

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-12**

**AN ORDINANCE AMENDING THE CITY OF DAPHNE'S
LAND USE AND DEVELOPMENT ORDINANCE 2011-54, AS ADOPTED BY THE
CITY COUNCIL ON JULY 18, 2011**

ARTICLE XIII, DISTRICT REQUIREMENTS

WHEREAS, the City Council of the City of Daphne, after due consideration, believes that certain revisions to the City of Daphne Land Use & Development Ordinance are necessary for the proper administration of said Ordinance; and

WHEREAS, at the City of Daphne Planning Commission regular meeting on March 28, 2024, the Commission considered certain proposed amendments to the City of Daphne Land Use & Development Ordinance, Ordinance 2011-54 (as previously amended), and set forth a favorable recommendation to the City Council of the City of Daphne; and

WHEREAS, due notice of said proposed amendment has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, and a public hearing was held before the City Council on May 20, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA as follows:

SECTION 1. AMENDMENT TO ARTICLE XIII, DISTRICT REQUIREMENTS

(A) Subsection (1)(i) of Section 13-7 of Article XIII of the Land Use and Development Ordinance is hereby repealed and replaced in its entirety with the following:

- (i) In all non-residential zoning districts the following are preferred building materials for any wall area facing a public street or any residential land use: brick, textured concrete block, stone, wood, metal veneers, stucco or Exterior Insulation and Finish Systems (E.I.F.S), concrete, steel, vinyl or stone panels provided they contain some architectural relief and exhibit structural strength, or alternate building material approved by the Planning Commission. Additionally, any tilt-up tilt-slab or tilt-wall type building construction must include vertical architectural element.

Metal buildings may be permitted in any C/I, Commercial/Industrial, zoning district that is not located as follows: along County Road 13, Highway 98, Highway 90, Highway 181, Olde Towne Daphne, the Village Overlay District, the Eastern Shore Overlay District or, the Jubilee Retail Overlay District

(B) Subsection (2) of Section 13-7 of Article XIII of the Land Use and Development Ordinance is hereby amended by adding the following subsection (c) immediately following subsection (b):

(c) Design Standards for New Residential Subdivisions and/or Residential Site Developments:

The following standards shall apply to all new residential site developments and/or residential subdivisions larger than two lots; provided, however, that any residential subdivision wherein each resulting lot is equal to or greater than 20,000 square feet in area shall be exempt from the application of these standards.

These Design Standards shall consider functional and aesthetic features that contribute to community sustainability, livability, and the overall quality of life. As such, design standards shall address compatibility at the neighborhood, block and individual lot level. Design Standard compliance shall be provided by the applicant at the time of preliminary plat, preliminary/final plat, or site plan application. For any proposed Planned Unit Development (PUD) Rezoning or Rezoning application, Design Standard compliance shall be provided with the Rezoning or Rezoning application.

1. Architectural Themes:

- i. Building materials including brick, stone, textured traditional cement stucco (i.e., real stucco) and cement siding are required as the primary veneer on new dwellings.
- ii. Roofs must be varied in roofline treatments.
- iii. The front facing garage (i.e., garage fronts) on single family homes shall be recessed and constitute not more than forty-two percent (42%) of the residential facade (as measured from the outside edge of garage doors, not including the frame).
- iv. Garage locations:
 1. Recessed garage doors oriented toward the front property line shall be as follows:
 - a. Garage doors must be positioned between five (5) feet and twenty (20) feet behind the front wall plane of the house. The front wall plane is defined as the principal building façade facing the primary street right of way.
 - b. The minimum front yard setback for said garage shall be forty (40) feet.

- iv. A meeting for the Design Standards Review Committee shall be held at such time and place as specified by the Committee Chairperson.
- v. In exercising the powers granted the Design Standards Review Committee may allow an alternate means of achieving the intent of the provisions the requirements outlined in the (c) Design Standards for new residential subdivisions and/or residential site developments; however, the Committee shall not be authorized to eliminate the applicability of the standards set forth.
- vi. The decision of the Committee shall be binding.

SECTION 2. CONFLICT WITH OTHER ORDINANCES

Any Ordinance heretofore adopted by the City Council of Daphne, Alabama, which is in conflict with this Ordinance, is hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 3rd DAY OF June, 2024.

ATTEST:



Robin LeJeune, Mayor



Candace G. Antinarella, CMC, City Clerk