



To: President and Members of the Town Council

From: Tom Vander Woude, Planning Director
Dustin Anderson, Town Manager

Date: February 26, 2020

Re: PC 20-001: Town of Munster Plan Commission seeking to amend certain sections of the Munster Zoning Ordinance related to landscaping requirements.

The purpose of this memo is to request approval of text amendments to the Munster Zoning Ordinance that will clarify the landscaping requirements for commercial developments.

Background

On December 23, 2019 the Munster Town Council approved Ordinance 1788 and adopted the Munster Character-Based Code as a replacement zoning code.

The previous version of the zoning code contained a provision in the landscaping section that required the installation and maintenance of code compliant landscaping for most commercial projects. This provision was beneficial and resulted in properties being updated and enhanced. In some instances, though, owners of properties that were already developed were unable to comply with the landscaping requirements and had to seek variances in order to redevelop their properties. In other instances, the cost to comply with the landscaping code greatly exceeded the cost of the original project, which discouraged reinvestment.

While drafting the new Character-Based code, we recognized that in order to promote incremental improvements to the built environment, proportional site improvements should be an integral component of construction projects. For example, there are certain instances when a major project, such as a rebranding or a significant expansion of a building or a parking lot, should require substantial updates to the landscaping as well. Conversely, a minor improvement should only require minor landscaping enhancements. We discussed some strategies to meet this goal, but they were not incorporated into the adoption draft of the code.

To strike a balance between the two approaches, the Plan Commission is recommending a text amendment to incorporate language below into the zoning code.

The following section is a new paragraph that establishes the triggers for certain landscaping improvements:

Section 26-6.405.P.1.e.

In addition, in all Districts and Civic Zones, the following improvements require the provision of private lot landscaping in the manner described here:

1. New development - All landscaping requirements shall be met.
2. Construction of a new principal building or construction of an addition to a principal building – All landscaping requirements shall be met.
3. Modifications of the exterior of a principal building that require a building permit and include architectural or building material changes

- a. Where the cost is greater than or equal to \$25,000 and less than \$100,000
 - i. Screening and perimeter screening requirements shall be met for the entire parking area or parking lot.
 - ii. Existing landscaped areas shall be brought into compliance with current landscaping standards.
 - b. Where the cost is greater than or equal to \$100,000 – all parking area and parking lot landscaping requirements shall be met.
4. Modifications of the interior of a principal building that require a building permit, not including maintenance, where the cost is greater than or equal to \$100,000 – All landscaping requirements shall be met.
5. Over fifty percent (50%) of the total area of an existing parking lot is reconstructed – All requirements shall be met for entire parking area or parking lot.
6. Parking Area or Parking Lot expansions
 - a. Parking Area or Parking Lot expansions in which the number of additional parking spaces that will be provided is less than twenty-five percent of the number of existing parking spaces on the site or the lot is expanded by less than twenty-five percent in total surface area.
 - i. Screening requirements shall be met for the entire parking area or parking lot.
 - ii. New portions of the parking area or parking lot shall meet requirements for internal landscaping.
 - b. Parking area or parking lot expansions in which either the number of additional parking spaces is greater than or equal to twenty-five percent of the number of existing parking spaces on the site or the parking area or parking lot is expanded by twenty-five percent or more in total surface area.
 - i. Screening and perimeter screening requirements shall be met for the entire parking area or parking lot.
 - ii. Internal landscaping requirements shall be met for the entire parking area or parking lot.
7. Restoration or modification of an existing landscaped area – Restored or modified areas shall be brought into compliance with current landscaping standards.

The following section is a new paragraph that permits the Planning Director to reduce or waive landscaping when it would eliminate required parking spaces.

Section 26-6.405.P.1.f.

The Planning Director may modify the amount of landscaping required by this Section for existing parking areas or parking lots, including exempting existing parking areas or parking lots from providing landscaping, if such landscaping would reduce the number of parking spaces and result in a nonconformity.

The following section is a revision that clearly defines the screening requirements for parking lots in front of or adjacent to a building (text in blue is to be added; text crossed out is to be removed)

Section 26-6.405.O.1.h.vii.II

Any Parking Area or Parking Lot in the First or Second Lot Layer shall be Screened from the public right-of-way in accordance with ~~Section 26-6.405.N.~~ the following:

The Parking Area or Parking Lot shall be Screened from the public right-of-way with a perimeter planting strip a minimum of 7 feet in width from front to back planted adjacent to the public right-of-way containing all of the following:

A hedge screen between 3 feet and 3.5 feet in height adjacent to the edge of the public right-of-way.

Shade trees planted at a rate of one per 30 feet of linear frontage (where overhead utility conflicts prohibit shade trees, small or medium trees shall be planted at intervals equal to their mature canopy).

An ornamental metal fence screen or a wall screen between 3 feet to 3.5 feet in height installed a minimum of two feet from the inside of the parking area or parking lot curb.

The Plan Commission discussed the proposed amendments at a public hearing on February 11, 2020 and voted 7 to 0 to forward a favorable recommendation for approval to the Town Council.

The Town Council must now take final action to approve or deny the text amendments.

Attachments

1. Ordinance No. 1795 An Ordinance Amending Article V and Article IX of the Town of Munster Municipal Code to Clarify Provisions Related to the Site Plan Review Committee and Add Two Plan Commissioners to the Committee Membership
2. Plan Commission certification of recommendation to the Town Council

Recommendation

The Plan Commission recommends the following:

By motion and voice vote, consider Ordinance 1795 on first reading and set second reading and adoption for the next regular meeting.