11 is fulfilled and to minimize damage to, encroachment in, or interference with natural resources and processes within wooded areas.

(B) Set a reasonable time frame within which to complete tree removal operations.

(C) Require a permit holder to deposit a performance bond, or other acceptable security, equal to 100% of the cost of the improvements to ensure compliance with the terms of Section 1191.11, including the planting of any required replacement trees. Once the trees designated to be removed have been removed and any required replacement trees have been planted and inspected, the Municipality shall release the bond or security. If the permit holder has provided a bond or other performance guarantee to the Municipality under any other ordinance or regulation, and such bond or guarantee is deemed adequate by the Municipality to ensure compliance with Section 1191.11, no additional performance guarantee shall be required under this Section.

~~(f) Application Review Standards. The following standards shall govern the approval or denial of an application for a tree removal permit if required by Section 1191.10.~~

~~A. The protection and conservation of natural resources from pollution,~~

~~impairment, or destruction is of paramount concern. Therefore, all woodlands, trees and related natural resources shall be preserved to the greatest extent reasonably possible, as determined by the Urban Forester. The applicant shall consider and pursue all development options available under the Zoning Code in order to preserve the woodlands and trees.~~

~~B.—The integrity of woodland areas shall be maintained to the greatest extent reasonably possible irrespective of whether such woodlands cross property lines.~~

~~C.—Where the proposed activity consists of land clearing, it shall be limited to designated street rights-of-way, drainage and utility easements, building and driveway envelopes and other areas (such as off-street parking and loading and unloading areas) necessary for site improvements considering the development options which are available to the applicant under the Zoning Code.~~

~~D.—The reviewing authority shall evaluate the quality of the woodland area or the trees to be removed, including consideration of:~~

~~i.—Tree species (including diversity of tree species).~~

~~ii.—Tree size and density.~~

~~iii.—Health and vigor of the trees.~~

~~iv.—Soil conditions and drainage characteristics of the site.~~

~~v.—Other factors such as the value of the woodland area as a scenic asset, windblock, noise buffer, or other environmental benefit (e.g. cooling effect).~~

~~E.—The burden of satisfying the criteria of this Section shall be upon the applicant.~~

~~(e) Replacement or Relocation of Trees; Maintenance.~~

~~(1) Replacement or relocation. Whenever a tree removal permit has been issued authorizing removal of a tree of four inches (4") or greater dbh, the permit holder shall replace it with a new tree or pay the Municipality the replacement cost. The minimum tree replacement size shall be two (2) inches dbh.~~

~~(2) Replacement Cost. The permit holder shall pay for the replacement of trees at the rate of \$100.00 per inch dbh. This rate shall be reviewed annually.~~

~~(3) Location. The location of any replacement tree shall be on the same parcel as the removed tree wherever feasible. If the tree relocation or replacement is not feasible (as determined by the Urban Forester) on the parcel, the Urban Forester may allow the permit holder to pay into the Street Tree Program monies for the tree replacement on a per-caliper inch basis. The Street Tree Program shall be utilized for the planting, maintenance and preservation of trees and woodland areas within Canal Winchester.~~

~~(4) Maintenance. Replacement trees shall be staked (as needed), fertilized, watered and mulched to ensure their survival in a healthy, growing condition.~~

(f) Term of Permit.

(1) Any and all tree removal permits issued by the Municipality to a developer shall expire (unless extended) at the same time as the contemporaneous approval granted by the Municipality for the development, if any (e.g. preliminary plan, preliminary site plan, special land use, site plan approval, etc.).

(2) Any and all tree removal permits issued by the Municipality to any person for an activity regulated under Section 1191.11 for which a contemporaneous approval of the development is not required (e.g. removal of trees by a builder in connection with construction of a residence upon a lot or parcel) shall expire one year from the date of issuance.

(3) Any activity regulated under Section 1191.11 which is to be commenced after expiration of a tree removal permit shall require a new application, additional fees, and new review and approval.

(g) Protection of Trees and Woodlands during Construction; Display of Permit.

(1) No individual shall conduct any activity within ten (10) feet of the drip line of any tree designated to remain, including but not limited to placing solvents, building material, construction equipment, or soil deposits within the drip line.

(2) During construction, no individual shall attach a device or wire to any remaining tree, except to cordon off protected areas.

(3) Before development, land clearing, filling, or any property alteration for which a tree removal permit is required, the developer or builder shall erect and maintain suitable barriers such as snow fencing, cyclone fencing, etc., to protect remaining trees. Wood, metal, or other substantial material shall be utilized in the construction of barriers. Protective barriers shall remain in place until the Urban Forester, or his or her designee, authorizes their removal. Barriers are required for all trees designated to remain, except in the following cases:

A. Street right-of-way and utility easement may be cordoned by placing stakes a minimum of twenty-five (25) feet apart and tying ribbon, plastic tape, or other brightly visible materials at least two and one-half (2 ½') feet above the ground from stake to stake along the outside perimeters of areas to be cleared.

B. Large property areas separate from the construction or land clearing area onto which no equipment will venture shall be cordoned off.

(4) The permit holder shall conspicuously display the tree removal permit on-site. The permit shall be displayed continuously while trees are being removed or while activities authorized under the permit are performed, and for ten (10) days following completion of those activities. The permit holder shall allow the Urban Forester to enter and inspect the premises during reasonable business hours. Failure to allow an inspection is a violation of Section 1191.11.

(h) Enforcement and Administration. To ensure enforcement of Section 1191.11 and the approved plan for tree removal, various inspections will be performed at the site by the Urban Forester. The applicant will be responsible for all inspection fees in accordance with the Inspection Fees set and established by Resolution of the Council.

(i) Penalties and Remedies.

(1) In addition to the penalties as set forth in Section 1135.12, any person who violates any provision of Section 1191.11 shall forfeit and pay a civil penalty equal to the total value of those trees illegally removed or damaged, as computed from the International Society of Arboriculture shade tree value formula. Such sum shall accrue to the Municipality and may be recovered in a civil action brought by the Municipality. Such sum so collected shall be placed into the Street Tree Fund. Replacement of illegally removed trees may be required as restoration in lieu of money. This replacement will be computed on an inch-for-inch ratio based on the total diameter measured at dbh in inches of the illegally removed trees. If, because of destruction of the removed trees, exact inch-for-inch measurements cannot be obtained, the Municipality may use other means to estimate the tree loss. A combination of money and tree replacement may be required.

(2) Any person authorized or designated by the Planning and Zoning Administrator to enforce or administer Section 1191.11 may issue a stop work order to any person conducting any operation in violation of Section 1191.11, including but not limited to failing to conspicuously display the tree removal permit upon the site. The written stop work order shall be posted upon the premises. A person shall not continue, or cause or allow to be continued, any operation in violation of such an order, except as authorized by the enforcing agency to abate a dangerous condition or remove the violation.

(3) If a stop work order is not obeyed, the enforcing agency or person may apply to a court of competent jurisdiction for any order enjoining the violation of the order. This remedy is in addition to, and not in limitation of, any other remedy provided by law or ordinance, and does not prevent criminal prosecution for failure to obey the order.

(4) Any person aggrieved by a stop work order may request review by the Planning and Zoning Administrator or his or her designee of the stop work order within one (1) working day of its issuance. The Planning and Zoning Administrator or his or her designee shall then determine whether the stop work order was properly issued due to operations being conducted in violation of the terms of Section 1191.11. The Planning and Zoning Administrator or his or her designee may lift the stop work order if the operations are determined to be in compliance with Section 1191.11.

(5) Any use or activity in violation of the terms of Section 1191.11 is hereby declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction. In addition to other remedies, the Municipality may institute any appropriate action or proceeding to prevent, abate, or restrain the violation. All costs, fees and expenses in connection with such action, including attorney fees incurred by the Municipality, shall be assessed against the violator.

1191.12 ~~1191.07~~—PUBLIC SPACES.

Within the public right-of-way and on public properties, no person or entity other than the Municipality shall plant a tree, shrub, evergreen, woody shrub or other obstruction on public property without the written consent of the City of Canal Winchester. The enforcement and penalty provisions of Chapter 1135 shall apply to this section.

(a) Tree Topping. No person shall, as a normal practice, top any tree within the public right-of-way. Topping is defined as the severe cutting back of limbs to stubs larger than three

(3) inches in diameter within the tree's crown to such a degree so as to remove the normal canopy or disfigure the tree. With an immature tree, removing more than twenty-five percent (25%) of the canopy will be considered topping.

(b) Height of Limbs Over Sidewalks and Streets. Tree limbs extending over a sidewalk shall be trimmed to such an extent that no portion of the same shall be less than ten (10) feet above the sidewalks. Tree limbs extending over streets shall be trimmed to such an extent that no portion of the same shall interfere with the normal flow of traffic.

(c) Municipal Rights. The Municipality shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the rights-of-way of all streets, alleys, avenues, lanes and other public grounds as may be necessary to ensure public safety or to preserve or enhance the environmental quality and beauty of such public grounds. The Planning and Zoning Administrator may cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature poses a threat to the interruption of service to sewers, electric power lines, gas lines, water lines or other public improvements.

(d) Reducing Treelawn. No person shall by any type of construction reduce the size of a tree lawn without first securing permission from the Planning and Zoning Administrator.

(e) Utility Companies. Utility companies shall provide written evidence to the Planning and Zoning Administrator, of adherence to established guidelines (as recommended by the National Arborists Association) for line clearance work. These guidelines shall cover the following areas:

- (1) Tree trimming/pruning.
- (2) Tree removal.
- (3) Brushing.
- (4) Right-of-way clearance for new transmission conductors on private rights-of-way.
- (5) Chemical brush control and appropriate precautions.

(f) Removal, Replanting and Replacement in Public Places.

(1) Wherever it is necessary to remove a tree(s) or shrub(s) from any Municipally owned property, in connection with the paving of a sidewalk, or the paving or widening of a portion of a street, alley, or highway used for vehicular traffic, or any other reason, the Urban Forester must be contacted. At that time, the Urban Forester will determine if replacement of the trees and/or shrubs is feasible.

(g) Public Tree Care.

(1) The Urban Forester or its consultants shall ~~notify~~ **notify** ~~recommend~~ to the Street Tree Advisory Board those locations at which it deems the removal of street trees is necessary. The Urban Forester will notify the adjacent property owner(s) of the Municipality's intentions to remove the tree(s).

(2) The Municipality shall have the right to enter private property to gain access to trees adjacent to public areas for the purpose of proper pruning, after reasonable prior notice has been given to the property owner. To ensure that street trees thrive, homeowners are encouraged to confer with the Urban Forester, and water and mulch the trees as needed.

(3) No person or contractor, unless working on behalf of the municipality, shall attach any rope, wire, nails, advertising poster, decoration, decorative lighting, or other contrivance to any tree on Municipally owned property. No person shall permit any fire to burn where such fire or heat there from, or heat from any source will injure any portion of any tree on Municipally owned property. No person or contractor, unless working on behalf of the municipality, shall use herbicides or other chemicals on any trees, shrubs or evergreens locate on Municipally owned property.

(4) No person shall hinder, prevent, or interfere with the agents or employees of the Municipality while the agents or employees are engaged in planting, maintaining, or removing any tree, shrub, evergreen, or other plant material on Municipally owned property.

(5) No person shall excavate any ditch, tunnel, trench, or lay any drive within ten (10) feet from the drip line of any tree, shrub, evergreen, or other plant material standing on any Municipally owned property.

(6) It shall be unlawful for any person or contractor, unless working on behalf of the municipality, to break, deface, injure, mutilate, kill, or destroy any tree, shrub, or evergreen on any Municipally owned property.

(h) Removal of Stumps. All stumps of street trees shall be removed twelve (12) inches below the surface of the ground. Stumps shall be removed or shall be ground at the site. All residual material shall be removed from the site at the time the tree is removed and the site shall be restored as approved by the Urban Forester.

(i) Arborist License and Bond. It shall be unlawful for any person or contractor working on behalf of the municipality, to act as an arborist in the business or occupation of planting, pruning, treating, or removing street trees within the Municipality without providing documentation as a certified arborist or as the authorized representative of a certified arborist. Each applicant shall file evidence of possession of liability insurance in the minimum amount of \$1,000,000 indemnifying the Municipality or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

(j) Appeal Procedures. Any person aggrieved by a decision of the Planning and Zoning Administrator may appeal the decision to the Planning and Zoning Commission as prescribed in Section 1137.06 (c).

(k) Tree Fund.

(1) Upon the issuance of a building permit for the construction of a building or structure in any zoning district, the owner of said building or structure shall pay the sum **as determined by the Canal Winchester Fee Schedule, a set fee of six dollars (\$6.00)** per one lineal foot of frontage at the right-of-way to the Municipality's Street Tree Fund. This measurement shall include the side yard frontage on corner lots. The Street Tree Fund shall be used for the purpose of implementing the Street Tree Program, whose goal is to provide uniform street tree plantings and maintenance along public roadways within the Municipality.

(2) Payment to the Street Tree Fund shall be upon the issuance of a building permit. Such fee shall be waived if the fee was paid at the time of the original construction of the building or structure or if the buildings are part of a development project where landscaping at the interior streets is part of the overall development plan approved by the Planning and Zoning Commission. In such cases, the fee charged shall be only for the areas that are part of the development that front on existing streets and/or roads.

(3) All alterations or additions to buildings or structures on properties in the "Downtown" area shall only be charged one-third (1/3) of the **street tree fee \$6.00** per lineal foot of frontage to be applied for street tree maintenance within the municipality.

~~(4) There is hereby established a special account to be known as the Tree Fund Account which shall be maintained in accordance with regulations of the State Auditor and administered solely by the Finance Director.~~

~~(l) Street Tree Advisory Board Maintenance Fund.~~

~~(1) There is hereby established a Street Tree Advisory Board Maintenance Fund. All gifts of money received and accepted by or on behalf of the Municipality for the purpose of planting, replacing, maintaining, protecting, utilizing and promoting shade trees, and all surplus funds and investment interest for the Tree Fund shall be paid into the Street Tree Advisory Board Fund.~~

~~(2) The Finance Director shall make payments for the Street Tree Advisory Board Maintenance Fund upon the presentation of vouchers or orders therefore by the Urban Forester.~~

(m) Donations. The Finance Director is hereby authorized to accept, on behalf of the Municipality, all gifts, money or other things or items of value for the purpose of planting, maintaining, removing, protecting, utilizing and promoting shade trees in accordance with the decision and approval of the STAB. However, a gift given expressly for a specific purpose shall, before the Municipality is deemed to have accepted it, be accepted by motion and vote of Council. If such motion to accept is rejected by Council, such gift, if already delivered to the Municipality, shall be returned to the donor and not accepted.

1191.08 PRIVATE STREETS.

~~No trees may be planted along private streets without first obtaining a permit from the Planning and Zoning Administrator. The permit application must contain a map illustrating the location and botanical and common name of all trees to be planted along with the street.~~



To: Amanda Jackson, CMC, Clerk of Council
From: Andrew Moore, Planning and Zoning Administrator
Date: October 9, 2018
RE: Application ZA-18-006

RECOMMENDATION

Regular Meeting of Planning and Zoning Commission held **October 8, 2018**

Motion by Donahue, seconded by Wildenthaler, to recommend to council approval of ZA-18-006; to consider a Zoning Text Amendment(s) to Chapter 1191 Landscaping and Screening. The proposed amendments have been initiated by the Planning and Zoning Commission.

Voting yes: Bill Christensen; Joe Donahue; Mark Caulk; Joe Wildenthaler; Michael Vasko; June Konold. **Motion Carried 6-0**

A handwritten signature in blue ink, appearing to be "AM", is written above a horizontal line.

Andrew Moore
Planning and Zoning Administrator

**Zoning Map Amendment #ZM-18-005
Project Casto**

Owner: Gender/Thirty-Three, LLC
Applicant: Project Casto Team
Property Location: 5080 Gender Road (Parcel ID 184-000532, 184-000871).
Existing Zoning: EU (Exceptional Use)
Proposed Zoning: LM (Limited Manufacturing)
Proposed Use: 69.24-acre industrial development for two buildings.

Location

The subject property, approximately 69.24 acres, is on the north side of Winchester Blvd. at the dead end of the street and to the west. It is zoned for EU (Exceptional Use) and is currently used as an agricultural field. The applicant is applying to rezone to LM (Limited Manufacturing). The property to the south consists of multiple parcels that are developed and developing with commercial uses which are zoned PCD and GC. 11 acres to the south are currently for sale and being marketed for commercial uses. Property to the east is zoned GC and is the location of the Winchester Square Shopping Center. To the north is US 33 and across the highway is Wyler Chevrolet which is zoned EU. Properties to the west are within unincorporated Madison Township and are zoned Rural.

Request

The applicant is requesting to rezone 69.24 acres from EU (Exceptional Use) to LM (Limited Manufacturing). This rezoning request is made by the Project Casto Team. Their intent with the property is to construct two industrial buildings concurrently, which one would be 258,346 square feet and the second 555,907 square feet. Both buildings would consist of up to 814,253 square feet of industrial space if constructed per the concept presented.

Criteria for (Zoning Amendment) Review

All rezoning activities must be consistent with the adopted comprehensive plan. The following factors shall also be considered:

- (a) Compatibility of the proposed amendment to adjacent land use, adjacent zoning and to appropriate plans for the area, including but not limited to the comprehensive plan.
- (b) Relationship of the proposed amendment to access and traffic flow and utility services including sanitary sewer, water, and storm drainage, as outlined in the transportation thoroughfare plan, comprehensive plan and/or other adopted plans for the area.
- (c) Relationship of the proposed amendment to the public health, safety, convenience, comfort, prosperity and general welfare, including impact on infrastructure and municipal services.
- (d) Relationship of the proposed use to the adequacy of available services and to general expansion plans and planned capital improvements.

History

The subject property was annexed into Canal Winchester in 1964. It remained vacant for a number of years without access to utilities and was rezoned as part of the Winchester Square Development in 1988. This parcel had the zoning changed from R-2 (Single Family Residential) to 25 acres of AR-1 (Multi-Family Residential) on the north of the site and 44.269 acres for M-2 Light Manufacturing adjacent to the future extension of Winchester Blvd.

The property was then rezoned in July of 2003 to TND (Traditional Neighborhood Development). The preliminary plan approved along with the rezoning indicated that the property would have incorporated commercial and office uses along with multi-family housing throughout the 68.9-acre site.

In 2007 the site was rezoned to EU (Exceptional Use) as part of an agreement to expand the Winchester Square Shopping Center. The owners indicated at the time that any future development of the land would require a rezoning to allow development of the site.

Analysis

The applicant is proposing to rezone the site to the LM zoning district to allow future development of industrial uses. According to our zoning code, "The Limited Manufacturing District (LM) is established for the purpose of preserving areas of the Municipality for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses....". This parcel was planned for industrial development for approximately 15 years. The site was not developed during that period but City leadership thought the site was the appropriate location for industrial use at the time.

The location of the site in proximity to US 33, Gender Road, and Winchester Blvd. provide appropriate access for industrial traffic. Industrial land use would be compatible with the surrounding retail and office land uses. The 1999 Comprehensive plan promotes permitting industrial uses that will stabilize and diversify the economic base. This proposed development is most likely to attract warehouse and distribution uses which would be attractive in diversifying the local economy as none of these uses are currently located within the corporate limits of Canal Winchester.

Utilities

Water service – A 12" water main runs the length of the property on the east side of the site. There is also a 12" inch water main along the portion of Winchester Blvd. that has already been constructed. The water main will be extended along Winchester Blvd. to allow for adequate access and fire coverage of the site. The City has excess treatment capacity to serve any industrial development which would propose to locate on this site.

Sanitary Service – A 12" sanitary sewer line runs the length of the property along the east side of the site. The City has excess treatment capacity to serve any industrial development which would proposed to locate on the site.

Storm Water – Storm water for the Winchester Square Shopping Center is currently handled within the existing retention ponds located on the property. The applicant is proposing to retain the current pond on the north side of the site and is showing adding an additional 6.44 acre pond for storage immediately adjacent to the existing between the proposed buildings and US 33. The central basin currently on the property is being relocated to the southeast corner of the site in a new 2.28 acre pond. All three of these ponds will serve the Winchester Square Shopping Center and the industrial site's storm water needs.

Traffic

The applicant is proposing to extend Winchester Blvd. to the west by approximately 1,000 feet and terminate the road in a cul-de-sac. The site would be served by two driveways, one on the existing portion of Winchester Blvd. that would run the length of the site along the east lot line and one that would come off the proposed cul-de-sac and run the length of the property along the west lot line. It is anticipated that the first building would be served by approximately 202 parking spaces and the second larger building by approximately 436 parking spaces. A number of trailer storage areas along with truck loading docks are shown on the concept site plan. Since the specific users of any potential buildings are unknown it is difficult to estimate the specific needs of the user in regards to parking and loading spaces so the concepts presented are generalizations of how the site it likely to develop.

The applicant has completed a traffic study which is currently being reviewed by the municipal engineer. The traffic study evaluates the site drives on Winchester Blvd., the Prentiss School Dr. and Winchester Blvd. intersection, the Gender Road and Winchester Blvd. intersection, and the Gender Road and Canal Street intersection. The results of the Municipal Engineer's review and recommendation will be available to review at the meeting on December 3.

The site is currently isolated at the end of a dead end street. The surrounding uses are intensive commercial uses or vacant ground that is currently being farmed. As such, this use would have no negative impact on the surrounding land uses. The impact would likely be positive for the surrounding uses with the future employees of the industrial users that occupy this site supporting the local retail and restaurant uses in the area. The site currently produces little tax revenues to support the community. Developing the site for industrial use will lead to significant revenue being produced through the collection of local real estate and income taxes. These taxes would be a net positive considering the low impact on public services that industrial uses require. Thus the proposed rezoning will have a positive impact on the prosperity and general welfare of the community.

Staff Recommendation

Planning and Zoning Commission recommends the applicant's request to rezone 69.24 acres from EU (Exceptional Use) to LM (Limited Manufacturing) be recommended to City Council for approval. This rezoning request and subsequent development as an industrial use will have a positive impact on the prosperity and general welfare of the community. The site has long been planned for development, with some past proposals having a much greater impact on the area.

Planning and Zoning Commission recommends the approval with the following conditions:

1. The applicant extends Winchester Boulevard as shown on the attached Project Casto preliminary plans.
2. That the applicant complies with the recommendations of the municipal engineer in regards to traffic improvements required due to the impacts of the proposed development.



City of Canal Winchester

36 South High Street
Canal Winchester, Ohio 43110
Development Department
Phone (614) 837-7501 Fax (614) 837-0145

ZONING CODE AND MAP AMENDMENT APPLICATION

rev. 9/24/2013

PROPERTY OWNER

Name Gender/Thirty-Three, LLC

Address 250 Civic Center Dr, Suite 500, Columbus, OH 43215

Daytime Phone 614-744-2012 Email lvisco@castoinfo.com

APPLICANT

Name Douglas Swain (Project Casto Team)

Address 8801 River Crossing Blvd, Suite 450, Indianapolis, IN 46240

Daytime Phone 317-816-5723 Email _____

Address or Location of Subject Property 5080 Gender Road, Canal Winchester, OH 43110

Requested Rezone from EU (Exceptional Use) to LM (Limited Manufacturing)

Attach a current survey (within 2 years) and legal description along with supporting materials required per Section 1143.02 (c) (see attachment). Additional information may be required by the Planning & Zoning Administrator, the Planning & Zoning Commission or Village Council.

I certify that the information provided with this application is correct and accurate to the best of my ability.

Douglas Swain, as authorized agent for Gender/Thirty-Three, LLC 9/17/18
Property Owner's or Authorize Agent's Signature Date

DO NOT WRITE BELOW THIS LINE

Date Received: ___ / ___ / ___ Fee: \$ _____ Tracking Number: ZA - _____
Paid

P&Z Public Hearing: ___ / ___ / ___ Council Public Hearing: ___ / ___ / ___
Recommendation ___ Approval ___ Denial Action ___ Approval ___ Denial

Expiration Date: ___ / ___ / ___ Council Ordinance No.: _____

Adjacent Property Owners

Site Address: 5080 Gender Road, Canal Winchester, OH 43110

PID:

184-000532-00/184-000871-00

PID	Address	Owner	Owner Address (Tax Mailing Address)
184-003006-00	6035 Gender Road, Canal Winchester, OH 43110	HD Development	PO Box 105842, Atlanta, GA 30348
184-002986-00	6085 Gender Road, Canal Winchester, OH 43110	Winchester Square LLC	250 Civic Center Dr #500, Columbus, OH 43215
184-001700-00	6416 Winchester Blvd, Canal Winchester, OH 43110	Winchester Square LLC	250 Civic Center Dr #500, Columbus, OH 43215
184-003242-00	Gender Road	The City of Canal Winchester Ohio	26 S High Street, Canal Winchester, OH 43110
184-003240-00	6375 Winchester Blvd, Canal Winchester, OH 43110	Canal Winchester Holdings, LLC	1209 Hill Rd N, Pickerington, OH 43147
184-003286-00	Winchester Rear Blvd	Canal Winchester Hotels, LLC	4197 Marlane Dr, Grove City, OH 43123
184-003243-00	6365 Winchester Blvd, Canal Winchester, OH 43110	Winchester Office Park, LLC	765 Russell Strausse Rd, Cookeville, TN 38501
184-003288-00	Winchester Blvd	Sirius Investments, LLC	3962 Jackpot Rd, Grove City, OH 43123
184-001702-00	Gender Road	Gender/Thirty Three	250 Civic Center Dr #500, Columbus, OH 43215
184-000996-00	Winchester Blvd	Phele Investment Properties	6680 Perimeter Dr, Suite 200A, Dublin, OH 43016-8073
180-000255-00	6060 Rager Road, Groveport, OH 43125	Baker Levin Farms, LLC	3319 E Livingston Ave, Columbus, OH 43227
180-000290-00	5900 Rager Road, Groveport, OH 43125	Baker Levin Farms, LLC	3319 E Livingston Ave, Columbus, OH 43227
180-004981-00	Rager Road	Dill Realty LLC	5800 Rager Rd, Groveport, OH 43125
184-0000954-00	Old Winchester Pi	Willis Alspach	12505 Village Circle Dr, Apt 532, Saint Louis, MO 63127-1701
184-001002-00	5881 Gender Road	Mountain Agency LLC	401 Milford Pkwy, Suite A, Milford, OH 45150-9119
181-000026-00	Bixby Road	Willis Alspach	12505 Village Circle Dr, Apt 532, Saint Louis, MO 63127-1701
184-000879-00	Winchester Pi	Willis Alspach	12505 Village Circle Dr, Apt 532, Saint Louis, MO 63127-1701
010-260326-00	Winchester Pi	Henrietta Pfeifer	630 Winchester Pike, Canal Winchester, OH 43110

ZONING DESCRIPTION

69.237 Acres

Situated in the State of Ohio, county of Franklin, City of Canal Winchester, Section 24, Township 11, Range 21, Congress Lands and being all of those tracts of land as conveyed to Gender/Thirty-three of Official Record 11357F13 and Official Record 1135F16, all deed references refer to the records of The Recorder's Office, Franklin County, Ohio and described as follows:

Beginning for reference at F.C.G.S. Monument 2270 reset located at the intersection of the northerly right-of-way line of Winchester Boulevard extended, also being the southerly line of said Section 24, with the centerline of Gender Road;

Thence, North 85°45'23" West with said northerly right-of-way line and said southerly section line a distance of 1231.68 feet to an iron pin set at the southwesterly corner of a 14.828 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 200412200286893, the northwesterly corner of that 2.119 acre tract as conveyed to the City of Canal Winchester Official Record 31057H09, and the northeasterly corner of that 0.629 tract as conveyed to the City of Canal Winchester of record in Instrument Number 201608180109326, at the **True Point of Beginning** for the description;

Thence, North 85°45'23" West continuing with said South section line, partly with northerly line of said 0.629 acre tract, partly with the northerly line of an original 3.924 acre tract as conveyed to Gender/Thirty-Three of record in Official Record 27286D07 and partly with the northerly line of that 11.280 acre tract of land as conveyed to Phele Investment of record in Instrument Number 201706150081040, a distance of 1493.31 feet to a 13/16" pipe with an EMH&T cap at the northwesterly corner of said 11.280 acre tract and the northeasterly corner of a 78.384 acre tract as conveyed to Baker Levin Farms, LLC of record in Instrument Number 200704240071166, the southeasterly corner of a 134.50 acre tract as conveyed to Baker Levin Farms LLC of record in Instrument Number 200704240071166, also being the southwesterly corner of Section 24 at its common corner with Sections 23, 25, and 26;

Thence, North 4°26'33" East with the easterly line of said 134.50 acre tract and the common line between Section 24 and 23 a distance of 1597.99 feet to a 13/16" pipe found with EMH&T cap at an angle point in said line;

Thence, North 4°20'59" East partly with the easterly line of said 134.50 acre tract and partly with the easterly line of a 20.1366 acre tract as conveyed to Dill's Realty LLC of record in Instrument Number 200111050255847, and the common line between sections 24 and 23 a distance of 866.30 feet to a ¾" pipe found no cap at a corner thereof in the southerly right-of-way line of State Route 33 as recorded in Deed Book 2390, page 592, Parcel 69LA;

Thence, South 61°24'34" East with said southerly limited access right-of-way line a distance of 1698.02 feet to a 5/8" rebar found with a Preferred Surveying Company cap at the northwesterly line of an 11.315 acre tract as conveyed to H.D. Development of Maryland Inc. of record in Instrument Number 200707020115156;

Thence, with the westerly line of said 11.315 acre tract the following courses:

South 26°50'00" West a distance of 217.80 feet to an iron pin set at a corner thereof;
North 85°06'32" West a distance of 135.03 feet to an iron pint set at a corner thereof;

Thence, South 4°55'08" West partly with said westerly line and partly with the westerly line of a 6.395 acre tract as conveyed to Winchester Square LLC of record in Instrument Number 201412150165939 a distance of 822.51 feet to an iron pin set at a corner thereof;

Thence, South 64°45'23" East partly with the westerly line of said 7.393 acre tract and partly with the westerly line of said 14.828 acre tract passing a 13/16" iron pipe found with the EMH&T cap at a distance of 162.39 feet a total distance of 345.56 feet to an iron pin set at a corner thereof;

Thence, South 4°14'37" West with the westerly line of said 14.828 acre tract a distance of 440.00 feet to the **True Point of Beginning** and containing 69.237 acres of land more or less, 51.032 acres being out of PID 184-000532 and 18.205 acres out of PID 184.000871. This description is for zoning purposes only.

ZONING DESCRIPTION

69.237 Acres

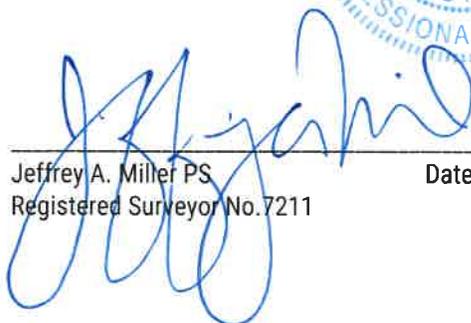
Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above described tract of land.

All iron pins called as set are 5/8" x 30" rebar with yellow cap stamped "CESO".

The basis of bearing is based on a bearing of North 85°45'23" West for the southerly line of Section 24 as determined by GPS observation, based on NAD 83 (2011), Ohio State Plane South zone and post processed using and OPUS Solution.

CESO, Inc.



 9-12-18

Jeffrey A. Miller PS
Registered Surveyor No. 7211

Date 9/12/2018



September 14, 2018

City of Canal Winchester
Planning and Zoning Department
c/o Andrew Moore
36 S. High Street
Canal Winchester, OH 43110

**Re: Project Casto/Gender Thirty-Three Rezone
5080 Gender Road
Canal Winchester, Ohio**

Dear Mr. Moore,

The applicant respectfully requests a rezoning from EU (Exceptional Use) to LM (Limited Manufacturing) for the purpose of developing up to three industrial buildings. The subject property is located at 5080 Gender Road in Canal Winchester, Ohio and contains a total of 69.24 acres between parcels 184-000532 and 184-000871. The land is currently characterized as vacant commercial land. Access to the site will be provided south of the site, using the new 400-foot extension of Winchester Boulevard.

According to Section 1179.01 of the Canal Winchester Code, the two properties are currently zoned EU which does not allow industrial use and is designed to permit those uses that are not addressed in any other adopted district. The proposed LM district rezone is an appropriate alteration as it is established for the purpose of preserving areas of the municipality for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses, and to make provision for certain kinds of commercial uses which are most appropriately located ancillary to industrial users or which are necessary to service the immediate needs of people in these areas (Section 1171.01).

The proposed rezone will not adversely affect the public health, safety, convenience, comfort, prosperity, and general welfare of the surrounding area. The site is currently bounded north by State Route 33, to the south by future Winchester right-of-way and undeveloped General Commercial, to the west by Madison Township, and to the east by the rear of the Winchester Square Shopping Center. In this location, we feel the rezone will not adversely affect property owners and will not alter the essential character of the general vicinity.

A traffic impact study has been prepared and submitted with this application to help address any traffic concerns and show how the development will interact with the surrounding infrastructure. The existing detention pond will be relocated and sufficient detention and water quality areas will be provided for increased storm water management. Strategic pond placement and landscape plantings will be used to limit disruption to the surrounding area.

The applicant does anticipate the need for a future parking variance under the LM zoning. The requirement of one parking space per 1,000 square feet of gross building area in the manufacturing use district would yield approximately 777 required stalls as well as additional impervious area. For facility operations, it is anticipated the use will need less than the required stalls.

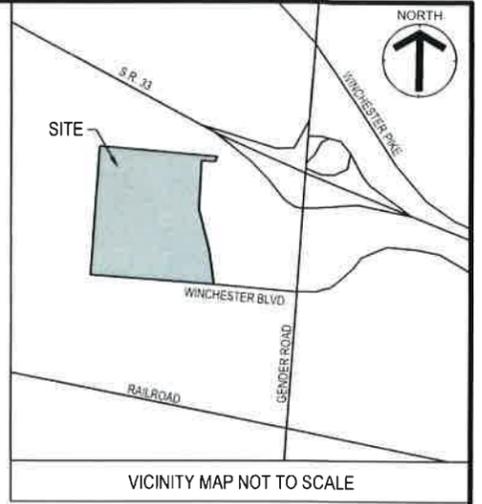
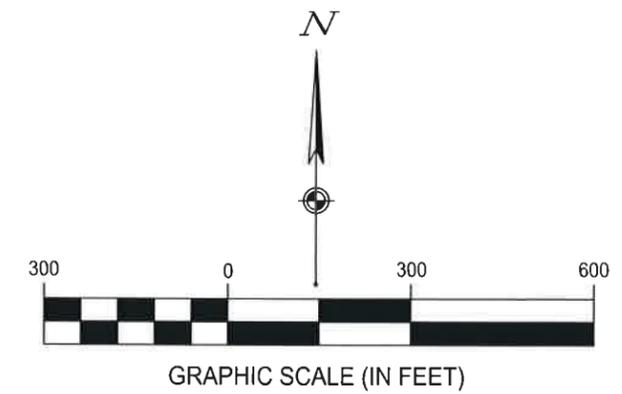
If you have any questions or require any additional information, please contact me at 614-454-6696.

Sincerely,

Justin Muller, P.E.
Kimley-Horn and Associates, Inc.
Email: justin.muller@kimley-horn.com

ZONING EXHIBIT

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF CANAL WINCHESTER,
SECTION 24, TOWNSHIP 11, RANGE 21
CONGRESS LANDS



DILL'S REALTY LLC
PID: 180-004981
IN. 200111050255847
20.1366 ACRES

3/4" PIPE
(NO CAP)

N04° 20' 59" E 866.30'

**S.R. 33
PUBLIC - R/W VARIES**
S81° 24' 34" E 1698.02'

STATE OF OHIO
HIGHWAY EASEMENT
D.B. 2390, PAGE 592
PARCEL NO. 69LA

GENDER/THIRTY-THREE
PID: 184-000871
O.R. 11357, F13
O.R. 11357, F16
ORIGINAL 24.355 ACRES
(18.205 ACRES)

(6.537 ACRES)

5/8in REBAR
(PREFERRED
SURV. CO. CAP)

13/16" PIPE
(EMH&T CAP)

N04° 26' 33" E 1597.99'

BAKER LEVIN FARMS, LLC
PID: 180-000290
IN. 200704240071166
134.50 ACRES

GENDER/THIRTY-THREE
PID: 184-000532
O.R. 11357, F13
O.R. 11357, F16
ORIGINAL 89.393 ACRES
(51.032 ACRES)

HD DEVELOPMENT OF
MARYLAND INC.
PID: 184-003006
IN. 200707020115156
11.315 ACRES

WINCHESTER SQUARE LLC
PID: 184-002986
IN. 201412150165939
6.395 ACRES

69.237 ACRES

13/16" PIPE
(EMH&T CAP)

S24° 45' 23" E 183.17'
S04° 55' 08" W 822.51'

WINCHESTER SQUARE LLC
PID: 184-001700
IN. 200412200286893
14.828 ACRES

13/16" PIPE
(EMH&T CAP)

Section 23
Section 26

Section 24
Section 25

N85° 45' 23" W 1493.31'

P.O.B.

**WINCHESTER BLVD.
PUBLIC - R/W VARIES**

BAKER LEVIN FARMS, LLC
PID: 180-000255
IN. 200704240071166
78.384 ACRES

GENDER/THIRTY-THREE
PID: 184-001702
O.R. 27286, D07
ORIGINAL 3.924 ACRES

PHELE INVESTMENT
PID: 184-000996
IN. 201706150081040
11.280 ACRES

13/16" PIPE
(EMH&T CAP)

CITY OF CANAL WINCHESTER
PID: 184-003242
IN. 201608180109326 - 0.629 ACRE

THE VILLAGE OF CANAL
WINCHESTER
O.R. 31057, H09 - 2.119 ACRES

P.O.R.

GENDER ROAD

LEGEND

- 5/8"x30" REBAR W/ YELLOW CAP STAMPED "CESO" SET
- IRON PIN FOUND
- MONUMENT BOX FOUND

BASIS OF BEARING:

THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON A BEARING OF N85° 45' 23" W FOR THE SOUTHERLY LINE OF SECTION 24 AS DETERMINED BY GPS OBSERVATION, BASED ON NAD 83 (2011), OHIO STATE PLANE SOUTH ZONE AND POST PROCESSED USING AN OPUS SOLUTION.



Jeffrey A. Miller
JEFFREY A. MILLER, OHIO PS NO 7211
jeff.miller@cesoinc.com

9-12-18
DATE

SURVEY OF ACREAGE PARCEL			
GENDER/THIRTY-THREE		SECTION 24, TOWNSHIP 11, RANGE 21	
WINCHESTER BLVD		CITY OF CANAL WINCHESTER	
SCALE: 1"=300'		DATE: SEPTEMBER 2018	
DESIGN: N/A	 WWW.CESOINC.COM	JOB NO.:	755691
DRAWN: JEK		SHEET NO.:	1 OF 1
CHECKED: JAM			

PROJECT INFORMATION

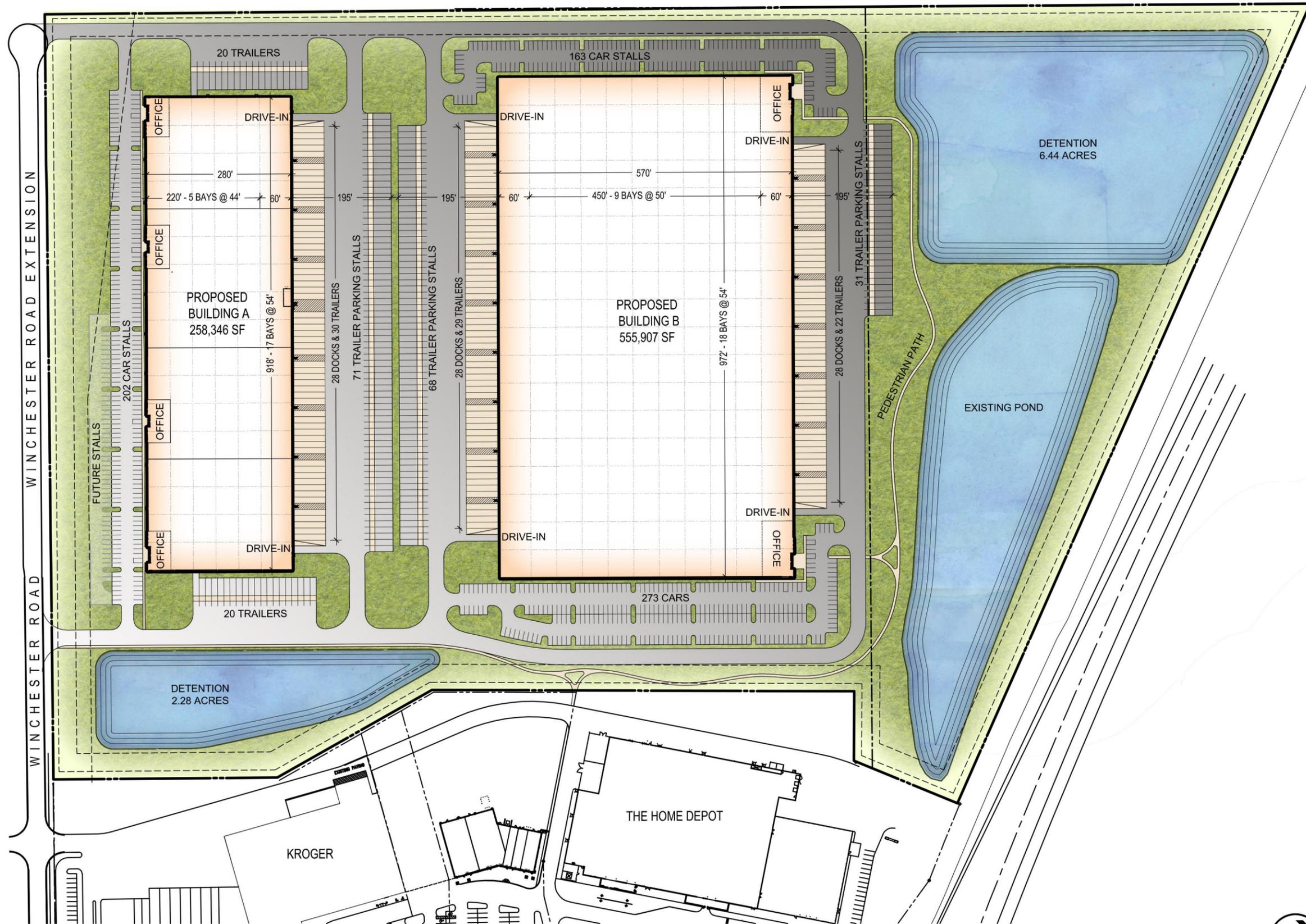
Total Site Area 69.1 Acres
 Total Building Area 69.1 Acres
 FAR 0.28

BUILDING A

Building Area 258,346 sf
 Parking Provided 202 Stalls
 Docks 28
 Drive-In Doors 2
 Trailer Parking
 Dock Wall 30 Stalls
 Cross Dock 91 Stalls
 Total 121 Stalls

BUILDING B

Building Area 555,907 sf
 Parking Provided 436 Stalls
 Docks 56
 Drive-In Doors 4
 Trailer Parking
 Dock Wall 51 Stalls
 Cross-Dock 99 Stalls
 Total 150 Stalls



Job #



Project Casto
 Canal Winchester, Ohio

Proposed Site Plan
 11.28.2018



Product Example Pictures



Product Example Pictures