

CITY OF CONCORD

In the year of our Lord two thousand and nineteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-5, Supplemental Standards; and Article 28-7, Access, Circulation, Parking and Loading

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards; Section 28-5-19, Motor Vehicle and Recreational Sales by amending it as follows:

The outdoor display area for the sale or leasing of motor vehicles, recreational vehicles, and recreational equipment shall comply with the parking lot design standards for surfacing, drainage, landscaping, illumination and curbing in accordance with the provisions of Sections 28-7-7(g), Setbacks and Restrictions; 28-7-7(h), Surfacing and Drainage; 28-7-7(i), Curbing and Guardrails; 28-7-7(j), Illumination of Parking Areas; and 28-7-10, Parking Area Landscaping Standards, of this ordinance. ***The outdoor display area for the sale or leasing of motor vehicles is allowed on lots for which motor vehicle sale or lease is the principal use, as well as on abutting lots in the same zoning district.***

SECTION II: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-7, Access, Circulation, Parking and Loading; Section 28-7-10, Parking Area Landscaping Standards, by amending paragraphs (b) and (d) as follows:

- (a) ***Parking Lot Perimeter Landscaping Required.*** Where the provision of a parking lot of more than ten (10) spaces is required, an area of not less than five (5) feet in width along the perimeter of the parking lot shall be landscaped. Where a setback of ten (10) feet is required along collector and arterial streets pursuant to Section 28-7-7(g), Setbacks and Restrictions, of this ordinance, the landscaped area shall be increased to ten (10) feet in width to coincide with the required setback. The landscaped area shall be increased to ten (10) feet in width along the perimeter of a parking lot required to contain more than three hundred seventy-five (375) parking spaces, and the landscaped area shall be increased to fifteen (15) feet in width along the perimeter of a parking lot required to contain more than seven hundred fifty (750) parking spaces. If a parking lot is located within fifty (50) feet of a residential district boundary, in order to shield the residential district from the glare from headlights, the perimeter landscaping shall include at least one of the following features:

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- (1) A hedge or other dense planting at least four (4) feet in height consisting of at least fifty (50) percent evergreen shrubbery;
 - (2) An earth berm or change in grade of not less than four (4) feet vertical measure above the elevation of the parking area surface;
 - (3) A solid wall at least four (4) feet in height; or
 - (4) Any combination of the above listed options (1), (2), and (3) which will achieve four (4) feet in height.
- (b) ***Parking Lot Interior Landscaping Required.*** Where the provision of off-street parking for fifty (50) or more vehicles is required, there shall be landscaped open space within the perimeter of the parking lot in the minimum amount of five (5) percent of the gross parking lot area. Where more than three hundred seventy-five (375) parking spaces are required, landscaped open space shall be provided within the perimeter of the parking lot in the minimum amount of six (6) percent of the gross parking lot area. Where more than seven hundred fifty (750) parking spaces are required, landscaped open space shall be provided within the perimeter of the parking lot in the minimum amount of seven (7) percent of the gross parking lot area. All such landscaped areas shall be computed as an addition to the gross parking lot area required for parking spaces, aisles and circulation. The landscaped open space shall have no horizontal dimension of less than nine (9) feet and shall be located so that no parking space is more than one hundred twenty (120) feet from a portion of such landscaped areas. ***The Planning Board may grant a Conditional Use Permit, in accordance with the requirements of Section 28-9-4(b), to allow the distance between a parking space and a landscaped area to exceed one hundred and twenty feet (120) for vehicular display in the Highway Commercial District (CH).***
- (c) ***Use of Required Landscape Areas Restricted.*** Parking, and the storage and display of vehicles, goods, and materials are prohibited within the required landscaped areas.
- (d) ***Landscape Material Standards.*** All landscaped areas required by this Article shall contain no less than one live shade or ornamental tree for every [~~one thousand (1,000)~~] ***two thousand (2,000)*** square feet of parking area. Such trees shall have a minimum trunk diameter (measured twelve (12) inches above the ground level) of not less than two (2) inches and shall be planted not more than fifty (50) feet apart within each contiguous landscaped area. All landscaped areas shall contain shrub and ground cover plantings, and shall not be paved except for walkways necessary for pedestrian safety. ***The Planning Board may grant a Conditional Use Permit to pay a fee in lieu to the City of Concord Urban Tree Trust Fund in an amount equal to the wholesale and installation cost of the trees required but not installed under this provision for nonresidential developments.***

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- (e) *Landscape Maintenance*. All required landscaped areas shall be adequately maintained such that the minimum landscape material standards are always met.

SECTION III: This ordinance shall take effect upon its passage.

Explanation: Matter added to the current ordinance appears in ***bold italics***.

Matter removed from the current ordinance appears in [brackets and ~~struck through~~].