

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of December 6, 2011

SUBJECT: Proposed Technical Amendments to Chapter 62 (Landscaping and Screening) Sections 5:602 and 5:603 regarding Interior Landscaping and Conflicting Land Use Buffer Requirements

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the proposed amendments to Chapter 62 (Landscaping and Screening) Sections 5:602 and 5:603 regarding interior landscaping and conflicting land use buffer requirements.

STAFF RECOMMENDATION

Staff recommends approval of proposed amendments to Chapter 62 (Landscaping and Screening). The proposed changes will modify the interior landscaping requirements to apply the Bioretention and maximum parking aisle length requirements only to site plan extensions or projects that require City Planning Commission or City Council approval; and eliminate the conflicting land use buffer requirement for side and rear yards in the R4C (Multiple Family Dwelling District).

BACKGROUND

While implementing the recent Chapter 62 amendments, adopted by City Council in June 2011, staff has identified several unintended consequences that have arisen from the changes. The three amendments to Chapter 62 described below are proposed by staff to provide relief in situations where the application of the requirements would make it difficult to make minor changes to a developed site. The draft amendment language is attached to this report.

The Ordinance Revisions Committee reviewed the draft amendments on November 1, 2011 and made several revisions to the proposal.

PROPOSED AMENDMENTS

Section 5:602(2)(d) and (g) Vehicular Use Area Landscaping and Screening: The recent amendments to Chapter 62 require a maximum of 15 parking spaces without a landscaped island break and a requirement that 50% of the interior landscaping areas be depressed to accommodate storm water. These standards apply to all site plan submittals, including administrative amendments.

The proposed amendments will exempt administrative amendments from these requirements,

with the exception of administrative site plan extensions. Administrative amendments are intended to accommodate minor modifications to a site plan. The current language discourages minor improvements to a developed site because, in many cases, expensive modifications to existing parking lots would be required to accommodate the landscaping requirements.

Section 5:603(D) Conflicting Land Use Buffers: The recent amendments to Chapter 62 require a conflicting land use buffer for the side and rear yards of parcels zoned R3 and R4 when adjacent to a parcel principally used or zoned for residential purposes. This new language requires additional vegetation to be planted along the periphery of new multiple-family construction sites adjacent to residential uses. The new landscaping will help screen new residential buildings from existing neighborhoods. Prior to this modification, conflicting land use buffers were only required to screen parking lots and solid waste areas in residential areas.

The intent of this change was to address new residential construction on sites with substantial side setback requirements. However, the R4C zoning district primarily includes existing building on small lots in neighborhoods that do not historically have large open areas between lots. The R4C district also has small side setback requirements (12 feet).

The proposed amendments will not change the requirement to provide conflicting land use buffers for new development in the R3, R4A, R4B, R4D, and R4E zoning districts. Under this amendment, properties in the R4C zoning district will be exempt from this side and rear yard buffer requirement, but must still provide a conflicting land use requirement for parking lots and solid waste collection areas.

Prepared by Jeff Kahan
Reviewed by Wendy Rampson

11/30/11

Attachments: 11/29/11 Draft Amendments

**AN ORDINANCE TO AMEND CHAPTER 62 (LANDSCAPING AND SCREENING) TO REVISE
CONFLICTING LAND USE BUFFER REQUIREMENTS AND INTERIOR LANDSCAPING
REQUIREMENTS**

The City of Ann Arbor ordains:

Section 1. That amendments to Sections 5:602 of Chapter 62 of Title V of the Code of the City of Ann Arbor be made as follows:

5:602 Vehicular Use Area Landscaping and Screening.

Vehicular use areas shall have the following landscaping and screening:

- (1) Right-of-way screening: Vehicular use areas that are visible from a public right-of-way shall include the following between the vehicular use area and the right-of-way. This section applies to public alleys only when the public alley separates a residential use or zone from a vehicular use area.
 - (a) A landscaped buffer strip at least 10 feet in width. If there is an existing building or vehicular use area located within the required 10 foot landscape buffer strip, the landscape buffer strip may have an average of 10 feet in width over the entire length of the required buffer area, with no specific location along the buffer being less than 5 feet in width.
 - (b) One deciduous shade or evergreen tree must be installed in the landscape buffer area for every 30 feet or fraction thereof of public right-of-way street frontage of the vehicular use area. Arrangement of trees in clusters or groupings is encouraged, but in no case shall trees be more than 50 feet apart on center.
 - (c) A hedge, dense shrub planting, landform berm, wall or combination thereof forming a continuous screen at least 30 inches in height above the vehicular use area grade, is required in the buffer strip area to provide maximum screening of the vehicular use area. Arrangement of shrubs in clusters or groupings is encouraged. If a wall is used, it shall be set back at least 4 feet from the property line with 1 30-inch high shrub provided for every 4 lineal feet, planted on the street side of the wall.
 - (d) Gasoline or service stations shall employ berms or 30 inch high opaque walls between the vehicular use area and the public right-of-way unless the landscape buffer strip provided is 15 feet in width or greater. If the landscape buffer strip provided is 15 feet in width, then a landform berm, hedge and/or dense planting combination at least 30 inches in total height is acceptable. If a wall is used, it shall be set back at least 4 feet from the property line with 1 30-inch high shrub provided for every 4 lineal feet, planted on the street side of the wall.

- (e) The site design and planting scheme shall comply with the requirements set forth in this Chapter.
 - (f) Materials used in these areas shall comply with standards set forth in this Chapter.
- (2) Interior landscape islands. Vehicular use areas greater than 3,300 square feet shall contain protected landscape islands located entirely within the perimeter of the vehicular use area, for the purpose of breaking up the expanse of pavement. The following landscape island requirements must be met:
- (a) Within the interior of the vehicular use area, landscape islands shall be provided at the following ratios at a minimum:

Vehicular Use Area	Landscape Island/Vehicular Use Area Ratio
3,300—49,999 square feet	1:20 square feet
50,000—149,999 square feet	1:15 square feet
150,000 square feet & over	1:10 square feet

Multiple level parking structures are not required to have interior landscape islands but shall comply with all of the other requirements of this Chapter.

- (b) To be credited toward meeting the requirements of this section, each interior landscape island shall have at least 165 square feet, a minimum dimension of 8 feet in any direction, and shall include at least 1 deciduous shade tree. Combining landscape islands to form larger landscaped areas is encouraged.
- (c) Any landscaped area located outside the perimeter of the vehicular use area will not count toward satisfying this requirement. Landscaped areas within the corners of the vehicular use area may be counted, up to a maximum of 200 square feet for each corner, if at least 1 deciduous shade tree is located within that area. A minimum of 50% of the perimeter of the landscaped corner must abut the vehicular use area to be considered an interior landscape island.
- (d) [For Site Plan extensions or projects that require City Planning Commission or City Council approval: A-a](#) maximum of 15 parking spaces are allowed in a parking row without a landscape island break. If landscape islands have been combined to form larger landscaped areas and are used for bioretention then 20 continuous parking spaces will be permitted.

- (e) The total number of trees required in the interior landscape island shall be calculated and provided at a rate of 1 deciduous shade tree for each 250 square feet or fraction thereof of required interior landscape island.
- (f) Additional credit toward required interior trees may be obtained for existing trees which measure a minimum of 8 inches in diameter at breast height (DBH) that are preserved within the vehicular use area or within 15 feet of and on the same parcel as the vehicular use area. Each 8 inches or fraction thereof of DBH of any healthy existing tree that is preserved may be deemed equivalent to 1 required interior island tree. Up to 50% of the requirements of subsection (e) may be satisfied by preserving existing trees which meet the standards of this subsection. Additional credit allowed by this subsection is in addition to the credit allowed for existing vegetation used to meet the requirements of this chapter per Section 5:606(8).
- (g) [For Site Plan extensions or projects that require City Planning Commission or City Council approval:](#) ~~W~~hen the total area required in interior landscape islands for all of the vehicular use areas on site exceeds 750 square feet, at least 50% of the area in the required interior landscape area must be depressed bioretention areas and utilized for storm water management. Depressed bioretention areas can be used to meet the stormwater pretreatment requirements in Chapter 63. When the total area required in interior landscape islands for all of the vehicular use areas on site is less than 750 square feet, interior landscape islands in the form of depressed bioretention areas that are utilized for storm water management are encouraged.
- (h) Provision shall be made for snow pile storage locations such that they do not damage required plantings nor diminish required parking capacity.
- (i) The site design and planting scheme shall comply with the requirements set forth in this Chapter.
- (j) Materials used in these areas shall comply with standards set forth in this Chapter.

Section 2. That amendments to Sections 5:603 of Chapter 62 of Title V of the Code of the City of Ann Arbor be made as follows:

5:603. - Conflicting land use buffers.

A conflicting land use buffer shall be provided under the following conditions:

- (A) A vehicular use area adjacent to a public park or land principally used or zoned for residential purposes.
- (B) A refuse/recycling container adjacent to a public park or land principally used or zoned for residential purposes.
- (C) The portion of a parcel zoned O, RE, ORL, C, or M abutting a public park or parcel principally used or zoned for residential purposes.

- (D) The portion of a parcel zoned R3, ~~or R4A, R4B, R4D, or R4E~~ adjacent to a parcel principally used or zoned for residential purposes, except when the adjacent parcel is zoned D2.—

The conflicting land use buffer shall consist of the following:

- (1) A landscaped buffer strip at least 15 feet wide. If there is an existing building or vehicular use area located within the required 15-foot landscape buffer strip, the landscape buffer strip may have an average of 15 feet in width over the entire length of the required buffer area, with no specific location along the buffer strip being less than 8 feet in width
- (2) One tree for each 15 feet or fraction thereof of abutting land. At least 50% of the trees within the conflicting land use buffer shall be evergreen. Arrangement of trees in clusters or groupings is encouraged, but in all cases shall be between 15 feet and 30 feet apart on center. Plantings should be placed to screen the views between buildings that existed at the time of site plan approval, (especially windows and patio views) on the adjacent property.
- (3) A hedge, landform berm, wall, fence or combination thereof forming a continuous screen at least 4 feet high. All gasoline or service stations shall employ opaque walls as the continuous screen. For parcels principally used or zoned for residential purposes the requirement for a hedge, landform berm, wall or fence is only required to screen vehicular use areas and refuse/recycling containers that are adjacent to the conflicting land use buffer.
- (4) The site design and planting scheme shall comply with the requirements set forth in this Chapter.
- (5) Materials used in these areas shall comply with standards set forth in this Chapter.

Section 3. That this ordinance shall take effect on the tenth day following legal publication.