

**ORDINANCE NO. 1550**

**AN ORDINANCE AMENDING ORDINANCE NO. 1253  
KNOWN AS THE ZONING ORDINANCE**

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, is changed and altered as described below;

**WHEREAS**, the City of Fairhope Planning Commission directed the Planning Department to prepare amendments to our Zoning Ordinance; and,

**WHEREAS**, the proposed amendments relate to revisions of the parking requirement section to include provisions for low impact development strategies and inserting additional definitions; and,

**WHEREAS**, after the appropriate public notice and hearing of ZC 15.07, the Planning Commission of the City of Fairhope, Alabama has forwarded a favorable recommendation;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA;**

**THAT**, Article 4, Site Design Standards, Section E Parking is hereby revised as follows:

1. Insert a new subsection 3 that reads:

a. Compact Car Parking Requirement:

Compact car parking spaces shall be a minimum of 30% of the required parking spaces and no more than a maximum of 40% of the required parking spaces. Compact car spaces shall be grouped together to the greatest extent possible. Compact car spaces shall be designated by paint at the entrance of the parking stall.

2. Insert a new subsection 4 that reads:

a. Parking Dimension and Size:

- 1) Standard parking lot dimensions
- 2) Compact car parking dimensions

	<u>90°angle</u>	<u>60°angle</u>	<u>45°angle</u>
width	8'	8'	8'
depth	15'	16.8'	16.5'

3. The existing subsection 4 is re-numbered to section 5

4. Insert a new subsection 6 that reads:

a. Low Impact Development (LID) Parking Requirements

Landscaping is required for all parking lots. The interior parking lot landscaping requirements shall use LID techniques and be designed by an Alabama licensed Professional Engineer and an Alabama licensed Landscape Architect or designer. The following LID techniques shall be used in the interior of all parking lots containing 12 or more parking spaces. The LID parking requirement landscape plan will be reviewed in accordance with the Tree Ordinance. Any landscaping plan submitted in accordance with this subsection shall include technique 5 below and at least one of the other following techniques:

- 1) First Flush Treatment: The LID landscaping design shall be sized appropriately to treat the first one inch of runoff into the receiving parking lot LID area.
  - 2) Bio-retention.
  - 3) Rain Garden.
  - 4) Vegetated Swale.
  - 5) Permeable Pavement Systems: Permeable pavement systems are a required LID technique. 100% of parking provided over and above the minimum parking requirements shall be permeable pavement systems. Typical systems are brick pavers, pervious asphalt, and pervious concrete. Other systems may be approved if the design engineer provides adequate documentation that demonstrates the proposed technique is equally or more effective than the typical permeable systems listed. Approval of a proposed technique is at the sole discretion of the City during the permitting process.
  - 6) Tree and Ground Cover Plantings: When trees are required in a parking lot by the Tree Ordinance they shall be included and integrated into the LID design. Species shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer. There shall be no bare ground exposed and all ground cover proposed shall be integral to the success of LID techniques. All ground cover shall be as approved by the City Horticulturist and must be suggested by the landscape architect or designer.
5. That Article IX Definitions and Interpretation Section C. defined terms are amended to add the following:
- a. Bioretention: This technique removes pollutants in stormwater runoff through adsorption, filtration, sedimentation, volatilization, ion exchange, and biological decomposition. A Bioretention Cell (BRC) is a depression in the landscape that captures and stores runoff for a short time, while providing habitat for native vegetation that is both flood and drought tolerant. BRCs are stormwater control measures (SCMs) that are similar to the homeowner practice, of installing rain gardens, with the exception that BRCs have an underlying specialized soil media and are designed to meet a desired stormwater quantity treatment storage volume. Peak runoff rates and runoff volumes can be reduced and groundwater can be recharged when bioretention is located in an area with the appropriate soil conditions to provide infiltration. Bioretention is normally designed for the water quality or “first flush” event, typically the first 1”-1.5” of rainfall, to treat stormwater pollutants.
  - b. Vegetated Swale: is a shallow, open-channel stabilized with grass or other herbaceous vegetation designed to filter pollutants and convey stormwater. Swales are applicable along roadsides, in parking lots, residential subdivisions, commercial developments, and are well suited to single-family residential and campus type developments. Water quality swales are designed to meet shear stress targets for the design storm, may be characterized as wet or dry swales, may contain amended soils to infiltrate stormwater runoff, and are generally planted with turf grass or other herbaceous vegetation.
  - c. First Flush: This is the given volume of water generated in the drainage area from the first 1” to 1.5” of rainfall.

Ordinance No. 1550

Page - 3 -

- d. Rain Garden: a shallow depression in a landscape that captures water and holds it for a short period of time to allow for infiltration, filtration of pollutants, habitat for native plants, and effective stormwater treatment for small-scale residential or commercial drainage areas. Rain gardens use native plants, mulch, and soil to clean up runoff.

**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 not withstanding such holding.

**EFFECTIVE DATE** - This ordinance shall take effect immediately upon its due adoption and publication as required by law.

ADOPTED THIS 12TH DAY OF OCTOBER, 2015

  
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Timothy M. Kant, Mayor

ATTEST:

  
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Lisa A. Hanks, MMC  
City Clerk