

ORDINANCE NUMBER 2021 - 2158

**AN ORDINANCE AMENDING
THE ATHENS ZONING ORDINANCE**

WHEREAS, Subsection 2.5.1 of the City's Zoning Ordinance states that "[p]roposed amendments to the text of the Ordinance may be initiated by the Council";

WHEREAS, the City Council of the City of Athens, Alabama passed Resolution No. 2021-1720 at its regular meeting on January 11, 2021 pertaining to amending Ordinance No. 2017-2016 the Zoning Ordinance of the City of Athens, Alabama (the "Zoning Ordinance");

WHEREAS, the Resolution contained a proposal to amend Paragraph 6.8.19.B of the Zoning Ordinance concerning detached accessory signs;

WHEREAS, the proposal would amend Section 6.8.19.B to allow for increased area and height limits for detached signage for certain large-scale developments along Interstate 65 under certain conditions;

WHEREAS, a copy of the Resolution was forwarded to the Planning Commission, so that it may have a public hearing on this proposal, and make a recommendation and report to the Athens City Council;

WHEREAS, at its regular meeting on February 16, 2021, and after a public hearing, the Planning Commission issued its final report and recommended that the Athens City Council amend Ordinance No. 2017-2016, the Zoning Ordinance of the City of Athens, Alabama (the "Zoning Ordinance"), as set forth herein;

WHEREAS, after having received and considered the information from a public hearing on the matters set forth herein, and having fully deliberated such matters, the City Council desires to amend the Zoning Ordinance as set forth herein; and

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on March 22, 2021, at 5:30 p.m., amend the Zoning Ordinance by amending Paragraph 6.8.19.B of the Zoning Ordinance so that it states as follows:

B. Accessory Detached Signs.

Table 6-9 shall apply to all accessory detached signs in B-2, M-1, and M-2 Districts, except in the case of the following rule which will apply to certain large-scale developments as described below:

(1) For lots with only one occupant, tenant, commercial or business enterprise, that are located within 1,500 feet of the center median of I-65 at the point where it intersects with U.S. Highway 31, U.S. Highway 72, or Huntsville-Brownsferry Road, where such enterprise has over 2,500 linear feet of frontage along one or more public rights of way, contains over 50,000 square feet of improved space, and has over 800 linear feet of total building façade, the following density, height, and area requirements apply:

- (a) Sign Position: detached.
- (b) Max. density: 2 signs per lot with 150 ft spacing min.
- (c) Max. area per sign: 590 sf
- (d) Max. height
 - (i) B-2 (along collector and local streets): 18 feet
 - (ii) B-2 (along arterials), M-1, M-2: 25 feet +1 ft per 60 feet of frontage over 100 feet for 1st sign; 2nd sign is limited to 25 ft
 - (iii) B-2 (along I-65): 100 feet for 1st sign; 2nd sign is limited to 25 ft
- (e) Max. area per premises: 590 sf

Section 1. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, this Ordinance is declared to be severable.

Section 2. No other ordinance is amended by this Ordinance, unless specifically stated and referenced herein.

Section 3. This Ordinance shall go into effect immediately upon its publication.

ADOPTED this the 22nd day of March, 2021.


WAYNE HARPER, CITY COUNCIL PRESIDENT


WILLIAM R. MARKS, MAYOR

ATTEST:


ANNETTE BARNES-THREET, CITY CLERK

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of the City of Athens, on the 22nd day of March, 2021.

Witness my hand and seal of office this the 22nd day of March 2021.


Annette Barnes-Threet, City Clerk