

City Council Agenda Memo

From: Mike Struck, Community Development Director

Meeting: July 28, 2020 / August 11, 2020

Subject: Amendment to Chapter 94, Zoning, Pertaining to Section 94-399.1 – Bufferyards

Person(s) Responsible: Mike Struck, Community Development Director

Summary:

The City of Brookings is seeking approval of an amendment to the Zoning Ordinance to establish a new section pertaining to bufferyards. Bufferyards are generally required when business or industrial developments abut a residential district.

Background:

The current ordinance requires landscaped areas serve as bufferyards between residential properties and business/industrial zoned properties. The landscaped areas range in size from 25 - 50 feet depending on the zoning district; however, there are no requirements for vertical screening. The goal of the new ordinance is to provide an option of a smaller bufferyard with vertical screening for privacy. The new language allows for greater use of the land and environmentally friendly options to lessen the impact to adjacent properties.

The ordinance amendment establishes different types of bufferyards based on the zoning district, building height, parking lots, and structures. The bufferyard distances and screening types are based on the intensity of the district so more intense uses have more substantial buffer requirements. The ordinance also takes into account the height of structures in order to mitigate impacts to surrounding properties. One notable change is that bufferyards apply to certain residential districts when structures exceed 30 feet in height. In addition, more intense districts require a six (6) foot fence in addition to landscaping. The ordinance amendment essentially retains the option of the larger landscaped areas but provides for options to integrate varying land uses while mitigating negative impacts. Overall, the intent is to offer flexibility while promoting a blending of land uses where appropriate by requiring vertical screening measures.

Item Details:

The ordinance amendment will allow for a more efficient use of land between zoning districts. The amendment is supported by several action items in the Comprehensive Plan including:

- Encourage development based on intensity
- Promote infill/redevelopment as appropriate

- Encourage mixed use development
- Provide adequate separation and buffering between higher and lower intensity land uses
- Require additional landscaping and upgrade site design standards

The graduated approach seeks to match bufferyard distances and vertical separation requirements based on the level of impact and the intensity of the use. Required bufferyards shall be installed prior to a Certificate of Occupancy being issued and the maintenance requirements will be the same as those listed in the landscaping ordinance.

Legal Consideration:

None.

Strategic Plan Consideration:

The bufferyard ordinance amendment is supported by several action items identified within the Comprehensive Plan, including:

- Encourage development based on intensity
- Promote infill/redevelopment as appropriate
- Encourage mixed use development
- Provide adequate separation and buffering between higher and lower intensity land uses
- Require additional landscaping and upgrade site design standards

Financial Consideration:

None.

Options and Recommendation:

The Planning Commission has the following options:

1. Approve as presented
2. Amend
3. Deny
4. Move to study session
5. Do nothing

The Development Review Team (DRT) recommends approval of the rezoning request. The Planning Commission voted 7-0 recommending approval of the ordinance amendment.

Supporting Documentation:

1. Memo
2. Ordinance
3. Ordinance – Marked Up
4. Presentation
5. Planning Commission Minutes 7.7.2020
6. Notice

7. Bufferyard Exhibits