

Sec. 114-187. Buffers and landscaping.

A) **Purpose.** The purposes of this section are to protect and enhance the natural environment by:

- (1) Providing for the preservation of protected trees as defined in this chapter;
- (2) Providing for the replacement of protected trees that may be removed;
- (3) Aiding in the conservation of energy by encouraging the planting of canopy (shade) trees and vegetation which provide for a more pleasant and relaxing urban environment;
- (4) Reducing the impact of development on the community's storm drainage system and reduce flooding;
- (5) Establishing landscaping standards for property to be developed;
- (6) Encouraging the selection of native plant species for vegetation;
- (7) Reducing the impact of urban and suburban development on remaining stands of natural vegetation;
- (8) Enhancing the appearance of the city;
- (9) Protecting public and private investment by enhancing property values;
- (10) Buffering incompatible land uses as well as providing relief from traffic noise, heat, glare, and the spread of dust and debris; and
- (11) Providing for enforcement of the provisions contained in this section.

B) **Administration.** The Planning and Development Department shall have the primary responsibility for the administration of this section. The Planning Commission may adopt policies and procedures to be followed by the Planning and Development Department in administering this section.

- (1) **Enforcement and penalties.** Violation of the provisions of this section shall be a Class C misdemeanor and shall be punishable as such. Employees of the Planning and Development Department shall be authorized to issue stop work orders and citations for violations of this section.
- (2) **Applicability to city and other governments.** The provisions of this section shall apply to the City of Dothan and to any other government entities owning property within the City of Dothan Corporate Limits.
- (3) **Public utilities.** This section shall not prohibit public utilities from removing or pruning trees or clearing other vegetation from street rights-of-way or utility rights-of-way. However, such removal or pruning should be coordinated with the City Horticulturist.
- (4) **Local street rights-of-way and easements.** Except as otherwise provided for in this section, trees of eight (8) inches or greater DBH shall not be removed from any local street right-of-way, utility easement or public easement unless such removal is in accordance with an approved tree removal plan or landscaping plan. Failure to follow

this provision shall be punishable in accordance with Section 91-1 (E) of this code.

C) **Modifications.** The Planning Commission may modify the strict application of this section for major development plans and staff may modify the strict application of this section for minor development plans when:

- (1) The required plantings or planting area would conflict with utilities, easements, overhead power lines, or as otherwise recommended by staff.
- (2) A proposed roadway improvement constructed for public purposes will encroach into the landscaping area.
- (3) Topographical conditions warrant special consideration of the site design.
- (4) The applicant proposes a better alternative that demonstrates compliance with the intent and purpose of these requirements.
- ~~(5) The Planning Commission or staff may require enhanced and/or alternative buffering, landscaping, or locations to ensure compliance with the intent of these regulations. [Moved to Section 114-188(D)]~~
- ~~(6) The Planning Commission may approve landscaping plans that do not comply with the requirements of this section if a developer or property owner demonstrates to the satisfaction of the Planning Commission that the requirements cannot be met.~~

D) **Definitions.** The following definitions shall apply to this section. Other words and terms shall have their customary dictionary meaning.

Berm. A manmade raised bank of earth, a minimum of four (4) feet above grade, used to provide privacy, separation of uses, and/or barriers to visual pollution.

Buffers. The use of landscaping, retained native vegetation or landscaping along with berms, walls or decorative fences that has eighty (80) percent opacity within five (5) years so as to partially or completely screen from the street or an abutting property vehicular use areas, parking lots, parked cars, detention ponds and conflicting activity areas.

Caliper. Diameter of tree trunk measured at six (6) inches above grade.

Canopy (Shade) tree. Any tree that is normally more than forty (40) feet in height at maturity that provides shade from its foliage mass; also individual or tree groups forming an overhead cover. Examples of recommended canopy (*shade*) trees are included in Section 114-187 (P) of this section. Canopy (*shade*) trees should be located so as to minimize potential interference with utilities and avoid sight and height obstructions.

City horticulturist. A city employee who is an expert in the science of cultivating plants and is in charge of all plantings within the city limits. If the position of horticulturist is vacant, the City Manager may appoint an acting horticulturist.

Clear Cutting. The removal of all vegetation upon a tract of land at one time.

Core area. The portion of a lot or parcel of property that is not located within the Tree Protection Area or the Residential Buffer.

Diameter at breast height (DBH). Diameter of a tree measured at four and one-half feet (54 inches) above the ground.

Detention Area. A pond, pool or basin used for the temporary storage of stormwater runoff.

Dripline. A collective name for all vertical lines from the earth to the outermost tips of the crown of a tree. These lines will completely encircle the tree and thereby define its outermost reaches.

Dripline area. The total area underneath a tree that would encompass all driplines.

Ground cover. Natural plant material such as vines, shrubs, or grasses that would not normally attain a height of more than two feet.

Interior Landscape Island. An island in the parking area with one hundred fifty (150) square feet of minimum area containing a minimum of one (1) tree eight (8) feet in height with a one point two five (1.25) inch caliper measured at six (6) inches above grade after planting, four (4) shrubs and ground cover or other approved material not to exceed three (3) feet in height.

Landscaping. Any additions to the natural features of a plot of ground to restore construction disturbance and to make it more attractive, as by adding lawns, trees, and shrubs to the natural environment.

Landscaping plan. A plan containing the information provided for in Section 114-187 (I)c of this section.

Natural vegetation. A generally undisturbed, maintenance-free, self-perpetuating stand of vegetation comprised of indigenous shrubs, flowers, wild grasses, and trees.

Non-protected trees. Any pine tree less than eighteen (18) inches DBH and any non-pine species less than twelve (12) inches DBH, plus any other species of trees that the City Horticulturist may certify to the Planning Commission in writing as not being suitable for preservation. A list of such non-protected species shall be maintained by the Planning and Development Department.

Perimeter Landscaping. The use of landscaping along the outer limits of the development area excluding access points.

Protected tree. Any pine tree eighteen (18) inches or greater DBH and any non-pine species twelve (12) inches or greater DBH except for those classes or species of trees included in the list of non-protected trees.

Recommended tree. Any tree listed in Section 114-187 (P) of this section or any tree determined by the City Horticulturist. A landscape architect licensed

by the State of Alabama or a landscape designer licensed by the State of Alabama may recommend other trees for consideration to the City Horticulturist that are suited to the soils and climate of Dothan, Alabama.

Residential buffer. The area extending from the property line of any residentially zoned property pursuant to Section 114-188 (C), including property zoned for manufactured home parks or subdivisions and property within a PUD used or designated for residential purposes.

Retention Area. A pond, pool or basin used for the permanent storage of stormwater runoff.

Sight Triangle. A triangular shaped portion of land established at street/drive aisle intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. Standards for sight triangles can be found in Section 98-10 of the City of Dothan Code of Ordinances.

Shrub. A woody plant or bush of relatively low height (two (2) to six (6) feet) distinguished from a tree by having several stems rather than a single trunk.

Tree. A woody plant with one main, erect trunk with a diameter of at least three (3) inches at breast height at maturity with a distinct and elevated crown.

Tree protection area. The portion of a lot or parcel located in a required setback or yard.

Tree removal. The removal of a tree by any act that causes it to die including, cutting, pruning, root damage or other damage resulting from construction, grading, paving, or other activities.

Tree removal plan. A plan conforming to Section 114-187 (G) of this section.

Understory tree. Any tree that is normally less than twenty five (25) feet in height at maturity, but that still provides shade and a degree of protection to the earth and vegetation beneath it. Examples of recommended understory trees are included in Section 114-187 (P) of this section. Understory trees shall not be pruned or trimmed to restrict their growth unless such pruning or trimming is necessary to prevent interference with utilities or sight obstructions.

E) **Tree preservation.**

- (1) **Forestry activity (silviculture).** Harvesting trees being cultivated for forestry purposes from A-C zoned property shall be permitted as an agricultural activity.
- (2) **Forestry activity (non-silviculture).** No trees, including non-protected trees or other vegetation, shall be removed from any Residential Buffer, except on A-C zoned property, prior to the issuing of a building permit or the approval of a tree removal plan.
- (3) **Exceptions.** This section shall not prohibit the removal of a tree:
 - a. That constitutes a safety hazard or a threat to property or other trees, provided that the Planning Commission may adopt

procedures for demonstrating that such a safety hazard or a threat to property exists.

- b. That creates a sight obstruction for public streets, provided, however, that the Planning Commission may adopt procedures for demonstrating that such a sight obstruction exists.
- c. That, by virtue of harboring insects, vermin or other animals, constitutes a public health hazard, provided, however, that the Planning Commission may adopt procedures for demonstrating that such a public health hazard exists.
- d. Whose removal is necessary to accommodate public infrastructure or public easements.
- e. Necessary for a public street or public right-of-way.
- f. Necessary to perform a boundary or topographical survey. However, only the minimum number of trees necessary to accomplish such a survey shall be removed.
- g. That is located on a lot or parcel in an R-1, R-2, R-3, or R-4 (three (3) attached dwelling units or less), zoning district on which a residential structure has been constructed or for which a permit to construct a residential structure has been issued.

F) *Tree removal.*

- a. No tree, including non-protected trees or other vegetation, shall be removed from the Residential Buffer on any lot or parcel unless the property is zoned A-C or a tree removal plan has been approved in accordance with Article V, Development Plans, of this code.
- b. No tree of twelve (12) inches or greater DBH, including non-protected trees, shall be removed from the portion of the Tree Protection Area on any lot or parcel unless the property is zoned A-C or a tree removal plan has been approved in accordance with Article V, Development Plans, of this code.
- c. Non-protected trees may be removed from the core area of a lot or parcel.
- d. Except as provided for in Section 114-187 (E)(3) of this section, no protected tree shall be removed from the core area of any lot or parcel unless a tree removal plan has been approved in accordance with Article V, Development Plans, of this code.

G) *Tree removal plan.* Tree removal plans shall be submitted to the Planning Commission in the same manner as major development plans as provided for in Article V of this code. The Planning Commission shall consider a tree removal plan in the same manner as major development plans. The Planning Commission may approve a tree removal plan, disapprove it, or approve it with amendments or conditions. Tree removal plans may be approved by staff for minor development plans in accordance with Section 114-76 of this code. A tree removal plan shall include the following information:

- a. An accurately drawn map on 24 [inches] by 36 [inches] paper showing any Residential Buffers and any Tree Protection Areas on the lot or parcel;
 - b. Inventory of all existing trees of twelve (12) inches or greater DBH located within any Residential Buffer, Tree Protection Area, adjacent street right-of-way, utility right-of-way or public easement and any protected trees located in the core area. The inventory shall show: the approximate location of each tree, the size (expressed in DBH), and species of each tree;
 - c. Description of other vegetation in any Residential Buffer;
 - d. Identification of trees of twelve (12) inches or greater DBH to be removed from any Residential Buffer, Tree Protection Area, street right-of-way, utility right-of-way or public easement and any protected trees to be removed from the core area of the property;
 - e. Names and addresses of owners of adjacent properties, including across any abutting streets;
 - f. An accurately drawn map on 24 [inches] by 36 [inches] paper showing any proposed re-plantings or other proposed screen;
 - g. A description of the size, species, and number of any proposed replanting materials and a description of any other proposed screen; and
 - h. The clearing limits of the proposed project.
- H) **Landscaping.** This section shall apply to any new development or construction in any R-A, MH-1, O-1, O-2, O-3, B-1, B-2, B-3, L-1, H-1, and R-4 (over three (3) attached dwelling units) districts and for property on which public and semi-public uses or buildings are located.
- a. For any development or construction that increases the gross floor area, lot area, or parking area of an existing structure or development located in any of the districts listed above by twenty-five (25) percent or more.
 - b. For any new development or construction for which development plans are required.
 - c. For any development or construction that increases by twenty-five (25) percent or more the gross floor area, lot area, or parking area of an existing structure or development for which development plans were required.
 - d. If trees of eight (8) inches DBH or greater are removed from any street right-of-way or any Tree Protection Area in order to accommodate the erection of a billboard, the site shall be landscaped according to the planting requirements in this section.

- e. Property for which development plans approved by the Planning Commission or staff prior to the effective date of this section shall not be subject to its provisions. However, any property for which development plan approval has lapsed will be subject to the provisions of this section.

l) **Landscaping plan required.** A landscaping plan shall be required as follows:

- a. For developments or structures for which development plans are required to be reviewed, a tree removal/landscaping plan shall be included as part of the development plans. The approved landscaping plan, as approved or amended, shall be included as part of any subsequent submittal for a building permit.
- b. For any other property, development, or construction to which this section applies, a landscaping plan shall be included as part of the submittal for a building permit.
- c. At a minimum, landscaping plans shall include the following information. Additional information may be required by the Planning Commission.
 - 1. Any tree removal plan previously approved for the property.
 - 2. Location of any Tree Protection Areas and Residential Buffers on the property.
 - 3. A tree survey showing the location, species, and size of any existing trees of twelve (12) inches DBH or greater located within any Residential Buffer, Tree Protection Area, adjacent street right-of-way, utility right-of-way or public easement and any protected trees in the core area and indicating any such trees that are proposed to be removed as part of the development of the property.
 - 4. Information showing the locations, species, and sizes of all proposed landscaping materials, including existing trees and other plant materials that will be incorporated into the landscaping.
 - 5. Calculations showing that the proposed plant materials will satisfy the planting requirements as described in this section.
 - 6. Information about the type and coverage of the irrigation system.
 - 7. The location of any existing or planned power lines or other utilities located on the proposed development or on any adjacent rights-of-way.
 - 8. Measures to be taken to prevent damage to any existing trees that are to be incorporated into the landscaping plan.

- J) **Plant diversity.**
Diversity of plantings should be strived for in all required landscape plantings, and in no case should one species constitute more than fifty (50) percent of total plantings on site. Landscaping shall largely utilize native or non-competing exotic plant species. Landscaping shall not utilize any exotic vegetation which is likely to out-compete or otherwise displace native vegetation, or require excessive use of fertilizers and water to maintain growth.
- K) **Existing landscaping.**
To encourage the preservation of existing vegetation on development sites, the following credit is available:
- (1) Existing non-pine trees twelve (12) inches or greater DBH and pine trees eighteen (18) inches or greater DBH may be credited on a one for one basis for trees required by this section.
- L) **Canopy (shade) trees.**
Canopy (Shade) trees are required for all development sites under the following schedule:
- (1) At a minimum, one (1) canopy (shade) tree shall be provided per acre or any portion thereof for all industrial projects.
 - (2) At a minimum, two (2) canopy (shade) trees shall be provided per acre or any portion thereof for all commercial projects.
 - (3) In addition to the above, to encourage to the use of canopy (shade) trees on development sites, canopy (shade) trees may be substituted for understory trees at two (2) understory trees for one (1) canopy (shade) tree.
- M) **Foundation (building) landscaping.**
Though not required as part of this section, it is strongly encourage that foundation (building) landscaping be utilized on all development sites.
- N) **Required landscaped areas.** All developments shall include a perimeter landscaped area of at least ten (10) feet in depth adjacent to any public right-of-way unless a shallower depth is approved by the Planning Commission in its approval of the landscaping plan and subject to the following provisions:
- (1) At a minimum, four (4) trees and eight (8) shrubs for each one hundred (100) feet of linear foot frontage along the right-of-way shall be preserved or planted. The remaining area within the perimeter strip shall be landscaped with grass, ground cover, or other landscape treatment.
 - (2) Trees and other landscaping required in the perimeter strip shall be maintained to assure unobstructed visibility between three (3) and nine (9) feet above the average grade of the adjacent street and the driveway intersections through the perimeter strip.
 - (3) Understory trees shall be utilized when placing trees in the vicinity of power lines.

- (4) The landscaping should be evenly spaced throughout the perimeter strip; however, nothing in this section shall prohibit the clustering of this material.
 - (5) A berm may be utilized in the perimeter landscaped area next to vehicular use areas and must be consistent with Section 98-10 of the City of Dothan Code of Ordinances for sight triangles. If plantings are to be utilized as part of the berm, the berm should be terraced in a manner that retains water for these plantings.
- O) **Interior Planting Areas.** All vehicular use areas having forty (40) or more parking spaces shall be subject to the following provisions:
- (1) Interior planting areas are to be located within or adjacent to the parking area as tree islands at the end of parking bays. Interior planting areas shall be located to most effectively accommodate stormwater runoff and provide shade in large expanses of paving and contribute to orderly circulation of vehicular and pedestrian traffic. Interior planting areas shall incorporate pedestrian refuges as appropriate.
 - (2) No more than fifteen (15) parking spaces shall be permitted in a continuous row, excluding spaces fronting buildings, without being interrupted by an interior planting area with the following provisions:
 - a. The interior planting area shall include, at a minimum, one (1) tree and four (4) shrubs.
 - b. Required trees and shrubs shall be selected from Section 114-187 (P) and trees shall be at least eight (8) feet in height and one point two five (1.25) inches in diameter measured at six (6) inches above grade after planting. The remainder of the interior planting area shall be landscaped with ground cover or other approved material not to exceed three (3) feet in height.
 - (3) In no case shall the minimum planting area contain less than one hundred fifty (150) square feet. The planted area of the island must be at least nine (9) feet in width, measured from back of curb to back of curb and the full length of the parking space. The minimum width of any channeling or canoe type island shall be six (6) feet. All interior planting areas must be curbed to prevent vehicular encroachment.
 - (4) Compacted subgrade soil in parking islands shall be removed to a depth of twenty-four (24) inches and refilled with topsoil. Additional soil depth may be achieved by mounding.
- P) **Recommended plant list.** This list is not meant to be all inclusive. It is the responsibility of the applicant to select species that are appropriate to the location in which they will be planted. Alternate species may be used as determined by the City Horticulturist. A landscape architect licensed by the State of Alabama or a landscape designer licensed by the State of Alabama may recommend other species for consideration to the City Horticulturist that are suited to the soils and climate of Dothan, Alabama.

(1) **Recommended canopy (shade) trees.**

Red Maple Chinese Pistache ² Oak (all varieties) ¹ Ginkgo ² Tulip Poplar ¹ River Birch Pine (all varieties) (mass planting only in buffers) Deodar Cedar ²	Leyland Cypress (buffer only) Bald Cypress (wet areas only) Elm (all varieties) ^{1,2} Zelkova Southern Magnolia ¹ Sycamore ¹ Palms (height a minimum of twenty (20) feet at maturity) (2 palms = 1 canopy tree) ¹
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Canopy (shade) trees shall be a minimum of one point five (1.5) inches in caliper measured at six (6) inches above grade, eight (8) feet in height or fifteen (15) gallons.

¹ Not recommended for buffers.

² Recommended for parking lots.

(2) **Recommended understory trees.**

Flowering Dogwood ² Holly (all varieties) Grancy Graybeard Lilac Chaste Purple Leaf Plum Loquat ¹ Althea ¹ Red Bud ² Southern Wax Myrtle	Crepe Myrtle Japanese Maple ² Sourwood Yaupon (weeping, etc.) Magnolia (except Southern Magnolia) Carolina Silver Bell ² Cherry Laurel ² Ligustrum
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Understory trees must be a minimum of one point two five (1.25) inches in caliper measured at six (6) inches above grade, eight (8) feet in height or fifteen (15) gallons for a single trunk or eight (8) feet in height with a minimum of three (3) trunks or fifteen (15) gallons for a multiple trunk.

¹ Not recommended for buffers.

² Recommended for parking lots.

(3) **Recommended Shrubs.**

Abelia Anise Almond, Flowering Arborvitae Azalea Banana Shrub Barberry ¹ Bottlebrush Boxwoods ¹ Camellia Sasanquas ¹ Chinese Quince Deutzia ¹ Elaeagnus Fatsia ¹ Forsythia Holly Fern ¹ Indian Hawthorn ¹	Hardy ferns ¹ Gardenia Hydrangeas Hollies Junipers ¹ Italian Cypress ¹ Leucothoe Ligustrum Loropetalum Mahonia ¹ Nandina ¹ Oleander Osmanthus, Tea Olive Pittsoporum Roses Spiraea (all varieties) Viburnum Yew
Shrubs shall be a minimum of eighteen (18) inches or three (3) gallons and ground cover shall be a minimum of three (3) one (1) gallon or nine (9) four (4) inch diameter cups.	

¹ Not recommended for buffers.

(4) **Prohibited Plants.** The following plants shall not be installed as a landscape material:

- a. Bamboo
- b. Cogongrass
- c. Kudzu
- d. Popcorn or Chinese Tallow trees (*Sapium Sebiferum*)
- e. Watergrass

Q) **Detention Areas.** The bottom of detention areas may be either seeded or sodded. The sides of detention areas may be either seeded with an erosion control blanket, hydro-seeded or sodded. However, for detention areas located adjacent to the public right-of-way of major thoroughfares, the sides must be sodded. Detention areas must be maintained as landscaped areas. If the seeding option is utilized, no Certificate of Occupancy will be issued for the project until such time as that seeding has taken root and grass is growing. A cash or surety bond may be utilized if necessary to ensure growth.

R) **Irrigation.** Irrigation for landscaping is required. A temporary system is allowable, but must remain functional for the first eight months after planting. Proof of intent to water all new plantings is required. Landscape islands

surrounded by pavement are required to have a permanent system. If a landscaped area contains primarily species native to the immediate region, or plants acceptable for xeric landscaping, the Planning Commission or staff may waive the requirement for installation of an irrigation system. Consideration of a waiver of the irrigation requirements shall be supported by appropriate documentation provided by the applicant.

S) Maintenance of landscaping.

- (1) All required plant material shall be maintained in good condition at all times. Landscaping materials, including preserved trees that die or become diseased or damaged shall be replaced. The replacement plants shall have size equal to or greater than those being replaced. Replacement plants shall also be the same type as those being replaced unless the City Horticulturist determines that one or more alternate species would be more likely to thrive, in which case one of the alternate species may be used. A landscape architect licensed by the State of Alabama or a landscape designer licensed by the State of Alabama may recommend other species for consideration to the City Horticulturist that are suited to the soils and climate of Dothan, Alabama. All plant material shall be kept free of weeds, refuse and debris.
- (2) Fences, walls, berms and other structures that deteriorate or are damaged by any cause shall be repaired and/or replaced.
- (3) Buffers that are altered by erosion, construction, or other causes shall be restored.
- (4) Commercial landscaping operations are required to remove all debris associated with these operations including grass trimmings, tree trimmings, shrub trimmings, etc.
- (5) Failure to maintain landscaping materials, replace landscaping materials that have died or become diseased or damaged or remove debris from commercial landscaping operations shall be a violation of this section and shall be punishable as provided for in Section 114-187 (B).

- T) Completion of landscaping or bond required for certificate of occupancy.** No Certificate of Occupancy for any building or development covered by this section shall be issued unless the required landscaping has been completed. A Certificate of Occupancy may be issued if a cash or surety bond for the completion of the required landscaping is provided to the city. A cash bond equivalent to 100% of the cost shall be utilized with the submission of a landscaping contract for the project. A surety bond equivalent to 125% of the cost shall be utilized with the submission of a landscaping estimate for the project. A bond shall not exceed twelve (12) months in duration.

Sec. 114-188. Buffers/buffer-yards.

- A) **Purpose.** This section requires landscaped buffers to be provided and maintained when certain land uses are adjacent to or directly across from each other in order to protect uses from the traffic, noise, glare, trash, vibration and odor likely to be associated with a more intensive land use. Landscaped buffers are also required to conserve the values of land and buildings and to provide adequate light and air. The width of the buffer and the required plantings within the buffer vary depending upon the relative intensities of the abutting or adjacent uses. Understory trees shall be utilized when placing trees in the vicinity of power lines.
- B) **Natural Landscape Buffers.** Nothing in this section precludes the use of a natural landscape buffer. A natural buffer must contain the minimum number of plantings required for that buffer type. Natural buffers must be protected against heavy equipment and any grading activity during construction. Loss of trees in a designated natural buffer shall be replaced at a ratio of 2 to 1.
- C) **Landscaped Buffer Location.** Landscaped buffers shall be located at the perimeter of the development site for any given use, and shall not be located in any portion of a public right-of-way.
- D) **Landscaped Buffer Modifications.** The Planning Commission for major development plans or staff for minor development plans may require enhanced and/or alternative buffering, landscaping, or locations to ensure compliance with the intent of these regulations for obnoxious heavy impact uses such as wastewater treatment plants, tallow plants, slaughterhouses, landfills, etc.
- E) **Landscaped Buffer Reductions.** Non-residential landscaped buffers may be reduced under the following circumstances:
- (1) A Type 4 or Type 5 buffer may be reduced by 10 feet by adding an 8 foot fence. In no event shall the buffer be less than 30' in width.
 - (2) A Type 5 buffer may be reduced by an additional 10 feet by adding 25% more plantings along with the 8 foot fence. In no event shall the buffer be less than 30' in width.
 - (3) A Type 5 buffer may be reduced by 20 feet by adding an 8 foot wall. In no event shall the buffer be less than 30' in width.
- F) **Building Setbacks and Buffers.** In the event that the required landscape buffer exceeds the required building setback (Section 114-132), then the required building setback shall be equal to the required landscape buffer.
- G) **Accessory Buildings and Buffers.** Residential accessory buildings and/or structures shall not encroach into designated natural buffers. Residential accessory buildings and/or structures may be placed within non-designated natural buffers in compliance with Section 114-183(B).
- H) **Buffer Types.** The following buffers are the minimum required. There shall be no buffer required between land uses in the same classification.

- (1) A Type 1 buffer shall be required between adjacent single-family and attached multi-family residential land uses. The buffer shall be at least twenty (20) feet in width. The twenty (20) foot buffer may contain either a privacy fence at a minimum of six (6) feet in height and a maximum of eight (8) feet in height or, at a minimum, seven (7) trees and twenty (20) shrubs per each one hundred (100) linear feet. The construction of a privacy fence above six (6) feet in height must be approved by the Building Official [Section 114-183(B)(3)]. If the landscaping option is utilized, the landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, **subject to Section 114-188(B)**. Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits A and B.
- (2) A Type 2 buffer shall be required between adjacent residential and **commercial land uses including apartments containing up to 25,000 square feet of gross floor area**. The buffer shall be at least **twenty-five (25)** feet in width. The **twenty-five (25)** foot buffer must contain, at a minimum, **eight (8)** trees and **thirty (30)** shrubs per each one hundred (100) linear feet. Where **vacant** single family residential abuts **vacant or existing** non-residential property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. A Type 2 buffer shall apply where a new **commercial land use including apartments containing up to 25,000 square feet of gross floor area** abuts an existing **or future** residential land use **and shown on the approved development plan**. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, **subject to Section 114-188 (B)**. Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits **C, D, and S**.
- (3) A Type 3 buffer shall be required between adjacent residential and commercial land uses **including apartments containing 25,001 to 50,000 square feet of gross floor area**. The buffer shall be at least **thirty (30)** feet in width. The **thirty (30)** foot buffer must contain, at a minimum, **eight (8)** trees and **thirty (30)** shrubs per each one hundred (100) linear feet. Where **vacant** single family residential abuts **vacant or existing** non-residential property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. A Type 3 buffer shall apply where a new commercial land use **including apartments containing 25,001 to 50,000 square feet of gross floor area** abuts an existing **or future** residential land use **and shown on the approved development plan**. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, **subject to Section 114-188(B)**. Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits **E, F, and T**.
- (4) A Type 4 buffer shall be required between adjacent residential and **commercial land uses including apartments containing 50,001 to 75,000**

square feet of gross floor area. The buffer shall be at least forty (40) feet in width. The forty (40) foot buffer must contain, at a minimum, fifteen (15) trees and seventy-five (75) shrubs per each one hundred (100) linear feet planted in offset double rows. Where vacant single family residential abuts vacant or existing non-residential property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. A Type 4 buffer shall apply where a new commercial land use including apartments containing 50,001 to 75,000 square feet of gross floor area abuts an existing or future residential land use and shown on the approved development plan. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits G, H, and U.

- (5) A Type 5 buffer shall be required between adjacent residential and commercial land uses including apartments containing more than 75,000 square feet of gross floor area. The buffer shall be at least fifty (50) feet in width. The fifty (50) foot buffer must contain, at a minimum, fifteen (15) trees and seventy-five (75) shrubs per each one hundred (100) linear feet planted in offset double rows. Where vacant single family residential abuts vacant or existing non-residential property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. A Type 5 buffer shall apply where a new commercial land use including apartments containing more than 75,000 square feet of gross floor area abuts an existing or future residential land use and shown on the approved development plan. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits I, J, and V.
- (6) A Type 6 buffer shall be required between industrial uses containing up to 25,000 square feet of gross floor area and any other land use. The buffer shall be at least thirty (30) feet in width. The thirty (30) foot buffer must contain, at a minimum, eight (8) trees and thirty (30) shrubs per each one hundred (100) linear feet. Where vacant single family residential abuts vacant or existing industrial property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits K and L.
- (7) A Type 7 buffer shall be required between industrial uses containing 25,001 to 50,000 square feet of gross floor area and any other land use. The buffer shall be at least thirty-five (35) feet in width. The thirty-five (35) foot buffer must contain, at a minimum, eight (8) trees and thirty

(30) shrubs per each one hundred (100) linear feet. Where vacant single family residential abuts vacant or existing industrial property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits M and N.

(8) A Type 8 buffer shall be required between industrial uses containing 50,001 to 75,000 square feet of gross floor area and any other land use. The buffer shall be at least forty (40) feet in width. The forty (40) foot buffer must contain, at a minimum, fifteen (15) trees and seventy-five (75) shrubs per each one hundred (100) linear feet planted in offset double rows. Where vacant single family residential abuts vacant or existing industrial property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits O and P.

(9) A Type 9 buffer shall be required between industrial uses containing more than 75,000 square feet of gross floor area and any other land use. The buffer shall be at least fifty (50) feet in width. The fifty (50) foot buffer must contain at a minimum, fifteen (15) trees and seventy-five (75) shrubs per each one hundred (100) linear feet planted in offset double rows. Where vacant single family residential abuts vacant or existing industrial property, the Type 1 buffer shall apply on the residential side. Residential buffers shall be recorded on the final plat map. The landscaping should be as evenly spaced throughout this area as possible. Nothing in this section shall prohibit the use of a natural buffer, subject to Section 114-188(B). Any disturbance of the approved buffer shall require full restoration. Refer to Table 1 as well as Exhibits Q and R.

**TABLE 1
BUFFER TYPES
WIDTH AND LANDSCAPE REQUIREMENTS**

LAND USE	TYPE	WIDTH Minimum Feet	CONTENT (Each 100 linear feet along Buffer)	
			Trees	Shrubbery
Between each Use				
Detached Residential & Attached Multi-Family	1	20	7	20
Residential &	2	25	8	30

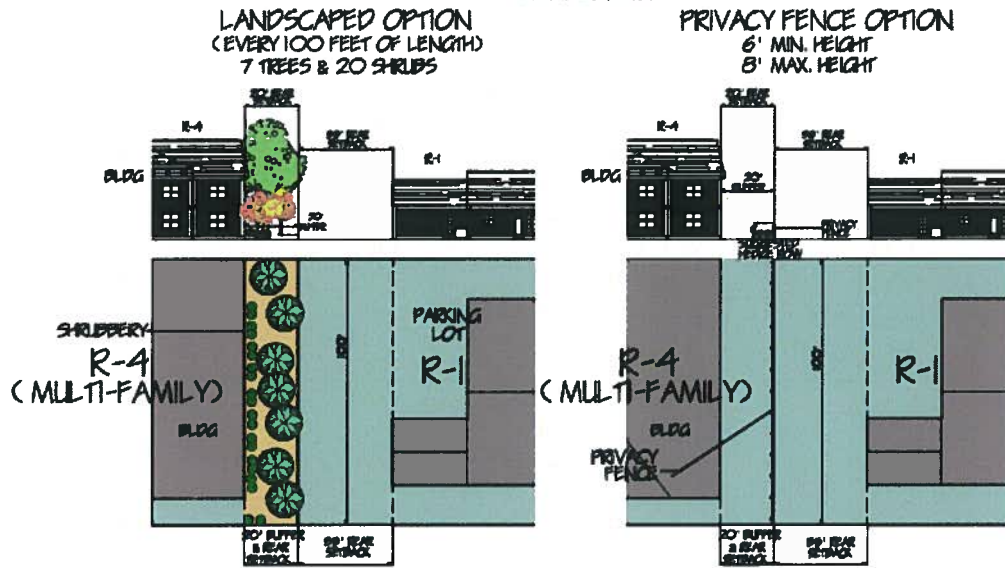
Commercial (Up to 25,000 sq. ft. of GFA)				
Residential & Commercial (25,001 to 50,000 sq. ft. of GFA)	3	30	8	30
Residential & Commercial (50,001 to 75,000 sq. ft. of GFA)	4	40	15 Offset double rows	75 Offset double rows
Residential & Commercial (Greater than 75,000 sq. ft. of GFA)	5	50	15 Offset double rows	75 Offset double rows
Industrial (Up to 25,000 sq. ft. of GFA) & Any Other Use	6	30	8	30
Industrial (25,001 to 50,000 sq. ft. of GFA) & Any Other Use	7	35	8	30
Industrial (50,001 to 75,000 sq. ft. of GFA) & Any Other Use	8	40	15 Offset double rows	75 Offset double rows
Industrial (Greater than 75,000 sq. ft. of GFA) & Any Other Use	9	50	15 Offset double rows	75 Offset double rows

- I) **Classification of Use.** Uses shall be consistent with Article VIII, District Regulations, of this code.
- J) **Existing Native Plant Material Encouraged.** The use of existing native species of plant material is strongly encouraged in landscaped buffers. Existing natural ground cover should be retained where possible by avoiding scraping, grading and sodding within the landscaped buffer. Where the planting requirements require additional trees or shrubs to be installed in an existing natural area, it should be done in a manner which minimizes disturbances to native species.
- K) **Landscape Buffer Requirements within Mixed-use Development.** Where a building site is used for a single mixed-use development, landscaped buffers shall not be required between the various constituent uses. Landscaped buffers required at the perimeter of the development shall be based upon the individual uses on each portion of the property.
- L) **Vehicular use areas.** All non-residential vehicular use areas (parking, access and circulation) adjacent to or across a right-of-way of no more than two (2) lanes from any residentially zoned property and having forty (40) or more parking spaces shall be subject to the following provisions:
 - (1) The vehicular use area shall be separated from the residential area by a continuous shrub hedge.

- (2) Shrubs shall be a minimum of two and one-half (2 ½) feet in height at installation, and shall be spaced three (3) feet on center or closer. Said hedge shall be maintained at a height of no lower than three (3) feet.
- (3) Parking spaces facing into the shrub hedge shall include wheel stops unless the shrub hedge is planted four (4) feet or more back from a raised curb.
- (4) If a berm is utilized, it may act in lieu of the continuous shrub hedge.

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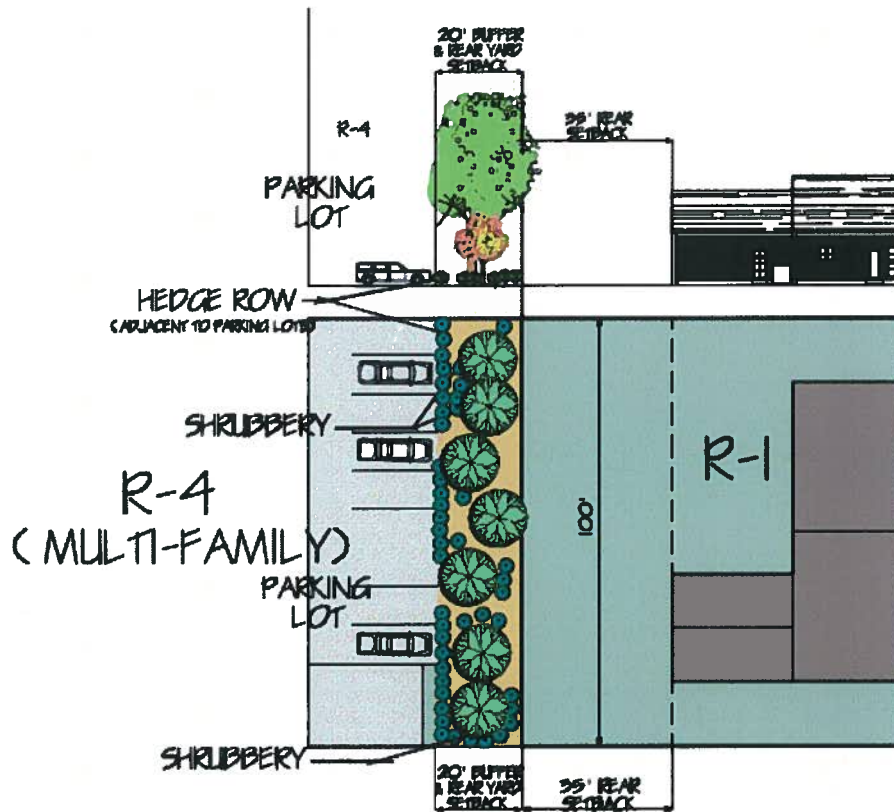
EXHIBIT A
 TYPE I BUFFER
 MIN. 20' WIDE
 (ATTACHED MULTI-FAMILY
 NEXT TO
 SINGLE FAMILY ZONED)
 (EVERY 100 FEET OF LENGTH)
 7 TREES & 20 SHRUBS



EXAMPLE EXPLAINS THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT B
 TYPE I BUFFER
 MIN. 20' WIDE
 (ATTACHED MULTI-FAMILY
 NEXT TO
 SINGLE FAMILY ZONED)

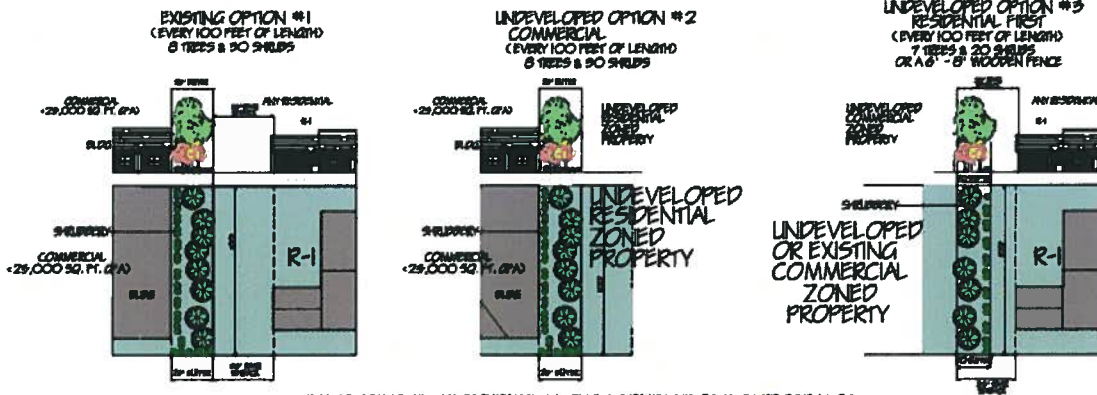
HEDGE ROW REQUIRED
 Sec. 114-108 (L)
 (EVERY 100 FEET OF LENGTH)
 7 TREES & 20 SHRUBS



EXAMPLE EXPLAINS THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT



EXHIBIT C
TYPE 2 BUFFER
MIN. 25' WIDE
 EXCEPT UNDEVELOPED OPTION #3
 (COMMERCIAL USES INCLUDING APARTMENTS
 < 25,000 SQ. FT. GFA ADJACENT TO SINGLE FAMILY ZONED)



EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT D
TYPE 2 BUFFER
MIN. 25' WIDE
 (COMMERCIAL USES INCLUDING APARTMENTS
 < 25,000 SQ. FT. GFA ADJACENT TO SINGLE FAMILY ZONED)
 (EVERY 100 FEET OF LENGTH)
 8 TREES & 30 SHRUBS
 WITH REQUIRED HEDGE ROW

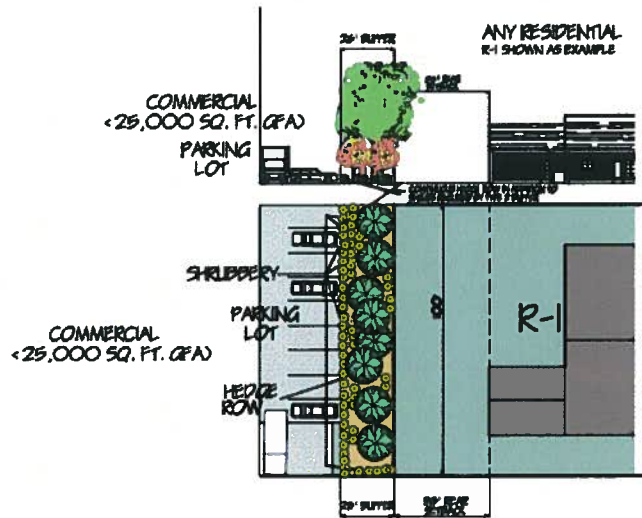
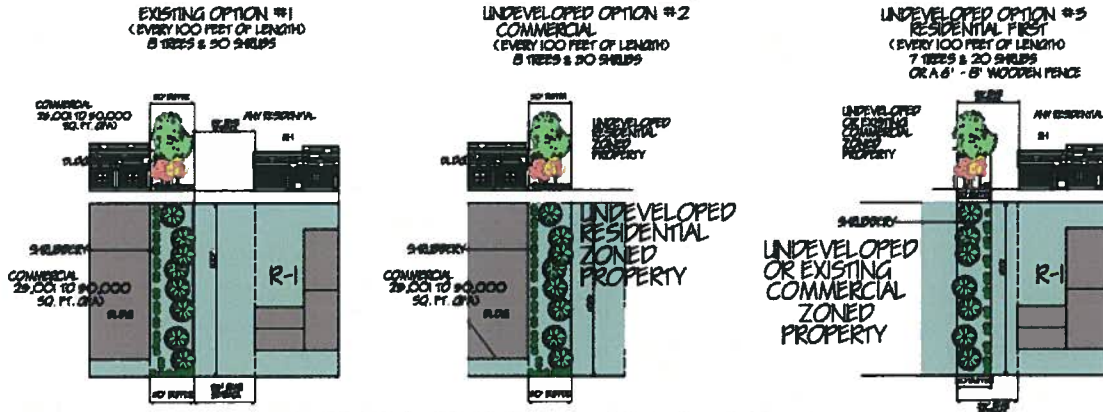
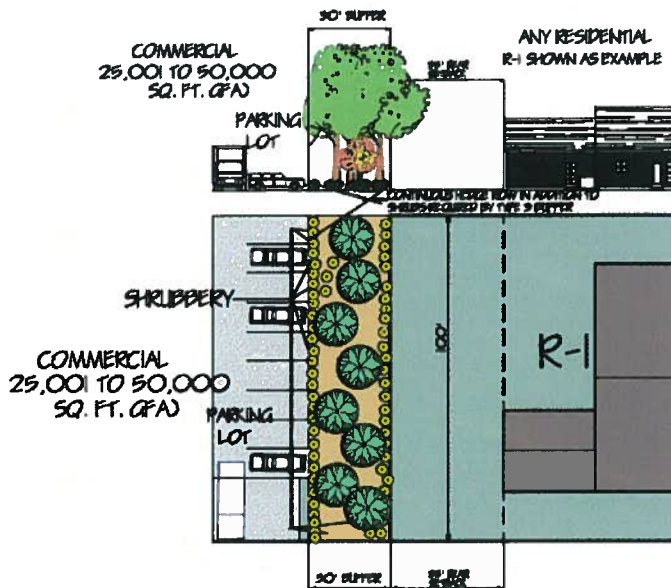


EXHIBIT E
TYPE 3 BUFFER
MIN. 30' WIDE
 EXCEPT UNDEVELOPED OPTION #3
 (COMMERCIAL USES INCLUDING APARTMENTS
 25,001 TO 50,000 SQ. FT. GFA
 ADJACENT TO AN RESIDENTIAL-ZONED PROPERTY)



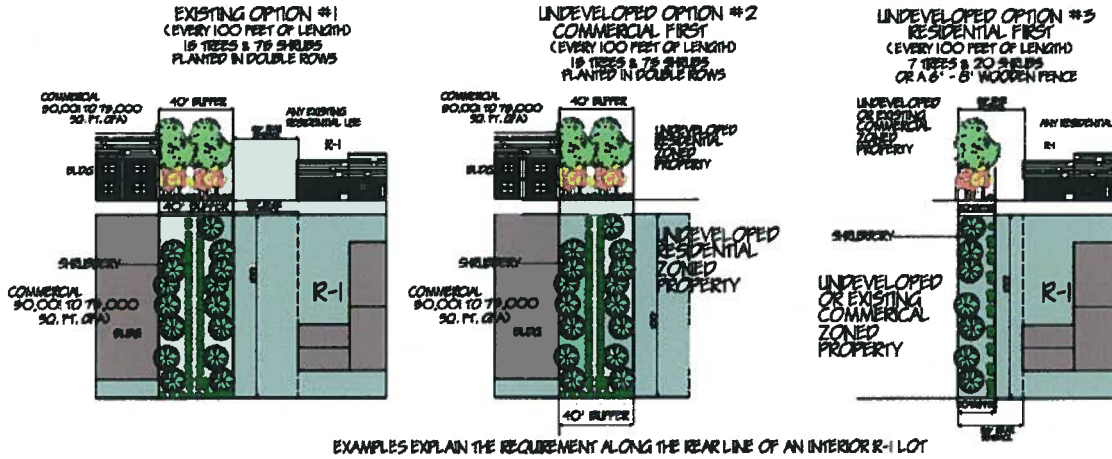
EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT F
TYPE 3 BUFFER
MIN. 30' WIDE
 PARKING LOT ABUTTING RESIDENTIAL ONLY
 (COMMERCIAL USES INCLUDING APARTMENTS
 25,001 TO 50,000 SQ. FT. GFA
 ADJACENT TO ANY RESIDENTIAL-ZONED PROPERTY
 (EVERY 100 FEET OF LENGTH)
 8 TREES & 30 SHRUBS



EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT G
TYPE 4 BUFFER
MIN. 40' WIDE
EXCEPT UNDEVELOPED OPTION #5
(COMMERCIAL USES INCLUDING APARTMENTS
50,001 TO 75,000 SQ. FT. GFA
ADJACENT TO ANY RESIDENTIAL-ZONED PROPERTY)

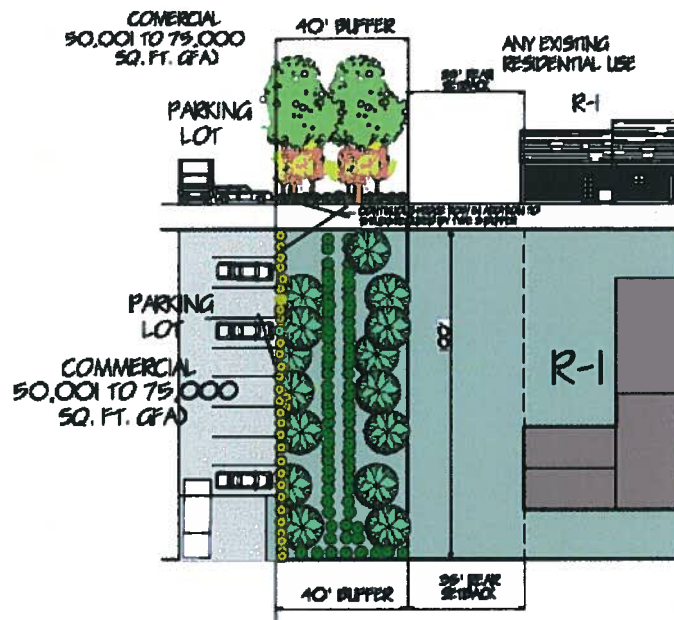


EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

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EXHIBIT H
TYPE 4 BUFFER
MIN. 40' WIDE
PARKING LOT ABUTTING RESIDENTIAL ONLY
(COMMERCIAL USES INCLUDING APARTMENTS
50,001 TO 75,000 SQ. FT. GFA
ADJACENT TO ANY RESIDENTIAL-ZONED PROPERTY)

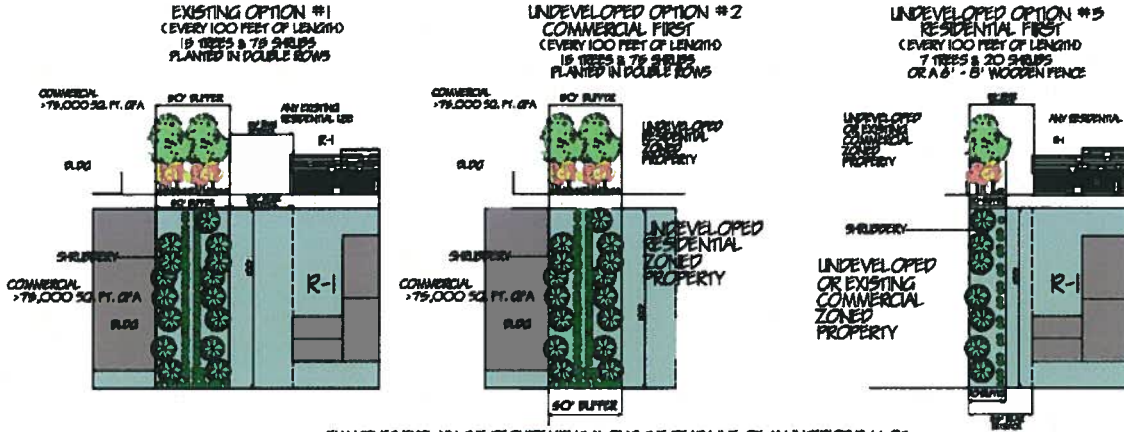
EXISTING OPTION #1
(EVERY 100 FEET OF LENGTH)
15 TREES & 75 SHRUBS
PLANTED IN DOUBLE ROWS



EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT



EXHIBIT I
TYPE S BUFFER
MIN. 50' WIDE
EXCEPT UNDEVELOPED OPTION #3
(COMMERCIAL USES INCLUDING APARTMENTS
>75,000 SQ. FT. GFA
ADJACENT TO ANY RESIDENTIAL-ZONED PROPERTY)



EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT J

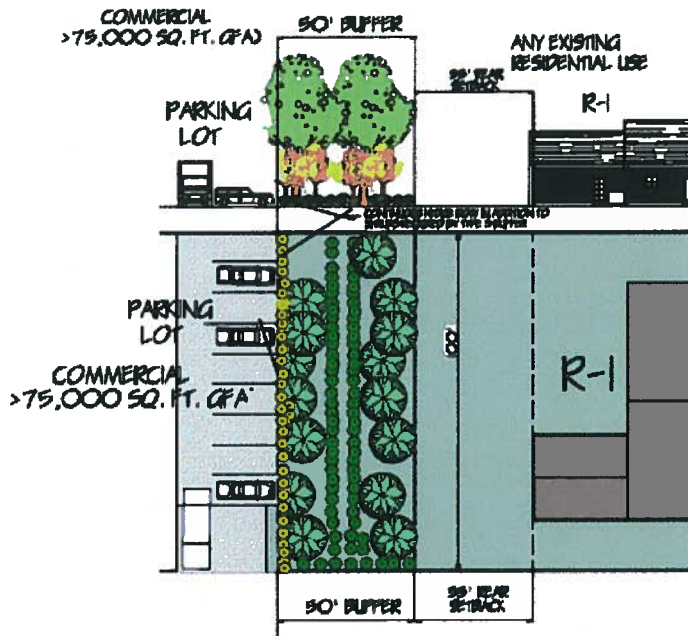
TYPE 5 BUFFER

MIN. 50' WIDE

PARKING LOT ADJUTING RESIDENTIAL ONLY

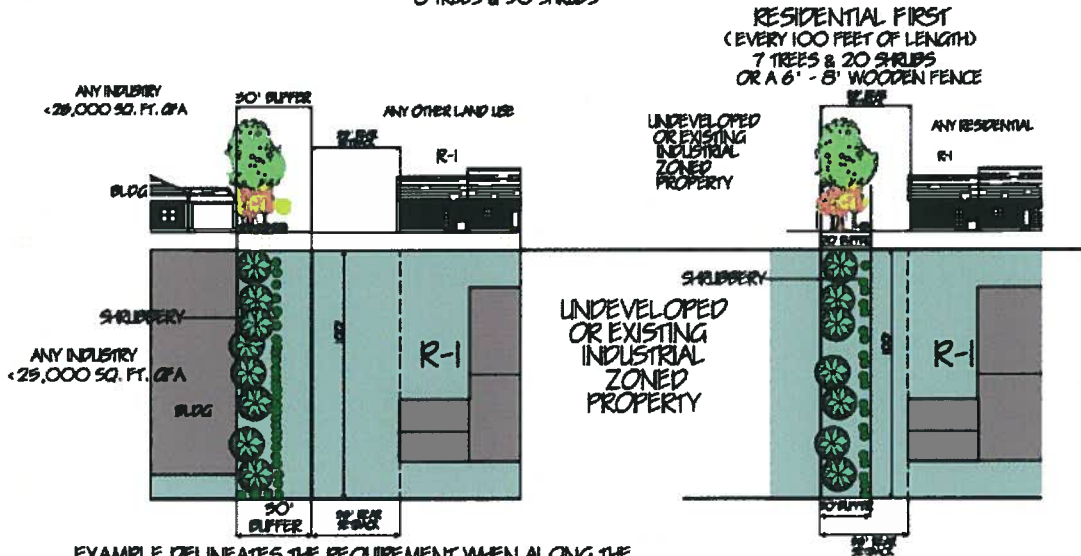
(COMMERCIAL USES INCLUDING APARTMENTS
>75,000 SQ. FT. GFA
ADJACENT TO ANY RESIDENTIAL-ZONED PROPERTY)

EXISTING OPTION #1
(EVERY 100 FEET OF LENGTH)
15 TREES & 75 SHRUBS
PLANTED IN DOUBLE ROWS



EXAMPLES EXPLAIN THE REQUIREMENT ALONG THE REAR LINE OF AN INTERIOR R-1 LOT

EXHIBIT K
 TYPE 6 BUFFER
 MIN. 30' WIDE
 INDUSTRIAL USES
 < 25,000 SQ. FT. GFA
 ADJACENT TO ANY OTHER USES
 (EVERY 100 FEET OF LENGTH)
 8 TREES & 30 SHRUBS



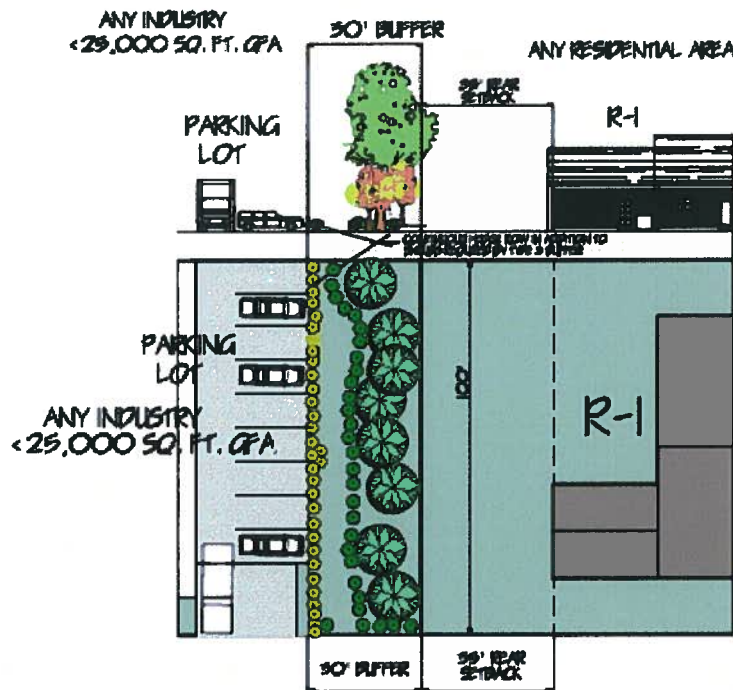
EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

EXHIBIT L TYPE 6 BUFFER MIN. 30' WIDE

ANY INDUSTRIAL USES
< 25,000 SQ. FT. GFA

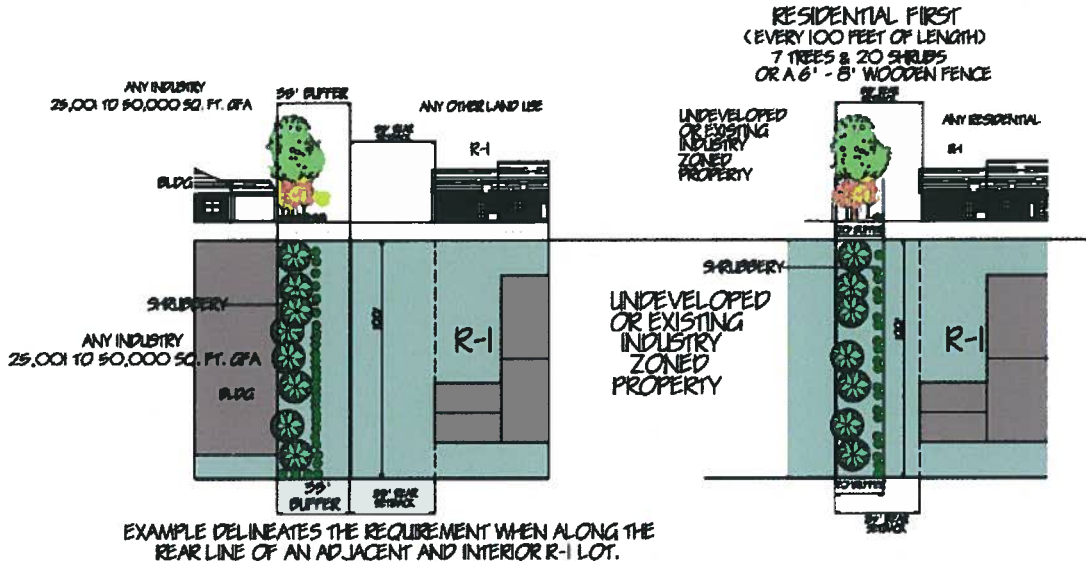
PARKING LOT HAVING 40 OR MORE SPACES
ACROSS A R. O. W. HAVING LESS THAN 3 LANES OR
ABUTTING RESIDENTIAL LAND USES ONLY

(EVERY 100 FEET OF LENGTH)
8 TREES & 30 SHRUBS
PLANTED IN BUFFER AND
A CONTINUOUS HEDGE ROW



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE
REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

EXHIBIT M
 TYPE 7 BUFFER
 MIN. 35' WIDE
 INDUSTRIAL USES
 25,001 TO 50,000 SQ. FT. GFA
 ADJACENT TO ANY OTHER USES
 (EVERY 100 FEET OF LENGTH)
 8 TREES & 30 SHRUBS



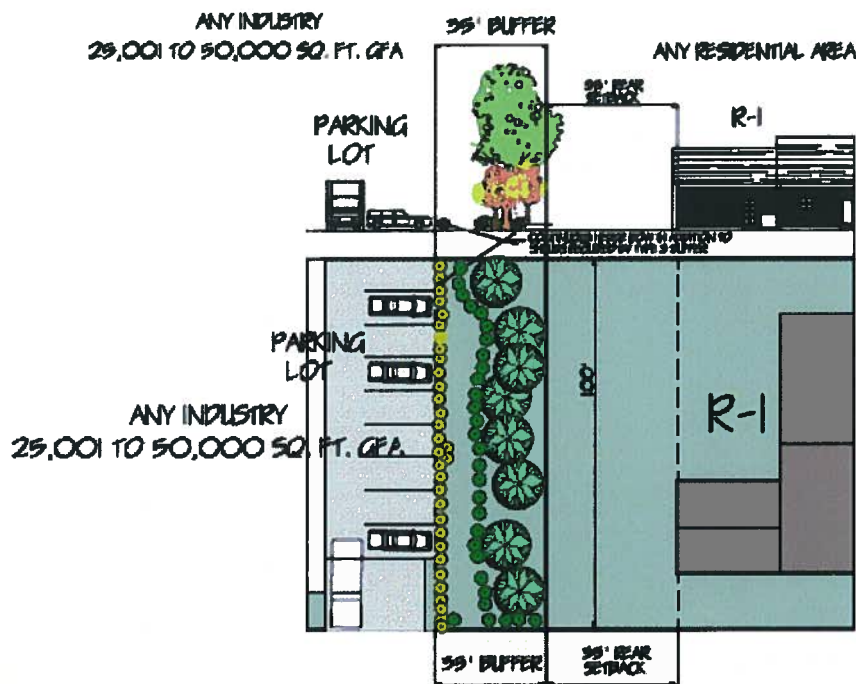
EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

EXHIBIT N

TYPE 7 BUFFER

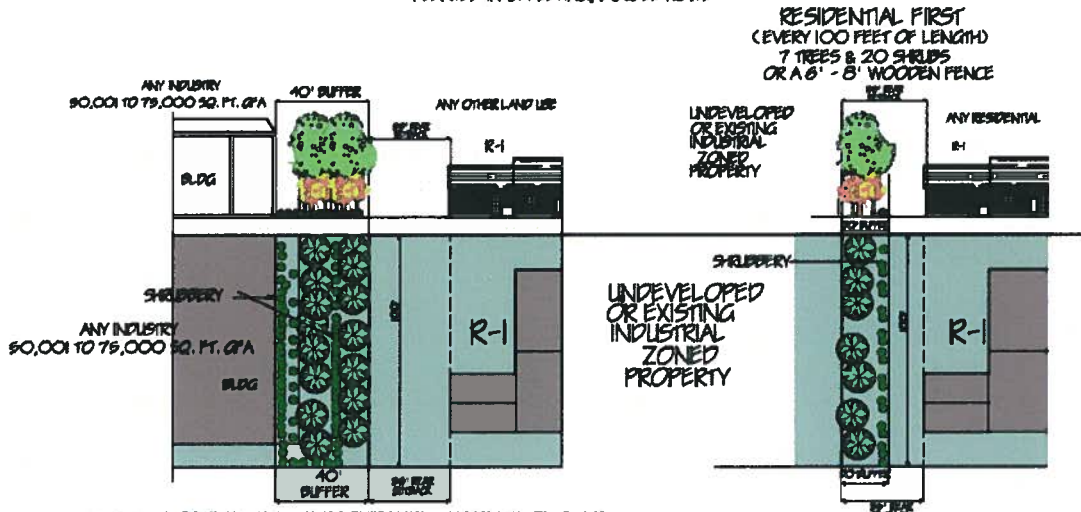
MIN. 35' WIDE

ANY INDUSTRIAL USES
 25,001 TO 50,000 SQ. FT. GFA
 PARKING LOT HAVING 40 OR MORE SPACES
 ACROSS A R. O. W. HAVING LESS THAN 3 LANES OR
 ABUTTING RESIDENTIAL LAND USES ONLY
 (EVERY 100 FEET OF LENGTH)
 8 TREES & 30 SHRUBS
 PLANTED IN BUFFER AND
 A CONTINUOUS HEDGE ROW



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

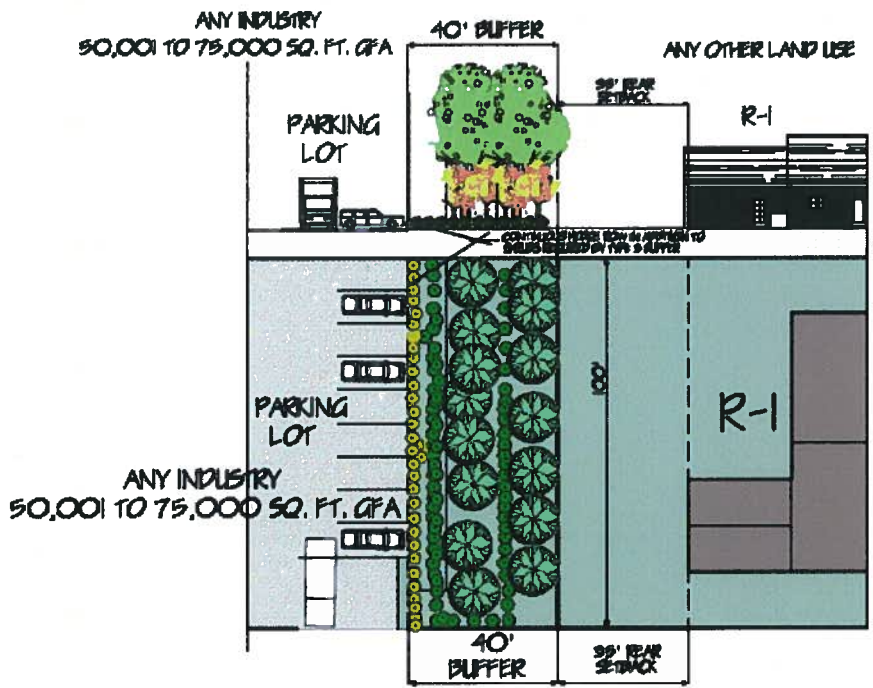
EXHIBIT O
TYPE B BUFFER
MIN. 40' WIDE
INDUSTRIAL USES
50,001 TO 75,000 SQ. FT. GFA
ADJACENT TO ANY OTHER USES
 (EVERY 100 FEET OF LENGTH)
 15 TREES & 75 SHRUBS
 PLANTED IN OFFSETTING, DOUBLE ROWS



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

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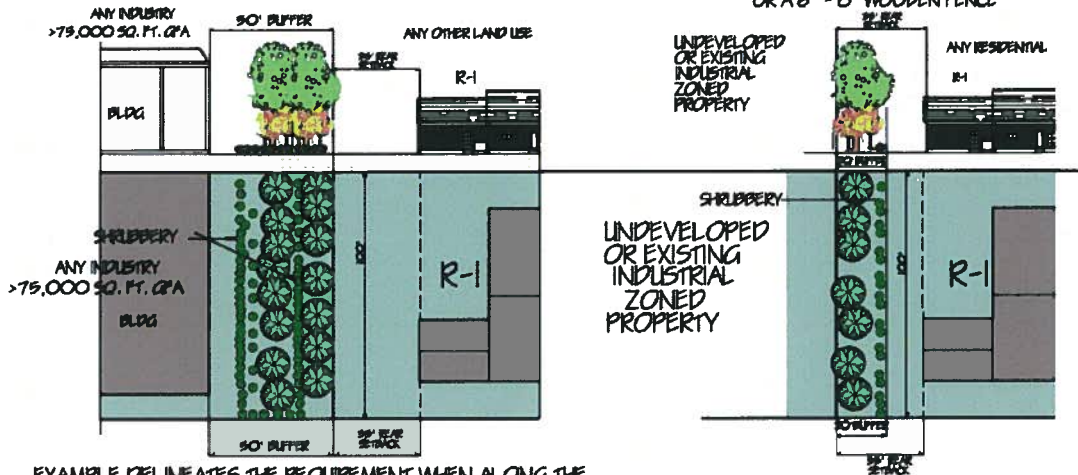
EXHIBIT P
TYPE 8 BUFFER
MIN. 40' WIDE
INDUSTRIAL USES
50,001 TO 75,000 SQ. FT. GFA
PARKING LOT HAVING 40 OR MORE SPACES
ACROSS A R. O. W. HAVING LESS THAN 3 LANES OR
ABUTTING RESIDENTIAL LAND USES ONLY
(EVERY 100 FEET OF LENGTH)
15 TREES & 75 SHRUBS
PLANTED IN OFFSETTING DOUBLE ROWS
AND A CONTINUOUS HEDGE ROW



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

EXHIBIT Q
TYPE 9 BUFFER
MIN. 50' WIDE
INDUSTRIAL USES
>75,000 SQ. FT. GFA
ADJACENT TO ANY OTHER USES
 (EVERY 100 FEET OF LENGTH)
 15 TREES & 75 SHRUBS
 PLANTED IN OFFSETTING, DOUBLE ROWS

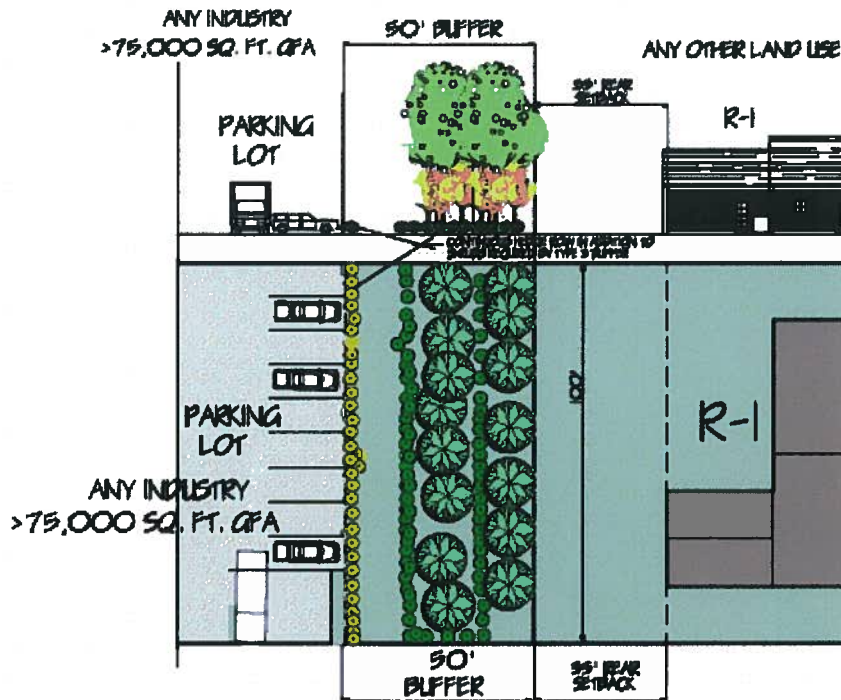
RESIDENTIAL FIRST
 (EVERY 100 FEET OF LENGTH)
 7 TREES & 20 SHRUBS
 OR A 6' - 8' WOODEN FENCE



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

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EXHIBIT R
TYPE 9 BUFFER
MIN. 50' WIDE
INDUSTRIAL USES
>75,000 SQ. FT. GFA
PARKING LOT HAVING 40 OR MORE SPACES
ACROSS A R. O. W. HAVING LESS THAN 3 LANES OR
ABUTTING RESIDENTIAL LAND USES ONLY
 (EVERY 100 FEET OF LENGTH)
15 TREES & 75 SHRUBS
PLANTED IN OFFSETTING, DOUBLE ROWS
AND A CONTINUOUS HEDGE ROW



EXAMPLE DELINEATES THE REQUIREMENT WHEN ALONG THE
REAR LINE OF AN ADJACENT AND INTERIOR R-1 LOT.

EXHIBIT S
<25,000 SQ. FT. GFA
COMMERCIAL DEVELOPMENT SITE

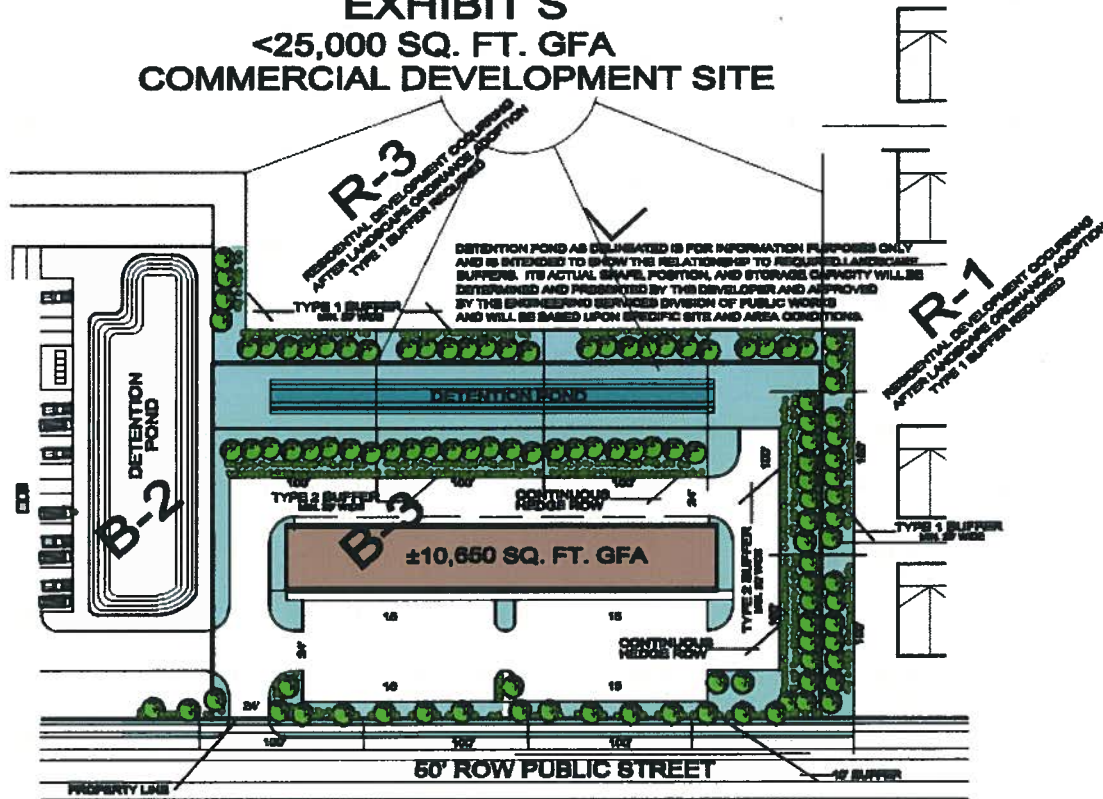


EXHIBIT T
25,001 TO 50,000 SQ. FT. GFA
COMMERCIAL DEVELOPMENT SITE

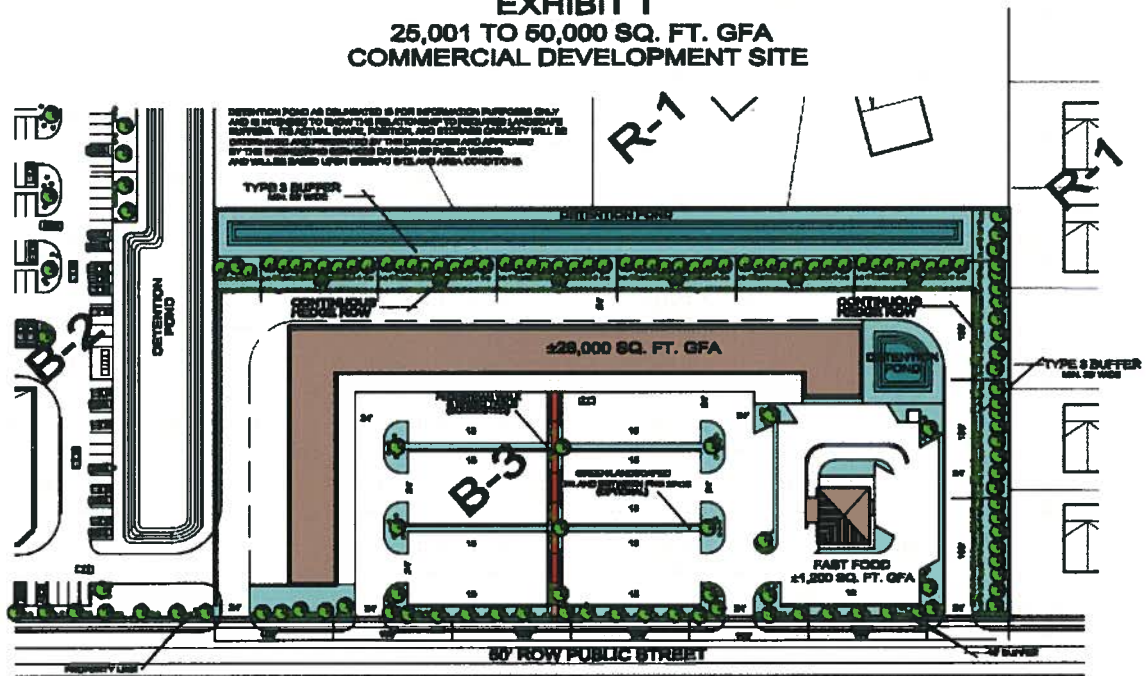


EXHIBIT U
50,001 TO 75,000 SQ. FT. GFA
COMMERCIAL DEVELOPMENT SITE

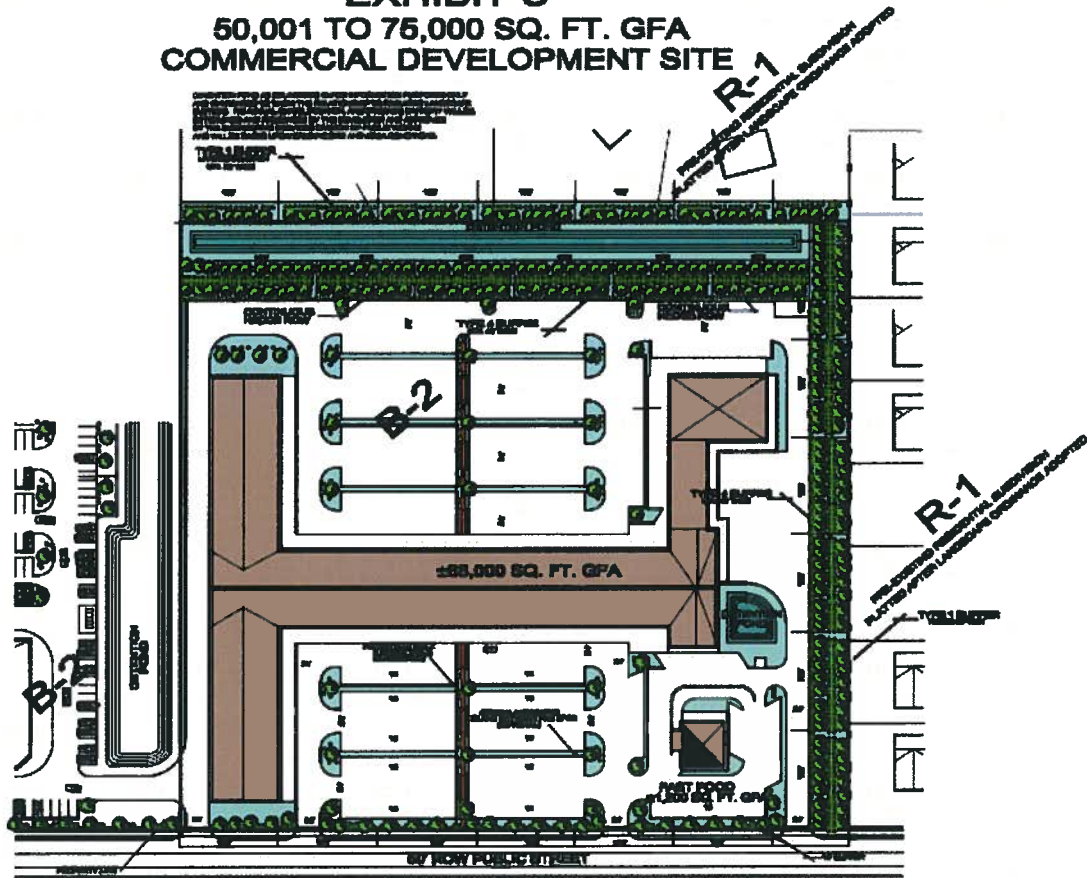


EXHIBIT V
TYPICAL LARGE-SIZED COMMERCIAL SITE PLAN
 >75,000 SQ. FT. GFA

