

ORDINANCE NO. 2020-006

BE IT ORDAINED by the City Council of the City of Gardendale, Alabama, while in a called session on the 27th day of April 2020 at 7:00 p.m., as follows:

SECTION 1. APPROVAL OF DEVELOPMENT PLAN. The Preliminary Development Plan for the property consisting of approximately 17.81 unimproved acres more or less located East of I-65, South of Exit 271, Fieldstown Road, West of Odum Road and North of Odum Circle in the City of Gardendale, Alabama, and being more particularly described in Ordinance No. 2019-021, is hereby approved as a Master Development Plan subject to the provisions hereof. This ordinance 2020-006 further incorporates by reference the Master Development Plan and all related materials as filed in the Office of the Building Official (Inspections Services Department) and the ordinance is hereby further amended as more specifically set forth herein.

SECTION 2. PERMITTED USES. The following uses shall be permitted: accessory structures (nonresidential), animal hospital, bakery (minor), bank or financial service, business or professional office, children's indoor play facility, clinic, clubs and fraternal organizations, commercial school, common open space, domiciliary care facility, entertainment (indoor and outdoor), garden center or nursery, gas station, general retail (enclosed), gyms and health clubs, liquor lounge, liquor store, night club, personal services, place of assembly, printing (minor), product repair and services, public building, public facilities and services, recording studio, recreation (indoor and outdoor), restaurant (fast food), restaurant (standard), studio, vehicle repair (minor), vehicle sales and rental.

SECTION 3. MODIFICATION OF PLAN. Any amendment or modification proposed by the applicant for the Master Development Plan may be accomplished administratively in accordance with the following criteria:

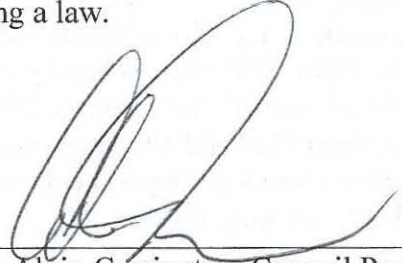
- (a) There is no change in the approved land use(s) including the amount, configuration and location thereof, no increase in the number of dwelling units or amount of nonresidential floor area, or any associated characteristics of any use.
- (b) Driveways and/or streets are located in the same general location, are the same or fewer number originally approved, perform the same general function and maintain the same public and/or private rights therein.
- (c) There is no change of any specific dimension or setback depicted on the site plan(s) or in the written description of the intended plan of development.
- (d) There is no change to any condition(s) set forth by the City Council in this ordinance.

The Building Official is authorized to promulgate the rules and procedures necessary to implement an administrative modification. Additionally, the Building Official shall transmit a copy of any request for administrative modification to the Mayor within five (5) days of receipt review and comment.

SECTION 4. REPEALER. All ordinances or parts of ordinances that conflict with the provisions of this Ordinance are hereby expressly repealed.

SECTION 5. SAVINGS CLAUSE; SEVERABILITY. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or pre-exemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION 6. EFFECTIVE DATE. That this Ordinance shall become effective immediately upon its adoption and publication or by it otherwise becoming a law.



Alvin Currington, Council President

Approved this 27th day of April 2020



Stan Hogeland, Mayor

CERTIFICATION

I, Melissa Honeycutt, City Clerk of the City of Gardendale, Alabama, do hereby certify that the foregoing is a true and correct copy of an Ordinance that was duly and legally adopted on the 27th day of April 2020, by the City Council of the City of Gardendale, Alabama, while in a regular session and was posted in its entirety as required by law on MAY 5, 2020, 2020.



Melissa Honeycutt

Posted : CityHall
Post Office
Civic Center