

ARTICLE E. BUFFERYARDS*

Sec. 6-3-61. Purpose.

The purpose of the bufferyard is to ameliorate nuisances between adjacent land uses and promote compatibility. Additionally, the bufferyard offers the developer several options, each of which is calculated to buffer to an equivalent degree through distance (setbacks) or density (mass).

(Ord. No. 5-89, § I(V.A), 2-21-89)

Sec. 6-3-62. Definition.

A bufferyard is a unit of yard, together with plantings, fences, berms and other screening devices required thereon.

(Ord. No. 5-89, § I(V.B), 2-21-89)

(See Sec 6-3-146(g))

Cross references: Definitions and rules of construction generally, § 1-1-2; zoning definitions, § 6-3-221.

Sec. 6-3-63. Location.

Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Bufferyards shall not be located on any portion of an existing public or private street or right-of-way; however, they may occupy part of all of any required front, side or rear yard setback. Where required, bufferyards or bufferyard structures shall be developed as an integral part of the proposed use.

(Ord. No. 5-89, § I(V.C), 2-21-89)

Sec. 6-3-64. Determination of required bufferyard.

To determine the bufferyard required between two adjacent parcels, the following procedure shall be followed:

- (1) Identify the proposed land use.
- (2) Identify the use of land and the zoning district adjacent to the proposed use.
- (3) Determine the bufferyard required on each boundary (or segment thereof) of the proposed land use by referring to the table of bufferyard requirements and illustrations contained in this article, which specify the bufferyard options between a proposed use and the existing adjacent use.

Where an existing use includes undeveloped land, the bufferyard requirements on the same lot or parcel shall apply only to that segment of the property line separating the two uses, to a distance of 100 feet from the existing use.

(Ord. No. 5-89, § I(V.D), 2-21-89)

Sec. 6-3-65. Responsibility for providing bufferyard.

- (1) When a use is the first to develop on two adjacent vacant parcels, the first use shall provide the buffer specified by the table of bufferyard requirements for vacant land.
- (2) The second use to develop shall, at that time it develops, provide all additional plant material and land necessary to provide the total bufferyard required between the two uses, as specified by the table of bufferyard requirements.

(Ord. No. 5-89, § I(V.E), 2-21-89)

Sec. 6-3-66. Specifications.

- (1) The illustrations provided in this article specify the type and quality of plant materials required by each bufferyard. The requirements are stated in terms of the width of the bufferyard and the number of plants required per 100 feet of bufferyard. The requirements of a bufferyard may be satisfied by any one of the options illustrated. The plant unit multiplier is a factor by which the basic number of plant materials required for a given bufferyard is determined given a change in the width of that yard. Each illustration depicts the total bufferyard required between two uses. Whenever a fence is required within a bufferyard, it is shown as a "structure," together with specifications.
- (2) The exact placement of required plants shall be the decision of the developer, except that evergreen or conifer plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening.
- (3) All bufferyard areas shall be seeded with lawn grass or suitable ground cover.

(Ord. No. 5-89, § I(V.F), 2-21-89)

Table of Bufferyard Requirements

Proposed Land Use	Existing Adjacent Uses									
	Residential			Non-Residential						
	In R-1 through R-4 Districts	In R-5 through R-7 Districts	In All Other Districts	Institutional (1)	Commercial	Office	Industrial	Vacant Land (Zoned Residential)	Streets (2)	All Other
Residential, Single-Family Detached and Duplexes	--	--	--	--	--	--	--	--	--	--
Residential, Attached and Mobile Homes										
1 – 12 Units per Acre, 35 ft. Height	D	--	--	B	B	B	B	--	A / A	B
Greater than 12 Units per Acre or 35 ft. in Height	E	--	--	B	B	B	B	--	A / A	B
Residential, Mobile Home Parks or Courts	E	D	C	C	C	C	C	B	B / B	B
Office and Commercial Uses										
Less than 0.35 Floor Area Ratio	D	C	A	B	--	--	--	A	C / A	A
0.35 to 1.00 Floor Area Ratio	E	D	A	B	--	--	--	A	D / A	A
1.00 Floor Area Ratio or Greater and Shopping Centers or Office Parks Exceeding 250,000 sq. ft.	F	E	B	C	--	--	--	B	E / B	B
Industrial and Warehousing Uses										
Light (Uses Permitted by I-1 District)	E	D	A	B	--	--	--	A	D / A	A
Heavy (Uses Permitted by I-2 District)	F	E	B	C	--	--	--	B	E / B	B
Institutional Uses	D	C	B	--	B	B	B	A	A / A	A

(1) See Land Use Definitions

(2) Use first letter if land across street is used and zoned residentially/use second letter if other zoned use.

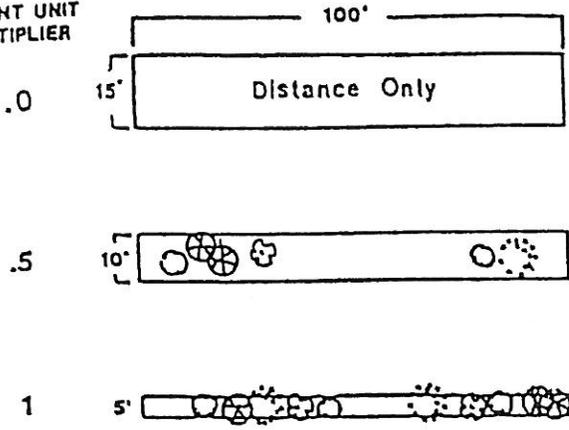
Note:

Uses not generally included in one of the above, shall be assigned by the Administrative Officer to one of the six bufferyard categories illustrated by this ordinance, as appropriate to the scale and intensity of the proposed use relative to existing adjacent land uses.

Bufferyard Illustrations

Bufferyard A

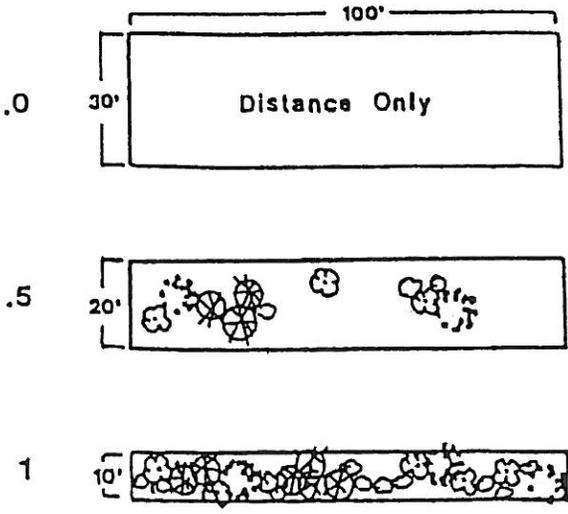
PLANT UNIT MULTIPLIER



REQUIRED PLANT UNITS/100'

- 2 Understory Trees
- 3 Shrubs
- 3 Evergreens/Conifers

Bufferyard B

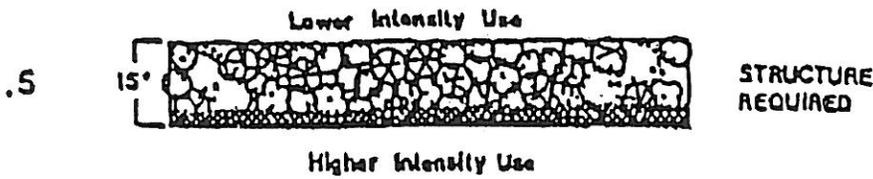
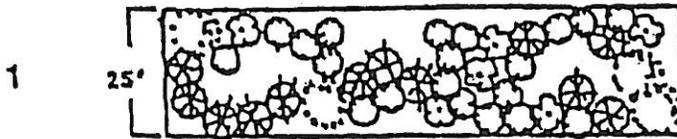
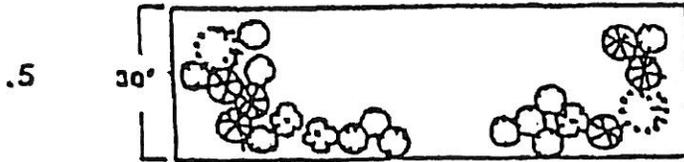
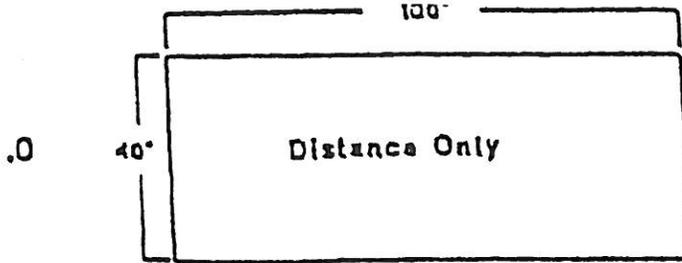


REQUIRED PLANT UNITS/100'

- 3 Canopy Trees
- 6 Understory Trees
- 9 Shrubs
- 6 Evergreens/Conifers

Bufferyard C

PLANT UNIT
MULTIPLIER

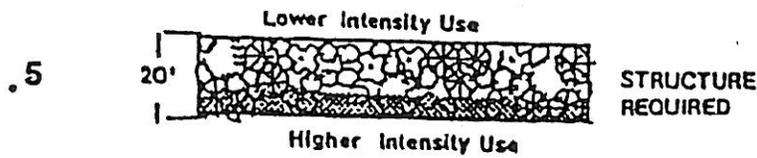
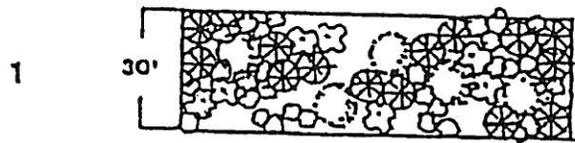
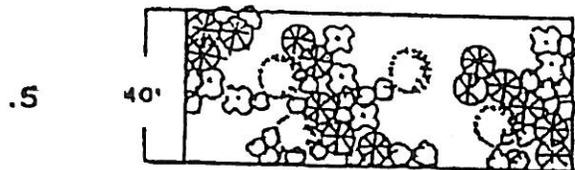
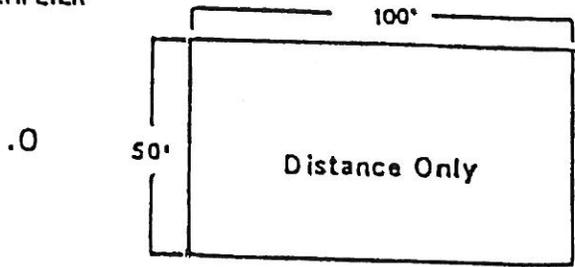


REQUIRED PLANT UNITS/100'

- 4 Canopy Trees 
- 6 Understory Trees 
- 12 Shrubs 
- 12 Evergreens/Conifers 

Bufferyard D

PLANT UNIT
MULTIPLIER

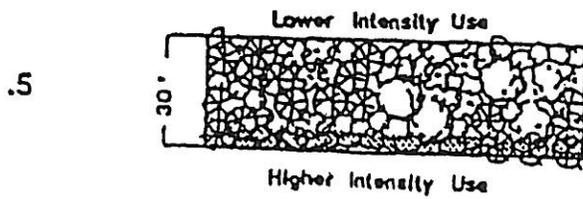
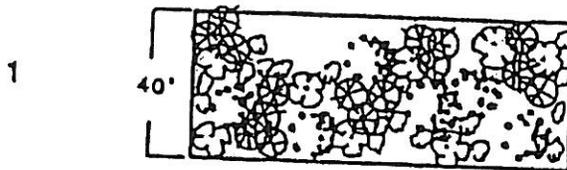
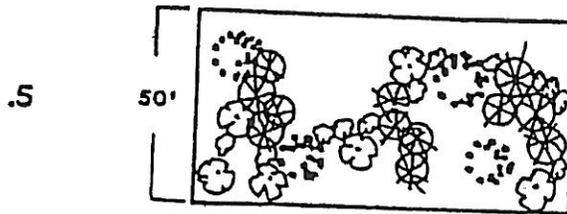
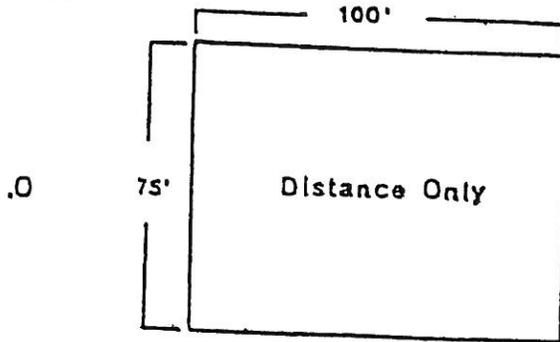


REQUIRED PLANT UNITS/100'

- 5 Canopy Trees 
- 7.5 Understory Trees 
- 18 Shrubs 
- 15 Evergreens/Conifers 

Bufferyard E

PLANT UNIT
MULTIPLIER



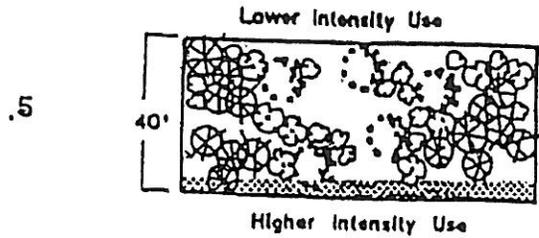
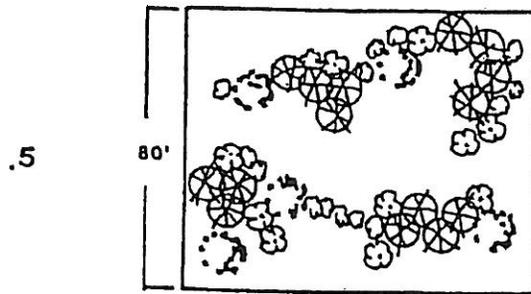
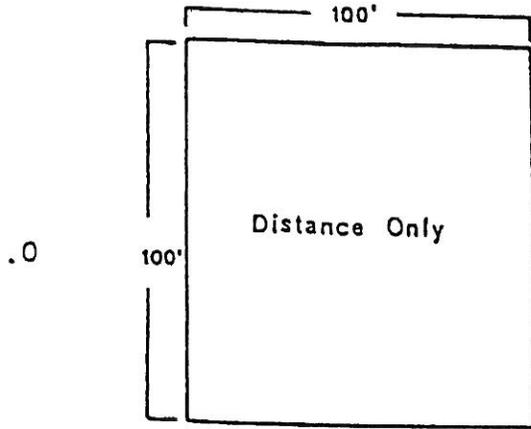
STRUCTURE
REQUIRED

REQUIRED PLANT UNITS/100'

- 8 Canopy Trees 
- 12 Understory Trees 
- 24 Shrubs 
- 24 Evergreens/Conifers 

Bufferyard F

PLANT UNIT
MULTIPLIER



REQUIRED PLANT UNITS / 100'

- 10 Canopy Trees 
- 15 Understory Trees 
- 30 Shrubs 
- 30 Evergreens/Conifers 

STRUCTURE
REQUIRED

Sec. 6-3-67. Minimum plant size.

Plants shall be sufficiently sized to ensure buffering and screening at the time of installation. Where the bufferyard illustrations indicate a mass or line of plants paralleling the length of the property line, the plant materials shall be sufficiently sized to ensure obscurity at the time of installation. However, seedling plants may be used where the adjacent land is vacant or structures are required as part of the bufferyard. The following table shall serve as a guide for determining minimum plant size:

Plant Material Type	Planting in Bufferyards Abutting Structures, Fences and Berms	All Other Plantings
Canopy Tree:		
Single Stem	1 ½ inch caliper	2 ½ inch caliper
Multi-Stem Clump	6 feet (height)	10 feet (height)
Understory Tree	4 feet (height)	1 ½ inch caliper
Evergreen Tree	3 feet (height)	5 feet (height)
Shrub:		
Deciduous	15 inches (height)	24 inches (height)
Evergreen	12 inches (height)	18 inches (height)

(Ord. No. 5-89, § I(V.G), 2-21-89)

Sec. 6-3-68. Substitution of screening materials.

- (a) Evergreen canopy or evergreen understory trees may be substituted as follows:
 - (1) In the case of deciduous canopy forest trees, evergreen trees may be substituted for up to a maximum of 50 percent of the total number of canopy trees otherwise required.
 - (2) Evergreen canopy or evergreen understory trees may be substituted for deciduous understory trees and deciduous shrubs, without limitation.
- (b) In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs, without limitation.
- (c) Any existing plant material which otherwise satisfies the requirements of this article may be counted toward satisfying all such requirements.
- (d) Where owing to existing land use, lot sizes, or configurations, topography, or circumstances peculiar to a given piece of property, the bufferyard requirements of this section cannot reasonably be met, the developer(s) may request and the joint board of zoning appeals may approve the substitution of appropriate screening.

(Ord. No. 5-89, § I(V.H), 2-21-89; Ord. No. 14-99, § XX, 4-20-99)

Sec. 6-3-69. Structures (fences).

- (a) Where required by the bufferyard illustrations, structures shall be not less than six feet in height, consist of wood or other material approved by the administrative official, be completely opaque, and be located along the inner perimeter of the property line, toward the higher intensity or proposed use.
- (b) All structures used as part of the bufferyard requirements must have a finished side that is facing adjoining property. The interior side may be finished as the owner deems appropriate. Where

such structures are proposed by the developer, but not required by the applicable bufferyard requirements, they shall be established along the inside line of the bufferyard, toward the proposed use, except for ornamental fences, which may be built on the property line.

(Ord. No. 5-89, § I(V.I), 2-21-89)

Sec. 6-3-70. Use of bufferyards.

A bufferyard may be used for passive recreation; however, no plant material may be removed. All other uses are prohibited.

(Ord. No. 5-89, § I(V.J), 2-21-89)

Sec. 6-3-71. Maintenance.

The maintenance of required bufferyards shall be the responsibility of the property owner. All such yards shall be properly maintained so as to ensure continued buffering. Failure to do so may be remedied in the manner prescribed for other violations.

(Ord. No. 5-89, § I(V.K), 2-21-89)

Secs. 6-3-72--6-3-80. Reserved.