

ORDINANCE NO. 14-4192

BE IT ORDAINED by the City Council of the City of Decatur, in the State of Alabama, as follows:

Section 1. That the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended, are further amended, changed and modified as follows:

Zoning Text Amendment 228-14

The effect of the proposed amendment will be to amend the Code of Decatur, Alabama Sections 25-11.3.5 Minimum Yard Size, Section 25-11.3.8 Off-street Parking, and Section 25-11.3.11 Landscaping and Lighting as it relates to landscaping in the RD-2 Redevelopment District on the east side of 6th Avenue SE.

Section 1:

That Subsection 5, Minimum Yard Size, of Section 25-11.3 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Minimum Yard Size:

Front Yard: Lots facing Sixth Avenue (U.S. Hwy 31), shall be required to have a minimum 25 foot setback.

Rear Yard: None - except a landscaping buffer berm, twenty (20) linear feet in width, (as described in Section 25-11.3.(11).D) required for all properties contiguous with 7th Avenue SE.

Side Yard: Lots adjoining residential along its side lot line shall be required to have a side yard of not less than eight (8) feet. Lots contiguous with side streets shall provide frontage landscaping as defined in Section 25-16 (9) (f) of the Zoning Ordinance of the City of Decatur.”

Section 2:

That Subsection 8, Off-Street Parking of Section 25-11.3 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Off-Street Parking: Not specified, but all parking must be contained on the property site, or on adjacent property (may be separated by an alley), or with a shared parking agreement with an adjoining property owner. All parking lots shall be paved and striped.”

Section 3:

That Subsection 11, Landscaping and Lighting, of Section 25-11.3 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Landscaping and Lighting: Landscaping and lighting criteria are hereby established to protect and preserve the appearance and value of surrounding properties. All landscaping plans shall be designed, stamped and sealed by a registered Landscape Architect of the State of Alabama.

A. All development, with the exception of single family residential, will be required to provide frontage landscaping (as defined in Section 25-16(9) (f) of the City of Decatur Zoning Ordinance), foundation landscaping and perimeter landscaping (as defined in Section 25-16(9) (g) and (h) of the City of Decatur Zoning Ordinance). All development landscaping shall be irrigated with an irrigation system.

B. All development adjacent to residential property shall provide perimeter landscaping within the property lines between the off-street parking area and adjoining properties of not less than 5' in depth, or

C. All development adjacent to residential property shall provide a solid fence or wall. The fence shall be a minimum of 6 (six) feet high. Chain link or other wire fencing material is prohibited.

D. All development that has a property line contiguous with 7th Avenue SE shall provide a rear landscaping buffer berm of not less than 20 linear feet in width and 4 linear feet in height as measured from the finished floor elevation of the proposed development. The buffer berm shall run the full length of the property along 7th Avenue and shall be designed to create a continuous opaque screen within 2 years of planting and should be planned for low maintenance. The buffer berm shall be a maximum 3:1 slope with a four (4) foot retaining wall and a minimum seven (7) linear foot planting area at the top of the berm. The buffer berm shall be designed and located as shown in the Cross Section of Figure A. The retaining wall shall be constructed for the full length of the property with one column every 50 linear foot. The retaining wall may be constructed from stone, brick, or any similar masonry material. Construction material for the retaining wall shall be shown on the landscaping plan. Wood materials are not permitted for construction of the retaining wall.

The buffer shall consist of a 4 foot tall berm with a minimum of one screening tree every 10 linear feet and one evergreen shrub per 2 linear feet. All required plants shall be arranged in such a manner so as to provide a variety of plant materials, locations and spacing. Staggered spacing, double rows, or alternating spacing may be adjusted to conform to the growth characteristics of a plant species, but spacing and selection shall result in a 100% opaque screen at a minimum eight (8) feet in height within two (2) years of planting. Single row spacing with one tree species is not permitted. A quarter of the trees may be deciduous shade trees and the remainder shall be evergreen and reach a minimum height of fifteen (15) feet at maturity. Minimum evergreen trees at time of planting shall be at least six (6) feet in height and three (3) feet in crown width. Minimum deciduous tree size shall be ten (10) feet in height and two and one-half (2-1/2) inches in diameter measured one-half (1/2) foot above grade at time of planting. Minimum size at time of planting of screening shrubs shall be two (2) feet in height and spread at time of installation. Appropriate ground cover plantings or erosion control netting shall be used for naturalizing and controlling soil erosion on the sloped berm.

If the lot is on a corner, the landscaping buffer berm shall be sloped and transition into the perimeter landscaping. Planting shall not interfere with the sight triangle at street intersections or ingress and egress to the property.

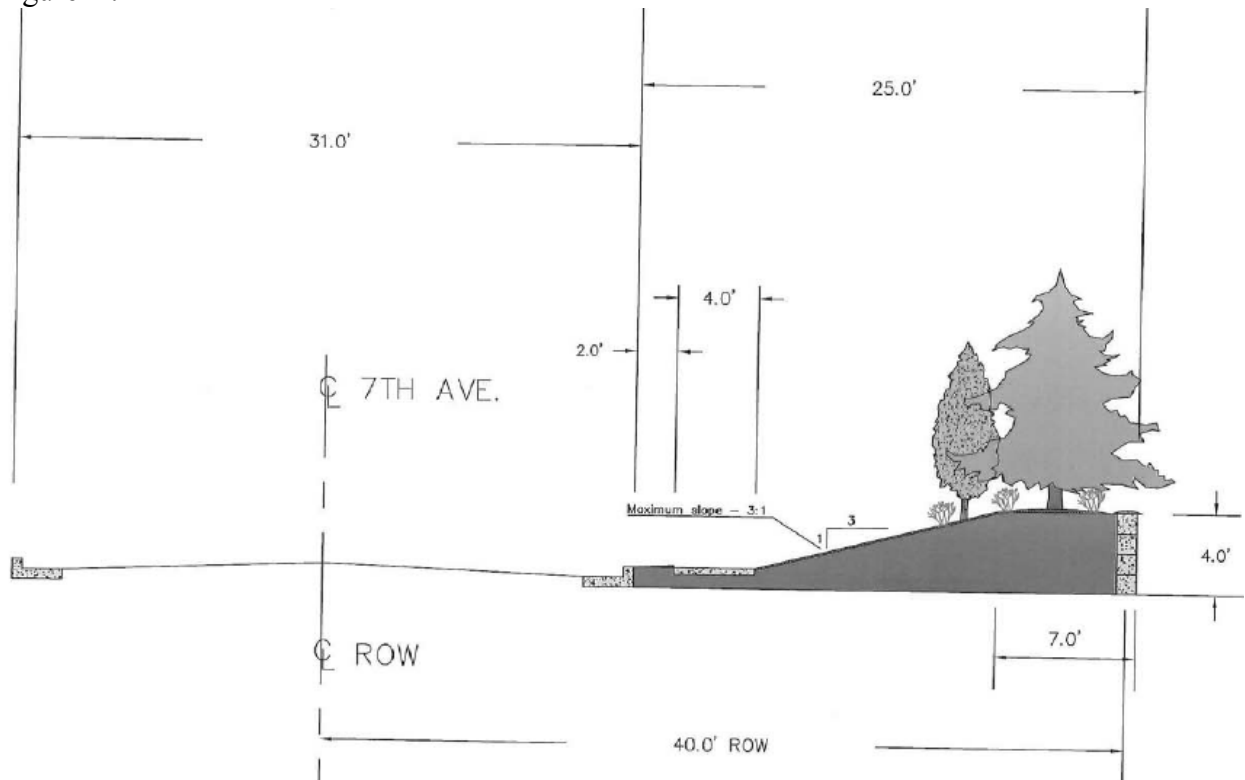
Where mature canopy/screening trees are located in the right-of-way of 7th Avenue SE, the developer may be allowed to construct a minimum six (6) foot high buffer fence in lieu of, or in conjunction with, the twenty (20) linear foot buffer berm. The fence/berm shall be constructed for the full length of the property with one column every fifty (50)

linear feet where a buffer fence is in place. The fence shall be constructed from stone, brick, or other masonry material approved by the City of Decatur Planning Department. Wood materials are not permitted. The fence design, type and location, additional screening trees and shrubs shall be shown on the site plan and must be approved by the City of Decatur Planning Department. An arborist will be required to certify the health of the existing trees.

The purpose of the buffer berm is to create a continuous opaque screen along 7th Avenue SE so that no parking lot, dumpster or loading area is visible from the adjoining properties.

The buffer berm shall be maintained by the property owner out to the street curb.

Figure A:



E. All development that has property contiguous with side streets shall provide frontage landscaping as defined in the City of Decatur Zoning Ordinance Section 25-16 (9) (f).

F. Sidewalks shall be constructed along all abutting streets and/or replaced if damaged during construction development."

Section 4: This ordinance shall take effect immediately upon its adoption and publication as provided by law.

ADOPTED this the 2nd day of September, 2014.

Authenticated:

Stacy Gilley

APPROVED this the 2nd day of September, 2014.

Don Kyle, Mayor