

## Chapter 212. Zoning

### Article XX. Design Standards

#### § 212-124. Standards for vegetated buffer areas.

A. Visual screening buffer.

- (1) Wherever a vegetated screening buffer area is required by this chapter, said buffer area shall be planted and maintained with vegetation that results in a visual barrier that is at least six feet in height from ground level within three years to five years. All vegetated buffers shall be maintained.
- (2) Vegetation within any required buffer area may consist of maintained lawn, shrubs or trees. Plants selected for use in any required buffer areas should be species that are hardy to the Finger Lakes region and that are noninvasive. Shrubs when planted may be two feet to four feet in height and must achieve six feet in height within three years to five years. Trees shall be six feet in height when planted.
- (3) At the discretion of the Planning Board, a fence may be substituted for vegetation to achieve the required six-foot high visual screen; provided, however, that:
  - (a) The width of the buffer area is not reduced below the minimum required by this chapter;
  - (b) The remaining portions of the buffer area shall be planted and maintained with vegetation.
- (4) In the case of new construction within a B1—Business District or IL—Light Industry District, such a visual barrier shall be planted or built prior to the issuance of any certificate of zoning compliance by the Zoning Officer.

B. Stream protection setback.

- (1) Healthy stream sides that are vegetated with native woody trees and shrub plants provide flood reduction, erosion control, groundwater filtration, surface water quality improvement, and wildlife habitat. Therefore, commercial parcels and properties and all properties in environmental overlay districts that are being considered for new development or building upgrades and that encompass or adjoin a stream or creek are required to maintain and protect the existing vegetated streamside habitat (i.e., setbacks) during and after construction, or restore the vegetation through plantings in those habitats where such vegetation has been removed.
- (2) U.S. Geological Survey topographical maps will be used to classify impermanent and permanent streams. Impermanent, also known as “seasonal,” streams require a minimum of 25 feet of setback on each side of the stream, extending from the stream bank toward the uplands. Permanent streams are required to have a minimum 50 feet of buffer on each side of the stream, extending from the stream bank toward the upland.
- (3) Vegetation in stream protection setbacks will consist of native tree and shrub species, tolerant of

the conditions of flooding and soil saturation which are typical of such habitats, and generally designated as Obligative Wetland, Facultative, Facultative Wetland, or Facultative Upland Species in the U.S. Fish and Wildlife Service's 1996 National List of Vascular Plant Species that Occur in Wetlands ([www.nwi.fws.gov/bha/list96.html](http://www.nwi.fws.gov/bha/list96.html)). This design includes approximately 20 feet of undisturbed mature forest directly adjacent to the bank, a middle zone 15 feet wide of actively growing forest with periodic thinning, and a third zone approximately 15 feet wide planted in warm-season grasses. Larger setbacks with wider zones are encouraged to provide greater stream protection.