

UNIFIED DEVELOPMENT CODE  
(CONFLICTING LAND USE BUFFER)

AN ORDINANCE TO AMEND SECTIONS 5.20.3, 5.20.4 AND 5.20.6 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.20.3 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

**5.20.3 Vehicular Use Area Screening, Landscaping, and Screening Buffering**

Vehicular Use Areas shall have the following screening, landscaping, and screening, and buffering:

**A. Right-of-Way Screening**

Vehicular Use Areas shall be screened where that are visible from a Public Right-of-Way as follows: 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.

**1. Minimum Width**

A landscaped buffer screening strip at least ten feet in width between the vehicular use area directly in line with a public right-of-way must be at least ten feet in width. If there is an existing Building or Vehicular Use Area is located within the required ten-foot landscape buffer stripscreening strip, the landscape buffer strip may must have an average of ten feet in width over the entire length of the required buffer area, with no specific location along of the buffer strip being less than five feet in width.

**2. Plantings**

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 trees shall not be spaced more than 50 feet apart on center.

**3. Continuous Screening**

A hedge, dense shrub planting, landform berm, wall or combination of those features forming a continuous screen at least 30 inches in height above the Vehicular Use Area grade, is required in the buffer stripscreening 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 a maximum of 30 inches, set back at least four feet from the Lot Line, and have -with one a minimum 3015-inch high shrub provided for every four lineal feet, planted on the street side of the wall.

4. Exception: This section shall only apply to an Alley when the Alley separates a vehicular use area from a residential zoning district.

**B. Interior Landscape Islands**

Vehicular Use Areas shall provide interior landscape islands as follows:

~~greater than 3,300 square feet shall contain protected landscape islands located entirely within the perimeters of the Vehicular Use Area, for the purpose of breaking up the expanse of pavement. Multiple level Parking Structures are not required to have interior landscape islands but shall comply with all of the other requirements of this chapter.~~

~~The following landscape island requirements shall be met:~~

1. **Required Island Area**

~~Within the interior of the Vehicular Use Area, landscape islands shall be provided to meet or exceed the ratios shown in Table 5.20-1:~~

TABLE 5.20-1: <u>REQUIRED INTERIOR LANDSCAPE ISLAND AREAS</u>	
<u>VEHICULAR USE AREA</u>	<u>LANDSCAPE AREA/VEHICULAR USE AREA RATIO</u> <u>Ratio of required island area/vehicular use area</u>
<u>Less than 3,300 square feet</u>	<u>None</u>
<u>3,300--49,999 square feet</u>	<u>1:20 square feet</u>
<u>50,000--149,999 square feet</u>	<u>1:15 square feet</u>
<u>150,000 square feet and over</u>	<u>1:10 square feet</u>

2. **Minimum Island Dimensions**

~~To meet the requirements of this section, each~~Each interior landscape island shall have at least 165 square feet in area and, a minimum dimension of eight feet in any directiondimension, and

~~shall include at least one deciduous shade tree. Combining landscape islands to form larger landscaped areas is encouraged.~~

3. **Island Placement and Design**

a. ~~Any landscaped area located outside Interior islands shall be within the perimeter of the Vehicular Use Area will not count toward satisfying this requirement. Corner islands shall have at least 50% of its perimeter abutting the vehicular use area, subject to a maximum area of 200 square feet per corner island. 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 one deciduous shade tree is located within that area. A minimum of 50% of the perimeter of the landscape corner must abut the Vehicular Use Area to be considered an interior landscape island.~~

4.b. ~~Islands shall be located to separate every A maximum of 15 Parking Spaces or fewer, or 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 if the island is also used for bioretention.~~

c. ~~When 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 stormwater management. Depressed Bioretention areas can be used to meet the stormwater pretreatment requirements in Section 5.22 .~~

5. **Required Deciduous Trees**

a. ~~Each island shall have a minimum of 1 deciduous tree; and~~

b. ~~The total number of trees required provided in the interior landscaped island shall be calculated and provided at a rate equal of one deciduous shade tree for each 250 square feet or fraction of 250 square feet of required interior landscaped island area.~~

6. **Existing Tree Credits**

Additional credit toward required interior trees may be obtained for existing trees that measure a minimum of eight 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 eight inches or fraction of eight inches of DBH of any healthy existing tree that is preserved may be deemed equivalent to one required interior island tree. Up to 50% of the [requirements of Subsection 5 required deciduous trees](#) may be satisfied by preserving existing trees which meet the standards of this [subsection paragraph](#). Additional credit allowed by this [subsection paragraph](#) is in addition to the credit allowed for existing vegetation used to meet the requirements of Section 5.20.7L.

~~7. When 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 stormwater management. Depressed Bioretention areas can be used to meet the stormwater pretreatment requirements in Section 5.22. 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 stormwater management are encouraged.~~

~~8.7~~ Provision shall be made for snow pile storage locations such that they do not damage required plantings nor diminish required parking capacity.

### C. [Conflicting Use Buffer](#)

Vehicular Use Areas adjacent to a public park or a residential zoning district shall provide a conflicting use buffer as follows:

#### 1. [Width](#)

A buffer strip at least 15 feet in width around the perimeter of the vehicular use area where required. If an existing Vehicular Use Area is located within the required ten-foot buffer strip, the strip must have an average of 15 feet in width with no specific location of the strip being less than 8 feet in width.

#### 2. [Plantings](#)

One tree for every 15 feet of buffer length or fraction thereof shall be required. At least 50% of the trees must be evergreens.

#### 3. [Continuous Screen](#)

A hedge, wall or fence, or combination of those, at minimum of four feet high, shall be required to form a continuous, opaque screen. Walls and fences are also subject to the

Section 2. That Section 5.20.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

#### 5.20.4 Conflicting ~~Land Use~~District Buffers

A. ~~A~~ Conflicting ~~land usedistrict~~ buffer shall be ~~provided~~required where a parcel or portion thereof in a mixed-use, special purpose or nonresidential zoning districts abuts a public park or a parcel in a residential zoning district as follows~~under the following conditions:~~

- ~~1. A Vehicular Use Area adjacent to a public park or land principally used or zoned for residential purposes.~~
- ~~2. A refuse/recycling container adjacent to a public park or land principally used or zoned for residential purposes.~~
- ~~3. 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.~~
- ~~4. The portion of a parcel zoned R3 or R4 adjacent to a parcel principally used or zoned for residential purposes.~~
- ~~5. The portion of a parcel zoned TC abutting a Residential Zoning District or the PL district.~~

B. ~~The conflicting land use buffer shall consist of the following:~~

##### 1. **Width**

A landscaped buffer strip ~~must be~~ 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 theof~~ buffer strip being less than 8 feet in width.

##### 2. **Plantings**

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. **Continuous Screening**

A hedge, landform berm, wall, Fence or combination of those features forming a continuous screen at least four feet high. ~~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.~~

Section 3. That Section 5.20.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

#### **5.20.6 Refuse/Recycling Container Screening and Buffering**

~~Refuse/recycling containers, carts and dumpsters for solid waste, recycling, or compost, stored outside of a building for other than a Single-Family and Two-Family Dwelling, shall be screened from view or buffered from any adjacent residential use or Public Right-of-Way, excluding Alleys as follows.~~

##### **1. Right-of-Way Screening**

~~Containers visible from a public right-of-way, except for alleys, shall be Screening screened shall consist of by a six-foot high opaque wall or Fence. Live landscape material shall be located so it does not interfere with the function of the refuse container is encouraged in addition to the opaque screen.~~

##### **2. Conflicting Use Buffer**

~~Containers on parcels adjacent to a residential zoning district shall provide a buffer as follows:~~

##### **1. Width**

~~A buffer strip at least 15 feet in width around the container storage area.~~

##### **2. Plantings**

~~One tree for every 15 feet of buffer length or fraction thereof shall be required. At least 50% of the trees must be evergreens.~~

##### **3. Continuous Screen**

~~A six-foot high opaque wall or fence.~~

Section 4. That this ordinance shall take effect and be in full force on and after ten days from legal publication.

