

ORDINANCE NO. 2016-1225

**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172,
CITY OF ORANGE BEACH ZONING ORDINANCE,
SECTION 16.04 LANDSCAPING REQUIREMENTS
(#0304-ZT-16)**

WHEREAS, the following proposed amendment to the City of Orange Beach Zoning Ordinance has been heard and considered by the Orange Beach Planning Commission in Public Session after the required public advertisement period; and,

WHEREAS, the City Council of the City of Orange has held the required Public Hearing after the required public advertisement period concerning the proposed amendment.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Orange Beach, Alabama, as follows:

SECTION 1.

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Section 16.04, B of Ordinance No. 172, the Zoning Ordinance is hereby amended to read as follows:

16.04 LANDSCAPING REQUIREMENTS

B. Off-Street Parking and Vehicular Use Areas

Off street parking facilities and other vehicular use areas shall meet the following requirements:

1. **Perimeter Requirements:** A 10' wide strip of privately owned land, located along the front and/or side property line(s) adjacent to a street right of way shall be landscaped. In no case shall this strip be less than 10' wide. This perimeter landscape requirement shall be credited toward the percentage required for the total developable site in Section 16.04 (A) above. Material requirements in perimeter area are as follows:

a. One tree for each 35' feet of linear foot frontage along the right of way shall be preserved or planted. Trees planted to meet this requirement shall measure a minimum of 3" in diameter at 4' above grade. The minimum height shall not be less than 8' of clear trunk. The remaining area within the perimeter strip shall be landscaped with landscape materials as follows:

(1) Hedge material at least 3' in height and planted a minimum of 3' on center. The hedge material shall form a continuous, opaque vegetative screen within one year of planting. Other, non vegetative screening may be used in conjunction with the hedge material but in no instance shall vegetation be minimized.

(2) Ground cover material which may include grass, pine straw or other organic material. No artificial turf or non organic substances shall be used to satisfy this requirement.

b. Trees and other landscaping required in the perimeter strip shall be maintained to assure unobstructed visibility between 3' and 9' above the average grade of the adjacent street and the driveway intersections through the perimeter strip.

2. **Interior Planting Areas:** Interior planting areas within parking lots shall be determined by subtracting the area set aside in the 10' perimeter strip from the total minimum area required to be landscaped in Section 16.04(A) above. This remaining percentage shall be allocated throughout the parking lot in planting areas located no greater than 10 parking spaces apart and in areas which are within 10' of the parking lot (other than in the perimeter strip required in B.1. above). Interior planting areas shall be located to most effectively accommodate storm water runoff and provide shade in large expanses of paving and contribute to orderly circulation of vehicular and pedestrian traffic. The minimum size of an interior planting area shall be 150 square feet and a minimum width equal to 8'. Interior planting areas shall be located on the site to incorporate the preservation of on site protected trees, where possible.

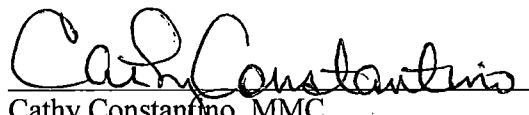
3. **Vehicle Overhang:** Vehicles shall not overhang more than 2' into any interior planting area of perimeter strip.

4. **Hardwood Tree Requirement:** The minimum number of trees shall be one hardwood (shade) tree from Appendix A, Type B, for every 1,300 square feet of ~~paved area~~ impervious and pervious vehicular use area.

SECTION 2:

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this 19th day of April, 2016.


Cathy Constantino, MMC
City Clerk