

ORDINANCE NO. 600-2022

AN ORDINANCE AMENDING ORDINANCE NO. 543-2019 WHICH ESTABLISHED TREE PROTECTION AND LANDSCAPING STANDARDS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Section 6 of Ordinance No. 543-2019 is hereby amended to read in its entirety as follows:

SECTION 6. Perimeter Landscaping.

- (a) All new development or construction sites along County, State and Federal roads and highways, shall be setback fifty (50) feet from the right-of-way and shall maintain a required fifty (50) foot setback as a greenbelt along the entire width of the property except at permitted access ways, except as set forth in this Section 6.(a). All new development or construction sites which are located on business or commercial zoned property along U.S. Highway 31 shall be setback twenty-five (25) feet from the right-of-way and shall maintain a required twenty-five (25) foot setback as a greenbelt along the entire width of the property except at permitted access ways.
- (b) Front perimeter, except at permitted access ways, all interior development and vehicle use areas shall be separated from public right-of-way frontage by a landscaped strip of at least ten (10) feet in width, adjacent and parallel to the right-of-way line.
- (c) Secondary perimeter, except at permitted access ways, all interior development and vehicle use areas located at intersections of the public right-of-way shall be separated by a landscape strip of at least six (6) feet in width and parallel to the right-of-way line.
- (d) The land occupied by curbs and sidewalks shall not count toward required landscape areas. Vehicles shall not overhang more than two (2) feet on the landscaped areas.
- (e) Required landscaping shall not obstruct or impede public pedestrian routes including sidewalks, bike paths and greenways.
- (t) The required landscape area between vehicle use area and public right-of-way shall be planted with a solid unbroken visual screen at least thirty-six (36) inches in height at planting except for four (4) feet on each side of permitted access ways. Where non-living material is used for screen, one shrub or vine at least thirty (30) inches in height at planting shall be required on the right-of-way side for each ten (10) linear feet, or fraction thereof, of screen.

Adjacent property owners may jointly agree on the establishment of a common landscaped area between their properties that meet the requirements of this ordinance; provided that such agreement and the planting and maintenance of the common area shall be binding upon both parties and their successors, interests and assigns.

- (h) All businesses primarily related to car, truck or other vehicle service and repair shall be so designed and constructed that no service or repair bays shall be directly visible from the roadway on which the building fronts; and so that cars, trucks or other vehicles stored on the premises prior to and after service or repair are properly screened from view.
- (i) Junk yards shall be buffered with vegetation so as to achieve a complete visual screen

of the yard and its ancillary operations.

- (j) Whenever residential land uses or zoning districts abut commercial or industrial land uses or zoning districts, a buffer strip of at least ten (10) feet wide shall be required along the entire length of all such common boundaries. Said buffer strip shall be planted with trees and shrubs of sufficient density and sufficient height (but in no case less than eight (8) feet high at the time of planting) to afford adequate sight, sound and debris protection. All screen planting shall be maintained in a clean and neat condition so as to accomplish its purpose continuously.

SECTION 2. Repealer Clause.

Except as expressly amended herein, all terms and conditions set forth in Ordinance No. 543-2019 shall remain in full force and effect.

SECTION 3. Severability Clause.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance which shall continue in full force and effect notwithstanding such holding.

This Ordinance shall become effective upon its adoption.

ADOPTED AND APPROVED this _____ day of April, 2022.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines
City Clerk