

## **Article 9 Buffers and Screens**

### **Section 9-1 Purpose and Intent**

The buffer and screening requirements of this ordinance are used to lessen the inherent incompatibilities between certain land uses allowed within the zoning districts. The standards presented within this section are designed to provide visual and functional separation between uses in order to:

- (1) reduce potential nuisances, such as glare, dirt, noise, unsightly views and other adverse impacts;
- (2) safeguard property values and preserve the character and integrity of the community; and
- (3) protect the health, safety and welfare of the public.

### **Section 9-2 Application of Regulations**

Existing development shall not be required to comply with buffer and screening regulations. However, all new development as well as expansion of existing uses shall be subject to the provisions of this Article.

### **Section 9-3 Determination of Buffers and Screens**

- (A) Buffer and screening requirements are based on proposed and adjacent land uses, not proposed and adjacent zoning districts. To simplify the process of assigning buffer and screening standards to particular land uses, the proposed and adjacent land uses have been grouped in the following manner.
- (1) Agriculture (AG). This group includes all bona fide farm operations.
  - (2) Single-Family Residential (SFR). This group includes one-family and two family (duplex) residential development in all zoning districts within the planning jurisdiction.
  - (3) Multi-family Residential (MFR). This group includes all multi-family apartments, condominiums, etc.)
  - (3) Downtown Business (DB). This group includes all business uses which are currently allowed in the B1 Downtown Business Zoning District.

- (4) Highway Business (HB). This group includes all commercial uses which are currently allowed in the B2 Highway Business Zoning District.
- (5) Manufacturing (M). This group includes all industrial uses which are currently allowed in the M1 and M2 zoning districts and other uses which require outdoor storage, have high trip generation rates, or have the potential for nuisance to adjacent properties due to noise, light and glare, or typical hours of operation.
- (B) To determine the type of buffer and screen needed, identify the "use group" listed in item 1 above, for the proposed project and all adjacent properties, excluding properties located across a public right-of-way. Then use the following table to identify the buffer and screen type required. The number refers to the buffer required and the letter to the screen.

**Summary of Buffer & Screening Requirements**

Use Proposed	Use of Adjacent Property					
	AG	SFR	MFR	DB	HB	M
SFR	1		1	1	1	1
MFR	2	2-B		1-B	2-B	2-B
DB	1	2-B	2-B			
HB	2	2-C	2-C			
M	3	4-C	4-C			

- (C) The following tables list the specifications for required buffers and screens. *The buffer area listed below includes any required setbacks.*

**Buffer Widths**

1	10 Feet
2	20 Feet
3	30 Feet
4	40 Feet

**Screens**  
**(Minimum Plant Material per 100 Linear Feet)**

A	2 deciduous trees; 8 primary evergreen plants; 10 supplemental evergreen shrubs
B	3 deciduous trees; 10 primary evergreen plants; 12 supplemental evergreen shrubs
C	4 deciduous trees; 12 primary evergreen plants; 16 supplemental evergreen shrubs
D	5 deciduous trees; 14 primary evergreen plants; 20 supplemental evergreen shrubs

**Section 9-4      Additional Requirements**

- (A) Fractional Calculations. Fractional planting requirement calculations shall be rounded to the next highest whole number.
- (B) Existing Plant Material. Existing plant material within the required screen may be included in the computation of the required plantings with approval of the Board of Adjustment.
- (C) Fence or Wall Option. An opaque fence or wall may be used in lieu of not more than 50 percent of the required evergreen screen planting with the approval of the Board of Adjustment and providing the following conditions are met, where applicable.
  - (1) Fence Height for Industrial Zoning. The minimum required fence height shall be 8 feet above ground level when the proposed project zoning type is classified as industrial;
  - (2) Fence Height for Zoning Types Except Industrial. The minimum required fence height shall be 6 feet above ground level when the proposed project zoning type is classified as any zoning type except those classified as industrial;
  - (3) Vegetation Planted on Exterior Sides. Where a fence or wall is used as part of the required screening, all required vegetation shall be planted on the exterior side of the fence or wall;
  - (4) Remaining Vegetation Distribution. Where a fence is used in lieu of vegetation, the remaining percentage of vegetation to be used in conjunction with the fence or wall shall be evenly distributed along the length of the fence.

### **Section 9-5      Buffer Location**

Buffers shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line, with the following exceptions.

- (A) **Portion of Site Proposed for Development.** If only a portion of a site is proposed for development, the required buffer and/or screen may be located at the limit of the construction perimeter with approval of the Board of Adjustment;
- (B) **Topographic Irregularities.** Where topographic irregularities require a different location to meet the intent of this section, the location of the buffers and screens may be varied with approval of the Board of Adjustment; and
- (C) **Rights-of-Way and Streets.** Buffers and/or screens shall not be located on any portion of an existing, dedicated or proposed right-of-way or a private street.

### **Section 9-6      Size of Plant Materials**

- (A) Deciduous trees planted in buffers 30 feet in width or less may be either medium or large varieties, however, at least one-half of the required trees shall be large variety. Deciduous trees in buffers of greater than 30 feet in width shall be large variety trees.
- (B) All deciduous trees used for screening must be a minimum of 8 feet in height at installation and shall be at least two inches in diameter measured 6 inches above ground level.
- (C) All primary evergreen plants shall be a minimum of 6 feet in height at time of planting unless combined with an approved earthen berm and shall be not less than 10 feet in height at maturity.
- (D) All supplemental evergreen shrubs shall be a minimum of 18 inches in height at installation and shall attain a minimum height of 36 inches 3 years after installation.

### **Section 9-7      Spacing of Plant Materials**

- (A) All deciduous trees shall be installed with tree trunks spaced a minimum distance of 30 feet apart and a maximum distance of 60 feet apart.
- (B) All primary evergreen plants shall be distributed evenly along the length of the buffer and shall be staggered where quantities permit.

Primary evergreen plants shall be installed with tree trunks spaced a minimum of 7 feet apart and a maximum of 15 feet from other primary evergreen plants and from any required deciduous tree.

- (C) All supplemental evergreen shrubs shall be distributed evenly along the length of the buffer and shall be staggered where quantities permit.

#### **Section 9-8 Maintenance**

Any fence, earthen berm or plant material used for screening shall be maintained in sound condition by the property owner. Maintenance includes replacement of any required screening materials which are damaged and or dying.

#### **Section 9-9 Multiple Use of Buffers**

- (A) Buffers may be used to satisfy minimum setback requirements.
- (B) Buffers may be used for the following additional purposes:
  - (1) passive recreation, provided no plant material is eliminated, total width of the buffers is maintained and all other requirements of this ordinance are met; and
  - (2) installation of underground utilities, provided the location and use of the utility lines do not interfere with the required screen plantings.
- (C) Prohibited uses in a buffer shall include: playfields, stables, swimming pools, tennis courts or other similar active recreation uses and storage or parking facilities.

#### **Section 9-10 Variance to Buffer and Screen Requirements**

Variances to the buffer and screen requirements of this ordinance may be made by the Board of Adjustment as specified. Variance petitions must exhibit practical difficulties and unnecessary hardships based upon at least one of the following conditions:

- (1) **Narrow**: Unusually narrow sections of land are available for planting within the back and or side yards because of existing permanent structures, existing paving or natural features such as rock outcroppings.

- (2) Steep Slopes: Existing slopes in excess of 2:1 exist in locations where a buffer is required.
- (3) Public Safety: Specialized land uses such as public utilities, airports, etc. exist where strict adherence to the screening standards would significantly interfere with the function of that use and would create a public safety problem.
- (4) Public Agency: Lot size reduction due to public action.
- (5) Platting or Deeding: Difficulties have arisen from a plat or deed which was recorded prior to the adoption of this ordinance.