

TO: MPC Commissioners
FROM: Fountain City Town Hall, Inc.
DATE: August 8, 2017
RE: Item 5, 5-A-16-OA, Off-Street Parking

Amending off-street parking requirements is complex and has taken a great deal of effort and time.

We offer the following comments:

1. Should a parking lot setback from public right-of-way be included in **Section 7., C. Location and Setbacks**, in addition to the language in **J. Parking Lot Landscaping**?
2. In order to maintain the protection provided in the existing ordinance where commercial and office parking lots face residential development in the same block, but across the street, please delete "**and on the same side of the road**" in the proposed Article V, Section 7, C.. 2.

Proposed Ordinance Language:

Article V, Section 7, Off-street Parking, Access, Driveways, and Landscaping Requirements.

C. Location and Setbacks

2. *"Parking lots with common frontage in the same block and on the same side of the road with residentially zoned property shall be setback twenty-five (25) feet from the street line, provided, however, that this setback shall not apply to multi-dwelling structure(s) or development(s)."*

Existing Ordinance Language:

Article V, Section 7, A., Off-Street Parking Requirements, 2. Location and Setbacks,

D. *"Where the parking lot, for other than a multi-dwelling structure or development, is **contiguous** to a residential district which has common frontage in the same block with the parking lot, there shall be established a setback line of twenty-five (25) feet from the street lot line."*

(NOTE: The use of the word "**contiguous**" may be confusing in this context -- different zoning districts across the street from each other. In such cases the centerline of the street is the zoning boundary, according to **Article III, Zoning Districts and Maps, Section 3., Rules for Interpretation of District Boundaries**, 1. *"Boundaries shown as following or approximately following streets, highways, or alleys shall be construed to follow the centerline of such streets, highways or alleys."* Therefore, since the street centerline is the zoning boundary, a residential district on one side of the street is "contiguous" to a commercial or office district on the other side of the street.)

The existing and proposed provisions address parking lots, for other than multi-dwellings, with frontage on the same street and in the same block, as residential property. These are locations where residential development directly meets office or commercial development. For example, a street where a parking lot for a commercial or office development is on one side of the street and a single-family residential development is on the other side of the street in the same block.

However, unlike the existing provisions, which apply when parking lots face a residential property across a street, in the proposed ordinance the 25-foot ordinance setback requirement would **only apply** when the commercial or office **parking lot is on the same side of the street** as the residential zoning. The 25-foot setback would **not apply** when the **parking lot faces residentially zoned property**, directly across a street in the same block.

In our opinion, the 25-foot setback should apply when parking lots serving commercial or office zoning districts are directly across a street from non-multi-dwelling residential development.

Under the proposed ordinance, only a 10-foot setback would be required when a parking lot for a commercial or office district is across the street and facing a residential district. **That is the same 10-foot setback proposed to be required for a parking lot in a commercial district facing another parking lot in a commercial district, across the street.**

A 10-foot parking lot setback cannot adequately reduce the negative impact of a commercial or office parking lot on a residential property located directly across the street. Additionally, a 10-foot buffer is inconsistent with the adopted One Year Plan, which states that low density residential development should be buffered from incompatible uses.

Therefore, we ask that *"and on the same side of the road"* be deleted.

Thank you,
Charlotte Davis and Carlene V. Malone, Land Use Co-Chairs