



Legislation Details (With Text)

**File #:** 110695      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 9/20/2011      **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:**      **Final action:** 11/2/2011

**Effective date:**

**Title:** A substitute ordinance relating to landscaping requirements for heavy motor vehicle parking lots, heavy motor vehicle outdoor storage and contractors' yards.

**Sponsors:** THE CHAIR

**Indexes:** PARKING LOTS, ZONING

**Attachments:** 1. ZCTC Letter, 2. Hearing Notice List 9-23-11 Mtg., 3. Hearing Notice List - 10/25/11 Mtg., 4. Notice Published on 10-10-11 and 10-17-11, 5. City Plan Commission Letter, 6. Notice Published 11-18-11

Date	Ver.	Action By	Action	Result	Tally
9/20/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/21/2011	1	CITY CLERK	DRAFT SUBMITTED		
9/22/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/22/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
9/23/2011	1	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
10/10/2011	1	CITY CLERK	PUBLISHED		
10/20/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/20/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/25/2011	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
10/25/2011	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/2/2011	2	COMMON COUNCIL	PASSED	Pass	15:0
11/7/2011	2	MAYOR	SIGNED		
11/18/2011	2	CITY CLERK	PUBLISHED		

110695  
SUBSTITUTE 2

THE CHAIR

A substitute ordinance relating to landscaping requirements for heavy motor vehicle parking lots, heavy motor vehicle outdoor storage and contractors' yards.

- 295-405-1-a (table) am
- 295-405-1-b-9 cr
- 295-405-1-c (table) am

This ordinance creates a new category of perimeter landscaping and edge treatment standards, type “I,” which may be used for screening heavy motor vehicle parking, heavy motor vehicle outdoor storage and contractors’ yards. This landscaping type is an alternative to existing types “E” and “F” and differs from those types primarily in that a decorative metal fence may be used as part of a type “I” treatment, but a masonry wall or opaque fence is required for type “E” or “F.”

Part 1. Table 295-405-1-a of the code is amended to read:

<b>Table 295-405-1-a PERIMETER LANDSCAPING AND EDGE TREATMENT REQUIREMENTS BY USE AND ZONING DISTRICT</b>									
<b>Key:</b> required - this is the minimum landscaping/edge treatment requirement for this land use in the specified zoning district allowed - this landscaping/treatment type may be used as an alternative to the “required” type for this land use in the specified zoning district not permitted - this landscaping/edge treatment type cannot be used for this particular use in the specified zoning district use not permitted - this land use is not permitted in this zoning district therefore, no required landscaping type is specified									
Type of Use:	Light Motor Vehicle Parking; Vehicle Operating Area			Motor Vehicle Sales Lot	Heavy Motor Vehicle Parking; Storage Yards; Contractors’ Yards; Outdoor Salvage Operations			Mechanical Equipment, etc	Lt. Motor Vehicle Parking Next to Res. Use
	Type A	Type B	Type C	Type D	Type E	Type F	>>Type I<<	Type G	Type H
Zoning District:									
NS2, LB2, RB2	not permitted	required	allowed	required	not permitted	required	>>allowed* <<	required	required
NS1, LB1, RB1, CS	required	allowed	not permitted	required	required	allowed	>>allowed* <<	required	required
C9A-C9H	not permitted	required	allowed	use not permitted	not permitted	required	>>allowed* <<	required	required
IM	not permitted	required	allowed	required	not permitted	required	>>allowed* <<	required	required
IO2, IL2	not permitted	required	allowed	required	required	allowed	>>allowed* <<	required	required
IO1, IL1	required	allowed	allowed	required	required	allowed	>>allowed* <<	required	required
IH	required	allowed	allowed	required	not permitted	required	>>allowed* <<	required	required
PK, TL	required	allowed	allowed	use not permitted	use not permitted	use not permitted	>>use not permitted <<	required	required
RM5-RM7, RO2	not permitted	required	allowed	use not permitted	use not permitted	use not permitted	>>use not permitted <<	required	required
RT3-RT4, RM3-RM4	not permitted	required	allowed	use not permitted	use not permitted	use not permitted	>>use not permitted <<	required	required
RS1-RS6, RT1-RT2, RM1-RM2, RO1	required	allowed	not permitted	use not permitted	use not permitted	use not permitted	>>use not permitted <<	required	required
>>*Not permitted for outdoor storage (except heavy motor vehicle outdoor storage) or outdoor salvage operations.<<									

Part 2. Section 295-405-1-b-9 of the code is created to read:

**295-405. Landscaping.**

**1. PERIMETER LANDSCAPING AND EDGE TREATMENTS.**

**b. Types of Landscape Treatment.**

**b-9. Type “I” Landscaping (Heavy Motor Vehicle Parking Lots, Heavy Motor Vehicle Outdoor**

Storage, Contractors' Yards). This type is intended to provide an alternative to types "E" and "F" for the street frontages of heavy motor vehicle parking lots, heavy motor vehicle outdoor storage and contractors' yards. It has similar tree and shrub requirements, but allows for the installation of a decorative metal fence instead of requiring a wall or opaque fence.

Part 3. Table 295-405-1-c of the code is amended to read:



APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date:

Department of City Development

LRB133944-3

Jeffrey D. Osterman

10/12/2011