

## Article XIV

### ATHENS LANDSCAPE AND SITE LIGHTING ORDINANCE

This Landscape Ordinance is adopted as a supplement to “The Zoning Ordinance of the City of Athens, Alabama,” under the zoning authority of the City in furtherance of the more general purposes set forth in said Zoning Ordinance.

#### **14-1. Intent and Purpose.**

The City Council of the City of Athens, Alabama, finds that Athens is blessed with a diverse cover of trees and vegetation and such cover is of general aesthetic value to the City and the ecological variety and richness of the City makes it a desirable place for residents, owners, and visitors; that the appearance of Athens from its public ways contributes environmentally and aesthetically to the growth and economic prosperity of the City; that Athens has been known as a “Tree City USA” and that the trees in the City are symbols of Athens’ pride in its heritage, both natural and historical; also, that the growth and development attracted to the City of Athens, because of its natural beauty, often requires the removal of trees and other plant material, thereby contributing to the depletion of a most valuable natural resource, therefore it is necessary to protect, preserve and restore this valuable asset. The City Council declares the purposes and intent of this ordinance to be as follows:

- To aid in stabilizing the environmental and ecological balance by contributing to the processes of air purification, oxygen regeneration, shade and natural cooling, as well as groundwater recharge and stormwater runoff retardation by using natural drainage and infiltration systems, while simultaneously supporting noise, glare and heat abatement;
- To encourage the protection and preservation of existing trees and vegetation;
- To assist in providing adequate light and air and in preventing overcrowding of land;
- To provide visual buffering and enhance the character and beautification of the City of Athens;
- To safeguard and enhance property values and to protect public and private investment;
- To preserve, protect and restore the unique identity and environment of the City of Athens and preserve the economic base attracted to the City of Athens by such factors;
- To conserve energy; and to protect the public health, safety and general welfare;
- To provide habitat for living things that might not otherwise occur or be found in urban and suburban environs;
- To partition large parking areas with planting islands and peninsulas and promote safer vehicle and pedestrian circulation within off-street parking areas and along rights of way;
- To establish minimum criteria for landscaping and lighting of off-street parking areas

#### **14-2. Application.**

- A. Except as otherwise provided, the landscaping requirements of this chapter shall apply to all land, public and private, located in the City of Athens, Alabama, zoning jurisdiction. Unless provided otherwise by this chapter, none of the uses authorized in the Zoning Ordinance of the City of Athens, Alabama, shall be issued a Certificate of Occupancy until such landscaping requirements are installed.

However, none of these requirements shall apply to:

- 1) Improvements or repairs to interior and exterior features of existing structures or buildings which do not result in expansions nor changes in the type of use.

- 2) A single-family detached dwelling located in any single family residential district, on its own legal lot.
- 3) Properties in the B-4 Central Business District that have no off-street parking areas and where the buildings which lie upon the property fill the entire lot area (e.g.: businesses around the downtown courthouse square area).

### 14-3. **Definitions.**

Access Way – One or more driving lanes intended for use by vehicles entering or leaving an off-street parking area.

Approving Authority (for Landscape Plans) – The Planning Commission of the City of Athens as a part of the site planning process.

Barrier – a physical structure limiting access to a protected area.

Berm – A planted or landscaped elevated ground area between two other areas, generally designed to restrict view and to deflect or absorb noise. Berms with ground cover that necessitates moving shall have a slope not greater than one foot of rise per three feet of run.

Caliper – Trunk diameter of a tree used in landscaping, measured six (6) inches above ground for trees up to four (4) inch caliper, and twelve (12) inches above ground for larger trees.

Crown – The branches and leaves of a tree or shrub with the associated upper trunk.

DBH – Diameter at Breast Height. This is the measurement of the width of trunk 4.5 feet above existing grade.

Deciduous Plants – Those that shed their leaves during their dormant season and produce new leaves the following growing season.

Drip Line – the circumference of the tree's natural unaltered canopy extended vertically to the ground.

Evergreen Plants – Those that retain their leaves during their dormant season.

Foot Candle – A measure of light striking a surface one square foot in area on which one unit of light (lumen) is uniformly distributed. (99-1020)

Foundation Landscaping – Treatment of grade with groundcover, vegetation, ornamentation, etc., against the front of the primary structure.

Frontage Landscaping – Treatment of grade with groundcover, vegetation, ornamentation, etc., between off-street parking area and adjacent street rights of way.

Ground Cover – Plants, mulch, gravel, and other landscape elements used to prevent soil erosion, compaction, etc.

Interior Landscaping – Treatment of grade with groundcover, vegetation, ornamentation, etc., within an off-street parking area.

Island – An interior landscaping feature surrounded on all sides by driving and/or parking surfaces.

Landscape Element – A plant material (living or non-living) or an ornamental material (river rock, brick, tile, statuary, etc.) differentiated from surrounding off-street parking area surfacing materials.

Large Shade Tree – large trees that grow over small shade trees. Have a height of fifty (50) feet or more at mature height.

Luminaire – A complete lighting unit that consists of one or more lamps and ballast, if needed, together with other parts designed to distribute light, position and protect lamps, and connect lamps to the power source.

Mulch – A material (pine straw, bark chips, wood chips, etc.) placed on the ground to stabilize soil, protect roots, limit weed growth, and otherwise promote tree and shrub growth by simulating the role of natural forest leaf-litter.

Mulch Bed – An area, generally bordered by a retaining device, with a covering of mulch over the soil.

Native Tree – A tree that has a DBH of at least 12 inches and is an oak, hickory, sycamore, pine, yellow poplar, sweet gum, elm, hackberry or sugarberry, magnolia, cypress, or a newly planted tree on a development site.

Off-Street Parking Area – An area, other than a public right-of-way, designated and/or used for the parking and movement of vehicles. This definition includes access ways, drive aisles and loading areas.

Organic Landscape Materials – Plants or non-living materials made from plants (Pine straw, bark chips, etc.).

Ornamentation – Decorative features of a non-living material used to enhance a landscaped area.

Parking Garage – A structure used for parking of vehicles and having one or more parking levels above the grade of surrounding land.

Parking Space – An area marked for the parking of one (1) vehicle.

Peninsula – An interior landscaping feature attached on only one side to perimeter landscaping, buildings, etc., and surrounded on all other sides by off-street parking areas.

Perimeter Landscaping – Treatment of grade with ground cover, vegetation, and ornamentation between an off-street parking area and adjoining properties. Perimeter landscaping shall exclude landscaping between an off-street parking area and buildings on the same legal lot.

Prompt Replacement – to replace within a three (3) week time period.

Public Tree – a tree located on City property or any tree owned by the City of Athens, Alabama. This includes city rights-of-way.

PVA – See Off-Street Parking and Vehicular Use Area.

Removing a Tree – to relocate, cut down, poison, or in any other manner destroy or cause to be destroyed, a tree as defined in this ordinance.

Shrub – A woody plant, generally multi-stemmed, of smaller stature than a tree.

Small Shade Tree – medium size tree of thirty (30) to forty (40) feet at mature height.

Stem – See Trunk.

Tree – A woody plant, generally with no more than one or two principal stems.

Tree Credits – means of crediting existing trees for trees that would have to be planted, if existing trees could not be saved and protected as stated in this ordinance.

Trunk – A principal upright supporting structure of a tree or shrub.

Underground off-street parking area – A parking area completely covered by a structure or by grass or other landscaping elements.

Vegetation – Living plant material including grass, plants, ground covers, shrubs, trees, etc.

Visibility Triangle – An area of critical visibility between the heights of two and one-half (2.5) feet and ten (10) feet above street grade at an intersection in which landscaping is restricted in the interest of vehicular traffic safety. The visibility triangle will be determined by points twenty-five (25) feet from intersecting right-of-way lines with a straight line connecting such points.

#### **14-4. Landscaping Requirements.**

##### **General Requirements:**

- 1) The requirements of this article are minimum standards which may be exceeded.
- 2) A minimum of six percent (6%) of the total site area shall be landscaped in accordance with criteria outlined in this Chapter.
- 3) Landscaping of off-street parking areas shall conform to the criteria as set forth in this ordinance and landscape plans for same shall be submitted for review and approval in accordance with the requirements of this article.

##### **A. Off-Street Parking Areas**

- 1) Any off-street parking area, or system of parking areas, must be constructed in accordance with the landscape requirements contained within this article.

Perimeter landscaping is required for all such parking areas;

In addition, off-street parking areas with forty (40) or more parking spaces, or twelve thousand (12,000) or more square feet in area shall provide perimeter, frontage, foundation and interior landscaping. Foundation landscaping as required under these regulations may be offset by adding an equal amount of area to the interior landscaping.

- 2) Any lawful, paved or unpaved off-street parking area, already existing at the effective date of this article, may continue until the gross floor area is increased or decreased by fifty (50) percent, or until a new additional structure is constructed on the property, or it is expanded by more than five percent (5%) of its existing parking capacity as calculated pursuant to this article at which time the entire off-street parking area must be brought into conformity with the requirements for new construction.
- 3) **Parking Decks, Garages, and Underground Off-Street Parking Areas.** Only perimeter landscaping is required for parking decks or garages. Landscaping requirements for adjoining off-street parking areas at or near the grade of surrounding land will be calculated separately. Wholly underground off-street parking areas are exempt from the landscaping requirements of these regulations but subject to the lighting requirements.
- 4) **Industrial Zoning Districts** – In all developments occurring in industrial zoning districts, off-street parking areas containing at least fifty (50) spaces shall comply with these requirements. If the industrial property abuts a Residential zoning district, requirements for landscape buffer area shall also apply.
- 5) **Loading Areas** – Loading areas shall be considered part of the overall off-street parking area and subject to all provisions thereof.

**B. Landscape Plan Requirements –**

A detailed landscaping plan shall be required for all off-street parking areas. Said plan shall be submitted with the Site Plans and be approved by the Planning Commission as a part of the Site Plan Approval process before issuance of a building permit. Such plan, when required, shall indicate and include the following:

1. The number of parking spaces;
2. The overall amount of off-street parking area;
  - a. A schedule of the dimensions and the total amount of square footage or linear footage of all foundation, frontage, perimeter and/or interior landscaping as detailed herein below;
  - b. General information, including:
    - (1) Date;
    - (2) North arrow;
    - (3) Scale of one (1) inch to no more than fifty (50) feet;
    - (4) All property lines;
    - (5) Locations of all existing and proposed easements and rights-of-way;
    - (6) Existing and proposed topography drawn at maximum contour interval of five (5) feet and indicating drainage channels;
    - (7) Zoning designations of the subject property and all adjoining properties;
    - (8) Names, addresses, and telephone numbers of developers, architects, and property owners for whom the plan is designed; and
    - (9) Name and business affiliation of the person preparing the landscape plan.
  - c. Construction information, including:
    - (1) The locations of buildings and off-street parking areas;
    - (2) Utility fixtures, including light poles, power poles, above-ground pedestals (low voltage) and pad-mounted (high voltage) fixtures;
    - (3) Underground electrical communications and television cables and conduits;
    - (4) Location of hose bibs, sprinkler systems, meters, control boxes, etc.;
    - (5) Square footage of off-street parking areas and intended surface treatments;
    - (6) The total amount, in square feet, of interior landscaping in peninsulas, islands, etc.
  - d. Landscaping details, including:
    - (1) Locations, dimensions and treatments of all frontage and interior landscaping areas;
    - (2) A schedule and proposed location of all new *and* existing plants proposed for landscaping, including:
      - a. Size (caliper and height, container size, etc.);

- b. Condition (bare-root, balled and burlapped, container-grown or pre-existing, etc.). As well as intended treatment (move, remove or save) of existing trees three (3) inches or larger in caliper; and
- c. Common names and botanical names (genus, species, and variety) of trees, shrubs, and ground cover, and the type and amount of turf grass.

**C. Frontage Landscaping -**

For any off-street parking area frontage landscaping according to these standards must be provided within the property lines between the off-street parking area and public rights-of-way. Planting areas existing in the public right-of-way or on adjoining property shall not count toward the required frontage landscaping area.

- 1 Frontage landscaping shall consist of a landscaped area or areas along all adjacent public rights-of-way. Frontage landscaping shall include a minimum of one (1) tree and six (6) shrubs and suitable groundcover per full fifty (50) linear feet of the frontage strip (less access ways); shrubs are optional in areas where a berm at least three (3) feet in height is used. Trees and shrubs shall be well-distributed, though not necessarily evenly spaced. The strip shall be protected by some barrier to prevent damage from vehicles and maintenance equipment.
- 2 Frontage landscaping at driveways and street intersections shall have an area of visibility between the heights of two and one half (2.5) feet and ten (10) feet above the street grade to afford a clear line of sight in the interest of vehicular traffic safety. This area at street intersections is a visibility triangle as defined hereinabove.
- 3 In all other cases, frontage landscaping shall begin behind the edge of the public right-of-way rather than the edge of the pavement, unless they are the same.
- 4 Access ways through frontage (or perimeter) landscaping areas, between off-street parking areas and public rights-of-way, shall conform to the following standards:

<b>Type of Access way</b>	
One-Way	Two-Ways
Maximum width: 30 feet	Maximum width: 35 feet

The width of access ways may be subtracted from the frontage, or perimeter, dimension used in determining the number of plant materials required.

Frontage landscaping shall average five (5) feet in depth. The width of access ways may be subtracted from the frontage dimension used in determining the number of trees required. Access ways for sites must have specific approval from the City Public Works Department, City Planner, and – if fronted on a state highway – the State of Alabama Highway Department.

**E. Foundation Landscaping –**

Foundation landscaping shall require a landscaped bed with an average depth of five (5) feet along the front of the primary structure. The bed shall contain shrubs or other

greenery spaced properly for plant size at maturity. Additionally, the bed shall contain mulch or ground cover, other than turf grass, and be protected by some barrier to prevent damage from vehicles and maintenance equipment. Greenery shall be well distributed though not necessarily evenly spaced.

**F. Interior Landscaping –**

Interior landscaping requirements shall be fulfilled in the form of planting islands and/or peninsulas and shall be in addition to frontage landscaping, foundation landscaping and/or perimeter landscaping.

- 1 For off-street parking areas containing forty (40) or more parking spaces or twelve thousand (12,000) or more square feet, the minimum area of required interior landscaping shall be determined by the following formula:

$$\text{MIN INTERIOR LANDSCAPE AREA} = \frac{\text{TOTAL PVA AREA (sq. ft.)} \times [1.826 + (0.00435 \times \text{total number of parking spaces planned})]}{100}$$

However, the minimum amount required shall never be greater than four percent (4%) of the total parking area for parking areas containing five hundred (500) or more parking spaces.

2. To count toward the total interior landscape requirements, each island or peninsula shall be at least one hundred fifty (150) square feet in area; however, the maximum contribution of any individual island or peninsula to the total interior landscaping requirement shall be one thousand (1000) square feet.
- 3 Islands and peninsulas must be at least seven (7) feet in their least dimension, measured from back of curb to back of curb.
- 4 Islands and peninsulas in off-street parking areas shall be as uniformly distributed as practical in order to subdivide large expanses of parking areas; to regulate traffic flow; to protect pedestrians; and to permit access by emergency vehicles. When practical, islands and/or peninsulas shall be evenly distributed between the circulation drives and parking rows to channel traffic safely around the parking areas and to separate parking rows.
- 5 The interior landscaped area shall contain at least an average of one (1) tree and four (4) shrubs per two hundred (200) square feet of landscaped area. Each island or peninsula shall contain at least one (1) tree.

**G. Perimeter Landscaping –**

Perimeter landscaping shall be provided within the property lines between the off-street parking area and adjoining properties. Planting areas existing on adjoining property shall not count toward the required perimeter landscaping area. Adjacent plants should blend with the existing plantings so as not to detract from the existing plantings.

- 1 Perimeter landscaping areas shall be a minimum depth of five (5) feet, excluding walkways, measured perpendicularly from the adjoining property to the back of curb of the parking area.
- 2 Excluded from this requirement are those perimeters bordering national or state owned wildlife preserves; navigable waterways; jurisdictional wetlands as

defined by the U.S. Army Corps of Engineers; floodways; or other perimeters as approved by the Planning Commission on an individual basis.

3. Perimeter landscaping shall include at least an average of one (1) tree and six (6) shrubs for full fifty (50) linear feet of perimeter requiring perimeter plantings (less access ways); shrubs are optional in areas where a berm at least three (3) feet in height is used. Trees and shrubs shall be well distributed, though not necessarily evenly spaced.

In the case of landscape materials that may conflict with underground or overhead utilities, the required plant materials in the area of conflict may be moved and added to other areas of the site.

**H. Landscape Buffer Area –**

All landscaped buffer areas required under these regulations shall consist of a solid unbroken visual screen eight (8) feet high within two (2) years of planting and in sufficient density to effectively reduce the transmission of noise and to afford protection to the residential districts from glare of head lights, blowing paper, dust and debris, and visual encroachment.

- 1) Developments having at least fifty (50) and no more than one hundred (100) spaces and adjoining any “R” designated district, including PUD, shall have a landscaped buffer area at least ten (10) feet in depth between the legal lot and the adjoining residentially zoned property.
- 2) Developments having at least one hundred and one (101) spaces and adjoining any “R” designated district, including PUD, shall have a landscaped buffer area at least twenty (20) feet in depth between the legal lot and the adjoining residentially zoned property.
- 3) Where a buffer is required by this article, the perimeter landscape requirement will be waived along the properly buffered side of the property.

**14-5. Credit for Existing Plant Material.**

If all other landscaping requirements are met, each existing tree meeting the following criteria may count, at the option of the owner, for two (2) trees required in the same type of landscaping (i.e. interior, perimeter or frontage) if:

- A. It has a minimum caliper of three (3) inches;
- B. It is not one of the following species hereby determined to be unacceptable for parking lot landscaping (these are to be considered nuisance trees):

<b>Large Trees</b>	
Box Elder	Native Elms (American, Winged, Cedar, Slippery, and September Willows)
Silver Maple	Tree of Heaven
Catalpa	Colorado Blue Spruce
Sycamore	Red Spruce
Cottonwood	Live Oak
True Poplars	Laurel Oak

<b>Medium Trees</b>	
Camphor	Princess Tree (Paulownia)
Cut Leaf European Birch	Silk Tree (Mimosa)
Eastern White Pine	Chinaberry
Willows	Yellowwood
Sassafras	Mulberry
Siberian Elm	Bradford Pears
<b>Small Trees</b>	
Sumacs	

- C. It is at least five (5) feet from the nearest planned curb and is within a planned planting of at least one hundred fifty (150) square feet;
- D. It has a live crown at least thirty (30) percent of the total tree height and is free from serious root, trunk and crown injury.
- E. It is indicated on the landscaping plan as a “tree to be saved”; and
- F. It is situated so that it can be incorporated into planned landscaping areas, islands or peninsulas with minimal grade cut or fill and/or compaction ***and it is protected during all phases of construction by a durable physical barrier preventing vehicles, equipment, materials and activities from disturbing the existing area that is to become part of the planned landscaping area.***

#### **14-6. Plant Materials and Installation Requirements.**

- A. Trees and shrubs: In addition to any existing trees allowed under “Existing Plant Materials”, all trees and shrubs planted in required landscaped areas shall:
  - 1. Trees: Be of species other than those determined by these regulations as unacceptable for parking lot landscaping.
  - 2. Trees and Shrubs: Conform to the minimum size standards based on the most recent American Standard for Nursery Stock, ANSI Z60.1, published by the American Association of Nurserymen and approved by the American National Standards Institute.
    - a. *Trees and Shrubs:* Be planted within a bed of mulch or ground cover other than turf grass, and be protected by a durable physical barrier preventing vehicles, equipment, materials and activities from damaging the plantings.
    - b. *Trees:* Be spaced no closer than ten (10) feet apart to count toward the required ratio between perimeter and number of trees; such trees need not be evenly spaced along perimeter landscaping areas, and trees in excess of the minimum requirements may be closer than ten (10) feet apart.
- B. Grass and other permanent ground cover shall be installed and maintained on all parts of each landscaped area.
- C. Effective measures shall be taken to control erosion and storm water runoff through the use of mulches, ground cover plants, erosion-control netting, etc.

- D. Ground cover may include shrubs and low-growing plants such as liriopse, English ivy (*Hedera helix*), periwinkle (*Vinca minor*) and similar materials. Ground cover may also include non-living organic materials such as bark or pine straw and inorganic material such as pebbles, crushed rock, brick, tile, and decorative blocks; however, inorganic materials shall not make up more than ten (10) percent of the landscaped area at maturity.

**14-7. Installation Requirements and Recommendations.**

- A. Required landscaped areas adjacent to parking areas shall be protected by fixed vertical curbing along all sides exposed to parked or moving vehicles.
- B. When possible, trees should be located on extensions of parking stall lines to minimize bumper, exhaust, and engine heat damage to trees.
- C. The maximum recommended distance from any part of a required landscaped area to the nearest hose bib or other irrigation water supply fixture shall be one hundred fifty (150) feet, except where built-in irrigation systems are provided.
- D. Synthetic or artificial material in imitation of trees, shrubs, turf, ground covers, vines or other plants shall not be used in lieu of plant requirements in this ordinance.
- E. Hedges, walls, and berms, though not required, are recommended to help minimize the visual impact of off-street parking areas. Berms with ground cover that necessitates mowing shall have a slope not greater than (1) one foot of rise per three (3) feet of run.
- F. The use of permanent broad-area mulch beds is recommended to increase absorption of surface water; retard erosion, runoff, and stream siltation; protect tree roots and stems; and foster tree health.
- G. Landscaping shall be designed at maturity to be compatible and not to interfere with existing and planned overhead and underground electrical, communications, and television cables and conduits; public water supply lines; and storm and sanitary sewer lines.
- H. Planting dates recommended by the City are shown in the following table:

<b>Recommended Planting Dates</b>	
<b>Type of Plant Materials</b>	<b>Normal Planting Dates</b>
Non-Container Grown Deciduous	October 1 to April 1
Non-Container Grown other	October 1 to April 1
Container Grown	Year round if suitable precautions are taken to protect the planting stock from extremes of moisture and temperature; if there is doubt, obtain a variance or a performance bond.

**14-8. Guarantees of Performance.**

No Certificate of Occupancy shall be issued until the provisions of these regulations have been met or a performance bond or an irrevocable letter of credit has been posted in lieu of thereof.

When circumstances preclude immediate planting, a Certificate of Occupancy may be granted after:

- A. The owner or developer has completed all curbing, irrigation systems and other construction preliminary to planting; and
- B. The property owner or developer posts a performance bond, or irrevocable letter of credit with the Planning Department in an amount equal to one hundred (100) percent of the cost of the total required planting, including labor. Surety shall be made payable to the City of Athens. Landscaping must be completed and approved within six (6) months (180 calendar days) after a Certificate of Occupancy is issued in order to redeem the bond.

**14-9. Required Maintenance.**

The owner, lessee, or his agent(s) shall be responsible for providing, maintaining and protecting all landscaping in a healthy and growing condition, and for keeping it free from refuse and debris. All unhealthy and dead materials shall be replaced during the next appropriate planting period.

**14-10. Off-Street Parking Area Lighting Requirements.**

A detailed lighting plan shall be required for all off-street parking areas contained within a legal lot adjoining any residential zoning district, including Planned Development District(s); all off-street parking areas containing at least forty (40) spaces; and all off-street parking areas containing at least twelve thousand (12,000) square feet of off-street parking. If required, said plan shall be submitted with the building construction plans. For off-street parking areas not of sufficient size to necessitate submission of a lighting plan, compliance with the landscaping requirements of this subsection is still required.

A lighting plan, when required, shall be prepared and submitted as follows:

- A. The lighting plan shall be drawn on the border of the submitting professional and shall clearly define the property lines and the zoning classifications for all adjoining properties. The lighting plan shall provide the following information:
  1. The type of lamp to be used in each fixture, including the manufacturer's name and part number, lamp wattage, lumen output, and a copy of the manufacturer's lamp specifications;
  2. Fixture heights measured from grade and locations of the same;
  3. The type of fixtures, including the manufacturer's name and model number; wattage and light loss factor meeting the standards in these regulations; a picture of the fixture; and the IES file name;
  4. Point to point photometric calculations at intervals of not more than ten (10) feet at ground level demonstrating that the plan will provide a uniform intensity of lighting on vehicular surfaces in conformance with the requirements of these regulations;
  5. The area of each photometric calculation, including an extra calculation to identify the light level produced at the property line, and all data used in each calculation; and
  6. The seal of the qualified Alabama registered design professional.

- B. All lighting requiring submission of a detailed plan shall be installed and approved prior to issuance of a Certificate of Occupancy. The registered design professional who sealed the plans shall certify by letter that the installation complies with the approved plans. The letter shall specify fixtures, wattages, heights of fixtures at the point of attachment to poles or other structures, and any special requirements such as rotation, angle, shielding or positioning of critical poles and fixtures at property lines.
- C. All exterior lighting fixtures shall be:
  - 1 Protected by a weather and vandal resistant covering;
  - 2 Located and fitted with appropriate cutoffs, if necessary, to prevent the light level on any adjoining roadway or residential property line from exceeding one (1) foot candle;
  - 3 When using flood lights, aimed so that they do not exceed an angle of forty-five (45) degrees out from the base of the pole or structure to which they are attached; and
  - 4 Installed thirty (30) feet or less in height unless the off-street parking area exceeds twenty-five thousand (25,000) square feet; in such cases, installations exceeding thirty (30) feet, as measured from the finished grade to the bottom of the fixture may be used if it is demonstrated that all the requirements of these regulations can be met.
- D. Off-street parking area lighting shall be designed and installed in compliance with the following standards:
  - 1 Illumination requirements for off-street parking areas as measured at ground level shall comply with the light levels and uniformity ratios set forth in the following table:

<b>Type of Off-Street Parking Area</b>	<b>Required Minimum Light Level</b>	<b>Maximum/Minimum Uniformity Ratio</b>
Non-residential and residential off-street parking areas	1 foot candle	10:1
Parking garages and underground parking	5 foot candles	4:1
Garage stairwells	10 foot candles	NA
Garage rooftop surfaces	1 foot candle	10:1

- 2 The highest horizontal illuminance area divided by the lowest horizontal illuminance point or area should not be greater than the ratio shown. The maximum/minimum ratio must be calculated only for the area within the off-street parking area; maximum light level at all rights-of-way and at property lines shall also be shown.
- 3 Off-street parking area lighting meeting the standards of these regulations shall be utilized during all hours of operation between dusk and dawn.

**14-11. Inspections and Notification of Violations.**

The City Planner or his designated representative shall inspect all landscape plans for compliance with these regulations. The Building Inspector or his designated representative shall make

inspections as necessary pursuant to these regulations and shall initiate appropriate action to bring about compliance therewith. Upon becoming aware of any violation of the provisions of these regulations, the City Planner, or Building Inspector, or the designated representative of either, shall serve written notice of such violation upon the person(s) responsible for compliance. No penalty shall be assessed until the expiration of the bond, if one has been posted, or otherwise until sixty (60) days after notification of violation(s).

**14-12. Inspection Checklist.**

A current checklist generally reflecting the requirements of these regulations shall be devised and used in reviewing landscaping plans. Said checklist shall be made available to interested parties as a supplement to administration of these regulations.

**14-13. Amendment to dimensional requirements in Article IV of the Athens Zoning Ordinance:**

*Along highways, arterial roads and other major streets,* off-street parking spaces shall not be permitted in the first twenty (20) feet of the required front yard as measured from the street right-of-way and said area shall be landscaped and maintained in a manner as to be neat in appearance when viewed from any street.

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Amendments: 2005-1549

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