



## BUSINESS LOCATION & STORAGE FACILITY CHECKLIST

Date	Location Information			Official Use Only		
	Mailing Address	Physical Address	City, State Zip	Police		Treasury
				Approved	Disapproved	Permit #
YES	NO					
		<p><b>Licensing:</b> This facility is operating under a current and valid license granted pursuant to the Vehicle Storage Facility Act (Texas Occupational Code, Section 2303.001, <i>et seq.</i>) And is in compliance with all State rules and regulations governing vehicle storage facilities as well as all City ordinances affecting same. In addition, tow truck(s) must be registered and towing fee schedules filed with TxDOT Motor Carrier Division.</p>				
		<p><b>Location:</b></p> <ul style="list-style-type: none"> <li>- This facility is situated within the City or its extra-territorial jurisdiction</li> <li>- Site plan</li> <li>- Chapter 28 Development Standards                             <ul style="list-style-type: none"> <li>• Section 28-70 (g)</li> </ul> </li> </ul>				
		<p><b>Building/Land:</b> On-site building must be sufficient in size for storing all motor vehicles towed by the Emergency Wrecker Business; such tract of land shall be a minimum lot size of five thousand (5,000) square feet.</p> <ul style="list-style-type: none"> <li>- Chapter 28 Development Standards                             <ul style="list-style-type: none"> <li>• Section 28-92</li> </ul> </li> <li>- Chapter 85. Vehicle Storage Facilities (Administrative Rules of the Texas Department of Licensing and Regulation)                             <ul style="list-style-type: none"> <li>• Section 85.1001</li> </ul> </li> </ul>				
		<p><b>Fencing:</b> Fencing should be a minimum of at least six feet (6') in height. The sides of the fence facing any public street, residence, or business shall be constructed of an attractive, solid, and opaque material such as wood or metal so as to screen the storage lot from view and shall meet the approval of the code enforcement officer or department. Razor wire is prohibited. No two vehicle storage facilities may operate within same fenced area.</p> <ul style="list-style-type: none"> <li>- Chapter 28 Development Standards                             <ul style="list-style-type: none"> <li>• Section 28-1 Building Line</li> </ul> </li> <li>- Landscape Ordinance 2015-05                             <ul style="list-style-type: none"> <li>• Section 14-408 Bugging and Screening C. 1. &amp; 3.</li> </ul> </li> </ul>				
		<p><b>Lawn Maintenance:</b> The facility shall be kept free from weeds and trash as not to pose a health hazard.</p>				
		<p><b>Hours of Operation:</b> The Emergency Wrecker Business shall be open for business during the hours of 8:00 am to 5:00 pm, Monday through Friday of each week (except state, local or national holidays) and shall have a local telephone number which is monitored during such hours, providing adequate service for owners of motor vehicles to obtain return of their stored vehicles. However, operator must have a 24 hour telephone listing for police department use.</p>				
		<p><b>Invoicing:</b> The wrecker owner or operator shall maintain a file for invoice copies pertaining to non-consent and police authorized tows at their place of business for a period of two (2) years from the invoice date. Any officer of the police department may inspect such invoice(s) during regular business hours. Invoices shall include the following:</p> <p><b>Police-Authorized Tows:</b></p> <ul style="list-style-type: none"> <li>- Vehicle description (year, make, model, license number, VIN number)</li> <li>- Name of wrecker driver</li> <li>- Applicable charges</li> <li>- Name and badge number of police officer that authorized tow</li> </ul>				

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		<p><b>Non-Consent Tows:</b></p> <ul style="list-style-type: none"> <li>- Vehicle description (year, make, model, license number, VIN number)</li> <li>- Name of wrecker driver</li> <li>- Applicable charges</li> <li>- Name, address and phone number of the person who authorized the tow</li> <li>- Reason the vehicle was towed</li> <li>- Name, address, and phone number where the vehicle was taken for storage</li> </ul>
		<p><b>Lighting:</b> All vehicle storage facilities shall maintain lighting levels adequate for nighttime release of vehicles. At minimum, there must be one lighting fixture containing at least a 250 watt element for each 1/4 acre of storage area.</p>
		<p><b>Signage:</b> All vehicle storage facilities shall have a clearly visible and readable sign at its main entrance. Letters on sign shall be at least two inches (2") in height with contrasting background, shall be visible at ten feet (10'), and shall contain the following information:</p> <ul style="list-style-type: none"> <li>- Registered name of the storage lot, as it appears on the vehicle storage facility license;</li> <li>- Street address;</li> <li>- Telephone number for the owner to contact in order to obtain release of the vehicle;</li> <li>- Facility's hours, within one hour of which vehicles will be released to vehicle owners; and</li> <li>- Storage lot's state license number preceded by the phrase "VSF License Number."</li> <li>- Per diem charge for storage and all other fees which may be charged by the storage lot, including notification and impoundment fees. This sign shall be located so it is clearly visible to a vehicle owner prior to paying the fees, shall have letters at least 1 inch in height, with a contrasting background.</li> <li>- Nonconsenting towing fees schedule shall be conspicuously placed at the place of payment, that states in 1-inch letters that "Applicable schedule of Nonconsenting towing fees will be provided for viewing upon request by persons claiming vehicles."</li> <li>- A sign describing the instruments which may be presented by the vehicle owner or his/her authorized representative to obtain possession of the vehicle. The sign shall state "Affidavit of Right of Possession and Control Furnished Upon Request." This sign shall be located so it is clearly visible to a vehicle owner at the place of payment, have letters at least 1 inch in height with a contrasting background.</li> <li>- Drawing of sign with wording and size</li> </ul>

*NOTE: All vehicle storage facilities shall have vehicles available for release 24 hours a day within one hour's notice if it accepts vehicles 24 hours a day.*

I certify that the Emergency Wrecker Storage Facility, as indicated above, has successfully passed the required facility inspection.

\_\_\_\_\_  
Jay Reeves, Chief of Police  
Sealy Police Department

\_\_\_\_\_  
Date of Certification



## EMERGENCY WRECKER EQUIPMENT CHECKLIST

Date	Location Information			Official Use Only		
	Mailing Address	Physical Address	City, State Zip	Police		Treasury
				Approved	Disapproved	Permit #
YES	NO	<b>EMERGENCY WRECKER EQUIPMENT</b>				
		<b>Fire Extinguisher:</b> All Emergency Wreckers shall be equipped with a standard BC type chemical fire extinguisher, either one 10-pound or two 5-pound fire extinguishers with a gauge, properly filled and readily accessible for use.				
		<b>Emergency Warning Devices:</b> All Emergency Wreckers shall be equipped with a minimum of six (6) signal flares, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet (600') under normal atmospheric conditions at nighttime.				
		<b>Broom:</b> All Emergency Wreckers shall be equipped with a broom of a type designed for pushing with an eighteen-inch (18") head and a handle of not less than thirty-six inches (36").				
		<b>Absorbent:</b> All Emergency Wreckers shall be equipped with no less than five (5) gallons of dry sand or other absorbent which is at least as effective as sand.				
		<b>Bucket:</b> All Emergency Wreckers shall be equipped with one five (5) gallon container to carry glass and debris cleaned from streets when picking up a wrecked vehicle.				
		<b>Shovel:</b> All Emergency Wreckers shall be equipped with one (1) flat-edged shovel at least nine inches (9") with a handle of not less than thirty-six inches (36").				
		<b>Wrecking Bar:</b> All Emergency Wreckers shall be equipped with one (1) wrecking bar of not less than thirty-six inches (36") in length with a wedge head.				
		<b>Overhead Emergency Lights:</b> All Emergency Wreckers shall be equipped with at least one (1) rotating beacon with amber lenses visible within five hundred feet (500') of a three hundred sixty (360) degree radius.				
		<b>Temporary Lighting:</b> If the vehicle being towed does not have functional taillights, temporary lighting must be provided.				
		<b>Tow Bar:</b> All Emergency Wreckers shall be equipped with a tow bar to hold a motor vehicle and prevent the swinging of the vehicle while it is being towed. Such tow bar shall be attached to a rubber sling so as to prevent damage to a towed motor vehicle.				
		<b>Winch and Boom:</b> All Emergency Wreckers shall be equipped with a power operated winch line and boom with factory rated lifting capacity of not less than five-thousand (5,000) pounds. Winch operated controls must be operable from either side of the wrecker or from inside of the cab.				
		<b>Safety Chains:</b> All Emergency Wreckers shall be equipped with not less than two (2) six-foot (6') safety chains having minimum test strength of eight-thousand (8,000) pounds.				
		<b>Towing Dollies:</b> All Emergency Wreckers shall be equipped with not less than two (2) motor vehicle towing dollies to be used for the purpose of removing disabled motor vehicles when the undercarriage has been so damaged it is inoperable.				
		<b>Flashlight:</b> All Emergency Wreckers shall be equipped with not less than one (1) flashlight.				
		<b>Receipt Book:</b> All Emergency Wreckers shall be equipped with a receipt book containing the business name, address and phone number printed on each receipt. The book shall produce an original and two (2) duplicate copies of each receipt.				
		<b>Reflective Vests:</b> All Emergency Wreckers shall be equipped with reflective vests.				
		<b>HEAVY DUTY EMERGENCY WRECKER EQUIPMENT</b>				
YES	NO					
		<b>Winch:</b> All Heavy-Duty Emergency Wreckers shall be equipped with a winch capable of lifting a minimum of thirty thousand (30,000) pounds. If one line is used, it shall be at least three-fourths (3/4") in diameter; if two lines are used, each shall be at least five-eighths inches (5/8") in diameter.				
		<b>"A" Frame:</b> All Heavy-Duty Emergency Wreckers shall be equipped with an "A" frame capable of lifting vehicles, trucks, trailers or equipment; air brakes and air lines; and must have a tow bar which is sufficient to prevent the swinging of any equipment being transported.				

**OTHER EMERGENCY WRECKER REQUIREMENTS**

The following information must be clearly and legibly painted or affixed by permanent decal with letters and numbers of at least three inches (3") in height and one-half inch (½") in width and in colors which contrast with the color of the Emergency Wrecker:

- The name of the Operator or the name of the company under which the Operator is doing business
- The telephone number of the Operator or his agent where persons can call and obtain information regarding the vehicle storage facility into which a vehicle was towed

*Note: If any name or telephone number is visible on the outside of an auto wrecker other than the name or telephone number of the Operator, such name and telephone number must be registered with the Sealy Police Department.*

I certify that the Emergency Wrecker indicated above has successfully completed all the necessary emergency equipment requirements.

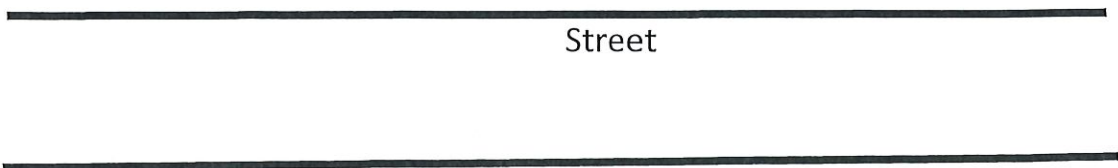
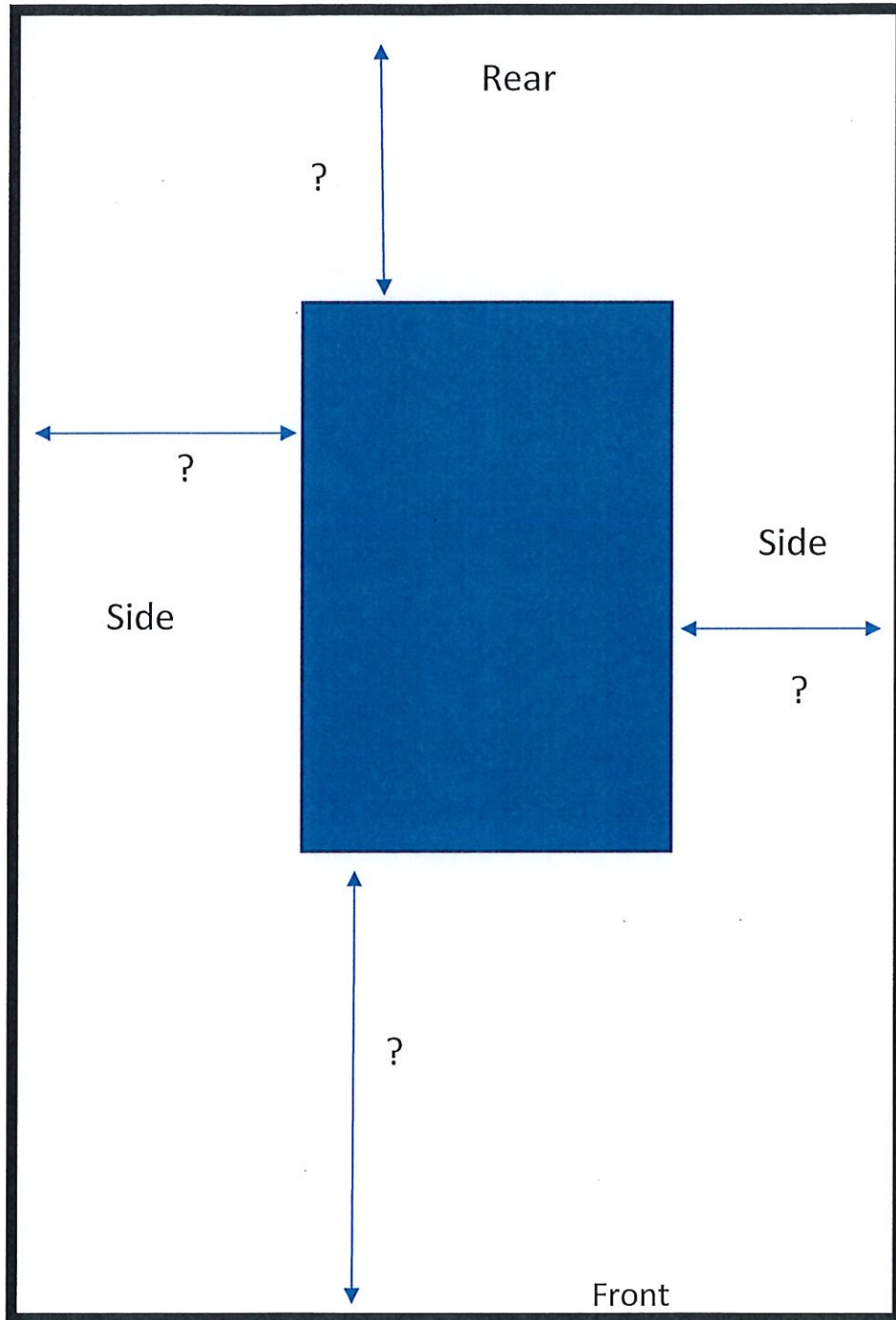
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Jay Reeves, Chief of Police  
Sealy Police Department

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Date of Certification

Site Plan



**Sec. 28-61. - Windows.**

All multiple story buildings within a multiple-family development complex shall be constructed so that there shall be no windows above the first floor on any sides which are adjacent to existing residential platted lots or existing single-family residences unless the following setbacks are met:

- (1) Forty feet in height 65 feet setback from the property line of the residential lot.
- (2) The height of the building may increase more than 40 feet at a ratio of one foot for each five feet of additional setback. For example, a building limited to 40 feet in height at 65 feet from a lot that is residential may be increased to a height of 60 feet at a point that is 165 feet from the property line of the residential lot.

(Ord. No. 2010-01, § 1, 1-14-2010)

**Secs. 28-62—28-69. - Reserved.**

**ARTICLE VII. - COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROPERTIES**

Sec. 28-70. - Building lines for commercial, industrial, institutional, and church properties.

Sec. 28-71. - Off-street parking and design standards.

Sec. 28-72. - Traffic impact/street design.

Sec. 28-73. - Hazardous materials.

Secs. 28-74—28-79. - Reserved.

**Sec. 28-70. - Building lines for commercial, industrial, institutional, and church properties.**

- (a) *Front.* The front building line shall not be less than 25 feet, except that where a lot faces an arterial street, the front building line shall not be less than 35 feet.
- (b) *Side, corner lots.* The building line on the side of a corner lot adjacent to a street shall not be less than 15 feet, except that where a lot sides on an arterial street, the building lines shall not be less than 25 feet.
- (c) *Rear, generally.* The rear building line shall not be less than 15 feet, except where the rear property line abuts an alleyway, there shall be a minimum of 30 feet, between the buildings abutting said alleyway, provided that if the alleyway is a 20-foot alleyway, then the minimum rear building line shall be not less than five feet, and if the alleyway is a 15-foot alleyway, then the rear building line shall not be less than 7½ feet. In all cases buildings must be constructed in relation to the rear property line so that there will at all times be 30 feet between the rear building lines.
- (d) *Rear, arterial street.* The rear building line where a lot backs on an arterial street shall not be less than 25 feet.
- (e) *Side, interior.* The side building lines shall not be less than five feet.
- (f) *Zero lot line.* If the wall adjoining the building line is constructed with materials giving it a four-hour firewall rating, then such building line may be zero, unless such wall abuts either an existing single-family residence or a platted single-family residential lot as set out in subsection (g) below.
- (g) *Adjacent to single-family residence, duplex, patio home, townhome use.* No commercial, industrial, institutional, or church building line shall be less than 25 feet on a side that abuts an existing single-

family residence, duplex, patio home, townhome, or a platted single-family residential lot which does not have an existing place of business located on such single-family residential lot.

(Ord. No. 2010-01, § 1, 1-14-2010)

**Sec. 28-71. - Off-street parking and design standards.**

- (a) All commercial, institutional, governmental, and industrial establishments within the city, other than those within the "downtown district," area as set forth in article VIII herein, shall provide parking as follows:
- (1) *General.* One space per 200 square feet for the ground floor, and one space per 300 square feet for the second floor level and up. "General" use shall include post offices; community, welfare, and health centers; optical shops; medical appliance stores; catering services; barber and beauty shops; custom cleaning shops; self service laundries; laundry or cleaning pickup and receiving stations; shoe repair, tailor, and custom sewing shops; travel bureaus; instructional art or art work studios; photography studios; inside retail sales stores; antique shops; retail food stores; bakery shops; book stores; camera shops; cigar-tobacco stores; clothing stores; drug stores; beverage stores; florist shops; pet shops; resale, hobby, and art supply stores; paint and wallpaper stores; appliance fix-it shops; tool and equipment rentals (inside display only); duplication shops; custom print shops; custom commercial engraving shops; retail stores that offer consumer goods for inside retail sales; and any other commercial activity having the same characteristics of the above and not otherwise listed below.
  - (2) *Restaurants, bars, luges, taverns.* One space per 100 square feet of floor area.
  - (3) *Drive-in restaurant.* One space per 50 square feet of floor area, with a minimum of 12 spaces.
  - (4) *Lumber, brick, or building materials sales yard.* One space per 200 square feet of retail floor area, plus one space per 1,000 square feet of site area exclusive of floor area.
  - (5) *Sports complex.* One space per 40 square feet of seating area.
  - (6) *Day care center.* One space per 500 square feet of floor area.
  - (7) *Bowling alley.* Six spaces per lane.
  - (8) *Theater, auditorium, or arena.* One space for every three seats.
  - (9) *Sports club-health spa.* One space per 200 square feet of floor area.
  - (10) *Hotel, motel.* One space per guest room, office, and lobby.
  - (11) *Church.* One space for every 3½ seats in sanctuary.
  - (12) *Elementary school.* One space per 20 students.
  - (13) *Middle school.* One space per 15 students.
  - (14) *High school.* One space per three students.
  - (15) *College.* One space per two students.
  - (16) *Bank or savings and loan.* One space per 300 square feet of floor area.
  - (17) *General office.* One space per 300 square feet of floor area.
  - (18) *Medical clinic or doctor's office.* One space per 300 square feet of floor area.
  - (19) *Veterinarian's office.* One space per 300 square feet of floor area.
  - (20) *Nursing or convalescent home.* One space for every four beds, plus one space for each employee.
  - (21) *Hospitals.* Three spaces for each bed.



### Sec. 28-91. - Site drainage requirements.

All new development and redevelopment shall comply with chapter 27, drainage criteria of this Code. Commercial, industrial, institutional, office, recreational, and multifamily tracts deeper than 100 feet measured from the right-of-way line shall have an internal drainage system. The internal drainage system shall collect all site runoff beyond 100 feet from the right-of-way line into a storm sewer system that shall connect to the public drainage facilities in the area, except as otherwise specifically approved by the city. The 100-foot area adjacent to the right-of-way may sheet flow to the roadway drainage system if the roadway system is designed to accommodate the additional sheet flow from the development.

- (1) The internal site storm sewer shall be connected to a public storm sewer at a manhole or at an inlet adjoining the site. The site drainage outfall shall be connected to the nearest existing drainage system with adequate capacity to serve the drainage area. Where extension of the existing drainage system is required, all costs for extension shall be the responsibility of the development.
- (2) All internal site storm sewers extended into a public right-of-way or easement shall be reinforced concrete pipe at least 15 inches in diameter. Only one connection will be allowed into the back of a curb inlet. Storm sewers shall be reinforced concrete pipe, ASTM C-76, Class III, with rubber gasket joints, ASTM C-443. Alternate materials may be used if specific approval is provided by the city's director of public works.
- (3) All internal facilities shall be designed by a registered professional engineer and shall be sized to drain the site in accordance with the requirements of this section.
- (4) Drainage calculations shall be submitted with all site development plans. Other supporting data may be required by the city.
- (5) When the site drains directly into an Austin County drainage facility and/or into a highway right-of-way, the appropriate governmental entity (entities) and the City of Sealy shall approve the site development connection to such public facilities. When drainage regulations conflict, the most stringent governmental entity regulation shall apply.

(Ord. No. 2010-01, § 1, 1-14-2010)

### Sec. 28-92. - Driveways.

- (a) Single-family residential driveways shall be a minimum of ten feet wide at the right-of-way line and 16 feet wide at the street tie-in.
- (b) Nonresidential driveways shall be 25 feet to 40 feet wide. On a major thoroughfare, commercial driveways shall be 40 feet wide. Nonresidential driveways shall be spaced a minimum of 20 feet apart. On major thoroughfares, driveways shall be placed a minimum of 50 feet apart.
- (c) Nonresidential driveways on major thoroughfares shall be placed no closer than 125 feet from the ultimate curb line of an intersecting major thoroughfare or secondary street. Driveways on collector or local streets are to be placed no closer than 75 feet from the ultimate curb line of an intersecting major thoroughfare. Driveways that are not adjoining a major thoroughfare shall be placed beyond the curb return for the intersecting street.
- (d) Commercial tracts with less than 300 feet of frontage on a public street shall have no more than two driveways. Commercial tracts with more than 300 feet of frontage on a public street shall have minimum driveway spacing of 125 feet measured to the centerline.
- (e) All adjacent nonresidential developments must provide a cross-access easement between the properties. Cross-access easements shall be a minimum of 24 feet wide and shall provide ingress and egress between such properties.
- (f) Nonresidential driveway connection to the public street shall be approved and inspected by the city.
- (g) Driveway radii shall not extend beyond the projection of a property corner to the back of curb.

- (1) Vehicle Storage Facility License
  - (A) Original Application--\$250
  - (B) Renewal--\$250
- (2) Vehicle Storage Facility Employee License
  - (A) Original Application--\$75
  - (B) Renewal--\$75
- (b) Revised/Duplicate License/Certificate/Permit/Registration--\$25
- (c) Late renewals fees for licenses under this chapter are provided under §60.83 of this title (relating to Late Renewal Fees).
- (d) All fees are nonrefundable.

85.900. Administrative Sanctions and Penalties. *(New section adopted effective April 15, 2008, 33 TexReg 2931)*

A person that violates Texas Occupations Code, Chapter 2303, a rule, or an order of the Executive Director or Commission relating to Texas Occupations Code, Chapters 2303, will be subject to administrative sanctions and/or administrative penalties under Texas Occupations Code, Chapters 51 and 2303 and applicable agency rules.

85.1000. Technical Requirements--Facility Fencing Requirements. *(New section adopted effective April 15, 2008, 33 TexReg 2931)*

Enclosure and security of stored vehicles.

- (1) Fencing. If not enclosed by a five-foot high fence on or before September 1, 1985, all VSFs shall be completely enclosed by a fence at least six feet high with a gate, which is locked at all times when the licensee or an agent or employee is not at the storage lot. No two VSFs may operate within the same fenced area.
- (2) Security of vehicles.
  - (A) No vehicle may be stored or kept at any licensed VSF unless it is kept inside the fenced or enclosed area at all times. For purposes of this subparagraph, the term "enclosed" shall mean inside a building.
  - (B) A vehicle accepted for storage in a VSF must be secured to prevent theft of the vehicle or its contents, including but not limited to locking doors, closing windows and hatchbacks, and raising or covering convertible tops.

85.1001. Technical Requirements--Storage Lot Surface. *(New section adopted effective April 15, 2008, 33 TexReg 2931)*

All VSFs shall have an all-weather surface such as concrete, asphalt, black-top, stone, macadam, limestone, iron ore, gravel, shell, or caliche, that enables the safe and effective movement of stored vehicles upon all portions of the lot, both under their own power and under tow, at all times, regardless of prevailing weather conditions. The surface shall also be free of overgrown vegetation.

85.1002. Technical Requirements--Storage Lot Lighting. *(New section adopted effective April 15, 2008, 33 TexReg 2931)*

All VSFs shall maintain illumination levels adequate for nighttime release of vehicles. The term "adequate" shall mean sufficient to allow inspection of a vehicle for damage at the time of release. At a minimum, there must be one lighting fixture containing at least a 250-watt element for each 1/4 acre of storage area.



## Chapter 28

### DEVELOPMENT STANDARDS

#### ARTICLE I. - GENERAL PROVISIONS

##### Sec. 28-1. - Definitions.

##### Sec. 28-2. - Setback averaging.

##### Secs. 28-3—28-9. - Reserved.

##### **Sec. 28-1. - Definitions.**

For the purposes of this chapter, the following words, terms and phrases shall have the meanings set forth below.

*Best management practices (BMPs)* shall mean activities, practices, and procedures to prevent or reduce the discharge of pollutants directly or indirectly into the municipal storm sewer system, waters in the state, and waters of the United States.

*Building* shall mean a structure designed or built for the support, shelter, protection, housing, or enclosure of persons, animals, chattels, or property of any kind. --

*Building line* shall mean an imaginary line, running parallel with applicable lot lines or street easement or roadway right-of-way lines, and beyond which no building or structure may be located other than fences, sidewalks, driveways, uncovered patios, or utility facilities placed by companies authorized to do so pursuant to franchise, license, or other authorization of the city or other governmental entity having jurisdiction thereover. Provided, however, no fence shall be authorized beyond a front building line or placed in a manner that would enclose any city services, such as but not limited to gas and water meters, except as specifically authorized herein. In measuring a building line adjacent to a street easement or roadway right-of-way, the nearest boundary of the street easement or roadway right-of-way shall be used.

*Commercial* shall mean occupied with or engaged in commerce or work intended for commerce.

*Duplexes* shall mean a detached residential structure containing two dwelling units, designed for occupancy by not more than two families living independent of each other.

*Earthy materials* shall mean the natural occurring material found on Earth that constitute the raw materials such as but not limited to minerals, rocks, soil, and water.

*EPA* shall mean the United States Environmental Protection Agency or its successor agency.

*Erosion control* shall mean the practice of preventing or controlling wind or water erosion in agriculture, land development and construction and important techniques in preventing water pollution and soil loss.

*Expressways* shall mean a divided highway for high-speed traffic with at least partial control of access, and designated as such by the Sealy Comprehensive Plan Thoroughfare Plan Map.

*Fill dirt* shall mean earthy material which is used to fill in a depression or hole in the ground or create mounds, which includes stockpile of dirt or otherwise artificially change the grade or elevation of real property.

*Industrial* shall mean an activity related to the manufacture, warehousing, shipping, production or storage of products to be transported elsewhere for retail sale.

*Industrialized housing* shall mean a structure designed primarily for residential occupancy, as described in chapter 14, article VII of this Code, and which is wholly or in substantial part made, constructed, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site so that concealed parts or processes of manufacture cannot be inspected



**Sec. 14-408. - Buffering and screening.**

- A. A non-residential or multi-family use adjacent to, or directly facing, a single-family use shall provide a minimum twenty feet (20') landscape buffer adjacent to the property line of the residential use or residentially used property. A minimum of one (1) shade tree shall be planted for each thirty linear feet (30') of landscape buffer. A minimum of ten (10) shrubs shall be planted for each fifty linear feet (50') of landscape buffer. All other areas within the landscape buffer shall be covered with grass or another solid vegetative cover approved at the time of Site Plan approval. The buffer wall standards below shall also be applicable. If the non-residential use is heavy commercial with outdoor storage or outdoor operations, or industrial, the required buffer shall be a minimum of forty feet (40')
- B. A non-residential, non-industrial use that is adjacent to, or facing, a multi-family development shall provide a minimum ten foot (10') landscape buffer adjacent to the property line of the residential use or residentially used property. Industrial uses shall be required to install a twenty (20) foot buffer. A minimum of one (1) shade tree shall be planted for each thirty linear feet (30') of landscape buffer. A minimum of ten (10) shrubs shall be planted for each fifty linear feet (50') of landscape buffer. All other areas within the landscape buffer shall be covered with grass or another solid vegetative cover approved at the time of Site Plan approval. The buffer wall standards below shall also be applicable. The buffer width shall increase to thirty feet (30') if the non-residential use is heavy commercial with outdoor storage or outdoor operations, or industrial.
- C. The following standards shall apply when a buffer wall is required:
  - 1. Fences and walls used as a buffer must have a minimum height of 6 feet (6') but may not exceed 8 feet (8') in height. If a fence is installed on top of a berm, the fence height shall be measured from the grade level of the berm and not from the natural grade. The height restriction shall not apply to decorative or architectural ornamental elements, such as pilasters and pilaster caps.
  - 2. Fencing & walls shall not be placed within a required sight triangle.
  - 3. Fences and walls must be constructed of high quality materials, such as decorative block, brick, stone, woodcrete (decorative concrete), faux stone, wrought iron and comparable materials. The use of chain-link fencing, with or without slats, sheet metal, railroad ties or like materials may not be used as a screening wall or fence.
  - 4. Breaks in the fence or wall may be made to provide pedestrian connections to the perimeter of the site and to adjacent development or to provide a means of access to maintain the buffer wall or required landscaping.
  - 5. In lieu of a masonry or wood screen, a combination of trees and shrubs and/or an earthen berm, may be installed to satisfy the minimum six-foot height. If vegetation is used for screening, vegetation shall be a minimum of six (6) feet tall at the time of planting, shall be evergreen and shall create an opaque barrier immediately at the time of planting. Earthen berms shall be constructed with a maximum 1:3 (one vertical to three horizontal) slope. The entire length of the berm shall be vegetated with dense evergreen plant material. The incorporation of screening mesh, shade cloth or other