

## **ARTICLE 14. BUFFERS**

### **Section 14-1: Purpose of Buffers**

Buffers are required to protect one class of use from adverse impacts caused by a use in another class. This regulation benefits both the developer and the adjoining landowner(s) because it allows the developer several options from which to choose in developing the property, while insuring each neighbor adequate protection regardless of the developer's choice, thereby protecting the property values of all properties involved.

### **Section 14-2: Buffers Required for Permits**

Each application for a Zoning Permit or a Certificate of Occupancy shall include information on the location and types of buffers to be constructed or already existing. This information shall be in sufficient detail and shown on the site plan to enable the Administrator to determine whether the requirements of this section are being met.

### **Section 14-3: Location, Installation, and Maintenance of Buffers**

- (A) All commercial or industrial uses which abut property zoned residential along the side or rear property lines, other than streets or dedicated alleys, shall install and maintain a buffer.
- (B) Buffers shall be located around the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line and shall not be located on any portion of an existing or dedicated public or private street right-of-way. The exact location of planted trees and shrubs is at the discretion of the property owner.
- (C) The property owner shall be responsible for the maintenance of all buffers. Litter and debris shall be kept cleared and dead plants shall be replaced with plants meeting the specifications in Section 14-4. If proper maintenance is not provided, the Administrator shall notify the property owner of such fact and, if the proper action is not taken within thirty (30) days of such notice, the Town shall be authorized to enter the property and perform the work. The cost of this work shall be charged to the property owner and a lien on the property in that amount shall exist until the Town is reimbursed.

#### Section 14-4: Buffer Specifications

- (A) In the LI and HI Industrial Districts, the buffer shall be a minimum three (3) feet high solid evergreen hedge of a species expected to reach five (5) feet in height within three (3) years of normal growth, or a twenty-five (25) feet wide strip of natural wooded area, or a fifty (50) feet wide area landscaped with grass or other ground cover and at least three (3) trees and five (5) shrubs for each one hundred (100) feet, or portion thereof, of boundary abutting property zoned residential.
- (B) In the C-1, C-2, and C-3 Business Districts, the buffer shall be a minimum two (2) feet high solid evergreen hedge of a species expected to reach four (4) feet in height within three (3) years of normal growth, or a fifteen (15) feet wide strip of natural wooded area, or a twenty-five (25) feet wide area landscaped with grass or other ground cover and at least three (3) trees and five (5) shrubs for each one hundred (100) feet, or portion thereof, of boundary abutting property zoned residential.
- (C) In residential districts, a buffer strip at least twenty (20) feet in depth in addition to the normal lot depth required shall be provided adjacent to all limited access highways. This strip shall be a part of the platted lots, but shall have the following restrictions lettered on the face of the plat: "This strip reserved for the planting of trees or shrubs by the owner; the building of structures herein is prohibited." Similar buffer strips shall be provided adjacent to industrial and commercial areas as well.
- (D) Existing trees and shrubs in the buffer area may be used toward the required landscaping. Planted trees which are of an evergreen variety must be at least three (3) feet in height. Other trees must be at least four (4) feet in height. Planted shrubs must be at least twelve (12) inches in height.
- (E) Any non-decorative fence or wall, such as a chain link fence or concrete block wall, shall be located between the business or industrial use and the buffer, rather than along the property line.
- (F) All buffer strips shall become part of the lot on which they are located, or in the case of commonly owned land, shall belong to the property owners' association.

- (G) If a natural buffer is already in place which will adequately fulfill the purpose of the buffer strip, the Administrator may, in writing, allow a substitution of all or part of this buffer for the buffer strip. Written permission of the Administrator shall be obtained before removing an existing natural buffer in the location of the required buffer strip.
- (H) A buffer shall not be used for drives, accessory buildings, parking, or any other use.

**Section 14-5: Enclosure Requirements**

- (A) In residential districts, all outside storage of governmental or commercial inventory or equipment is prohibited.
- (B) In commercial and industrial districts all business, servicing, processing, or storage, except off-street parking and loading shall be within completely enclosed buildings, or enclosed by a wall or fence (including entrance and exit gates) not less than six (6) feet in height. Such fences or walls shall not be less than forty (40) feet from the front lot line, not less than ten (10) feet from the side lot lines, and not less than twenty (20) feet from the rear lot line. In automobile wrecking yards and similar types of used material industries such fence or wall shall not be less than one hundred (100) feet from any street line and not less than fifty (50) feet from any property line.