
UDC 2021 Proposed Amendment

Amendment X-X

Applicant: Development Services on behalf of Boards of Adjustments

Amendment Title – ‘Sec. 35-510 - Buffers.’

Amendment Language:

The intent of buffering is to implement Policy 3c of the Neighborhoods Element of the Master Plan to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the bufferyard as the land use intensity of the new or expanded development increases.

- (2) **Exemptions.** This section shall not apply to the following situations:

- I. Accessory structures less than three-hundred (300) ~~two-hundred (200)~~ square feet in size such as decks, sheds, playhouses, gazebos, security guard huts and non-mobile food vending stands.

- (4) **Reduction in Required Bufferyards.** Table 510-2 indicates net minimum bufferyard widths. Such minimum widths shall be provided in a linear fashion along abutting properties where applicable. Where a commercial or office zoned property abuts an industrial zoned property, a landscaped bufferyard is not required provided the industrial property has already installed a bufferyard meeting the requirements of Table 35-510-1. The width of the bufferyard at any point along its length may be greater or less than the minimum required by Table 510-2 provided that the total calculated area of the bufferyard must remain the same and further provided that the minimum width of the buffer yard at any point is not less than fifty (50) percent of the minimum width indicated by Table 510-2. The net bufferyard area for a property to be developed shall be reduced by no more than fifty (50) percent where:

- A. A bufferyard exists on an abutting property, and the net bufferyard satisfies the minimum bufferyard requirements of this section; or
- B. The adjoining property owners have provided a written agreement restricting the use of an established or proposed use triggering the bufferyard requirement to the uses provided for in the current zoning district. Should the property that was subject to the bufferyard requirement be rezoned after the date of the written agreement, the adjoining property owner's written agreement shall be null and void and the applicable bufferyard shall be required.
- C. The required bufferyard area may be reduced in width up to twenty (20) percent where a natural area is provided in accordance with Table 510-2 (Type N).

- (5) The Board of Adjustment may reduce or eliminate the depth or composition of any required bufferyard upon findings of fact that support the request for the variance.

**Table 510-1
Required Bufferyards**

Zoning District	Adjoining Zoning District											Adjoining Street Classification		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	RP*	RE, R-20, NP-15, NP-10, NP-8**	R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR*	MF-18, MF-25, MF-33*	MF-40, MF-50, MF-65	NC	O-1, O-1.5, C-1, C-2, C-2P	O-2, C-3, BP, MXD, MPC D	D	L, I-1	I-2	Primary Major Arterial	Secondary Minor Arterial	Collector
(1) RP	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(2) RE, R-20, NP-15, NP-10, NP-8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(3) R-6, R-5, R-4, R-3, RM-6, RM-5, RM-4, DR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
(4) MF-18, MF-25, MF-33	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	F	A	N/A	N/A
(5) MF-40, MF-50, MF-65	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
(6) NC	C	C	B	N/A	N/A	N/A	N/A	N/A	N/A	E	E	B	A	A
(7) O-1, O-	C	C*	B	N/A	N/A	A	N/A	N/A	N/A	E	E	B	A	A

1.5, C-1, C-2, C-2P														
(8) O- 2, C- 3, BP, MXD, MPC D	C	C *	C	C	N/A	A	N/ A	N/A	N/ A	N/A	D	B	B	A
(9) D	N/A	N/ A	N/A	N/A	N/A	N/ A	N/ A	N/A	N/ A	N/A	N/A	N/A	N/A	N/A
(10) L, I-1	E	E	D	E	E	E	E	N/A	N/ A	N/A	N/A	C	C	B
(11) I- 2	F	F	F	F	F	E	E	D	N/ A	N/A	N/A	C	C	B

Notes: ;hg;A, B, C, D, E, F: Bufferyard Type Designations as shown in Table 510-2 below.

N/A: Not applicable—Bufferyard not required.

* Where a use zoned "O-1," "C-1," "C-2" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "D" buffer shall be applied. Where a use zoned "BP," "O-2" or "C-3" adjoins an existing platted subdivision zoned "RE" or "R-20" as of the effective date of this chapter, a type "F" buffer shall be applied.

** Where a nonresidential use is located in a single-family or multi-family district as indicated in Table 510-1 the required buffer is equivalent to that required of an O-1, C-1, C-2 use (column 7).

[ADD *** Note to adjoining street classification \(12\) Major Arterial, \(13\) Minor Arterial, and \(14\) Collector for when the adjoining street has an easement or easements that preclude provision of required buffer planting, a 5 ft strip for planting outside and abutting the outmost extent of those easements may be provided in lieu of the required bufferyard width.](#)
