
**UZO AMENDMENT #93
BUFFERYARD AMENDMENT**

**REVISED STAFF REPORT
May 10, 2018**

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This proposal was tabled at the April 18, 2018 APC meeting in order to include the terms **deciduous** and **evergreen** to specifically describe a category of shrub required for the proposed bufferyard Type A and Type B. A few other minor clarifications were also made during this process. The staff report that follows is the same as the staff report sent out for the April 18th meeting; the amendment that follows has minor changes.

Staff was approached by homeowners from the City of West Lafayette with a concern about non-effective bufferyards between commercial properties along Sagamore Parkway and residential properties adjacent to the north in Bar Barry Heights subdivision.

Staff conducted exploratory research on bufferyard standards for other communities in Indiana. This research concluded that the intensity, depth and spacing of the existing bufferyard requirements were consistent with communities similar to ours. However, after discussion with West Lafayette, they suggested that seasonally shedding deciduous trees might have contributed to the initial complaint of an ineffective bufferyard. During this discussion, WL staff emphasized a need to develop a simplified version of the standard plant units that are effective yet easy to understand and enforce. Although this amendment was initiated due to a complaint from a WL citizen, Administrative Officers (AO's) from all jurisdictions were consulted while preparing this proposal.

The proposed bufferyard amendment is a result of yearlong teamwork involving a series of discussions amongst APC and city staffs, AO's and stakeholders. This amendment (see attached) that the Ordinance Committee approved at its February meeting, would change the standards for required Bufferyards as well as Off-Street Loading standards found in Chapter 4 and Appendix E-1 and E-2.

APC staff's proposed changes to the existing bufferyard and screening section of the ordinance in brief are listed below:

1. The section regarding screening of loading berths from adjoining residential uses or zones shall be completely revised to include a noise blocking structure in combination with the appropriate landscaping element as determined by an AO;
2. Three new standard plant units and bufferyard widths were introduced replacing the existing requirements for all jurisdictions;
3. The AO would determine the requirement of a bufferyard along a common property line, where the property line serves as the boundary between zones but are owned

by the same entity/person. If a bufferyard is deemed required, then the AO shall determine the type of bufferyard to install;

4. Required bufferyards shall be located outside of an existing or platted drainage/utility easement where applicable;
5. A sentence to direct developers to the city's website with regard to the plant species list was added.
6. In the table of required bufferyards, the FP zone was removed from the A, AA, AW and FP group and the OR zone was moved to the group of NB, MR, GB and HB; and
7. Bufferyard plans shall be prepared by a registered landscape architect to ensure the selection and installation of plant species are geographically appropriate.

RECOMMENDATION:

Approval

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. _____ BEING THE UNIFIED ZONING ORDINANCE OF TIPPECANOE COUNTY.

Be it ordained by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No. _____, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

Section 1: Amend the list in **UZO Section 4-6-18 OFF-STREET LOADING** as shown below:

(d) Except in CB and CBW **zones** where this subsection does not apply, the **Administrative Officer** shall determine the height of the noise barrier structure and how off-street **loading berths** are to be screened from adjacent **residential zones** or **uses**, employing one ~~or more~~ of the following means:

- (1) a dense planting of **evergreen** plant materials to the satisfaction of the **Administrative Officer** and a noise barrier structure of a minimum of 8' in height; or
- (2) a dense planting of mixed **evergreen** and **deciduous** plant materials to the satisfaction of the **Administrative Officer** and a noise barrier structure of a minimum of 8' in height.

Section 2: Change **UZO Section 4-9-1 INTENT** of the Bufferyard and other bufferyard requirements, by amending it as shown below:

Standard plant units shall conform to illustrations in Appendix E-1 or their functional equivalent as approved by the **Administrative Officer**.

Section 3: Add to the list in **UZO Section 4-9-2 BUFFERYARD REQUIREMENTS** as shown below:

(f) The requirement of a **bufferyard** along a common property line where the property line serves as the boundary between **zones** and properties on either side of the line are owned by the same entity or individual shall be determined by the **Administrative Officer**. If the **bufferyard** is required, then the type shall also be determined by the **Administrative Officer**.

(g) Required **bufferyards** shall be located outside of any existing or platted utility or drainage easement.

(h) Plant species shall be selected from the approved tree lists available on the City of West Lafayette's official website except for property in Lafayette which shall use its own approved tree list.

Section 4: Change **UZO 4-9-3-a TYPE OF BUFFERYARD REQUIRED ALONG A LOT LINE SEPARATING A ZONE UNDERGOING DEVELOPMENT OR REDEVELOPMENT AND AN ABUTTING ZONE** by making the following adjustments:

ZONE UNDERGOING DEVELOPMENT OR REDEVELOPMENT	ABUTTING ZONE							
	R1 R1A R1B R1U R1Z R2 R2U R3 R3W R4W RE & the residential portion of PD Zones (Amend 27, 60, 69 & 71)	OR	NB MR GB HB OR	I1	I2	I3	A AA AW FP	
R1 R1A R1B R1Z R2 R3 R3W R4W RE (Am 27)	---	A	C ²	B	B	C	---	
OR	A	---	B	---	---	B	---	
NB MR GB HB OR	C ²	B	---	A	A	A	B	
I1	B	---	A	---	---	A	B ¹	
I2	C	B	A	---	---	A	C ¹	
I3	C	B	A	A	A	---	C ¹	
ZONE IN WHICH MHP/MHC OR RVP/C IS BEING DEVELOPED								
MHP/MHC: R3 A RVP/C: HB A AW FP	C	A	C	B	B	C	A	
ZONE IN WHICH SELF-STORAGE WAREHOUSE IS BEING DEVELOPED (Amend 5 ,92)								
NB GB I1 I2 I3	C	A	A	A	---	---	A	

Section 5: Rename, eliminate and change parts of **UZO Section 4-9-3-b NUMBER OF REQUIRED STANDARD PLANT UNITS AND BUFFERYARD WIDTHS FOR BUFFERYARDS, TYPE A-C** as shown below:

4-9-3-b BUFFERYARD WIDTHS, TYPES A-C:

TYPE OF BUFFERYARD	NUMBER OF STANDARD PLANT UNITS PER 150 LINEAR FEET	BUFFERYARD WIDTH
A, B	2	15'-20'
B	3	20'
C	4	20'-30'

Section 6: Replace **UZO Section 4-9-4-a STANDARD PLANT UNITS** by amending it as shown below:

(a) The drawing in Appendix E-1 shows the requirements for Type A, Type B and Type C **bufferyards** using **standard plant units**.

Section 7: Remove **UZO Section 4-9-4-b STANDARD PLANT UNITS**

Section 8: Renumber **UZO Section 4-9-4-c STANDARD PLANT UNITS** to **4-9-4-b**.

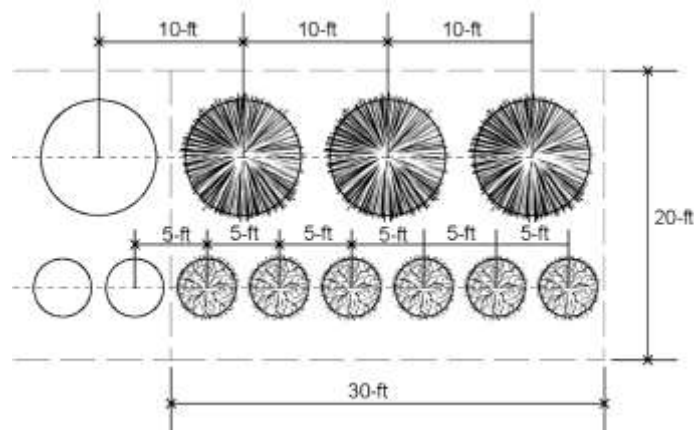
Section 9: Replace **UZO Section 4-9-5-d RESPONSIBILITIES FOR BUFFERYARDS** as shown below:

(d) The property owner or developer shall provide **bufferyard** plans prepared by a registered landscape architect to the **Administrative Officer** for approval.

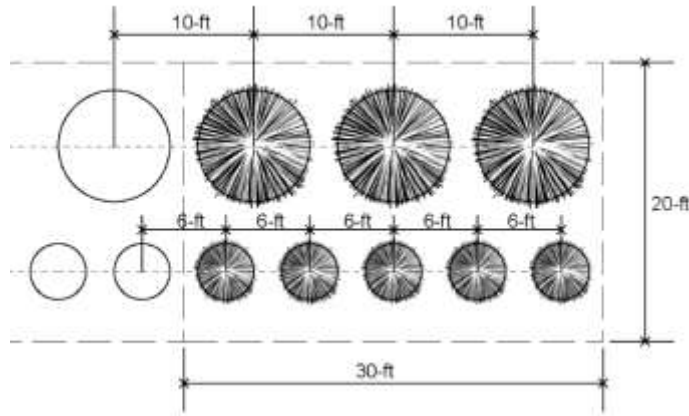
Section 10: Replace **UZO appendix E-1: STANDARD PLANT UNITS** as shown below:

APPENDIX E-1: STANDARD PLANT UNITS

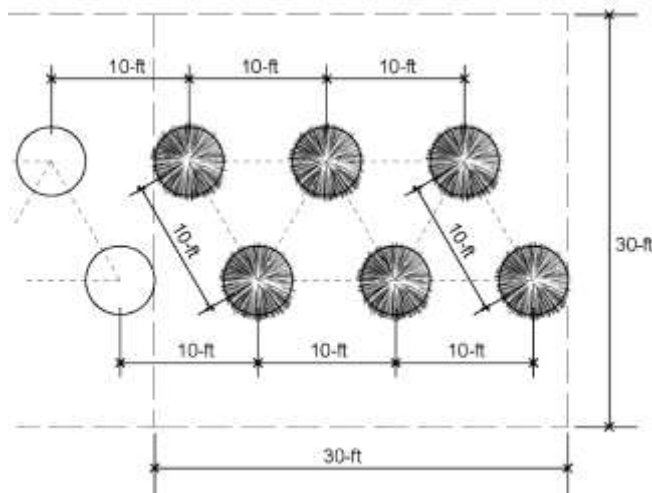
TYPE A: three **evergreen trees**, a minimum of 8' tall, planted 10' apart, center to center and six **deciduous shrubs** a minimum of 3' high planted 5' apart, center to center.



TYPE B: three **evergreen trees**, a minimum of 8' tall, planted 10' apart, center to center and five **evergreen shrubs** a minimum of 3' high planted 6' apart, center to center.



TYPE C: two staggered rows of three *evergreen trees* a minimum of 8' tall planted 10' apart, center to center.



Section 11: Add the footnote in **UZO appendix E-1: STANDARD PLANT UNITS** as shown below:

E-1-1 Evergreen trees may be reduced in height by 2' if the *bufferyard* features a 3' high berm.

Section 12: Remove **UZO appendix E-2: ILLUSTRATION OF BUFFERYARDS -- TYPES A, B, and C.**

This ordinance shall be in full force and effect from and after its passage.