

Purpose of Amendments to 12.12.090 and 12.20.020

To address the loss of limited open green space in our environmental justice community and to rebalance the need to maintain said open green space and the need for adequate parking in our community, the following amendments are proposed.

Be it ordained by the Malden City Council that the Code of the City of Malden (MCC) 12.12.090, Subsection B. OFFSITE OFF-STREET PARKING LOTS and 12.20.020, Subsection I. GENERAL OFF-STREET PARKING REQUIREMENTS is hereby amended as follows:

12.12.090.B.5.b At the end after ‘landscaping materials’ add ‘except overly compacted surfaces, such as but not limited to, crushed stone or stone dust. Parking shall be prohibited in the landscaped area.’

12.20.020.I.5 Strike ‘covered with crushed stone’

12.20.020.I.5 After ‘so as to prevent erosion’ add ‘and encourage onsite water infiltration. Landscaping shall not include overly compacted materials, such as but not limited to, crushed stone or stone dust. Parking shall be prohibited in the landscaped area.’

12.20.020.I.12 Strike subsection in its entirety and inserting in its place the following:

“Open Space Coverage (including front yards, side yards, and rear yards): A minimum of 50% of the front yards, as determined by the main entrance to the property, shall be landscaped according to the requirements of Subsection I.5 above. Additionally, a minimum of 50% of the total required open space onsite for all residential uses, such as but limited to front, side, and rear yards, shall be landscaped according to the requirements of Subsection I.5 above.”

12.12.090.B.5.b OFFSITE OFF-STREET PARKING LOTS

B. In all districts;

B.5 In all districts, landscaped areas shall be provided onsite in accordance with the following:

- a) For every parking space, ten (10) square feet of landscaped space shall be provided onsite.
- b) A minimum of 75% of the front yard setback, each side yard setback and the rear yard setback of the parking facility shall be landscaped with plantings or other permeable landscaping materials **except overly compacted surfaces, such as but not limited to, crushed stone or stone dust. Parking shall be prohibited in the landscaped area.**

12.20.020.I.5 GENERAL OFF-STREET PARKING REQUIREMENTS

I.5 Landscaping: All required yard areas shall be landscaped except where paved for parking or access. All other yard areas not paved or covered by building shall be landscaped, mulched, ~~covered with crushed stone~~, or otherwise treated so as to prevent erosion **and encourage onsite water infiltration. Landscaping shall not include overly compacted materials, such as but not limited to, crushed stone or stone dust. Parking shall be prohibited in the landscaped area.** Off-street parking areas of twenty (20) or more parking spaces, with the exception of parking structures, shall be planted with shade trees of a species and location approved by the Malden Tree Warden. There shall be a minimum of one (1) tree for every ten (10) parking spaces. Each tree shall be a minimum of one and one-half (1-1/2)

inches in caliper and eight (8) feet in height at time of planting. Any tree surrounded on three (3) or more sides by pavement shall be planted within a raised island, bound by a granite curb a minimum of six (6) inches in height, covered with a porous material for water drainage to the tree roots, and have a minimum surface drainage area immediately surrounding the tree of thirty (30) square feet.

#### 12.20.020.I.12 GENERAL OFF-STREET PARKING REQUIREMENTS

I.12 ~~Front yards, side yards and rear yards: A minimum of 50% of the front yards, side yards and rear yards of single, two, three and four family and town/row residential uses shall be devoted to a lawn and/or landscaping area (not paving).~~

**Open Space Coverage (including front yards, side yards, and rear yards): A minimum of 50% of the front yards, as determined by the main entrance to the property, shall be landscaped according to the requirements of Subsection I.5 above. Additionally, a minimum of 50% of the total required open space onsite for all residential uses, such as but limited to front, side, and rear yards, shall be landscaped according to the requirements of Subsection I.5 above.**