

**LEGISLATIVE #**

**080466C**

## Proposed Automobile Parking changes in UMU-2

## Uses Permitted by right:

SIC	Use	Condition
GN-752	Automobile Parking	Structured parking only, and not within 100 feet of property designated for single-family use on the future land use map. <u>Temporary Parking may be allow in accordance with subsection (2) below .</u>

(2) Permitted Uses by Special Use Permit: ~~Alcoholic beverage establishments, in accordance with article VI.~~

SIC	Use	Condition
	Alcoholic beverage establishments	In accordance with article VI.
	Temporary Parking	<p>Temporary Parking shall only be allowed when it can be demonstrated that the parking will be replaced with either a building or parking structure, as part of a unified development concept, shown on the master plan.</p> <p>Temporary parking shall be allowed only for persons that work, live and do business in the identified area.</p> <p>The Special Use Permit may be granted for a period of 5 years with and automatic renewal of 5 additional years if the development concept is being followed.</p> <p>Security lighting must be provided.</p> <p>The Parking must be paved.</p> <p>All temporary parking facilities must provide a perimeter landscape area in accordance with <b>section 30-252 (b) (1)</b>. Interior landscaping shall not be required for temporary parking facilities, but may be provided at the discretion of the property owner.</p>

**Section 30-252 (b) (1).****(1) Perimeter requirements.**

- a. *Perimeter landscaped area required.* All vehicular use areas shall be separated by a perimeter landscaped area, a minimum of nine feet in width, from any public right-of-way and from any boundary of the property on which the vehicular use area is located.
- b. *Exceptions.* This landscape area is not required:
  1. When the paved ground surface area is completely screened from adjacent properties or public rights-of-way by intervening buildings or structures;
  2. When an agreement to operate abutting properties as essentially one contiguous parking facility is in force. The agreement shall be executed by the owners of the abutting properties, and shall bind their successors, heirs and assigns. Prior to the issuance of any building permit for any site having such a contiguous parking facility, the agreement shall be recorded in the public records of the county;
  3. When the paved area is at least 150 feet from the nearest property line; or
  4. When the required landscape strip would be in conflict with utility installations, and such conflicts cannot be resolved, such areas may be reduced to five feet and planted with shrubs and such understory trees as may be acceptable to the utility.
- c. *Location of perimeter landscape area.* The landscape area shall commence within five feet of the paved surface area, except that when a grass parking area is provided the landscaped strip may be located around such area. Where the perimeter landscape area and a required buffer strip overlap, the more stringent requirements shall be applied, except that the street buffer requirements shall be applied to street frontages not to exceed 300 feet for properties in use for auto sales. Perimeter buffering shall be required for all storage, accessory service and customer parking areas at any auto sales facility.
- d. *Modification of requirements.* The development review board or the plan board, through plan review, or the board of adjustment by special exception, or staff, when only staff review is required, may determine that:
  1. Screening is better achieved by relocation of the landscape strip;

2. There is an unresolvable conflict between other element(s) of the development plan and the location, width or height of the perimeter landscape area, and that the public interest is therefore best served by relocation of the landscape area, lowering the height of required material or the substitution of a solid fence or wall in conjunction with a reduction in width; or
  3. That the screening would only serve to emphasize a long driveway that would otherwise be unobtrusive.
- e. *Required plant material.* The perimeter landscape area shall contain:
1. Shrubs, arranged to provide a visual screen of 75 percent opacity and achieve a height of at least three feet within three years; and
  2. At least one shade tree planted for each 50 linear feet, or part thereof, of the boundary of the vehicular use area. The distance between such trees shall not exceed 55 feet.

The development review board or plan board during development plan review, or staff during administrative review, may determine that natural vegetation is sufficient to screen adjacent properties and rights-of-way. In such instance the existing vegetation, including understory plants and bushes, is protected from pruning and removal except that diseased plant material and invasive nonnative species may be replaced in accordance with this section. Where encroachments are made for utility connections, replacement plants appropriate to the ecosystem shall be required.