

Section 3-12 Visual Buffers and Screening

Sec. 3-12.1. Intent: To provide minimum separation and screening of dissimilar uses on properties adjacent to or across a road (directly or diagonally) from each other; to minimize adverse visual effects of commercial and industrial land uses on the surrounding property; and to buffer land uses in dissimilar zoning districts which have a detrimental visual effect on each other.

3-12.2. Buffer Plans Required: A buffer plan shall be submitted with all applications for a change in land use or for site plan approval. Buffers shall be located on the site for which approval is requested. The buffer plan shall show in detail the layout of the proposed development including the arrangement of buildings, parking areas, permanent open spaces, and the location of proposed buildings that are over 20 feet high and of existing or proposed buildings on adjacent properties. The plan shall also show the location of proposed buffers including a detailed description or sketch of such buffer materials to be used, including a provision for an irrigated water source within fifty (50) feet of buffered and landscaped areas. The provisions of this section shall not apply to uses or zoning districts where greater or more intensive buffer elements are required elsewhere by these regulations. Where a conflict exists, the most restrictive buffer and screening standard shall apply. Elements of the buffer plan may be included in the landscape plan as a single submittal, provided that the landscape and buffer plan are drawn to the same scale.

3-12.3. Approval of Buffer Plan: The MPC staff shall approve buffer plans. Appeals from the MPC staff review shall be made to the MPC Board.

3-12.4. Required Buffers: Buffers shall be provided as follows:

- A. One-family buffer requirements: Buffers shall be provided as described below to protect one-family detached residential property (including one family developed and undeveloped property zoned for residential use). The buffer types indicated for each circumstance are described in Section 3-12.5 Buffer Types.
1. A Type "A" buffer shall be required where one-family detached residential property is adjoined by multi-family residential or by semidetached or end row dwellings or manufactured homes.
 2. A Type "B" buffer shall be required where one-family detached residential property is adjoined by institutional or nonretail commercial activity, including religious facilities, hospitals, care homes, public and private schools, day nurseries and kindergartens, banks, professional offices, and other uses of a like nature.

3. A Type "C" buffer shall be required where one-family detached residential property is adjoined by lodging facilities or convenience or general retail commercial activity not accompanied by outside storage of goods or products or by service or repair of vehicles. Examples of uses within this category include motels, clothing stores, specialty shops, restaurants, food and drug stores, laundromats, furniture stores, department stores, auto parts stores, auto filling stations, and other uses of a like nature.
4. A Type "D" buffer shall be required where one-family detached residential property is adjoined by uses such as auto repair and paint shops, motorcycle sales and service, auto upholstery shops, sale or rental of autos, trucks, boats or trailers, mini-warehouses, drive-in restaurants, cocktail lounges, nightclubs, package stores outdoor amusement and uses of a like nature.

[Sec. 3-12.4.A.4. amended February 24, 2012 (Z-11208-00076-1)]

B. Multi-family buffer requirements. Buffers shall be provided as described below to protect multi-family residential property ((including multi-family developed and undeveloped property zoned for multi-family residential use). The buffer types indicated for each circumstance are described in Section 3-12.5 Buffer Types.

1. A Type "B" buffer shall be required where multi-family residential property is adjoined by institutional or nonretail commercial activity, including religious facilities, hospital and care homes, and public and private schools, day nurseries and kindergartens, banks and professional offices, and activities of a like nature.
2. A Type "C" buffer shall be required where multi-family residential property is adjoined by lodging facilities or convenience or general retail commercial activity not accompanied by outdoor storage of goods, products, or the service or repair of vehicles. Examples of uses within this category include motels, clothing stores, specialty shops, restaurants, food and drug stores, laundromats, furniture stores, department stores, auto parts stores, auto filling stations, and other uses of a like nature.
3. A Type "D" buffer shall be required where multi-family residential property is adjoined by uses such as auto repair and paint shops, motorcycle sales and service, auto upholstery shops, sale or rental of autos, trucks, boats, or trailers, mini-warehouses, drive-in restaurants, cocktail lounges, nightclubs, package stores, outdoor amusement and uses of a like nature.

[Sec. 3-12.4.B.3 amended February 24, 2012 (Z-11208-00076-1)]

- C. Non-residential service and storage area buffer requirements. A Type "E" buffer shall be provided where outdoor storage and salvage yards, outdoor vehicle repair and service areas, wrecker storage compounds, and uses of a similar nature, both principal and accessory, adjoin other properties with a dissimilar land use classification or where such uses abut a public right-of-way. Trees planted within a Type "E" buffer shall be staggered to achieve a degree of opacity that prevents clear recognition of the use. All trees and shrubs within the buffer shall be of the evergreen variety. Supplemental planting of evergreen vegetation may be required within preserved buffers so that the use is not clearly distinguishable through the buffer.

- D. Manufacturing and Industrial Buffer Requirements: A Type "F" buffer shall be required where any type of manufacturing or industrial use adjoins other properties with a dissimilar land use classification or where such use abuts a public road right-of-way. Trees planted within a Type "F" buffer shall be staggered to achieve a degree of opacity that prevents clear recognition of the use. All trees and shrubs within the buffer shall be of the evergreen variety. Supplemental planting of evergreen vegetation may be required within preserved buffers so that the use is not clearly distinguishable through the buffer.

- E. Off Street Parking Lot Buffer Requirements: A Type "G" buffer shall be required where a parking lot containing four or more parking spaces adjoins other properties or where a parking lot abuts a public or private road right-of-way.

3-12.5. Buffer Types: The following table contains the minimum standards for the various buffer types referenced in Section 3-12.4. Under each major type are options available to a developer. Some of the options include more than one element (e.g. according to Table 3-12.5 {below} a Type "A" buffer may be a 6 foot high fence and a 5 foot planted buffer or a 6 foot high hedge and a 10 foot wide planted buffer or a 20 foot wide preserved buffer).

TABLE 3-12.5

Buffer Type	Fence height (ft)**	Hedge height (ft)**	Planted width (ft)	Preserved width (ft)
A	6	-	5	-
	-	6	10	-
	-	-	-	20
B	6	-	15	-
	6	-	-	15
C	6	-	20	-
	6	-	-	20
D	8	-	25	-
	6	-	-	25
E	8	-	30	-
	6	-	-	25
F	8	-	30	-
	6	-	-	40
G	3	-	-	-
	-	3	3	-

** The height of the fence, hedge, or other vegetation within the buffer shall conform to the requirements of Section 3-7 Vision Clearance at Intersections.

3-12.6. Design Standards:

A. Fences and walls:

1. The design of the fence or wall shall be of the same architectural style and materials as the principal building or buildings on the lot.
2. Except where otherwise allowed by these regulations, any fence or wall shall be opaque so as to prevent the passage of light and debris, and shall be constructed of textured or split-faced block, brick, stone, stucco over concrete block, architectural tile, decay resistant wood, or similar opaque materials. Decay resistant wood includes wood that is naturally decay resistant (e.g. cedar, cypress, redwood) or wood that has been chemically and/or mechanically treated (e.g. chromate copper arsenate [CCA]) to a retention rate such that the manufacturer provides a guarantee against decay for 40 years.

3. Unfinished concrete block shall not be permitted.
4. Chain link or wire fences shall be permitted within nonresidential zoning districts to buffer similar uses, provided that plant material is planted immediately behind or in front of the fence.
5. The height of a fence or wall shall not exceed eight (8) feet, except as allowed by other sections of this ordinance. Fences and walls shall be interrupted at intervals not exceeding 25 feet by architectural features such as pilasters or columns or by various species of plants that are at least as tall as the fence or wall or taller.
6. The fence or wall shall be set back not less than five (5) feet from the property line unless otherwise approved by the MPC.
7. The area between the property line and the fence or wall shall be landscaped and maintained as an open area in conformance with the Chatham County Property Maintenance Ordinance.
8. The height of a fence or wall shall be measured from the finished grade at the base of the fence or wall to the top of the fence or wall, but shall not include columns or posts.

B. Hedges:

1. For newly established hedges, plants shall be a minimum of three (3) feet in height in order to achieve 50 percent of the required buffer at plant maturity.
2. The area between the property line and the hedge shall be grassed and shall be maintained in conformance with the Chatham County Property Maintenance Ordinance.

C. Vegetative buffers:

In general, the purpose of a vegetative buffer is to achieve a degree of opacity that prevents clear recognition of the use being buffered. There shall be no encroachment of structures or paving within the area designated as a buffer. The buffer shall be maintained in conformance with the Chatham County Property Maintenance Ordinance.

1. Trees: Trees shall be planted in conformance with the requirements of the Chatham County Land Disturbing Ordinance. Standards for the size, planting, protection, and care of trees planted within a required buffer shall conform to the requirements of said ordinance regardless of whether Tree Quality Points are requested for the trees.
2. Shrubs: Shrubs shall be planted in conformance with the requirements of the Chatham County Land Disturbing Ordinance. Standards for the size, planting, protection, and care of shrubs planted within a required buffer shall conform to the requirements of said ordinance regardless of whether Landscape Quality Points are requested for the shrubs.
3. Preserved stands of vegetation within buffers: Preserved stands of mature trees within buffers shall conform to the requirements of the Chatham County Land Disturbing Ordinance. The acceptability of mature stands of trees as a buffer shall be determined by the Chatham County Arborist in conformance with the provisions of said ordinance regardless of whether Tree or Landscape Quality Points are requested for the stands. Provided however, that selective hand-clearing of underbrush may be permitted if approved by the MPC and the Chatham County Arborist.

3-12.7. Variances: The Planning Commission may approve variances from these requirements at the request of the developer if all of the following findings are made:

- A. The variance would be in keeping with the overall character of the area.
- B. The variance would not be contrary to the purpose and intent of these regulations.
- C. The variance would not be detrimental to existing or proposed surrounding uses.
- D. The variance would serve public purposes to a degree equal to or greater than the standards replaced.
- E. The MPC may approve variances where the Chief of Police certifies that security would be compromised by construction of a buffer designed in strict conformance with the requirements of this section.