



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

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TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request to modify Parking Lot Landscaping regulations Section 10-3-30.1 of the Zoning Ordinance. The first amendment includes modifying the opening paragraph of Section 10-3-30.1 to clarify that all parking lot landscaping regulations shall apply to redeveloping properties. The next modification is to subsection (2) to exempt property owners from the requirement of erecting a wall or fence of at least 3 feet in height where their parking lot is less than 10 feet from side or rear property lines where the adjoining parcel has an existing building located on the shared property line. The last amendment is to subsection (16), which requires, among other things, when enlarging an existing parking lot that may be non-conforming to the parking lot landscaping regulations to provide landscaping that is at least proportionate to any enlargement. The amendment includes adding a note to clarify that repaving, regravelling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement.

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING
HELD ON:** March 11, 2015.

Chair Fitzgerald read the request and asked staff for a summary.

Mr. Fletcher said after almost two and half years of implementing the new Parking Lot Landscaping regulations Section 10-3-30.1 of the Zoning Ordinance, which were put into practice on September 1, 2012, staff is proposing minor modifications to improve and clarify its application and to provide flexibility for meeting side and rear lot line separation requirements for parking lots adjacent to existing buildings on adjoining lots having established zero lot line setbacks.

Perhaps the most questioned interpretation of applying the Parking Lot Landscaping regulations has been when parcels are being redeveloped or are making some kind of change to the existing use or parking lot. To help clarify the intent of the regulations, we are proposing to modify the opening paragraph of the section along with amending subsection (16) by adding the following text (additions are underlined):

Opening paragraph:

This section is applicable to all uses, and to all parking lots, both required and not required, except single family detached and duplex dwelling units. All developing and redeveloping properties shall conform to all regulations of this section. Reference the Design and Construction Standards manual Example Parking Lot Landscaping drawings 2.6.8 Examples A and B for visual aids of the applied regulations.

Subsection (16):

Nonconforming Landscaping: An existing building/use that has parking lot landscaping that is nonconforming as to the minimum landscaping requirements of this section may be enlarged; however, required landscaping shall be provided at least proportionate to any enlargement of the parking lot. Any enlargement of a parking lot on any property having an existing landscaping border separating parking spaces from public street right-of-way lines, which is five (5) feet or larger, shall provide trees within the border as required by subsection 10-3-30.1 (4). (Note: Repaving, regravelling, redesigning, or restriping a parking lot or increasing the number of parking spaces without increasing the net square footage of a parking lot does not constitute an enlargement.)

In addition to the above described amendments, staff is proposing to alleviate separation requirements for parking lots adjacent to lots having existing buildings with zero setbacks. Currently, subsection (2) requires parking lots to be separated from all side and rear property lines by a landscaping border not less than 10 feet in width or by a wall or fence of at least three feet in height, except along adjoining lot lines which lie within a shared parking agreement. Staff continues to believe this is a sound regulation, but would like to offer flexibility for property owners who wish to construct parking lots up to side or rear property lines and not have to erect a wall or fence when the parking lot is adjacent to existing buildings on adjoining lots having zero lot line setbacks. Although this situation has not yet been presented to staff as a hardship for property owners, staff believes applying this rule in such a scenario is unnecessary as property owners would simply be erecting a wall or fence adjacent to the wall of an existing building to satisfy the landscaping requirement. This situation is most likely to occur for properties in the B-1 district, adjacent to the B-1 district, adjacent to parcels which received a special use permit to allow zero lot line setbacks, or adjacent to parcels with existing buildings that are nonconforming to setback regulations because the building is located on the shared property line and next to the parking lot.

To offer this flexibility, staff is proposing to add the following text within subsection (2) (additions are underlined):

- (2) Parking lots shall be separated from all side and rear property lines by a landscaping border not less than ten (10) feet in width or by a wall or fence of at least three (3) feet in height, except along adjoining lot lines which lie within a shared parking arrangement- or where existing buildings on adjoining lots are located on shared property lines.

Staff recommends approving the proposed amendments.

Chair Fitzgerald asked if there were any questions for staff.

Mr. Colman said you refer to repaving or regravelling, what if someone wants to pave a gravel parking lot?

Mr. Fletcher said that is fine, as long as the square footage is not increased.

Mr. Way said with regard to the first amendment change, is that language correct – “all developing properties or redeveloping properties.” Should it be “properties under development or properties under redevelopment?” I do not think properties can be developing; it is the people who do the developing.

Mr. Fletcher said we can reword it to state “all properties being developed or redeveloped.”

Mr. Way said that sounds better.

Chair Fitzgerald opened the public hearing and asked if there was anyone wishing to speak in favor of the amendments. Hearing none, she asked if there was anyone wishing to speak in opposition of the amendments. Hearing none, she closed the public hearing and asked for discussion or a motion.

Mr. Way moved to recommend approval of the Zoning Ordinance amendments to the Parking Lot Landscaping with the suggested change.

Mr. Da'Mes seconded the motion.

Chair Fitzgerald called for a voice vote on the motion.

All voted in favor of the motion to recommend approval (6-0).

Respectfully Submitted,

Alison Banks
Planner