

Sec. 9-6. - Nonconforming landscaping, buffering, and screening.

9-6.1. Expansion of nonconforming parking lots. Parking lots that do not comply with current landscape, buffer, and screening requirements and are proposed to be expanded shall, to the extent practicable as determined by the administrator, comply with the requirements of section 6-3, landscaping, buffering, and screening, based on the following schedule:

- (A) Any expansion of a nonconforming parking lot located on a corner lot shall require the applicant to comply with the requirements set forth in section 6-3.4, interior parking lot landscaping, section 6-3.6, street buffer yards, and section 6-3.3, street trees.
- (B) Expansion of a nonconforming parking lot located on an interior lot that increases the number of parking spaces or amount of impervious surface by 25 percent or more (or that results in an increase of 25 percent or more within a five-year period) shall comply with the requirements set forth in section 6-3.4, interior parking lot landscaping, section 6-3.6, street buffer yards, and section 6-3.3, street trees.
- (C) Expansion of a nonconforming parking lot located on an interior lot that increases the number of parking spaces or amount of impervious surface by less than 25 percent shall require the applicant to comply with 50 percent of the planting rate established in in section 6-3.4, interior parking lot landscaping, section 6-3.6, street buffer yards, and section 6-3.3, street trees.

9-6.2. Change of Use. When the use of a building or site changes from one use classification to another use classification, the parcel on which the building or site is located shall, to the extent practicable as determined by the administrator, comply with the requirements of section 6-3, landscaping, buffering, and screening, based on the following schedule:

- (A) If a change of use constitutes less than 25 percent of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section and all other applicable city, state and federal regulations to the greatest extent practicable, as determined by the administrator, provided the new use fully complies with the requirements of subsection 6-3.5, perimeter buffering and screening requirements, and subsection 6-3.7, additional screening requirements.
- (B) If a change of use constitutes 25 percent or more but less than 50 percent of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section and all other applicable city, state and federal regulations, to the greatest extent practicable, as determined by the administrator, provided the new use fully complies with the requirements of subsection 6-3.5, perimeter buffering and screening requirements, subsection 6-3.7, additional screening requirements; and subsection 6-3.3, street trees.
- (C) If a change of use constitutes 50 percent or more of the floor area of a structure or lot accommodating one or more uses (within a five-year period), the property shall comply with the provisions of this section and all other applicable city, state and federal regulations, to the greatest extent practicable, as determined by the administrator, provided the new use fully complies with the requirements subsection 6-3.5 perimeter buffer yard requirements, subsection 6-3.7, additional screening requirements, subsection 6-3.3, street trees; and 50 percent of the planting rate established in subsection 6-3.4, interior parking lot landscaping, and subsection 6-3.6, street buffer yards.

9-6.3 Parking reduction for landscape compliance. In determining the extent to which compliance with sections 9-6.1 and 9-6.2 is practicable, the administrator shall balance the objectives of section 19-6.1, off-street parking and loading, and section 19-6.3, landscaping, buffering, and screening, and may reduce the proposed number of parking spaces/paved area by a maximum of 20 percent to accommodate the otherwise-required landscaping and screening.