

**ADAMSVILLE ZONING ORDINANCE**

adopted on

July, 26, 1990

prepared under the direction of the

**ADAMSVILLE PLANNING AND ZONING COMMISSION**

by the

**BIRMINGHAM REGIONAL PLANNING COMMISSION**

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**RESOLUTION OF THE  
ADAMSVILLE PLANNING AND ZONING COMMISSION**

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE OF THE CITY OF ADAMSVILLE, ALABAMA, ADOPTING A 1990 ZONING ORDINANCE FOR THE CITY OF ADAMSVILLE, ALABAMA, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 11, CHAPTER 52, CODE OF ALABAMA, 1975, AS AMENDED; REPEALING THE ZONING ORDINANCE OF THE CITY OF ADAMSVILLE, ADOPTED ON SEPTEMBER 10, 1960, AS AMENDED; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Title 11, Chapter, Code of Alabama, 1975, as amended, authorizes the City Council to enact a zoning ordinance to govern all territory within the corporate limits of the City of Adamsville, Alabama; and

WHEREAS, the City Council did adopt a zoning ordinance on September 10, 1960, subsequently amended such ordinance; and

WHEREAS, the City Council did order the Birmingham Regional Planning Commission to prepare under the direction of the Adamsville Planning and Zoning Commission a new zoning ordinance for the City of Adamsville, Alabama to replace the 1960 zoning ordinance, as amended; and

WHEREAS, the Birmingham Regional Planning Commission did prepare a new zoning ordinance to the satisfaction of the Adamsville Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission held a public hearing on July 26, 1990 to receive public comments on the new zoning ordinance.

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF ADAMSVILLE, ALABAMA:**

SECTION 1. That the Planning and Zoning Commission recommends that a 1990 Zoning Ordinance for the City of Adamsville, Alabama, entitled the *Adamsville Zoning Ordinance*, attached hereto and made a part hereof, be adopted pursuant to the authority granted by Title 11, Chapter 52, Code of Alabama, 1975, as amended.

SECTION 2. That the Planning and Zoning Commission recommends that the *Adamsville Zoning Ordinance*, adopted on September 10, 1960, as amended, be repealed.

SECTION 3. That the Planning and Zoning Commission recommends that any person, firm, corporation, or other organization which violates any provision of this ordinance be fined upon conviction not more than five hundred dollars and cost of court for each offense. Each day such violation continues should constitute a separate offense. The conviction of a violation and imposition of any fine should not constitute an exemption from compliance with the provisions of this ordinance.

SECTION 4. That the Planning and Zoning Commission recommends that this ordinance become effective upon its due adoption and publication and the due adoption and publication of the *Adamsville Zoning Map* which shall bound and define the zoning districts established by this recommended ordinance, as provided by law.

ADOPTED, this 26th day of July, 1990

Robert L. Ellis  
Robert L. Ellis, Chairman

ATTEST:

Barbara Duchock  
Barbara Duchock, Acting City Clerk

ORDINANCE NO. 717

AN ORDINANCE OF THE CITY OF ADAMSVILLE, ALABAMA, ADOPTING A 1990 ZONING ORDINANCE FOR THE CITY OF ADAMSVILLE, ALABAMA, IN ACCORDANCE WITH THE PROVISIONS OF TITLE 11, CHAPTER 52, CODE OF ALABAMA, 1975, AS AMENDED; REPEALING THE ADAMSVILLE ZONING ORDINANCE, ADOPTED ON SEPTEMBER 10, 1960, AS AMENDED; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Title 11, Chapter 52, Code of Alabama, 1975, as amended, empowers the City Council to divide the territory within the corporate limits of the City of Adamsville, Alabama into zoning districts; to provide within such districts for the kind, character and use of structures and improvements that may be erected or made; to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures, and land for trade, industry, residences or other purposes; to provide for the manner in which such regulations and restrictions and the boundaries of such district shall be determined, established and enforced and from time to time amended, supplemented or changed; and to institute appropriate action or proceedings to prevent violations thereof; and

WHEREAS, the Planning and Zoning Commission recommends by resolution passed at a public hearing held on July 26th, 1990, that the City Council approve this ordinance.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ADAMSVILLE, ALABAMA:

SECTION 1. That a 1990 Zoning Ordinance for the City of Adamsville, Alabama, entitled the *Adamsville Zoning Ordinance*, attached hereto and made a part hereof, shall be adopted pursuant to the authority granted by Title 11, Chapter 52, Code of Alabama, 1975, as amended.

SECTION 2. That the *Adamsville Zoning Ordinance*, adopted on September 10, 1960, as amended, be repealed.

SECTION 3. That any person, firm, corporation, or other organization which violates any provision of this ordinance shall be fined upon conviction not more than five hundred dollars and cost of court for each offense. Each day such violation continues shall constitute a separate offense. The conviction of a violation and imposition of any fine shall not constitute an exemption from compliance with the provisions of this ordinance.

SECTION 4. That this ordinance shall become effective upon its due adoption and publication and the due adoption and publication of the *Adamsville Zoning Map* which shall bound and define the zoning districts established by this ordinance, as provided by law.

ADOPTED, this the 8 day of Oct, 1990.

APPROVED, this the 8 day of Oct, 1990.

Leland C. Adams, Jr.  
Leland C. Adams, Jr., Mayor

ATTEST:

Barbara Duchock  
Barbara Duchock, Acting City Clerk

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# ADAMSVILLE ZONING ORDINANCE \*

## ARTICLE I. IN GENERAL

### Sec. 1. Short title.

This ordinance shall be known as the *Adamsville Zoning Ordinance*.

### Sec. 2. Authority.

The City Council hereby enacts this ordinance according to the authority granted to the City of Adamsville by the Legislature of the State of Alabama in Title 11, Chapter 52, Code of Alabama, 1975, as amended.

### Sec. 3. Applicability.

(a) The City Council hereby divides the territory within its corporate limits into business, industrial and residential zones or districts and may provide the kind, character and use of structures and improvements that may be erected or made within the several zones or districts established and may, from time to time, rearrange or alter the boundaries of such zones or districts and may also adopt such ordinances as necessary to carry into effect and make effective the provisions of this ordinance.

(b) The City Council may divide the City into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this ordinance, and within such districts, it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in any one district may differ from those in other districts.

(c) For the purpose of promoting the health, safety, morals, or general welfare, this ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes.

(d) The City Council shall provide for the manner in which these regulations and restrictions and the boundaries of such districts shall be determined, established and enforced and from time to time amended, supplemented or changed and may adopt such ordinances as may be necessary to carry into effect and make effective the provisions of

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\* State law reference - Zoning authority, Code of Ala. 1975, § 11-52-70 et seq.

this ordinance

**State law references** - Establishment, etc. of districts, Code of Ala. 1975, § 11-52-70. Number, etc. of districts; uniformity, Code of Ala. 1975, § 11-52-71. Regulation of height, etc., of buildings, etc., Code of Ala. 1975, § 11-52-73. Manner of establishment, etc., Code of Ala. 1975, § 11-52-76.

**Sec. 4. Non-discrimination as to housing.**

For the promotion of public peace, order, safety or general welfare, the City may, within residential districts established by this ordinance, regulate as to the housing or residence therein of the different classes of inhabitants, but such regulations shall not discriminate in favor of or against any class of inhabitants.

**State law reference** - Regulation as to housing, etc., Code of Ala. 1975, § 11-52-75.

**Sec. 5. Purposes and considerations.**

(a) This ordinance shall be prepared in accordance with a comprehensive plan and be designed to:

- (1) lessen congestion in the streets;
- (2) secure safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent overcrowding of land;
- (6) avoid undue concentration of population; and
- (7) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements.

(b) This ordinance shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Adamsville.

**State law reference** - Purposes and considerations of zoning, Code of Ala. 1975, § 11-52-72.

**Sec. 6. Conflicting requirements.**

(a) Wherever this ordinance requires a greater width or size of yards or courts or other open spaces or requires a lower height of buildings or a lesser number of stories or requires a greater percentage of lot to be left unoccupied or imposes other higher standards than are required in any other statute or local ordinance or regulation, the provisions of this ordinance shall govern.



(b) Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts or other open spaces or require a lower height of buildings or a lesser number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than this ordinance, the provisions of such statute or local ordinance or regulation shall govern.

State law reference - Conflict between regulations, Code of Ala. 1975, § 11-52 82.

**Sec. 7. Severability.**

The provisions of this ordinance are severable and should any provision be held by a court of competent jurisdiction to be invalid, this ordinance in its entirety and remaining parts thereof, other than the part so held to be invalid, shall still be valid.

**Sec. 8. Saving provision.**

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in these regulations.

**Sec. 9. Repeal.**

On the effective date of this ordinance, all local ordinances or parts of ordinances in conflict with this ordinance, or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.

**Secs. 10-19. Reserved.**

## ARTICLE II. ZONING DISTRICT REGULATIONS

### Division 1. Generally

#### Sec. 20. Zoning districts.

The City Council hereby divides the City of Adamsville into zoning districts which shall be known by the designations and titles which follow:

(1) *Agricultural districts.*

AG Agricultural District

(2) *Residential districts.*

R-E Residential Estate District  
R-1 Single Family Residence District  
R-2 Limited Multi-Family Housing District  
R-3 Multi-Family Housing District  
R-M Manufactured Housing District  
R-T Townhouse and Patio Home District  
R-A Affordable Housing District

(3) *Business districts.*

B-R Restricted Business District  
B-1 Neighborhood Business District  
B-2 Community Business District  
B-3 Regional Shopping District

(4) *Industrial districts.*

M-P Industrial Park District  
M-1 Light Industry District  
M-2 Heavy Industry District

(5) *Special purpose districts.*

PUD Planned Unit Development District  
MR Municipal Reserve District

#### Sec. 21. Zoning map.

(a) The zoning districts established by this ordinance are bounded and defined by an official zoning map which shall be known as the *Adamsville Zoning Map* and which, together with all explanatory materials contained therein, is hereby made a part of this ordinance.

(b) The official zoning map shall be drawn on durable transparent material from which prints can be made and shall be kept in the office of the Zoning Administrator.

(c) The Zoning Administrator shall update the official zoning map within thirty days

after amendments to it are adopted by the City Council.

(d) Should the official zoning map or any portion be lost, destroyed, damaged, or difficult to interpret because of the nature or number of revisions, the Zoning Administrator shall have a new map drawn and adopted by resolution of the City Council. The new map may correct drafting or other errors or omissions in the prior map, but no such correction shall have the effect of amending the maps. Any map amendment shall follow rezoning amendment procedures contained in this ordinance.

**Sec. 22. Zoning district boundaries.**

The rules of this section shall be used to determine the precise locations of any district boundary shown on the Adamsville Zoning Map.

- (1) Boundaries shown as following or approximately following any jurisdictional limits shall be construed as following such limits.
- (2) Boundaries shown as following or approximately following streets, alleys, or rights-of-way shall be construed as following such streets, alleys, or rights-of-way
- (3) Boundary lines which follow or approximately follow platted lot lines or other property lines as shown on the Jefferson County Tax Maps shall be construed as following such lines.
- (4) Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad lines.
- (5) Boundaries shown as following or approximately following shorelines of any lakes or ponds shall be construed to follow the mean high waterlines of such lakes or ponds. In the event of a change in the mean high waterline, the boundaries shall be constructed as moving with the actual mean high waterline.
- (6) Boundaries shown as following or approximately following the centerline of streams, rivers, or other continuously flowing water courses shall be construed as following the channel of such water courses taken at mean low water. In the event of a natural change in the location of such streams, rivers, or other water courses, the district boundary shall be construed as moving with the channel centerline.
- (7) Boundaries shown as separated from, and parallel or approximately parallel to any of the features listed in paragraphs (1) through (6) above shall be construed to be parallel to such features. In the absence of specific dimensions, the scale of the map shall determine the distance from such features.

**Sec. 23. District use regulations.**

Unless otherwise provided, no building, structure, or land shall be used except in the zoning districts indicated by this article and according to the additional regulations of this ordinance and other applicable codes and ordinances.

**Sec. 24. Use limitations due to zoning standards.**

Although a use may be permitted according to specified procedures in a particular

district, such use may not necessarily be permitted on every parcel of land in the district. A use may be permitted only if it can meet all of the standards of this ordinance and other applicable codes and ordinances.

**Sec. 25. Combined principal and accessory uses.**

(a) Unless otherwise prevented by this ordinance, more than one permitted principal use may be combined on a lot if all of the combined uses are commonly associated with and integrally related to one another. Further, all zoning regulations for each of the combined uses shall be met.

(b) Whenever an activity, which may or may not be separately listed in the district is conducted in conjunction with a permitted use in the district as an incidental or insubstantial part of the total activity on a lot, the incidental activity shall be permitted as an accessory use if the combined uses are commonly associated with and integrally related to one another.

(c) For the purpose of this section *commonly associated* means that the association of such combined uses takes place with sufficient frequency that there is common community acceptance of their relatedness.

**Sec. 26. Interpretation of uses.**

This ordinance recognizes the limitations of the district use listings given the infinite variations of essentially similar uses. Therefore, the Zoning Administrator is empowered to make interpretations so as to classify any questioned use within a listed use of most similar impact and characteristics. However, in no case shall the Zoning Administrator interpret a use as falling in one listed use when the use in question is more similar in impact and characteristics to another listed use. Appeal of the Zoning Administrator's use interpretation may be filed with the Zoning Board of Adjustment.

**Sec. 27. Unclassified uses.**

In the event the Zoning Administrator finds a new or unusual use that cannot appropriately fit a listed use in any district, the following procedures shall be followed:

- (1) If compatible with the existing zoning district intent, the unclassified use shall be permitted by special exception upon approval and subject to the conditions set by the Zoning Board of Adjustment.
- (2) If the unclassified use would not be compatible with the intent of the existing zoning district intent, the Zoning Administrator shall determine the most appropriate district classification and require the property in question to be rezoned. In addition, the unclassified use shall be permitted in the new district by special exception if granted approval by the Zoning Board of Adjustment.
- (3) Following the final action on the unclassified use, as (1) or (2) above may require, the Planning and Zoning Commission shall initiate an amendment to this ordinance to list the newly permitted use into the most appropriate district(s).

**Secs. 28-39. Reserved.**

## Division 2. Agricultural Districts

### Sec. 40. AG Agricultural District.

(a) *AG District intent.* This district consists primarily of undeveloped lands where agricultural and related pursuits may occur within the City and where agricultural support centers may serve outlying rural areas beyond the City. Further, the intent of the AG District is to hold these lands in agricultural, forestal, outdoor recreational, rural residential, and other limited yet compatible uses until City services can be expanded to accommodate a higher intensity of development.

(b) *AG District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- farm, subject to § 115
- hobby farm, subject to § 116
- kennel

b. *Residential uses.*

- accessory apartment, subject to § 101
- combination dwelling
- duplex
- group care residence, subject to § 103
- manufactured home, class A, subject to § 104
- single family residence

c. *Institutional uses.*

- cemetery
- club
- community center
- community facility
- country club
- day care home
- domiciliary care facility
- home instruction
- park
- place of worship
- public utility facility
- public utility service
- school

d. *Commercial uses.*

- home occupation, subject to § 112

e. *Temporary uses.*

- garage or yard sales
- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Agricultural uses.*

- farm support business
- livestock sales

b. *Residential uses.*

- manufactured home, class B, subject to § 105

c. *Institutional uses.*

- animal shelter
- boarding house
- penal institution
- public assembly center

d. *Commercial uses.*

- broadcast studio
- campground, subject to § 111

e. *Industrial uses.*

- resource extraction
- transmission tower

(c) *AG District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	5 acres
Minimum lot width:	150 feet
Minimum front yard:	30 feet
Minimum side yard:	25 feet
Minimum rear yard:	20 feet
Maximum building height:	45 feet

### Division 3. Residential Districts

#### Sec. 50. R-E Residential Estate District.

(a) *R-E District intent.* This district consists of areas suitable for single family residences on large estate-size lots. The R-E District allows for certain accessory uses customarily associated with single family dwellings. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-E District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- hobby farm

b. *Residential uses.*

- combination dwelling
- single family residence

c. *Institutional uses.*

- day care home
- park
- public utility service

d. *Commercial uses.*

- home occupation, subject to § 112

e. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Residential uses.*

- accessory apartment, subject to § 101
- group care residence, subject to § 103
- residential cluster subdivision, subject to § 109

c. *Institutional uses.*

- cemetery
- community facility
- place of worship
- public utility facility
- school

d. *Temporary uses.*

- seasonal sales
- special event

(c) *R-E District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area	1 acre
Minimum lot width	150 feet
Minimum front yard	60 feet
Minimum side yard	20 feet
Minimum rear yard	35 feet
Maximum building height	35 feet

(d) *R-E District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.



**Sec. 51. R-1 Single Family Residence District.**

(a) *R-1 District intent.* This district consists of areas suitable for conventional single family residences. The R-1 District allows for certain accessory uses customarily associated with single family dwellings. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-1 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling
- single family residence

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Residential uses.*

- accessory apartment, subject to § 101
- group care residence, subject to § 103
- residential cluster subdivision, subject to § 109

b. *Institutional uses.*

- cemetery
- community facility
- place of worship
- public utility facility
- school

(c) *R-1 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-1 District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

Sec. 52. R-2 Limited Multi-Family Housing District.

(a) *R-2 District intent.* This district consists of areas suitable for duplexes, multiplexes, and other compatible housing types. The R-2 District allows for certain accessory uses customarily associated with dwellings. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-2 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- accessory apartment, subject to § 101
- combination dwelling
- duplex
- group care residence, subject to § 103
- patio home, subject to § 108
- residential cluster subdivision, subject to § 109
- single family residence
- townhouse, subject to § 110

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- cemetery
- community facility
- place of worship
- public utility facility
- school

(c) *R-2 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-2 District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

## Sec. 53. R-3 Multi-Family Housing District

(a) *R-3 District intent.* This district consists of areas suitable for a variety of multi-family housing, institutional living facilities, and a variety of other housing types. The intent of the R-3 District is to encourage the development of high density housing that efficiently serves the varied residential needs of the community. The R-3 District allows for customary accessory uses which are integrally related to residences. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-3 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- accessory apartment, subject to § 101
- apartment, subject to § 102
- combination dwelling
- duplex
- group care residence, subject to § 103
- multiplex, subject to § 107
- patio home, subject to § 108
- residential cluster subdivision, subject to § 109
- single family residence
- townhouse, subject to § 110

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- boarding house
- cemetery
- community facility
- domiciliary care facility
- nursing care facility
- place of worship
- public utility facility
- school

(c) *R-3 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-3 District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

Sec. 54. R-M Manufactured Housing District.

(a) *R-M District intent.* This district consists of areas suitable for manufactured homes within parks or on lots within a subdivision. The underlying intent of this district is to encourage affordable homeownership alternatives in select locations within the city. The R-M District allows for certain accessory uses customarily associated with single family dwellings. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-M District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling
- duplex
- manufactured home, class A, subject to § 104
- manufactured home, class B, subject to § 105
- manufactured home park, subject to § 106
- patio home, subject to § 108
- single family residence

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Residential uses.*

- group care residence, subject to § 103

b. *Institutional uses.*

- cemetery
- community facility
- place of worship
- public utility facility
- school

(c) *R-M District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-M District site development regulations.* The following additional regulations shall be required:

- (1) *Off-Street Parking and Loading Regulations*, in accordance with §§ 170-189.
- (2) *Screening and Buffer Yard Regulations*, in accordance with §§ 190-209.
- (3) *Sign Regulations*, in accordance with §§ 210-299.



Sec. 55. R-T Townhouse and Patio Home District.

(a) *R-T District intent.* This district consists of areas suitable for a mix of single family attached and detached dwellings. The district permits a wide range of single family housing alternatives - single family residences, patio homes, and townhouses - at a controlled density. These permitted housing developments are most appropriate in the suburban fringe of the city or on large undeveloped tracts within the older city core. Further, the district provides for residential accessory uses and institutional uses which are integrally related to residential neighborhoods.

(b) *R-T District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling
- patio home, subject to § 108
- residential cluster subdivision, subject to § 109
- single family residence
- townhouse, subject to § 110

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Residential uses.*

- group care residence, subject to § 103

b. *Institutional uses.*

- cemetery

- community facility
- place of worship
- public utility facility
- school

(c) *R-T District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-T District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

(d) *AG District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

**Secs. 41-49. Reserved.**

**Sec. 56. R-A Affordable Housing District.**

(a) *R-A District intent.* This district provides for infill development of large vacant tracts within the city core for a variety of urban housing types - single family residences, patio homes, townhouses, duplexes, and multiplexes - at a limited density. The intent of the R-A District is to encourage the development of a range of housing types to serve the varied residential needs of the community. The R-A District allows for customary accessory uses which are integrally related to residences. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

(b) *R-A District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- accessory apartment, subject to § 101
- combination dwelling
- duplex
- group care residence, subject to § 103
- manufactured home, class A, subject to § 104
- patio home, subject to § 108
- single family residence

b. *Institutional uses.*

- day care home
- park
- public utility service

c. *Commercial uses.*

- home occupation, subject to § 112

d. *Temporary uses.*

- garage or yard sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Residential uses.*

- manufactured home, class B, subject to § 105
- multiplex, subject to § 107
- townhouse, subject to § 110

b. *Institutional uses.*

- boarding house
- cemetery
- community facility
- domiciliary care facility
- place of worship
- public utility facility
- school

(c) *R-A District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	7,200 square feet
Minimum lot width:	60 feet
Minimum front yard:	25 feet
Minimum side yard:	10 feet
Minimum rear yard:	20 feet
Maximum building height:	35 feet

(d) *R-A District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

**Secs. 57-59. Reserved.**

## Division 4. Business Districts

### Sec. 60. B-R Restricted Business District.

(a) *B-R District intent.* This district consists of areas where a transition in land development to non-residential uses may occur, particularly along major street frontages. Compatibility with adjacent, low density development and management of commercial sprawl are encouraged. The B-R District allows for institutional and light commercial uses (such as offices, clinics, and personal services).

(b) *B-R District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling

b. *Institutional uses.*

- boarding house
- cemetery
- club
- community center
- community facility
- country club
- day care center
- domiciliary care facility
- hospital
- nursing care facility
- park
- place of worship
- public utility service
- school

c. *Commercial uses.*

- animal hospital
- bank or financial service
- broadcast studio
- business or professional office
- business support service
- clinic
- commercial school
- medical support service
- personal service
- tourist home

d. *Temporary uses.*

- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

a. *Institutional uses.*

- public utility facility

b. *Commercial uses.*

- convenience store
- specialty retail center, subject to § 114

(c) *B-R District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	35 feet
Minimum side yard:	10 feet
Minimum rear yard:	35 feet
Maximum building height:	35 feet

(d) *B-R District site development regulations.* The following additional regulations shall be required:

- (1) *Off-Street Parking and Loading Regulations*, in accordance with §§ 170-189.
- (2) *Screening and Buffer Yard Regulations*, in accordance with §§ 190-209.
- (3) *Sign Regulations*, in accordance with §§ 210-299.

**Sec. 61. B-1 Neighborhood Business District.**

(a) *B-1 District intent.* This district consists of areas where a limited range of commercial and institutional uses may serve the needs of a small neighborhood. The objective of the district is to encourage the development of small-scale neighborhood centers for a variety of activities.

(b) *B-1 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling

b. *Institutional uses.*

- boarding house
- cemetery
- club
- community center
- community facility
- country club
- day care center
- domiciliary care facility
- hospital
- nursing care facility
- park
- place of worship
- public utility service
- school

c. *Commercial uses.*

- animal hospital
- bank or financial service
- broadcast studio
- business or professional office
- business support service
- clinic
- commercial school
- convenience store
- garden center or nursery
- general retail business, enclosed
- laundry service
- medical support service
- personal service
- restaurant, standard



- shopping center, neighborhood
- specialty retail center, subject to § 114
- tourist home

d. *Temporary uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- public utility facility

(c) *B-1 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	35 feet
Minimum side yard:	10 feet
Minimum rear yard:	35 feet
Maximum building height:	35 feet

(d) *B-1 District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

**Sec. 62. B-2 Community Business District.**

(a) *B-2 District intent.* This district consists of areas where a wide range of commercial uses are permitted. The district encourages commercial and institutional uses which serve a large neighborhood or the community at-large. Commercial activities, in most cases, must be conducted indoors.

(b) *B-2 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- kennel

b. *Residential uses.*

- combination dwelling

b. *Institutional uses.*

- cemetery
- club
- community center
- community facility
- country club
- day care center
- hospital
- park
- place of worship
- public utility service
- school

c. *Commercial uses.*

- animal hospital
- bank or financial service
- business or professional office
- business support service
- clinic
- commercial school
- convenience store
- entertainment, indoor
- funeral home
- garden center or nursery
- general retail business, enclosed
- laundry service
- medical support service

- open air market
- personal service
- recreation, indoor
- restaurant, fast food
- restaurant, standard
- shopping center, community or regional
- shopping center, neighborhood
- specialty retail center, subject to § 114
- tourist home
- vehicle service station

d. *Temporary uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- public utility facility

(c) *B-2 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	35 feet
Minimum side yard:	10 feet
Minimum rear yard:	35 feet
Maximum building height:	35 feet

(d) *B-2 District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.

**Sec. 63. B-3 Regional Business District.**

(a) *B-3 District intent.* This district consists of areas where the widest range of commercial uses are permitted at the highest degree of intensity. The district encourages commercial centers to serve the community or region at-large. Commercial activity may be conducted either indoors or, with few exceptions, outdoors. The B-3 District also allows for institutional uses which are compatible with commercial activities.

(b) *B-3 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- kennel

b. *Residential uses.*

- combination dwelling

b. *Institutional uses.*

- animal shelter
- cemetery
- club
- community center
- community facility
- country club
- day care center
- hospital
- park
- place of worship
- public assembly center
- public utility service
- school

c. *Commercial uses.*

- animal hospital
- bank or financial service
- broadcast studio
- business or professional office
- business support service
- car wash
- clinic
- commercial school
- convenience store
- entertainment, indoor

- entertainment, outdoor
- funeral home
- garden center or nursery
- general retail business, unenclosed
- general retail business, enclosed
- home improvement center
- laundry service
- medical support service
- mini-warehouse, subject to § 113
- open air market
- personal service
- recreation, indoor
- recreation, outdoor
- restaurant, fast food
- restaurant, standard
- shopping center, community or regional
- shopping center, neighborhood
- specialty retail center, subject to § 114
- tourist home
- vehicle repair service
- vehicle sales or rental
- vehicle service station

d. *Industrial uses.*

- construction service
- maintenance service
- transmission tower
- vehicle and equipment sales, major

e. *Temporary uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- public utility facility

(c) *B-3 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	35 feet
Minimum side yard:	10 feet
Minimum rear yard:	35 feet
Maximum building height:	35 feet

(d) B-3 District site development regulations. The following additional regulations shall be required:

(1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.

(2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.

(3) Sign Regulations, in accordance with §§ 210-299.

**Secs. 64-69. Reserved.**

## Division 5. Industrial Districts

### Sec. 70. M-P Industrial Park District.

(a) *M-P District intent.* This district consists of areas suited for industrial parks. Principal activities include offices; research labs; light and general manufacturing; industrial services; enclosed warehousing, wholesaling, and distribution services; and other activities appropriate to an industrial park. The M-P District also allows for limited commercial and institutional uses which are supportive of industrial parks.

(b) *M-P District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Residential uses.*

- combination dwelling

b. *Institutional uses.*

- community facility
- park
- public utility service

c. *Commercial uses.*

- broadcast studio
- business or professional office
- business support service
- commercial school
- laundry service
- medical support service
- personal service

d. *Industrial uses.*

- maintenance service
- manufacturing, general
- manufacturing, light
- research lab
- transmission tower
- warehousing, wholesaling, and distribution, enclosed

e. *Temporary Uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Institutional uses.*

- public utility facility

(c) *M-P District dimensional regulations.* Except as provided in Art. III, *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	50 feet
Minimum side yard:	25 feet
Minimum rear yard:	50 feet
Maximum building height:	65 feet

(d) *M-P District site development regulations.* The following additional regulations shall be required:

- (1) Off-Street Parking and Loading Regulations, in accordance with §§ 170-189.
- (2) Screening and Buffer Yard Regulations, in accordance with §§ 190-209.
- (3) Sign Regulations, in accordance with §§ 210-299.



Sec. 71. M-1 Light Industry District.

(a) *M-1 District intent.* This district consists of areas where limited industrial uses are permitted. The district encourages employment centers with a low degree of environmental impact. Principal industrial activities include light manufacturing, industrial services, warehousing, wholesaling, and distribution services, and other limited impact activities. The M-1 District also allows for commercial and institutional uses which are supportive of industrial employment centers.

(b) *M-1 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- farm, subject to § 115
- farm support business

b. *Residential uses.*

- combination dwelling

c. *Institutional uses.*

- community facility
- military installation
- park
- public utility facility
- public utility service

d. *Commercial uses.*

- broadcast studio
- business or professional office
- business support service
- car wash
- commercial school
- home improvement center
- laundry service
- medical support service
- mini-warehouse, subject to § 113
- open air market
- personal service
- vehicle repair service
- vehicle service station

e. *Industrial uses.*

- construction service
- maintenance service
- manufacturing, light
- research lab
- transmission tower
- vehicle and equipment sales, major
- warehousing, wholesaling, and ditribution, enclosed

f. *Temporary Uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

- none

(c) *M-1 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	50 feet
Minimum side yard:	25 feet
Minimum rear yard:	50 feet
Maximum building height:	65 feet

(d) *M-1 District site development regulations.* The following additional regulations shall be required:

- (1) *Off-Street Parking and Loading Regulations*, in accordance with §§ 170-189.
- (2) *Screening and Buffer Yard Regulations*, in accordance with §§ 190-209.
- (3) *Sign Regulations*, in accordance with §§ 210-299.

Sec. 72. M-2 Heavy Industry District.

(a) *M-2 District intent.* This district consists of areas where heavy industrial uses are permitted. The district encourages employment centers with a potentially high degree of environmental impact. Principal industrial activities include general manufacturing, heavy industry, salvage yards, resource extraction, solid waste disposal, and other heavy impact activities. The M-2 District also allows for commercial and institutional uses which are supportive of industrial activities.

(b) *M-2 District use regulations.* Accessory and combined uses and structures may be permitted subject to § 25 *Combined principal and accessory uses*, and similar uses to those listed below may also be permitted subject to § 26 *Interpretation of uses*. All uses listed in this district are defined by § 350 *Uses defined*.

(1) *Permitted uses.* The following uses shall be permitted subject to appropriate permits being issued in accordance with this ordinance:

a. *Agricultural uses.*

- farm, subject to § 115
- farm support business
- livestock sales

b. *Residential uses.*

- combination dwelling

c. *Institutional uses.*

- animal shelter
- community facility
- military installation
- park
- public utility facility
- public utility service

d. *Commercial uses.*

- broadcast studio
- business or professional office
- business support service
- car wash
- commercial school
- home improvement center
- laundry service
- medical support service
- mini-warehouse, subject to § 113
- open air market
- personal service
- vehicle repair service
- vehicle service station

e. *Industrial uses.*

- construction service
- heavy industry
- maintenance service
- manufacturing, general
- manufacturing, light
- research lab
- transmission tower
- vehicle and equipment repair, major
- vehicle and equipment sales, major
- warehousing, wholesaling, and ditribution, enclosed
- warehousing, wholesaling, and ditribution, open

f. *Temporary Uses.*

- seasonal sales
- special event

(2) *Conditional uses.* The following uses shall be permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.

*Industrial uses.*

- resource extraction
- salvage yard
- sanitary landfill

(c) *M-2 District dimensional regulations.* Except as provided in Art. III. *Supplemental District Regulations*, the following dimensional standards shall be required:

Minimum lot area:	none
Minimum lot width:	150 feet
Minimum front yard:	50 feet
Minimum side yard:	25 feet
Minimum rear yard:	50 feet
Maximum building height:	65 feet

(d) *M-2 District site development regulations.* The following additional regulations shall be required:

- (1) *Off-Street Parking and Loading Regulations*, in accordance with §§ 170-189.
- (2) *Screening and Buffer Yard Regulations*, in accordance with §§ 190-209.
- (3) *Sign Regulations*, in accordance with §§ 210-299.

**Secs. 73-79. Reserved.**

## Division 6. Special Purpose Districts

### Sec. 80. PUD Planned Unit Development District.

(a) *PUD District intent.* This District permits a tract to be planned and developed as an integral unit under single ownership or control, consisting of a combination of residential and non-residential uses. The District intent is to provide a living, working, and shopping environment within the development that contributes to a sense of community and a coherent living style. Further, the District seeks to provide a development framework that obtains commercial and industrial business activity that significantly improves the economic development of the community; to encourages the preservation and enhancement of the natural amenities of land and protect natural features; and to reduce improvement costs through more efficient arrangement of varied land uses, buildings, circulation systems, and infrastructure.

(b) *PUD approval process.* Approval of a PUD requires a three step approval process, as follows:

(1) *Rezoning and concept plan approval.* A concept plan shall accompany each application for rezoning to the PUD District. Development of the PUD shall be in substantial accord with the approved concept plan. The concept plan shall be drawn to scale and dimensioned, prepared by a professional engineer, land surveyor, architect, or landscape architect licensed to practice in the State of Alabama. The concept plan shall show, in schematic detail, the concept for use and development of the entire PUD tract.

(2) *Preliminary site plan approval.*

a. Following rezoning and concept plan approval, the developer shall submit a preliminary site plan to the Planning and Zoning Commission for each phase of the development in substantial accord with the concept plan.

b. The preliminary site plan shall be drawn to scale and dimensioned, prepared by a professional engineer, land surveyor, architect, or landscape architect licensed to practice in the State of Alabama.

c. The preliminary plan shall show information necessary for the Planning and Zoning Commission to adequately assess the suitability of the proposed development, including at a minimum the following items:

- the location of proposed uses;
- proposed building areas and heights;
- proposed residential development density and housing types;
- lots with proposed sizes, widths, and yards;
- proposed screening and bufferyards;
- proposed off-street parking and loading areas;
- layout of streets, pedestrian facilities, and drives;
- location of all entrances to the tract; and
- layout and configuration of common open space.

d. A narrative text and supplemental drawings shall accompany the

preliminary site plan, describing the general design and construction policies for the PUD, the proposed design and construction standards for streets; the treatment of environmentally-sensitive land located in the project tract (areas of flooding, severe slope, woodlands, streams, lakes, and ponds); the proposed time frame for phased development; and such other conditions for use and development proposed by the applicant.

e. All preliminary site plans shall be in substantial accord with the approved concept plan. Any deviation in the preliminary site plan from the approved concept plan shall require resubmittal of the PUD rezoning and concept plan approval application.

(3) Before each phase of the development is constructed, a final site plan shall be required, in accordance with § 314. *Site plan review.* Final site plan approval shall be coordinated with the approval of subdivision plats and construction plans required by the *Adamsville Subdivision Regulations*. All final site plans shall be in substantial accord with the approved preliminary site plan. Any deviation in the final site plan from the approved preliminary site plan shall require resubmittal of the preliminary site plan application.

(c) *PUD District use regulations.* A Planned Unit Development District may be established for any tract. The Planned Unit Development (referred to as PUD) shall consist of a combination of uses planned and developed as an integral unit under single ownership or control. Specific use limitations shall be established in the process of concept plan approval.

(d) *PUD District dimensional regulations.* In any PUD, the developer may create lots and construct buildings without regard to the conventional minimum lot size, lot width, or yard restrictions of this ordinance except that:

(1) A 50 feet lot boundary setback shall apply where and to the extent that the development abuts land that is not part of the PUD, and

(2) Each lot must be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this ordinance, as approved by the Planning and Zoning Commission in the preliminary and final site plans.

(e) *PUD District design and construction standards.* Where the design and construction standards of approved in the preliminary and final site plans conflict with the subdivision regulations and any other requirements of this zoning ordinance, the standards approved in the PUD approval process shall control.

(f) *Issuance of permits within a PUD subdivision.* Permits may be issued in any phase of a PUD subdivision with public improvements under construction following completion of final site plan and subdivision plat approval, provided:

(1) No building permits for a subdivision with public improvements under construction shall be issued by the Building Inspector unless the extent of street improvements is adequate for vehicular access by the prospective builder and by police and fire equipment. Further, no building permit shall be issued for the greater of two or the final 10% of lots within the subdivision until all

public improvements and dedications have been completed by the developer and accepted by the City.

(2) No certificate of occupancy for any building in the subdivision shall be issued by the Building Inspector prior to the completion and dedication of required public improvements and posting of a maintenance bond for public improvements.

**Sec. 81. MR Municipal Reserve District.**

(a) *MR District intent.* This district serves as an interim zone for newly annexed areas of the municipality. The MR District seeks to protect newly annexed areas prior to the time comprehensive zoning can be enacted.

(b) *MR District regulations.*

(1) On the effective date of annexation all newly-annexed property shall be zoned MR Municipal Reserve District.

(2) At its next regularly scheduled meeting following the Council's adoption of the annexation, the Planning and Zoning Commission shall initiate a petition to rezone property from the MR District to any other district contained within this ordinance. In determining the most appropriate zone, the Planning and Zoning Commission shall duly consider the following items, among others:

a. Comprehensive land use plan and related studies;

b. The desires of the property owners subject to rezoning;

c. The State-mandated purposes and considerations of zoning, as set forth in section 11-52-72, Code of Alabama, 1975, as amended.

(3) Single family residences and all uses in existence at the time of annexation may lawfully continue under the provisions of the MR District, in accord with the R-E District standards.

(4) All annexation ordinances enacted by the City shall include the provision that the property shall be temporarily zoned MR. A copy of the annexation ordinance shall be transmitted to the Planning and Zoning Commission and the Building Inspector.

(5) The zoning map shall be updated within thirty days of enactment of the zoning change from the MR District.

**Secs. 82-89. Reserved.**



## ARTICLE III. SUPPLEMENTAL DISTRICT REGULATIONS

### Division 1. Generally

#### Sec. 90. Compliance with supplemental district regulations.

Unless otherwise provided by this chapter, all uses and activities established after the effective date of this chapter shall comply with the supplemental requirements established by this article.

Secs. 91-99. Reserved.

## Division 2. Supplemental Use Regulations.

### Sec. 100. Purpose of supplemental use regulations.

This division assigns supplemental standards over and above those imposed by other sections of this ordinance. Although permitted in certain districts, some uses have unique characteristics that require these supplemental standards.

### Sec. 101. Accessory apartment.

(a) The floor area of the apartment shall not exceed 25% of the floor area of the single family residence in which it is located. The minimum floor area of the apartment shall be 300 square feet.

(b) Where attached to the main dwelling, no direct entrance to the apartment shall be permitted unless the entrance is on the side or rear of the structure as it faces the front lot line. For conversion of existing residences, no additional front entrances shall be permitted.

(c) Where detached from the main dwelling, location of the apartment on the lot shall be limited to the rear of the main dwelling or within the upper floor of a garage. The detached apartment shall maintain the appearance of a garage that is architecturally compatible with the principal dwelling, in terms of scale, placement on the lot, and materials.

(d) Each application for a permit shall include the following materials:

- a scaled plot plan showing the location and dimensions of property lines, structures, parking, and improvements; and
- a rendering showing the house maintains the exterior appearance of a single family residence (attached apartment).
- a rendering of the apartment showing its architectural compatibility with the principal dwelling (detached apartment).

### Sec. 102. Apartment.

(a) The minimum site area shall be 20,000 square feet. The maximum density shall be 24 dwelling units per acre of site area.

(b) All buildings shall be set back at least 15 feet from all parking areas.

(c) Not more than 16 dwelling units shall be permitted per building.

(d) Buildings shall be spaced front to front, front to rear, front to side, and rear to rear at least to a distance equal to twice the tallest building height and spaced side to side and side to rear at least to a distance equal to the tallest building height.

(e) At least 10% of the site area, but not less than 2,500 square feet, shall be improved for the recreational use by the apartment residents.

**Sec. 103. Group care residence.**

- (a) The use shall be conducted within a single family residence.
- (b) The building shall maintain the exterior appearance of a single family residence, with no separate outside entrances to individual bedrooms.
- (c) The group care residence must be sponsored by a public or non-profit organization. State licensing requirements shall be met.
- (d) No group care residence shall be located within 1,000 feet of another group care residence as measured between lot lines.

**Sec. 104. Manufactured home, class A.**

- (a) The manufactured home shall have the wheels removed.
- (b) The manufactured home shall be installed according to all requirements of the Standard Building Code.
- (c) The manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development.
- (d) The unit shall be completed skirted with a weather-resistant material which resembles a permanent foundation commonly found on a single family residence. Skirting shall be adequately vented.
- (e) The unit shall be multi-sectional with a minimum width of 23 feet.
- (f) The unit shall be covered with a non-reflective, exterior material customarily used on a single family residence, such as but not limited to lap siding, plywood, brick, stone, or stucco.
- (g) The unit shall have a 2.5" in 12" minimum pitch roof. The roof shall be covered with non-reflective roof materials, such as but not limited to fiberglass shingles, asphalt shingles, or wood shakes.
- (h) A minimum 240 cubic feet storage area shall be provided for the storage of yard equipment. The storage area may be under the unit or within an accessory building.

**Sec. 105. Manufactured home, class B.**

- (a) The manufactured home shall have the wheels removed.
- (b) The manufactured home shall be installed according to all requirements of the Standard Building Code.
- (c) The manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development.

(d) The unit shall be completed skirted with a weather-resistant material which resembles a permanent foundation commonly found on a single family residence. Skirting shall be adequately vented.

(e) A minimum 240 cubic feet storage area shall be provided for the storage of yard equipment. The storage area may be under the unit or within an accessory building.

**Sec. 106. Manufactured home park.**

(a) *Uses and activities.* The manufactured home park shall be limited to the following uses and activities:

- manufactured home;
- management office;
- manager's residence;
- service facilities, such as laundromats, household storage buildings, outdoor storage yards, refuse disposal areas, and similar common service facilities designed and intended to serve only the residents of the park.
- recreational facilities designed and intended to serve only the residents of the park;
- retail convenience sales for residents of the park; and
- residential accessory uses and structures.

(b) *Site area.* The minimum site area for the manufactured home park shall be ten contiguous acres.

(c) *Density.* The maximum density shall be eight manufactured home spaces per acre of site area. If not served by public water and sewer, the maximum density shall be two manufactured home spaces per gross acre or a lower density may be set by the County Health Department.

(d) *Perimeter yards.* No manufactured home space or buildings shall extend into any required yards along the perimeter of the park, as listed below. The perimeter yards shall be reserved for screening and buffering yards and may also be used for common streets, walkways, and passive recreation areas (without structures). The screening and bufferyard standards of this ordinance may require wider perimeter yards, depending on the adjacent uses of land, and may place additional restrictions on the use of the perimeter yards.

- Front perimeter yard: 25 feet
- Rear perimeter yard: 15 feet
- Side perimeter yard: 10 feet

(e) *Area of manufactured home spaces.* Each manufactured home space shall meet

## APPENDIX H MANUFACTURED HOMES TIE DOWN STANDARDS

### H101 SCOPE

The requirements set forth in this appendix shall apply specifically to all new manufactured homes, and shall provide minimum standards for construction of manufactured homes.

### H102 GENERAL

Manufactured homes shall comply with the Federal "Manufactured Home Construction and Safety Standards" dated August 11, 1987.

### H103 DEFINITIONS

Manufactured Home means a structure, transportable in one or more sections, which is 8 body feet (2.4 m) or more in width and is 32 body feet (9.75 m) or more in length, and which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes plumbing, heating, air-conditioning and electrical systems contained therein.

### H104 IDENTIFICATION

**H104.1** A manufactured home unit may bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by an agency approved by the Secretary of the Department of Housing and Urban Development. Such label or seal shall be deemed to be in full compliance with the standards for manufactured homes prescribed by the Southern Building Code Congress International.

**H104.2** All manufactured home units bearing such label or seal shall be acceptable within such city, county or state jurisdiction.

**H104.3** Any manufactured home unit manufactured after June 15, 1976, not bearing such seal or label shall be reported to the State Administrative Agency (SAA) having jurisdiction and shall not be granted a certificate of occupancy.

### H105 MANUFACTURED HOME TIE DOWN STANDARDS

#### H105.1 Required Piers And Anchorage

**H105.1.1** Manufactured homes require two types of anchorage: (1) over the top tiedowns to restrict overturning and (2) frame tiedowns to restrict the unit from being pushed from its piers. These standards apply to units 14 ft (4.3 m) and less in width. "Double wides" require only frame ties.

**H105.1.2** Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the manufactured home or shall extend at least 6 inches (152 mm) from the centerline of the frame member. Manufactured load-

bearing supports or devices shall be listed or approved for use as intended, or piers shall be constructed as follows:

1. Except for corner piers, piers less than 40 inches (1016 mm) high shall be constructed of masonry units, placed with cores or cells vertically. Piers shall be installed with their long dimensions perpendicular to the main (I-beam) frame member it supports and shall have a minimum cross-sectional area of 119 sq in (0.077 m<sup>2</sup>). Piers shall be capped with a minimum 2-inch (51 mm) solid masonry unit or concrete cap, or equivalent.
2. Piers between 40 and 80 inches (1016 and 2032 mm) high and all corner piers over 24 inches (610 mm) shall be at least 16 x 16 inches (406 x 406 mm) consisting of interlocking masonry units and shall be fully capped with a minimum 4-inch (102 mm) solid masonry unit or equivalent.
3. Piers over 80 inches (2032 mm) high shall be constructed in accordance with the provisions of paragraph 2 above, provided the piers shall be filled solid with grout and reinforced with four continuous No. 5 bars. One bar shall be placed in each corner cell of hollow masonry unit piers, or in each corner of the grouted space of piers constructed of solid masonry units.
4. Cast-in-place concrete piers meeting the same size and height limitations of paragraphs 1, 2 and 3 above may be substituted for piers constructed of masonry units.
5. All piers shall be constructed on footings of solid concrete not less than 16 x 16 x 4 inches (406 x 406 x 102 mm).

### H105.2 Definitions

**DIAGONAL TIE**—any tiedown designed to resist horizontal or shear forces and which deviates not less than 30° from a vertical direction.

**GROUND ANCHOR**—any device at the manufactured home stand designed for the purpose of securing a manufactured home to the ground.

**HURRICANE ZONE**—the entire state of Florida, plus, in other coastal states, the first two tiers of coastal counties.

**TIEDOWN**—any device designed for the purpose of anchoring a manufactured home to ground anchors.

### H105.3 Tiedowns

**H105.3.1** Manufactured homes with provisions for installation of anchor systems, including instructions, in accordance with Federal Manufactured Home Construction & Safety Standards, Section 3280.306 shall be installed in accordance with the manufacturers instructions. Manufactured homes not provided with such installation instructions, or manufactured homes not provided with instructions for the zone (hurricane or non-hurricane) in which they are being installed shall comply with the following specifications.

# APPENDIX H

## MANUFACTURED HOMES TIE DOWN STANDARDS

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The requirements set forth in this appendix shall apply specifically to all new manufactured homes, and shall provide minimum standards for construction of manufactured homes.

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Manufactured homes shall comply with the Federal "Manufactured Home Construction and Safety Standards" dated August 11, 1987.

### H103 DEFINITIONS

Manufactured Home means a structure, transportable in one or more sections, which is 8 body feet (2.4 m) or more in width and is 32 body feet (9.75 m) or more in length, and which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes plumbing, heating, air-conditioning and electrical systems contained therein.

### H104 IDENTIFICATION

**H104.1** A manufactured home unit may bear the label or seal of compliance with the Federal Manufactured Home Construction and Safety Standards issued by an agency approved by the Secretary of the Department of Housing and Urban Development. Such label or seal shall be deemed to be in full compliance with the standards for manufactured homes prescribed by the Southern Building Code Congress International.

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### H105 MANUFACTURED HOME TIE DOWN STANDARDS

#### H105.1 Required Piers And Anchorage

**H105.1.1** Manufactured homes require two types of anchorage: (1) over the top tie-downs to restrict overturning and (2) frame tie-downs to restrict the unit from being pushed from its piers. These standards apply to units 14 ft (4.3 m) and less in width. "Double wides" require only frame ties.

**H105.1.2** Piers or load-bearing supports or devices shall be designed and constructed to evenly distribute the loads. Piers shall be securely attached to the frame of the manufactured home or shall extend at least 6 inches (152 mm) from the centerline of the frame member. Manufactured load-

bearing supports or devices shall be listed or approved for the use intended, or piers shall be constructed as follows:

1. Except for corner piers, piers less than 40 inches (1016 mm) high shall be constructed of masonry units, placed with cores or cells vertically. Piers shall be installed with their long dimensions perpendicular to the main (I-beam) frame member it supports and shall have a minimum cross-sectional area of 119 sq in (0.077 m<sup>2</sup>). Piers shall be capped with a minimum 2-inch (51 mm) solid masonry unit or concrete cap, or equivalent.
2. Piers between 40 and 80 inches (1016 and 2032 mm) high and all corner piers over 24 inches (610 mm) shall be at least 16 x 16 inches (406 x 406 mm) consisting of interlocking masonry units and shall be fully capped with a minimum 4-inch (102 mm) solid masonry unit or equivalent.
3. Piers over 80 inches (2032 mm) high shall be constructed in accordance with the provisions of paragraph 2 above, provided the piers shall be filled solid with grout and reinforced with four continuous No. 5 bars. One bar shall be placed in each corner cell of hollow masonry unit piers, or in each corner of the grouted space of piers constructed of solid masonry units.
4. Cast-in-place concrete piers meeting the same size and height limitations of paragraphs 1, 2 and 3 above may be substituted for piers constructed of masonry units.
5. All piers shall be constructed on footings of solid concrete not less than 16 x 16 x 4 inches (406 x 406 x 102 mm).

### H105.2 Definitions

**DIAGONAL TIE**—any tie-down designed to resist horizontal or shear forces and which deviates not less than 30° from a vertical direction.

**GROUND ANCHOR**—any device at the manufactured home stand designed for the purpose of securing a manufactured home to the ground.

**HURRICANE ZONE**—the entire state of Florida, plus, in other coastal states, the first two tiers of coastal counties.

**TIEDOWN**—any device designed for the purpose of anchoring a manufactured home to ground anchors.

### H105.3 Tie-downs

**H105.3.1** Manufactured homes with provisions for installation of anchor systems, including instructions, in accordance with Federal Manufactured Home Construction & Safety Standards, Section 3280.306 shall be installed in accordance with the manufacturers instructions. Manufactured homes not provided with such installation instructions, or manufactured homes not provided with instructions for the zone (hurricane or non-hurricane) in which they are being installed shall comply with the following specifications.

the following area requirements which depend on the size of the unit to be placed on the space. The boundaries of each space shall be clearly marked on the ground by permanent flush stakes.

(1) For spaces designed for single wide units:

*with public sewer and water*

- Minimum area: 4,000 square feet
- Minimum width at front setback line: 40 feet

*without public sewer and water*

- Minimum area: 15,000 square feet
- Minimum width at front setback line: 85 feet

(2) For spaces designed for double wide or multi-sectional units:

*with public sewer and water*

- Minimum area: 5,000 square feet
- Minimum width at front setback line: 50 feet

*without public sewer and water*

- Minimum area: 15,000 square feet
- Minimum width at front setback line: 85 feet

(f) *Setbacks and distancing of manufactured homes.*

(1) Each manufactured home on a space shall be set back the following distances from the boundaries of each space:

- Minimum front yard setback from the private street right-of-way which serves the space: 20 feet
- Minimum side yard setback: 5 feet
- Minimum rear yard setback: 10 feet

(2) Accessory buildings, such as storage units, shall not be permitted within the required 20 feet front yard of each space and shall not be permitted within five 5 feet of the rear and side boundaries of each space. Carports shall be permitted within the front yard but shall not be permitted within five 5 feet of the rear and side boundaries of each space.

(3) No manufactured home shall be closer than 26 feet to any other manufactured home on an adjacent space.

(4) Each space shall have a concrete pad constructed for placement of a manufactured home in full compliance with the setback and distancing requirements of this section.

(g) *Installation of manufactured homes.* All manufactured homes shall be installed according to all requirements of the Standard Building Code and be completed skirted with a weather-resistant material. Skirting shall be adequately vented.

(h) *Outdoor living area.* A 300 square feet outdoor living area shall be reserved on spaces of less than 7,000 square feet. Not less than 100 square feet, with a minimum dimension of 10 feet, shall be a hard-surfaced patio.

(i) *Storage facilities.*

(1) A minimum 240 cubic feet storage area shall be provided on each space. The storage area may be under the unit or within an accessory building. Alternatively, the park management may provide common storage lockers at an equivalent capacity.

(2) Vehicles and recreational equipment exceeding 7,500 pounds gross weight shall not be parked on any manufactured home space. The park management shall maintain a common storage yard. The outdoor storage yard shall be screened to a height of six feet.

(j) *Recreation areas.* At least eight percent of the gross area of the park shall be improved for the recreational use of park residents, including active facilities in centralized locations.

(k) *Service facilities.*

(1) Common laundromats may be provided for the use by park residents only.

(2) Refuse collection and disposal shall be the responsibility of the park management. Common refuse disposal areas shall be provided and be screened to the full height of such facilities.

(l) *Utilities.* All utility lines shall be placed underground.

(m) *Parking.* Each manufactured home space shall have at least two side-by-side, dust-free surfaced parking spaces located off the common street right-of-way. Parking spaces shall be either perpendicular to the private street with minimum dimensions of 9 feet by 19 feet or parallel to the private street with minimum dimensions of 8 feet by 22 feet.

(n) *Private streets and walkways.*

(1) Two-way private streets maintained by the park management shall be installed to furnish convenient access to all manufactured home spaces within the park. To the furthest extent practicable, streets shall follow natural land contours and be curvilinear in design. No manufactured home space shall have its own direct access to a public street.



(2) Street surfaces shall be dust-free and, except as provided below, have minimum surface widths and maximum gradients determined according to the number of manufactured home spaces served by the street, as follows:

<i># of spaces served</i>	<i>surface width</i>	<i>gradient</i>
> 25 spaces	26 feet	6 %
7 - 25 spaces	24 feet	8 %
< 7 spaces	22 feet	12 %

(3) Curb and gutter shall be required, except where six feet wide shoulders and drainage swales align either side of the street within a common right-of-way. In such cases, street surface widths may be reduced by four feet to not less than 20 feet, but street grades shall not exceed six per cent. Street surface widths shall be increased by six feet for each parallel parking lane on either side of the street. Sufficient common right-of-way shall be provided to accommodate streets, drainage ways, walkways along streets (where provided), and utilities, but in no event shall the common right-of-way be less than 24 feet.

(4) Dead-end streets shall have turnarounds with a minimum radius of 40 feet.

(5) Minimum three feet wide, dust-free surfaced walkways shall link manufactured home spaces with one another and common park facilities. Required walkways shall be common areas and not extend onto any manufactured home space.

(o) *Drainage and flood controls.*

(1) To the maximum practicable extent, the development of the manufactured home park shall conform to the natural contours of the land, keeping natural drainage ways undisturbed. The park drainage system shall connect to adequate drainage channels of surrounding properties and streets.

(2) Stormwater management controls shall be provided on-site to prevent the sudden discharge of surface water onto adjacent properties.

(p) *Lighting.* Outdoor lighting, where installed, shall be directed to prevent glare on adjacent properties and manufactured homes within the park.

(q) *Residential accessory uses and structures.* Residential accessory uses within manufactured homes and accessory structures on manufactured home spaces shall be subject to the following provisions:

(1) Permitted accessory uses within manufactured homes shall include the same accessory uses permitted within single family residences and subject to the same limitations, including day care homes, home instruction, and home occupations.

(2) Permitted accessory structures on manufactured home spaces shall include all accessory structures permitted on the lots of single family residences, except for private swimming pools and satellite dish antennae.

**Sec. 107. Multiplex.**

(a) The maximum density shall be 12 dwelling units per acre of site area, and the minimum site area shall be 12,000 square feet.

(b) All buildings shall be set back at least 15 feet from all parking areas.

(c) Not more than four dwelling units shall be permitted per building.

(d) Buildings shall be spaced front to front, front to rear, front to side, and rear to rear at least to a distance equal to twice the tallest building height and spaced side to side and side to rear at least to a distance equal to the tallest building height.

(e) At least 10% of the site area shall be improved for the recreational use by the apartment residents.

**Sec. 108. Patio home.**

(a) Subdivision of lots for patio homes outside of a residential cluster subdivision shall be restricted to tracts with a minimum site area of 12,000 square feet. The maximum density shall be seven dwelling units per acre.

(b) Except within a residential cluster subdivision, the patio home shall meet the following dimensional requirements:

Minimum lot area:	6,000 square feet
Minimum lot width:	50 feet
Minimum front yard:	20 feet
Minimum side yard:	8 feet
Minimum rear yard:	15 feet
Maximum building height:	35 feet

(c) Patio homes on adjacent lots to the rear or sides may own and maintain common party fences.

(d) To permit zero lot-line development, one side yard may be reduced to zero, provided a five foot easement of maintenance is reserved on the adjoining lot, buildings are separated by at least 20 feet, and the adjoining lot is reserved for a patio home.

(e) An attached garage to a dwelling may share a common party wall with an attached garage on an adjacent lot used for a patio home on either side.

(f) All utilities shall be placed underground.

(g) All lots shall be served by public water and sewer.

**Sec. 109. Residential cluster subdivision.**

(a) Permitted dwellings. The following dwelling types shall be permitted within a single family cluster subdivision:

<i>dwelling type</i>	<i>districts permitted</i>
single family residence	R-E, R-1, R-2, R-3, R-M, R-T, R-A
patio home	R-2, R-3, R-M, R-T, R-A
townhouse	R-2, R-3, R-T, R-A
manufactured home, class A or B	R-M, R-A

(b) *General performance standards.*

(1) The minimum site area shall be as follows:

<i>district</i>	<i>minimum site area</i>
R-E	10 acres
R-1, R-M	5 acres
R-2, R-3, R-T, R-A	3 acres

(2) The maximum density per acre of site area shall be as follows:

<i>district</i>	<i>density</i>
R-E	1.0 dwelling units per acre of site area
R-1, R-M	6.0 dwelling units per acre of site area
R-2, R-T, R-A	8.0 dwelling units per acre of site area
R-3	12.0 dwelling units per acre of site area

(3) The amount of required open space that must be set aside shall be determined by the following formula:

a. Determine minimum lot area for a conventional lot for the same dwelling type in the district.

b. Subtract from the conventional minimum lot area the amount of lot area that is smaller than the conventional. Add together the results obtained for each lot.

c. The minimum required open space shall be the greater of the results obtained in b. above or 20 % of the site area.

(4) Half of the required open space shall be usable recreation space.

(5) Open space may be dedicated to the City upon acceptance by the City Council.

(c) *Residential development standards.* Each permitted residential use within the cluster subdivision shall be subject to the following standards:

(1) Single family residences within the cluster subdivision shall be subject to the following dimensional standards, which vary by district:

	<i>R-E</i>	<i>R-1, R-2, R-3, R-M, R-T, R-A</i>
Minimum lot area:	30,000 sf	6,000 sf
Minimum lot width:	120 ft	50 ft
Minimum front yard:	50 ft	20 ft
Minimum side yard:	20 ft	8 ft
Minimum rear yard:	30 ft	15 ft
Maximum building height:	35 ft	35 ft

Note: sf = square feet ft = feet

(2) *Patio homes* within the cluster subdivision shall be subject to the following standards:

a. Dimensional standards.

Minimum lot area:	4,500 square feet
Minimum lot width:	45 feet
Minimum front yard:	20 feet
Minimum side yard:	8 feet
Minimum rear yard:	15 feet
Maximum building height:	35 feet

b. Additional standards.

1. All yard areas behind the front building line shall be fully enclosed by an opaque fence or wall along the side and rear lot lines to form a private yard area of least 600 square feet. Not less than 100 square feet of the private yard area, with a minimum dimension of 10 feet, shall be a hard-surfaced patio or porch.

2. *Patio homes* on adjacent lots to the rear or sides may own and maintain common party fences. An attached garage to a *patio home* may share a common party wall with an attached garage on an adjacent lot used for a *patio home* on either side.

3. To permit zero lot-line development, one side yard may be reduced to zero, provided a five foot easement of maintenance is reserved on the adjoining lot, buildings are separated by at least 20 feet, and the adjoining lot is reserved for a *patio home*.

(3) *Townhouses* within the cluster subdivision shall be subject to the following standards:

Minimum lot area	
- interior unit:	2,000 square feet
- end unit:	3,500 square feet
Minimum lot width	
- interior unit:	18 feet
- end unit:	35 feet
Minimum front yard:	20 feet

Minimum side yard	
- end unit:	15 feet
Minimum rear yard:	15 feet
Maximum building height:	35 feet
Maximum units per building:	8 dwelling units

(4) Manufactured homes shall be subject to the following standards:

a. Dimensional standards.

Minimum lot area:	5,000 square feet
Minimum lot width:	50 feet
Minimum front yard:	20 feet
Minimum side yard:	8 feet
Minimum rear yard:	15 feet

b. Additional standards. Refer to Secs. 104 and 105.

**Sec. 110. Townhouse.**

(a) Conventional subdivision of lots for townhouses outside of a residential cluster subdivision shall be restricted to tracts with a minimum site area of 9,000 square feet. The maximum density shall be 10 dwelling units per acre of site area.

(b) Except within a residential cluster subdivision, each townhouse shall meet the following dimensional requirements:

Minimum lot area	
- interior unit:	2,500 square feet
- end unit:	4,500 square feet
Minimum lot width	
- interior unit:	22 feet
- end unit:	45 feet
Minimum front yard:	20 feet
Minimum side yard	
- end unit:	20 feet
Minimum rear yard:	15 feet
Maximum building height:	35 feet

(c) Not more than eight dwelling units shall be permitted per building.

(d) All utilities shall be placed underground.

(f) All lots shall be served by public water and sewer.

**Sec. 111. Campground.**

(a) *Uses and activities.* The campground shall include individual campsites for travel trailer or tents but may also include following uses and activities:

- hotel, motel, or similar guest accommodations;
- facilities designed to serve only the park guests, such as restaurants, cafeteria, retail concession sales, laundromats, bathing facilities; recreational facilities, and similar guest facilities; and
- accommodations for resident personnel employed by the campground management.

(b) *Site area.* The minimum site area shall be ten contiguous acres.

(c) *Density.* The maximum number of campsites per acre shall be 15.

(d) *Perimeter yards.* No campsite or building shall extend into any required yards along the perimeter of the park, as listed below. The perimeter yards shall be reserved for screening and buffering yards and may also be used for common streets, walkways, and passive recreation areas (without structures). The screening and bufferyard standards of this ordinance may require wider perimeter yards, depending on the adjacent uses of land, and may place additional restrictions on the use of the perimeter yards.

- Front yard: 50 feet
- Rear yard: 30 feet
- Side yard: 30 feet

(e) *Dimensions.* The minimum area for each campsite shall be 1,500 square feet with a minimum width of 40 feet. Boundaries shall be clearly marked on the ground by permanent flush stakes.

(f) *Pad.* Each campsite shall have a level pad for parking a travel trailer or installing a tent.

(g) *Recreation space.* At least fifteen percent of the site area of the park shall be devoted to usable recreation space.

(h) *Restroom facilities.* Common restroom and bathing facilities to meet the needs of park guest at full capacity are required.

(i) *Streets.* One or two-way private streets shall be provided to furnish access to each campsite and other park facilities. The street surface may be graveled or paved. Surface widths of streets shall be twelve feet per travel lane plus six feet per parallel parking lane on either side. Maximum gradients shall be 12 percent. Dead end streets shall provide turnarounds with a minimum 40 feet radius.

(j) *Parking.* One and one-half parking spaces shall be provided in the park for each campsite. One 9 feet by 19 feet space shall be provided on each campsite.

(k) *Utilities.* All utility lines shall be placed underground.

(l) *Refuse disposal.* Refuse collection and disposal shall be the responsibility of the campground management. Dumpsters in centralized locations shall be provided.

**Sec. 112. Home occupation.**

(a) Customary home occupations shall be limited to office, artistic and craft pursuits, fix-it services, and similar limited activities but shall exclude barber shops, beauty shops, clinics, fortune tellers, automobile repair or body shops, automobile sales, storage of contractors' supplies, and similar activities.

(b) The use shall be limited in area to not more than 25% of the livable floor area of the dwelling.

(c) Employment shall be limited to residents of the dwelling and not more than one non-resident employee.

(d) Not more than one customer or client shall be permitted on the premises at any one time. Generally, goods and services shall be delivered to the consumer.

(e) Not more than one, non-illuminated, wall-mounted sign of two or less square of area shall be permitted.

**Sec. 113. Mini-warehouse.**

(a) No storage space shall exceed 400 square feet in area and one story in height.

(b) Each storage space shall be served by a paved driveway of 15 feet minimum width for each direction of travel.

(c) The entire site shall be enclosed by security fencing of 8 feet minimum height and be kept lit with security lighting throughout.

**Sec. 114. Specialty retail center.**

(a) The center shall have a minimum site area of one acre and maximum site area of less than three acres.

(b) Where located in the B-R District, the following limitations shall apply:

(1) Permitted commercial uses shall be limited to the following uses:

- all permitted commercial uses in the B-R District

- small retail specialty stores and services such as antique shops, curio shops, hobby shops, gift shops, appliance stores, ice cream stores, import food stores, delicatessens, bakeries, home furnishings stores, import shops, book stores, baby stores, pet stores, sporting goods stores, florists, photo shops, clothing stores, shoe stores, jewelry stores, tobacco stores, candy stores, sporting goods stores, bicycle shops, toy stores, and other retail sales and services determined by the Zoning Administrator to be of an equivalent specialized nature but excluding department stores, variety stores, automotive uses, recreation uses, and uses involving any outdoor display or sales.

(2) The maximum building height shall be one story.

(3) No parking space shall occupy a required front yard which shall be kept landscaped and free of signs.

**Sec. 115. Farm.**

- (a) The minimum lot area shall be 10 acres.
- (b) Livestock, dairy animals, small animals, and poultry shall be housed not less than 200 feet from any adjacent lot not zoned AG.
- (c) The keeping of swine shall be prohibited.
- (d) Temporary sawmills and chippers used in connection with commercial forestry operations shall be set back at least 200 feet from any lot line.
- (e) Temporary or permanent living accommodations for farm tenants performing agricultural labor (farm tenant housing) shall be permitted.
- (f) A booth or stall (farm stand) from which produce and farm products are sold to the general public shall be permitted subject to the following limitations:
  - Sales areas shall be set back from all lot lines so as to meet the district yard requirements.
  - Sales areas shall not occupy any part of a required off-street parking or loading area.
- (f) Offensive animal odors shall not be detectable at the property line.

**Sec. 116. Hobby farm.**

- (a) The minimum lot area shall be five acres.
- (b) The keeping of the following farm animals shall be permitted:
  - small livestock, such as sheep and goats; and
  - horses and similar animals, such as ponies and donkeys.
- (c) The keeping of poultry, swine, and large livestock, such as cattle, shall be prohibited.
- (d) The use shall be subject to the following setback and area requirements:
  - Farm animals shall be housed not less than 100 feet from any adjacent lot not zoned AG.
  - At least one acre of lot area shall be required for each small livestock animal, horse, and similar animal.
- (e) Offensive animal odors shall not be detectable at the property line.



Secs. 117-139. Reserved.

### Division 3. Supplemental Dimensional Regulations

#### Sec. 140. Purpose of supplemental dimensional regulations.

This division assigns supplemental dimensional standards over and above those imposed by the district dimensional regulations. Unique characteristics and conditions of development require these supplemental standards.

#### Sec. 141. Dimensional terms defined.

The following dimensional terms when used in this ordinance shall have the meanings defined by this section.

*building height.* The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

*lot area or lot size.* The minimum area contained within the property of the individual parcels of land shown on a subdivision plat or survey. Lot area excludes any area within an existing or future street right-of-way or any area devoted to common open space.

*lot width.* The minimum distance measured between the side lot lines at the required building setback line. In the case of only one side lot line, lot width is the distance measured between the side lot line and the opposite lot line.

*yard.* A minimum open area unobstructed from the ground up on the same lot with a structure, extending along a lot line and inward to the structure. The yard shall be measured as the shortest distance between the structure and a lot line.

*yard, front.* A minimum yard between a structure and a front lot line and extending the entire length of the front lot line. In the case of a double frontage lot that fronts on more than one street, the yards extending along all streets are front yards. In the case of a corner lot, the yard extending along the street line of least dimension.

*yard, rear.* A minimum yard between a structure and a rear lot line and extending the entire length of the rear lot line. In the case of a double frontage lot, there are no rear yards but only front and side yards.

*yard, side.* A minimum yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of an odd-shaped lot, any yard that is not a front or rear yard is a side yard. In the case of a double frontage lot, any yard that is not a front yard is a side yard.

#### Sec. 142. Minimum standards for unsewered lots.

Any lot not served by public water and sewer shall have a minimum lot area of 15,000 square feet and a minimum lot width of 100 feet. The County Health Department may set a larger minimum lot area requirement to accommodate private wells or septic systems. Where the district dimensional regulations or the supplemental use regulations require a lot area greater than 15,000 square feet the more restrictive regulations shall apply.

**Sec. 143. Minimum lot width exceptions.**

*Reduction of lot width in commercial and industrial districts.* Except as provided in the supplemental use regulations, where a lot within the B-R, B-1, B-2, B-3, M-1, or M-2 District fronts a marginal access or local street, the minimum lot width requirement may be reduced to 50 feet.

**Sec. 144. Minimum yard exceptions.**

(a) *Projections into required yards.*

(1) Architectural features, chimneys, eaves, and the like may project up to two feet into any required yard, but no closer than three feet to any lot line.

(2) Terraces, steps, uncovered porches, and similar features less than three feet above the floor level of the ground story may project into any required yard, but no closer than three feet to any lot line.

(3) Covered entry porches, balconies, fire escapes and similar features may project up to four feet into any required yard.

(b) *Fences, walls, and hedges.* Fences, walls, and hedges that are substantially opaque may not exceed thirty inches in height within a required front yard, subject to the traffic visibility provisions of this article.

(c) *Satellite dish antennas.* Satellite dish antennas and other ground mounted antennas shall not be permitted in the front yard. Set backs shall be from all property lines a distance equal to the height of the antenna. The setback of a satellite dish antenna shall be the minimum distance measured from the closest edge of the dish to the property line. Satellite dishes are subject to the district maximum building height limitations.

(d) *Elimination of non-residential yards.* For any non-residential buildings, the side or rear yard may be eliminated to accommodate attached buildings sharing a common party wall at the lot line.

(e) *Side yard along street lines.* In the case of a corner lot, the side yard which extends along one of the street lines shall in no event be less 15 feet, regardless of the district minimum or the yards set by supplemental use regulations.

**Sec. 145. Maximum building height exceptions.**

(a) The maximum building height limitations do not apply to spires, belfries, cupolas, antennas, (except satellite dishes), water tanks, ventilators, chimneys, or other appurtenances customarily placed above the roof and not intended for human occupancy.

(b) Any principal building may be erected to a height in excess of the maximum building height for the district, provided each required yard is increased one foot for each one foot of excess height. In no event shall the building height exceed 65 feet.

**Sec. 146. Frontage exceptions.**

All subdivided lots shall front on a public street, except within the following residential developments:

(1) Lots of less than 7,000 square feet within a residential cluster subdivision. All such lots may be served by private streets, constructed in accordance with the City Engineer's standards, and owned and maintained in common by a homeowners' association or equivalent legal entity.

(2) Family subdivisions involving the conveyance of a one acre or larger lot from a five acre or larger parcel for the purpose of constructing a single family residence as the primary habitat of an immediate family member. For the purpose of this provision, *immediate family member* shall include any naturally or legally-defined offspring. Such subdivision shall provide a 50 feet access easement from a public street to the lot.

**Sec. 147. Traffic visibility at intersections.**

(a) On any corner lot, nothing shall be erected, placed, planted, or allowed to grow which would impede traffic visibility at intersections. No obstruction shall be placed within a clear sight triangle between a height of two feet and seven feet above the centerline grades of the intersecting streets. This clear sight area on the two lot lines forms a triangle. The triangle is bounded by the two lot lines along the street, each measured twenty-five feet from their intersection; a straight line connects the legs of the triangle. This shall be a twenty-five foot clear sight triangle.

(b) When one or both of the intersecting streets is an arterial street, the clear sight triangle shall be 50 feet.

(c) Where a private driveway intersects a public street, a clear sight triangle of 10 feet shall be maintained. The legs of the triangle shall be measured from the intersection of the street line and the edge of the driveway.

**Sec. 148. Dimensional requirements for accessory buildings.**

(a) *Non-residential accessory buildings.* Non-residential accessory buildings up to 12 feet in height shall be permitted within 5 feet of any side or rear property line but not occupy any portion of a front yard. Accessory buildings above 12 feet shall be set back an additional one foot for each four feet height above 12 feet up to the district maximum building height limitation.

(b) *Residential accessory buildings.* Residential accessory buildings and attached and detached carports and garages on residential lots shall meet the following dimensional requirements:

(1) The maximum floor area shall be 25% of the habitable floor area of the principal building.

(2) The maximum height shall be 18 feet but in no case greater than the principal building height.

(3) Such structures and additions shall be subject to the district front yard requirement.

(4) Such structures shall be no closer than 5 feet to any property line, except structures above 12 feet shall be set back an additional one foot for each foot above 12 feet.

Secs. 149-159. Reserved.

## Division 2. Off-Street Parking and Loading Regulations

### Sec. 170. Purpose of off-street parking and loading regulations.

The primary purpose of these provisions is to reduce traffic congestion on public streets by requiring certain minimum parking and loading areas be provided off-street. Further, these provisions insure safe and convenient access to and from each site, insure safe and efficient on-site traffic circulation, and encourage the design of attractive and harmonious facilities.

### Sec. 171. Off-street parking and loading terms defined.

The following off-street parking and loading terms when used in this article shall have the meanings defined by this section.

*access driveway.* That portion of the parking area that consists of a travel lane bounded on either side by an area that is not part of the parking area.

*BR.* Bedroom or guest accommodations.

*DU.* Dwelling unit.

*employee.* The maximum number of persons employed at the facility regardless of the time period during which this occurs or whether the persons are full-time employees. The major shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

*GLA.* Gross leasable area. The total floor area of a building designed for both tenant occupancy and exclusive use. GLA includes both owned and leased areas but does not include shared or common areas among tenants. Where the total floor area of a building is occupied or where a building has no shared or common area, GLA is the gross floor area measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

*inoperative motor vehicle.* An unlicensed motor vehicle or any motor vehicle, due to disrepair or dismantling, that is incapable of being driven safely upon a public street.

*loading area.* That area used to satisfy the requirements of this ordinance for truck loading and unloading.

*loading space.* An off-street space or berth used for the unloading or loading of commercial vehicles.

*occupancy load.* The maximum number of persons which may be accommodated by the use as determined by its design or by fire code standards.

*parking aisle.* That portion of the parking area consisting of lanes providing access to parking spaces.

*parking area.* An improved area on a lot exclusively used or designed for use as a temporary storage area for motor vehicles, containing access driveways, parking aisles, and parking spaces.

*parking space.* That portion of the parking area set aside for the parking of one vehicle.

*sf.* Square feet.

**Sec. 172. Required off-street parking spaces.**

Unless otherwise provided for, all uses shall conform with the minimum parking space requirements in *Table VI. Required Off-Street Parking Spaces* below. In situations where the required number of parking spaces is not readily determinable by the below table, the Zoning Administrator is authorized to determine the parking space requirements using the table as a guide.

**Table VI. Required Off-Street Parking Spaces**

<i>agricultural uses</i>	<i>required parking spaces</i>
farm	1 per 1.5 employees
farm stand	1 per 100 sf of display area
<i>residential uses</i>	
accessory apartment	1 per BR
combination dwelling	2 per DU
duplex, manufactured home, patio home, single family residence, townhouse	2 per DU
elderly apartment	.5 per DU
emergency care home	1 per resident manager plus 1 per family at occupancy load
family care home	1 per resident manager plus 1 per 3 children at occupancy load
garden apartment, multiplex:	
- efficiency or studio	1.25 per DU
- 1 BR	1.5 per DU
- 2 BR	1.75 per DU
- 3 or more BR	2 per DU
<i>institutional uses</i>	
boarding house	1 per BR
community center	1 per 300 sf of GLA
community service club	1 per 100 sf of GLA

country club	1 per 3 persons at occupancy load
day care center	1 per employee plus 1 stacking or parking space per 8 persons enrolled at occupancy load
hospital	1 per 2 patient beds plus 1.5 per emergency room bed plus 1 per employee
nursing care, domiciliary care, or rehabilitation facility	1 per 2 residents at occupancy load plus 1 per employee
place of worship	1 per 3 persons seated in the main sanctuary at occupancy load
post office	1 per 300 sf of GLA plus 1 per 1.5 employees
public assembly center	1 per 3 persons at occupancy load
public facility	1 per 300 sf of GLA
school - college or university	1 per 3 students at occupancy load plus 1 per 1.5 employees
school - elementary or jr. high	1 per 8 students at occupancy load or 2 per classroom, whichever is greater
school - high school or vocational	1 per 6 students at occupancy load plus one per 1.5 employees
<i>commercial uses</i>	
appliance store	1 per 400 sf of GLA
bank	1 per 250 sf of GLA plus 4 stacking spaces per drive-in window
billiard room, pool hall	1 per table
barber or beauty shop	1 per 100 sf of GLA
bowling alley	4 per alley
farm support business	1 per 1.5 employees plus 1 per company vehicle



home improvement center	1 per 400 sf of GLA
car wash	1 per 1.5 employee plus 4 stacking spaces per bay
clinic	6 per practitioner
commercial school	1 per 3 students at occupancy load plus 1 per 1.5 employees
convenience store	1 per 150 sf of GLA
dance hall	1 per 100 sf of GLA
funeral home	1 per 1.5 employees plus 1 per 3 chapel seats at occupancy load plus 1 per company vehicle
furniture store	1 per 1,000 sf of GLA
furniture repair shop	1 per 1,000 sf of GLA
gasoline service station	2 per service bay plus 1 per company vehicle plus 1 per 1.5 employees plus 2 stacking spaces per fuel island
general retail business or service establishment	1 per 200 sf of GLA
hardware store	1 per 500 sf of GLA
hotel or motel	1 per room plus 1 per 1.5 employees
laundromat, dry cleaning establishment	1 per 2 machines or 1 per 200 sf of GLA, whichever is greater
mini-warehouse	1 per 20 units
motor vehicle sales	1 per 400 sf GLA plus 1 per 1.5 employee plus 2 per service bay plus 1 per 2,500 sf of outdoor display area
motor vehicle service	1 per 200 sf of sales area plus 1 per employee plus 2 per service bay
office, business or professional	1 per 250 sf of GLA
open air market	1 per 100 sf of display area
outdoor recreation	
- golf course	5 per hole
- carpet golf	2 per tee

- golf driving range	1 per tee
- other	1 per 3 persons at occupancy load
restaurant	1 per 100 sf of GLA plus 1 per delivery vehicle plus 4 stacking
spaces per drive-in window	
shopping center:	
- under 25,000 sf of GLA	1 per 200 sf of GLA
- 25,000 or more sf of GLA	1 per 250 sf of GLA
- add for restaurants	1 per 100 sf of GLA
- add for movie theaters	1 per 3 persons at occupancy load
stable	1 per 3 persons at occupancy load plus 1 per 1.5 employees
tourist home	1 per guest bedroom.
<i>industrial uses</i>	
general industry and manufacturing	1 per 1.5 employees plus 1 per company vehicle but not less than 1 per 1,000 sf of GLA
warehouse, distribution, and wholesale business	1 per 1.5 employees plus 1 per company vehicle but not less than 1 per 1,000 sf of GLA

**Sec. 173. Off-street parking design requirements.**

- (a) The minimum parking space dimensions are as follows:
- (1) Each parking space shall contain a minimum rectangular area of 9 feet width and 19 feet length except as provided in (2) and (3) below.
  - (2) In large parking areas of 20 or more parking spaces, up to 20 percent of the parking spaces may be reserved for compact cars. Such spaces shall contain a minimum rectangular area of 8 feet width and 16 feet length. These spaces shall be conspicuously marked for *compact cars only*.
  - (3) Parallel parking spaces shall contain a minimum rectangular area of 9 feet width and 22 feet length.
  - (4) Stacking spaces shall contain a minimum rectangular area of 10 feet width and 20 feet length and be separated from parking aisles and spaces.
  - (5) Handicapped parking spaces shall be designed in accordance with the Standard Building Code.
- (b) Parking aisle widths shall conform to the following table which varies the width

requirement according to the angle of parking:

Table VII. Minimum Parking Aisle Widths

<i>traffic direction</i>	<i>angle of parking (degrees)</i>				
	parallel	30°	45°	60°	90°
one-way	13'	11'	13'	18'	24'
two-way	19'	20'	21'	23'	24'

(c) Parking areas shall be designed so that vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas that serve one or two dwelling units, although backing onto arterial streets shall be prohibited.

(d) All parking areas when adjoining a street right-of-way between adjoining lots shall be physically separated from the right-of-way.

(e) All lighting fixtures used to illuminate parking areas shall not direct lights on adjoining streets or properties.

(f) Parking areas for all developments shall be so designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous turning movements. Fire lanes may be required by the fire code.

(g) All parking areas shall be surfaced with dust-free materials (asphalt or concrete).

(h) Parking spaces (except those serving one or two dwelling units) shall be demarcated with painted lines or other markings.

(i) All parking areas shall be maintained in good condition, i.e., free of pot holes, weeds, trash, etc.

(j) Drainage in parking areas shall direct stormwater back into the site from adjacent properties toward adequate drainage channels. Large parking areas of 40 or more spaces shall provide on-site stormwater detention to retard the sudden discharge of high volumes of stormwater into the public drainage system. Drainage plans shall be subject to the City Engineer's approval.

(k) Large parking areas of 40 or more spaces shall provide 12 square feet of landscaping within the parking area interior for each parking space. One canopy (two inch caliper minimum at planting) for each 10 parking spaces shall be planted within the required landscaped area.

**Sec. 174. Location of required parking.**

All required parking spaces shall be located on the same lot as the use served by the parking, except as provided below:

(1) Required parking within planned residential developments may be provided in common parking areas.

(2) If the number of required parking spaces cannot reasonably be provided on the same lot as the served use, satellite parking may be provided on an adjacent lot. The satellite parking spaces shall be located within 400 feet of the nearest public entrance to the building housing the served use. If the use is not housed within a building, satellite parking spaces shall be located within 400 feet of the lot. A satellite parking exception requires satisfactory written legal documentation that the user of such satellite spaces has the right to such spaces.

(3) A joint parking area may contain required parking spaces for more than one use, provided the combined number of spaces complies with the required parking for all uses. If, however, the combined uses wish to make use of the same spaces at different time, the same spaces may be credited to each separate use. The applicant for a combined use facility must present satisfactory legal documentation of a combined parking agreement, and if sharing the same spaces, a time schedule for allocation of such spaces.

**Sec. 175. Parking prohibitions.**

(a) The keeping of an inoperative motor vehicle in a residential district shall be within a fully enclosed building or structure or be completely screened or shielded from public view.

(b) No vehicle exceeding 7,500 pounds gross weight and no boats, trailers, recreational vehicles, campers, and similar equipment, regardless of weight, shall be kept within a residential district unless such vehicle is parked behind the front building line.

**Sec. 176. Parking inside structures.**

Required parking spaces may be provided in parking garages, roof parking on buildings, parking within buildings, and underground parking. Such parking spaces shall meet the parking space and aisle width requirements of this ordinance.

**Sec. 177. Access controls.**

(a) Access to streets within the City shall be approved by the Zoning Administrator. The proposed location, width, drainage structure, traffic conditions, site distances, and surfacing shall be addressed in the request for approval.

(b) Entrances shall be held to a minimum and be located at points affording maximum sight distances, minimum grades, and maximum separation. Combined or shared driveways and entrances or marginal access streets may be required for highway service uses along major streets.

(c) Entrances to detached residential lots shall not be less than ten feet nor more

than twenty feet in width. Entrances to all other developments shall be no more than thirty five feet or eighteen feet per lane of travel nor less than twenty four feet or twelve feet per lane of travel in width measured at the right-of-way line. The radius to increase the opening shall not be less than fifteen but not more than twenty five feet. A larger radius to accommodate truck traffic may be required.

(d) The maximum number of entrances for each site shall be limited on the basis of street frontage as follows:

**Table VIII. Entrance Limitations**

<i>street frontage width</i>	<i>maximum number of entrances</i>
less than 150 feet	one
150 to 300 feet	two
300 to 500 feet	three
500 to 1,000 feet	four
more than 1,000 feet	five

(e) Property which has frontage on two or more streets may be allowed entrances on each street in accordance with the above criteria.

(f) The distance between openings shall be at least 150 feet, except for single family detached lots.

(g) Entrances shall be located so that the curb openings are a minimum of five feet from the nearest edge of a street drainage inlet and fifty feet from the corner radius.

(h) Turning lanes or pavement widening at approaches to entrances may be required if deemed necessary by the City Engineer to provide safe turning movements.

(i) Each parking area on a lot shall be physically separated from an adjoining street right-of-way by a curb or equivalent barrier to control vehicular access to and from the lot. Such barrier shall be located at or along the front lot line, unless suitable barriers are located within the street right-of-way. Except for permitted accessways, such barriers shall be continuous.

**Sec. 178. Required off-street loading spaces.**

(a) Any use with a gross leasable area (GLA) of 6,000 square feet or more which requires deliveries and shipments must provide off-street loading spaces in accordance with the following table. In situations where the required number of loading spaces is not readily determinable by the table, the Zoning Administrator is authorized to determine the loading space requirement, using the table as a guide.

Table IX. Required Off-Street Loading Spaces

Every retail establishment, industrial or manufacturing use, storage warehouse, freight terminal, hospital, nursing home, or similar use shall provide off-street loading spaces, as follows:

<i>GLA of building (square feet)</i>	<i>required number of loading spaces</i>
6,000 - 24,999	1
25,000 - 79,999	2
80,000 - 127,999	3
128,000 - 198,999	4
199,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7
each additional 72,000 square feet	1

Every public assembly use, auditorium, convention hall, exhibition hall, stadium, office building, funeral home, multi-family apartment buildings of 20 or more units, restaurants and hotels of 30,000 square feet or more, and similar uses shall provide off-street loading spaces, as follows:

<i>GLA of building (square feet)</i>	<i>required number of loading spaces</i>
6,000 - 29,999	1
30,000 - 44,999	2
45,000 - 119,999	3
120,000 - 197,999	4
198,000 - 290,999	5
291,000 - 389,999	6
390,000 - 488,999	7
489,000 - 587,999	8
588,000 - 689,999	9
each additional 105,000 square feet	1

**Sec. 179. Off-street loading design standards.**

(a) Each loading space shall have a minimum rectangular area of 12 feet width and 55 feet length, exclusive of driver and maneuvering space. Each space shall allow vertical clearance of 14 feet height.

(b) No loading space shall be located within the required front yard or within five feet of any property line.

(c) No loading space shall be used to meet the parking space requirement, interfere with the on-site circulation of traffic, nor allow a truck to extend into any right-of-way or over any property line.

(d) All lighting fixtures used to illuminate loading areas shall not direct light on adjacent streets or properties.

(e) All required loading spaces shall be located on the same lot as the principal use served by the spaces, unless a satellite or joint use loading facility is secured in equivalent as satellite or joint use parking facilities, as provided by § 174 *Location of required parking*.

**Sec. 180. Change in parking and loading requirements.**

Whenever there is an alteration of a structure, an expansion of a use, or a change in use which increases the parking and loading requirements, the use shall conform with the off-street parking and loading standards of this ordinance to the furthest practicable extent.

**Secs. 181-189. Reserved.**

### Division 3. Screening and Buffer Yard Regulations

#### Sec. 190. Purpose of screening and buffer yard regulations.

The intent of this division is to set minimum standards that reduce common conflicts associated with incompatible adjacent land uses and to protect natural boundaries. These standards seek to promote visual harmony, reduce noise, divert emissions, restrict passage, and enhance the natural environment, thereby providing for a compatible mix of otherwise conflicting uses of adjacent properties.

#### Sec. 191. Screening and buffer yard terms defined.

The following screening and buffer yard terms when used in this ordinance shall have the meanings defined by this section.

*Buffer yard.* A landscaped strip of specified width along certain segments of the site perimeter reserved for screening one use or structure from another adjacent use (including those uses on adjoining properties and properties directly across a right-of-way).

*Screening.* A method of visually shielding or obscuring one use or structure from another adjacent use (including adjoining properties and properties directly across a right-of-way) by opaque fencing, walls, berms, or densely-planted vegetation installed within a buffer yard.

#### Sec. 192. Administration.

(a) These standards are intended to encourage, not hamper, innovation in landscape and architectural design and shall be administered flexibly so as to give reasonable consideration to this objective.

(b) These standards shall apply to all developments subject to site plan review by § *Site plan review*. Where screening and buffer yards are required, the site plan shall explicitly describe proposed compliance with these standards.

(c) Screening and buffer yard standards imposed by § 346 *Conditional rezoning* shall take precedence over the provisions of this division.

#### Sec. 193. Screening and buffer yard specifications.

(a) Acceptable screening materials include any combination of solid fencing (weather-resistant wood, brick, or decorative masonry), evergreen shrubs, or earth berms of a specified height. Planting of evergreen trees may also be required. Screening shall be continuously maintained, present an attractive exterior appearance, and in the case of fencing, be of durable construction.

(b) The buffer yard shall be reserved solely for screening. No buildings or structures, except for necessary access driveways, shall be permitted.

#### Sec. 194. Required screening and buffer yard.

(a) Where a townhouse, multi-family residential, institutional, or office development



adjoins a single family residential lot, such development shall require a minimum screening height of six feet and a minimum buffer yard width of 25 feet along the adjoining property line.

(b) Where a commercial or industrial development adjoins a single family residential lot, such development shall require a minimum screening height of six feet and a minimum buffer yard width of 50 feet along the adjoining property line.

**Sec. 195. Modification or waiver of screening and buffer yard.**

These screening and buffer yard standards shall be applied equally to all similarly-classified and situated properties but may be modified or waived by the Zoning Administrator in certain cases where a site is subject to any of the following circumstances:

- (1) Natural land characteristics would achieve the same intent of this division.
- (2) Innovative landscape or architectural design is employed to achieve an equivalent screening and buffer yard effect.
- (3) Impending development of adjacent property would make these standards unreasonable or impractical.
- (4) The adjacent property is physically separated by an arterial street right-of-way.

**Secs. 196-209. Reserved.**

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(b) Where a commercial or industrial development adjoins a single family residential lot, such development shall require a minimum screening height of six feet and a minimum buffer yard width of 50 feet along the adjoining property line.

**Sec. 195. Modification or waiver of screening and buffer yard.**

These screening and buffer yard standards shall be applied equally to all similarly-classified and situated properties but may be modified or waived by the Zoning Administrator in certain cases where a site is subject to any of the following circumstances:

- (1) Natural land characteristics would achieve the same intent of this division.
- (2) Innovative landscape or architectural design is employed to achieve an equivalent screening and buffer yard effect.
- (3) Impending development of adjacent property would make these standards unreasonable or impractical.
- (4) The adjacent property is physically separated by an arterial street right-of-way.

**Secs. 196-209. Reserved.**

Division 4. Sign Regulations

State Right of  
Way - 125 ft  
from center of  
Medican

Sec. 210. Purpose of sign regulations.

The primary purpose of these provisions is to provide minimum control of signs that insures the protection of the public's safety and general welfare. Further, these provisions intend to lessen hazards to pedestrian and vehicular traffic; preserve property values; prevent unsightly and detrimental development which has a blighting influence upon the community; prevent signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned; and, in general, preserve the character and aesthetic quality of the various zones within the city.

Sec. 211. Sign terms defined.

The following sign terms when used in this chapter shall have the meanings defined by this section.

*Attached sign.* Any permanent on-premises sign, other than a freestanding sign, attached to, erected on, or supported by any building, including a canopy sign, projecting sign, wall sign (mounted or painted), roof sign, window sign, or similar sign that is permanently attached to a building.

*Billboard.* An off-premises sign owned by a person, corporation, or other entity that engages in the business of selling or donating the display space on that sign.

*Erect a sign.* To build, construct, attach, hang, place, suspend, paint, or affix a sign.

*Exempt sign.* A sign made exempt from a sign permit, in accordance with § 213. *Signs exempt from sign permits.*

*Freestanding sign.* Any permanent sign, other than an attached sign, supported by some structure or the ground and independent of support from any building, including a ground sign, pole sign, pylon sign, A-frame sign, sandwich sign, billboard, or similar sign that is freestanding.

*Number of signs.* For the purpose of determining the number of signs, each sign shall be considered a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, each element shall be considered a single sign. A multi-sided sign shall be considered one sign.

*Off-premises sign.* A sign which directs attention to or conveys information about a business, profession, service, commodity, accommodation, attraction, or other activity that exists or is conducted, sold, offered, maintained, or provided at a location other than on the premises where the sign is located.

*On-premises sign.* A permanent sign which directs attention to or conveys information about a business, profession, service, merchandise, accommodation, attraction, or other activity that exists or is conducted, sold, offered, maintained, or provided on non-residential premises where the sign is located. Such sign may also communicate a personal, religious, or political statements or announce community

events.

*Permanent Sign.* Any sign, other than a temporary sign, designed with a permanent display area. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall still be regarded as permanent.

*Portable Sign.* Any sign that is designed to be transported, including but not limited to such signs:

- with wheels removed;
- with chassis or support constructed without wheels;
- designed to be transported by trailer or wheels;
- converted to an A- or T-frame sign;
- attached temporarily or permanently to the ground, structure, or other signs;
- mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of that business;
- menu and sandwich boards;
- searchlight stands; and
- hot-air or gas-filled balloons, or umbrellas used for advertising.

*Sign.* Any temporary or permanent display device (including all of its structural components), partially or fully exposed to public view, that is designed to inform or attract the attention of persons not on the premises on which the device is located.

*Sign Area.* That area delineated by one continuous perimeter line, enclosing the extreme limits of the writing, representation, or other display. The area shall be determined by using the largest sign area or silhouette visible at any one time from any one point. This area does not include the main supporting sign structure, but all other ornamental attachments, inner connecting links, etc., which are not a part of the main supports of the sign, are to be included in computing sign area. If a sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of sign area. On a multi-sided sign, sign area shall include the total of all sides designed to attract attention or communicate information that can be seen at any one vantage point. Specifically, the sign area of a double-face, back-to-back or V-shape sign shall include only the area of one sign face.

*Temporary sign.* Any sign fabricated of paper, plywood, fabric, window whitewash, or other light, impermanent material and intended to be displayed for a limited duration. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

## Sec. 212. Required permits, fees, and inspections.

(a) Except where this chapter explicitly exempts a sign, all signs erected shall required a sign permit issued by the Zoning Administrator. In addition, whether a sign is exempt or not, city building and electrical codes may require additional permits.

(b) Each application for a sign permit shall include the following items:

(1) Name, signature, and address of the property owner, authorized agent of the property owner, if any, and sign contractor.

(2) Address of the property where the sign is to be erected.

(3) Lot area, zoning, and principal land use(s) on the lot subject to erection of a sign.

(4) A complete description of the sign(s) to be erected, including, but not limited to number, type, freestanding or attached, method of illumination, on or off-premises display, and setbacks.

(5) A dimensioned sketch of the sign and a plot plan showing the location of each sign on the lot.

(6) Other details sufficient for the Administrator to determine compliance with the requirements of this chapter.

(7) Application fee.

(c) A \$25 fee shall accompany each application for a sign permit.

(d) The Zoning Administrator shall inspect each sign authorized by permit to determine compliance with the permit application.

### Sec. 213. Signs exempt from sign permits.

The following signs are exempt from required sign permits and are permitted in accordance with the standards contained within this section and any other applicable provisions of these sign regulations. All exempt signs are permitted in any district if related to a permitted activity on a lot.

(1) *Informational sign.* Such sign may give the names, addresses, and business of the occupants of premises.

(2) *Official sign.* Such sign may include legal notices required by law; warning signs and no trespassing signs; identification, informational, or directional signs erected by any governmental agency or public utility.

(3) *Directional sign.* Such sign may indicate bus stops, taxi stands, off-street parking or loading facilities; other signs required for the control of vehicular or pedestrian traffic; restroom identification and direction; drive-thru window direction; telephone identification; and similar directional information.

(4) *Non-commercial display.* Such non-commercial display may include temporary holiday signs, displays, and decorations; flags and banners of a governmental, religious, charitable or fraternal organization; personal announcements of births, marriages, birthdays, and similar personal events.

(5) *Artistic display.* Such display may include decorative or architectural features of a building; public artworks or displays; and similar artistic displays.

- (6) *Real estate sign.* Such sign may contain the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner, property manager, or agent.
- (7) *Construction site identification sign.* Such sign may identify the project on the site and include the owner or developer, architect, engineer, contractor, subcontractor, funding sources, and related information such as, but not limited to, sale or leasing information. Such sign shall not be erected before a building permit is issued and must be removed before a certificate of occupancy is obtained.
- (8) *Temporary window sign.* A temporary window sign may identify or advertise activities, services, goods or products available within the building.
- (9) *Temporary political sign.* A temporary political sign may be erected in connection with elections or political campaigns.
- (10) *Garage or yard sale sign.* A temporary sign advertising the sale of personal property on a lot may be erected on the lot where the sale is to take place.
- (11) *Special event sign.* A temporary or permanent sign indicating a special event such as a grand opening, fair, carnival, circus, festival, or similar event may be erected on the lot where the event is to take place.
- (12) *Commercial information display.* Such sign may include vending machines, gasoline price information, oil and supply racks, pricing, checks cashed, credit cards accepted, business hours, barber poles, car wash directions, automated tellers, and similar minor informational displays related to commercial activities permitted in the zoning district.
- (13) *Farm information sign.* Such sign may include farm logos or product information affixed to vehicles, equipment, buildings, silos, and tanks, and similar agricultural displays.
- (14) *Vehicle sign.* Such sign may depict identifying name, business, product, service, logo, and similar information painted or otherwise affixed to a vehicle.
- (15) *Temporary sign.* Any other temporary sign, as defined by this chapter may be deemed exempt from required permits, as determined by the Zoning Administrator.

#### Sec. 214. Sign prohibitions.

Except as provided for exempt signs, the following signs are prohibited throughout the city:

- (1) Any sign erected or maintained at any location where by reason of its position, illumination, shape, symbol, color, form or character may obstruct, impair, obscure, interfere with the view of, or may be confused with any authorized traffic sign, signal or device, or interfere with, mislead, confuse, or disrupt traffic safety or flow.
- (2) Any sign incorporating any noisy mechanical device (whistles, horns, sirens, or

any other noisy audible devices) or emitting smoke or steam.

(3) Any sign of any type or support thereof placed, extending, or projecting on a public right-of-way, except as authorized.

(4) Any flashing sign or propellers.

(5) Any sign located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private drives.

(6) Any sign with illegal, obscene, or prurient word, scenes, or graphics.

(9) Any sign that blocks another sign, fire escape, door, window, parking or loading aisle or space.

(10) Any unsafe or damaged sign.

#### **Sec. 215. Prohibition on billboards.**

(a) The City Council hereby prohibits billboards throughout the city owing to the following findings related to the protection of the public health, safety, morals, and general welfare:

(1) Such signs are not a uniquely valuable mode of communication; that is, ample methods of communication are available as alternatives to such signs.

(2) Evidence has shown that such signs are a threat to traffic safety.

(3) Such signs are not in keeping with the city's aesthetic standards. Such signs contribute to visual clutter in commercial and industrial centers.

(4) The city's only effective alternative in controlling the detrimental effects of such signs is an outright prohibition in all cases.

(b) All billboards shall be deemed in violation of this chapter if not removed within five years of the effective enactment date of this chapter.

#### **Sec. 216. Portable signs.**

All portable signs shall require a special exception issued by the Zoning Board of Adjustment, subject to the following restrictions:

(1) Such signs shall only be for the purpose of advertising a special sale on the premises or an announcement of a special event.

(2) Such signs shall not be displayed more than 90 days during any one calendar year.

(3) Such signs shall not be flashing.

(4) Such signs shall be set back a minimum distance of 15 feet from the public



right-of-way and shall be subject to the additional traffic visibility provisions of § 220.

(5) Such signs shall only be permitted by special exception in the B-2 and B-3 Districts.

**Sec. 217. Residential sign area limitations.**

Except for residential project entrance signs and exempt signs, the maximum sign area on a residential lot shall not exceed four square feet.

**Sec. 218. Freestanding sign limitations.**

(a) No development may have more than one freestanding sign per lot. However, if a development is located on a corner lot that has at least 100 feet of frontage on each of the two intersecting public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.

(b) The maximum height of all freestanding signs shall be 35 feet in the B-3, M-1, or M-2 districts; 25 feet in the B-2 district; 15 feet in the M-P or B-1 district; and 7 feet in all other districts.

(c) Freestanding signs shall be separated from all driveways, parking aisles, loading aisles, parking spaces, and loading spaces.

(d) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

(e) Freestanding signs shall not be permitted on a residential lot.

**Sec. 219. Residential project entrance signs.**

(a) Permanent ground signs to residential developments may be erected at principal entrances to the project. One sign shall be permitted on each side of the principal entrance to the development.

(b) Entrance signs shall not exceed 25 square feet in area and six feet in height.

(c) Entrance signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

(d) No entrance sign shall be internally illuminated.

**Sec. 220. Traffic visibility provisions.**

No permanent or temporary sign exceeding four square feet in area shall be permitted within 25 feet of an intersection street right-of-way line (50 feet if the intersecting street is an arterial highway), within fifteen feet from the front lot line, or within

10 feet from a private drive. This limitation may be waived if such sign does not obstruct visibility between a height of 30 inches and eight feet above the nearest street grade level or otherwise does not interfere with traffic visibility for entrance onto and exit from the lot and adjacent lots and the visibility of traffic flow through nearby intersections, as determined by the Zoning Administrator. In any event, no sign, regardless of size, height, or design shall extend into any right-of-way, except as expressly authorized.

**Sec. 221. Construction and maintenance of signs.**

(a) All signs shall conform with city building codes, which provides a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials, and electrical wiring.

(b) All signs and all components thereof, including structural supports, shall be kept in a state of good repair.

(c) The area surrounding the base of any freestanding sign shall be kept clear of all debris and undergrowth.

(d) No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation within any right-of-way (unless express written authorization is obtained from the agency having jurisdiction over the right-of-way) or on any area where landscaping is required by this chapter.

**Sec. 222. Nonconforming signs.**

(a) If a sign displays or advertises information or any activity that is no longer current or is left blank for a continuous period of 30 days, that sign shall be considered abandoned and within 30 days after abandonment the owner of the property where the sign is located shall cause the sign to be removed or replace the display or advertisement with a current message.

(b) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with these sign regulations.

(c) The message of a nonconforming sign may be changed so long as the change does not create any new nonconformities, such as creating an off-premises sign where such a sign would not be permitted.

(d) Unless otherwise provided in this section or elsewhere in this chapter any sign that does not conform with the provisions of these sign regulations shall be amortized to conform with this chapter, as follows:

(1) Nonconforming portable and temporary signs not in compliance with § 214. *Sign prohibitions.* shall, within 90 ninety days after the effective date of this chapter, be altered to comply with these sign regulations or be removed.

(2) All other nonconforming signs shall, within five years after the effective date of this chapter, be altered to comply with these sign regulations or be removed.

(f) As soon as possible after the effective date of this chapter, the Zoning Administrator shall make reasonable effort to notify the person responsible for each such sign and inform such person of the nonconformity, required corrections to bring such sign into conformity, by what date the corrections need to be completed, and the consequences of failure to make the necessary corrections.

Secs. 223-299. Reserved.

## ARTICLE V. ADMINISTRATION

- Div. 1. Generally
- Div. 2. Permits and Procedures
- Div. 3. Nonconformities
- Div. 4. Amendments
- Div. 5. Penalties and Remedies

### Division 1. Generally

#### Sec. 300. Zoning Administrator.

(a) Unless otherwise provided for in this ordinance, the Mayor shall appoint a Zoning Administrator to administer and enforce the provisions of this ordinance. The Mayor may also appoint such Deputy Zoning Administrators as he/she deems necessary to assist in the administration and enforcement of this ordinance.

(b) These officials shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections necessary to carry out their prescribed duties in the enforcement of this ordinance.

Secs. 301-309. Reserved.

## Division 2. Permits and Procedures

### Sec. 310. Permit compliance.

(a) No building permit, certificate of occupancy, business license, or any other permit or license shall be issued by any City department, official, or employee except in full compliance with this ordinance.

(b) Any permit or license issued by any City department, official, or employee where issued in conflict with or violation of any terms of this ordinance or other applicable codes or ordinances shall hereby be declared null and void.

### Sec. 311. Certificate of occupancy.

(a) No land or building or other structure or part thereof hereafter erected, moved or altered in its use shall be used or occupied until the Zoning Administrator authorizes the the issuance of a certificate of occupancy stating that such land or structure or part thereof is found to be in conformity with the provisions of this ordinance.

(b) Within three days after the owner or his agent has notified the Zoning Administrator that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Zoning Administrator to order a final inspection thereof, and to issue a certificate of occupancy if the building or premises or part thereof is found to conform with the provisions of this ordinance or if such certificate is refused, to state the refusal in writing with the cause.

### Sec. 312. Building permit.

(a) It shall be unlawful to obtain a building permit to commence the excavation or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair (except repairs not changing the character of the structure and not exceeding one hundred dollars in value or painting or wallpapering) of any structure, including accessory structures, until the Zoning Administrator has determined that the plans, specifications, and intended use of such structure in all respects conforms with the provisions of this ordinance.

(b) If the proposed excavation, construction, moving, or alteration as set forth in the application, are in conformity with the provisions of this ordinance, a building permit may be issued. If an application for a building permit is not approved for zoning, the cause for such disapproval shall be stated in writing on the application. Issuance of a building permit shall in no case be construed as waiving any provision of this ordinance.

(c) Before issuing a building permit, the Zoning Administrator shall order an inspection of the site and examine the proposed development plans for compliance with this ordinance.

(d) Any permit under which no construction work has been done above the foundation walls or other foundation support within ninety days from the date of issuance shall expire by limitation, but shall upon reapplication be renewable for a 12 month term, subject, however, to the provisions of City codes in force at the time of said renewal.

### Sec. 313. Plot plan.

(a) It shall be unlawful for the Zoning Administrator to approve any plans or issue a building permit for any excavation or construction until he has inspected such plans in detail and found them in conformity with this ordinance. To this end, the Zoning Administrator shall require that every application for a building permit be accompanied by a plot plan drawn to scale, dimensioned, and showing the following in sufficient detail to enable the Zoning Administrator to ascertain whether the proposed development is in conformance with this ordinance:

- (1) The actual shape, proportion and dimensions of the lot to be built upon.
- (2) The shape, size and location of all buildings or other structures to be erected, altered or moved and of any buildings or other structures already on the lot, both above and below existing grade.
- (3) The existing and intended use of all such buildings or other structures.
- (4) The setback and side lines of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determining conformance with the provisions of this ordinance.

### Sec. 314. Site plan review.

(a) *Application for site plan review.* New construction and substantial site development expansion of all planned developments, residential cluster developments, 5 or more multi-family dwellings, manufactured home parks, institutional uses, commercial uses, and industrial uses shall require the approval of a site plan prepared by a professional engineer licensed in the State of Alabama. One reproducible set of plans and five copies of each set shall be submitted to the Zoning Administrator, with the minimum information described below:

(1) *Cover sheet* with:

- a. Name and location of the development; name, address, and signature of the owner; name, address, and seal of the engineer.
- b. Vicinity map.
- c. Zoning and existing and proposed land use of the site.
- d. Date, scale, north arrow, and number of sheets.

(2) *Site layout*, including property dimensions, rights-of-way, easements, location and dimensions of all buildings (existing and proposed), setbacks, driveway access, off-street parking and loading, and circulation.

(3) *Drainage plan*, including paving, grading and excavation, erosion and sedimentation, stormwater detention, floodplain management controls.

(4) *Utilities plan*, including sewage disposal system and water system (public and private).

(5) *Fire control plan*, including fire lanes and hydrants.

(6) *Landscaping plan*, including screening, buffer yards, and landscaping of parking areas, as required.

(b) *Action on site plan*.

(1) The Zoning Administrator shall forward copies of the plans to the City Engineer, Fire Chief, Police Chief, and other appropriate officials and agencies for their review and written comments on the general completeness and compliance of the plans with this ordinance. The Zoning Administrator shall provide the applicant with all written administrative comments within two weeks of submittal.

(2) Upon satisfaction of the Zoning Administrator and City Engineer that all administrative concerns are properly addressed by the applicant, the corrected plans shall be forwarded to the Planning and Zoning Commission for final site plan approval. The Planning and Zoning Commission shall thereafter decide by resolution to approve, modify, or reject the plan as submitted.

(3) A reproducible of the final approved site plan shall be submitted by the applicant and retained on file by the Zoning Administrator.

(4) All subsequent building permits and subdivision plats submitted by the applicant shall be in substantial accord with the final site plan. Where subdivision plat approval is also required for a development, site plan review shall be conducted simultaneously.

(5) An approved site plan shall become null and void if significant development does not commence within 12 months of Planning and Zoning Commission approval.

#### Sec. 315. Permits for unsewered areas.

An application for a building permit or site plan approval for a development not served by public sewer shall not be submitted unless the applicant submits evidence of a preliminary finding by the Jefferson County Health Department which confirms the suitability of soils for private septic facilities.

#### Sec. 316. Conditional use procedures.

(a) *Application for conditional use permit*. All permitted conditional uses where listed in each district shall require the submission of an application to the Planning and Zoning Commission. An application for a conditional use shall be filed with the City Clerk to the Commission at least 15 days before the scheduled hearing date before the Planning and Zoning Commission. The application shall be filed by the property owner or the authorized agent of the owner and shall include the following information and materials:

(1) Name, signature, and address of the property owner and agent of the property owner, if any.

(2) Address of the property under consideration.

(3) Zoning and land use of the property under consideration.

(4) Proposed conditional use.

(5) A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout.

(6) A \$100 filing fee.

(b) *Planning and Zoning Commission action.* The Planning and Zoning Commission shall review the plot plan and use proposal for compliance with this ordinance and other applicable codes and ordinance. If deemed in compliance, the Planning and Zoning Commission may still deny any proposal if it concludes, based upon the information submitted at the hearing, that the proposal, more probably than not will adversely affect the public interest and the intent of this ordinance, as contained in the purposes and consideration of this ordinance and the district intent where the proposal would be carried out. In particular, the Planning and Zoning Commission shall determine that satisfactory provisions have been made concerning the following, among other considerations of this ordinance:

(1) Ingress and egress to the property and proposed structures or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.

(2) Off-street parking and loading areas, with particular attention to the items in (1) above.

(3) Refuse and service areas, with reference to availability, location, and potentially adverse effects on surrounding properties.

(4) Screening and buffering of potentially adverse views and activities from surrounding properties.

(5) Control of noise, glare, odor, excess drainage, and other potentially disturbing effects to surrounding properties.

(6) Utilities, with reference to location, availability, capacity, and potentially adverse effects to surrounding properties.

(7) Signs and lighting, with reference to glare, traffic safety, and visual harmony with adjoining properties.

(8) Building bulk, density, lot coverage, yards and open areas, with reference to the compatibility and harmony with the character of the surrounding area.

(c) *Imposition of conditions.* The Planning and Zoning Commission may impose such conditions for approval as it may deem necessary in the particular case to protect the public interest and the intent of this ordinance, in relation to the items listed in (c) above and as may otherwise be reasonably necessary. Such conditions shall apply to the land, structure or use for which the conditional use was granted and not to a particular person. Violations of conditions lawfully attached to any conditional use shall be deemed



violations of this ordinance.

(d) *Appeal of Planning and Zoning Commission action.* Appeal of the Planning and Zoning Commission's decision may be filed by any party affected by the decision. Such appeal shall be filed with the City Council within thirty days of the Planning and Zoning Commission decision. Within a reasonable period following receipt of the appeal, the City Council by majority vote shall decide to affirm, modify, or reverse the decision of the Planning and Zoning Commission. A timely appeal shall suspend all actions on the conditional use permit.

#### Sec. 317. Administrative appeal procedures.

(a) *Application for administrative appeal.* Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. An administrative appeal shall require the submission of an application to the Zoning Board of Adjustment. The application shall be filed with the City Clerk to the Board at least 15 days before the scheduled hearing date before the Board of Adjustment. A timely appeal shall suspend all actions on the conditional use permit. The application shall be filed by the property owner or the authorized agent of the owner and shall include the following information and materials:

- (1) Name, signature, and address of the property owner and attorney for the property owner, if any.
- (2) Address of the property under consideration.
- (3) The decision of the Zoning Administrator under appeal.
- (4) A written statement specifying the grounds for appeal.

(b) *Board of Adjustment action.* The City Clerk shall transmit all papers constituting the record upon which the action appealed was taken to the Board which shall take action to uphold, modify, or overturn the decision of the Zoning Administrator.

State law reference - Board of Adjustment, Code of Ala. 1975, § 11-52-80.

#### Sec. 318. Variance procedures.

(a) *Justification for variance.* Variances to the terms of this ordinance may be granted individual cases upon a finding by the Board of Adjustment that the variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of this ordinance subject to a variance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done. More specifically, the Board shall determine all of the following criteria have been satisfied:

- (1) The Board should make proper adjustment to prevent unnecessary hardship, even to the extent of authorizing nonconforming uses. Where the Board authorizes a nonconforming use in a district to prevent unnecessary hardship, all relevant factors, when taken together, must indicate that the plight of the premises in question is unique in that they cannot be put reasonably to a conforming use

because of the limitations imposed upon them by reason of their classification in a specific zone.

(2) Variances should be permitted only under peculiar and exceptional circumstances.

(3) Hardship alone is not sufficient; Alabama statutes require unnecessary hardship.

(4) Mere financial loss of a kind which might be common to all of the property owners in a district is not an unnecessary hardship.

(5) Variances should be granted sparingly, and spirit of this ordinance in harmony with the spirit of State law should be carefully preserved, to the end that the structure of this ordinance would not disintegrate and fall apart by constant erosion at the hands of the Board.

(6) When a hardship is self-inflicted or self-created, there is no basis for claim that a variance should be granted.

(b) *Application for variance.* An application for a variance shall be filed with the City Clerk at least 21 days before the scheduled hearing date before the Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the owner and shall include the following information and materials:

(1) Name, signature, and address of the property owner and agent of the property owner, if any.

(2) Address of the property under consideration.

(3) Zoning and land use of the property under consideration.

(4) Nature of the variance with reference to applicable zoning provisions.

(5) Justification for the variance in accordance with all of the criteria in (a) above.

(6) A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout with the variance noted or highlighted.

(7) A \$100 filing fee.

(c) At least 15 days prior to the scheduled Board of Adjustment hearing, the City Clerk shall give written notice of the variance to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage prepaid, addressed to such property owners at their addresses as submitted with the application. The notice shall state the following information:

(1) The name of the applicant.

(2) The location of the property.

(3) The nature of the variance and the applicable zoning provisions.

(4) The time, date, and location of the Board hearing.

State law reference - Board of Adjustment, Code of Ala. 1975, § 11-52-80.

Secs. 320-329. Reserved.

### Division 3. Nonconformities

#### Sec. 330. Purpose of provisions for nonconformities.

Within the districts established by this ordinance or by subsequent amendments to this ordinance, lawful uses, lots, buildings, and characteristics of uses existed in conformity to all applicable zoning provisions before this ordinance was adopted or subsequently amended. However, as a result of adoption or subsequent amendment to this ordinance, such lawful activities no longer conform to all applicable zoning provisions. These activities shall be deemed lawful nonconformities which are permitted to remain under the provisions of this division. It is the intent of this division that the continuation of lawful nonconformities should not be indefinite and that all nonconformities with this ordinance should gradually be removed.

#### Sec. 331. Types of nonconformities.

(a) *nonconforming building*. An otherwise legal building that does not conform with the yard, height, or other dimensional requirements for the district in which it is located or is designed or intended for a nonconforming use.

(b) *nonconforming characteristics of use*. An otherwise legal characteristic of use, lot, or structure which does not conform with the off-street parking and loading standards, screening and buffer yard standards, sign standards, or any supplemental standards for the district in which it is located or is designed or intended for a nonconforming use.

(c) *nonconforming lot*. An otherwise legally platted lot that does not conform with the dimensional requirements for the district in which it is located.

(d) *nonconforming use*. The otherwise legal use of a building, structure, or lot that does not conform with the permitted uses for the district in which it is located.

#### Sec. 332. Continuation of nonconformities.

Nonconformities may be continued as provided by this section:

(1) If any changes in ownership or tenancy occurs, any nonconformity may be continued by the new owner or tenant under the provisions of this division.

(2) A nonconformity may continue if it does not cease for any reason for a period exceeding six months.

(3) Plans for nonconforming construction, site development, site alteration, use or occupancy for which a valid building permit, certificate of occupancy, site plan, special exception, preliminary subdivision plat, or other City license was approved prior to the effective date of this ordinance or subsequent amendment may proceed. However, all construction, site development, or site alteration must be completed within one year and use or occupancy must be established within 30 days after the effective completion date.

(4) A lot that was legally platted prior to the effective date of this ordinance that does not meet the lot area, width, or dimensional requirements for the district in

which it is located may be developed or used in conformity with all other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.

(5) Any use in existence prior to the effective date of this ordinance or subsequent amendment that results in a nonconforming characteristic of use may continue in nonconformity with the off-street parking and loading, screening and buffer yard, sign, or supplemental standards so long as the kind or extent of such use does not increase the ordinance requirements for such characteristics of use.

(6) A nonconforming use may occupy any part of a structure or lot that was arranged or designed for such use unless occupancy of that part of the structure or lot has been discontinued for a period exceeding six months.

**Sec. 333. Repair and maintenance of nonconformities.**

(a) On any structure, devoted entirely or partly to a nonconforming use, work may be done on ordinary maintenance or repair and replacement of walls, fixtures, wiring, or plumbing, provided the cubic content of the structure, as it existed at the effective date of this ordinance or subsequent amendment, shall not be increased. The cost of the work shall not exceed ten percent of the appraised replacement cost of the structure or the part.

(b) On any lot devoted entirely or in part to any nonconforming use, work may be done on ordinary maintenance or repair and replacement of parking and loading areas, signs, lighting, fences, walls, and related exterior amenities provided the extent of those amenities shall not be increased or rearranged.

(c) Nothing in this division shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or exterior amenity declared unsafe by any official charged with protecting the public safety, on order of such official, nor shall anything in this division be deemed to exempt any such structure or amenity from any requirements of any federal, state, or local government regulation.

**Sec. 334. Alteration, enlargement, or restoration of nonconformities.**

(a) No nonconforming use shall be enlarged within a structure or occupy a greater area of land than at the effective date of this ordinance or subsequent amendment.

(b) No nonconforming use or structure shall be moved to any portion of the lot other than that occupied at the effective date of this ordinance or subsequent amendment.

(c) No nonconforming use, structure or characteristic of use may be altered or enlarged or intensified in any way which increases its nonconformity but may be altered or reduced to decrease its nonconformity.

(d) If a nonconforming structure is removed or damaged in any manner to the extent that the restoration costs exceeds fifty percent of the original value of the structure immediately before the damaging occurrence, subsequent use of the lot shall be in full compliance with the district in which it is located.

**Sec. 335. Change in use.**

(a) Any nonconforming use which changes to a permitted use within the district in which it is located, shall not revert to a nonconforming use.

(b) A nonconforming use may change to a new nonconforming use provided the new use is more in keeping with the district in which it is located and is less objectionable and measures less external impact than the existing nonconforming use. In determining whether the new use would be in greater conformity with this ordinance, impact criteria such as, but not limited to, the following shall be evaluated:

(1) Traffic generation and congestion, including truck, passenger car, and pedestrian traffic.

(2) Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, or vibration.

**Sec. 336. Appraised cost or value.**

For the purpose of this division, *appraised cost or value* shall refer to an appraised valuation by a board of not less than three professionally certified real estate appraisers.

**Secs. 337-339. Reserved.**

#### Division 4. Amendments

##### Sec. 340. Authority to amend.

Whenever the public necessity, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable vote of a majority of the members, may amend the regulations or zoning district boundaries herein established.

State law reference - Amendment, Code of Ala. 1975, § 11-52-78.

##### Sec. 341. Authorized petitioners.

A petition for amendment of this ordinance or the zoning district boundaries may be initiated by the City Council, the Planning and Zoning Commission, or the owner or agent of such property subject to amendment of zoning district boundaries.

##### Sec. 342. Petition for amendment.

(a) A petition for amendment when initiated by the property owner or authorized agent of such owner shall be meet the application requirements of this section.

(b) The application for rezoning shall be made on a form available from the Zoning Administrator and be filed with the Zoning Administrator at least 21 days prior to the Planning and Zoning Commission hearing. The applicant shall provide the following information and materials:

- (1) Name, signature, and address of the property owner and agent of the property owner, if any.
- (2) Address and legal description of the property under consideration, accompanied by a copy of the applicable tax maps clearly identifying the property subject to rezoning.
- (3) Present and proposed zoning and land use of the property under consideration.
- (4) Reason for the rezoning request.
- (5) A conceptual site plan showing the property boundaries, public rights-of-way, and the proposed use and development layout.
- (6) A \$100 filing fee.

**Sec. 343. Planning and Zoning Commission action.**

(a) In the case of a petition by a property owner, at least 15 days prior to the scheduled Planning and Zoning Commission hearing, the City Clerk shall give written notice of the rezoning to all adjacent property owners within 500 feet of the property subject to rezoning. Such notice shall be deemed given when deposited in the United States mail, first class postage prepaid, addressed to such property owners at their addresses as submitted with the rezoning application. The notice shall state the following information:

- (1) The name of the petitioner.
- (2) The location of the property.
- (3) The current and proposed zoning and land use of the property.
- (4) The time, date, and location of the Planning and Zoning Commission hearing of the proposed zoning amendment.

(b) The Planning and Zoning Commission shall hold a public hearing at the first regularly scheduled meeting after compliance with the application and notice requirements of this ordinance.

(c) At least six days public notice of the hearing shall be given in accordance with the publication or posting requirement in § 345 *Public notice of hearings*. The Planning and Zoning Commission, by majority vote, shall report its recommendations to the City Council. The Planning and Zoning Commission report shall be transmitted to the City Council within thirty days of the hearing, unless the City Council grants an extension of such period. Otherwise, the proposed amendment shall be considered to have been recommended by the Planning and Zoning Commission.

**Sec. 344. City Council action.**

(a) Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council shall hold a public hearing on the proposed amendment.

(b) The City Council shall give public notice of the hearing on the proposed amendment in accordance with § 345 *Public notice of hearings*.

(c) Following notice and hearing, the City Council shall decide by majority vote to accept or reject the proposed amendment.

(d) If the City Council takes no final action upon the proposed amendment within ninety days after receipt of the recommendation of the Planning and Zoning Commission the proposed amendment shall be deemed to have been rejected and overruled by the Council.

**Sec. 345. Public notice of hearings.**

(a) At least 15 days in advance of the public hearing before the City Council, the Council shall publish the proposed zoning ordinance amendment in full for one insertion in a newspaper of general circulation published within the City, together with a notice



stating the time and place that the ordinance is to be considered by the City Council and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance. One week after the first insertion, the City Council shall have published a synopsis of the proposed ordinance, which synopsis shall refer to the date of the newspaper in which the proposed ordinance was first published. If there is no newspaper of general circulation published within the City, then the City Council must cause the ordinance and notice to be posted in four conspicuous places within the City. The Council may both publish and post the hearing notice.

(b) At least six days in advance of the public hearing before the Planning and Zoning Commission, the Commission shall publish notice of the proposed zoning ordinance amendment for one insertion in a newspaper of general circulation published within the City, stating the time, place, and object of the hearing and stating further that at such time and place all persons who desire shall have opportunity of being heard in opposition to or in favor of such ordinance. If there is no newspaper of general circulation published within the City, then the Planning and Zoning Commission must cause the ordinance and notice to be posted in four conspicuous places within the City. The Commission may both publish and post the hearing notice.

(c) The applicant for a rezoning shall be responsible for posting property with signs made available by the Zoning Administrator. Each placard shall note the proposed district change and the time and place of the Planning and Zoning Commission hearing. Property shall be posted at least 15 days in advance of the public hearing before the Planning and Zoning Commission and remain posted until the public hearing is completed. The applicant shall place the signs at reasonable intervals along the public street abutting the property.

State law reference - Procedure for adoption, Code of Ala. 1975, § 11-52-77.

**Sec. 346. Conditional rezoning.**

(a) In situations where more flexible and adaptable zoning methods are needed, rezoning amendments may be allowed subject to certain conditions that are not generally applicable to land similarly zoned. Proposed rezoning amendments may include the voluntary proffering in writing, signed by the property owner (and the authorized agent of the property owner, if any), of reasonable conditions in addition to the regulations provided for in the desired zoning district. Any such proffered conditions must be made prior to the public hearing held by the City Council and must adhere to the following criteria:

- (1) The rezoning itself must give rise for the need for the conditions.
- (2) Such conditions shall have a reasonable relation to the rezoning.
- (3) Such conditions shall not include a cash contribution to the City.
- (4) Such conditions shall not include dedication of property for public right-of-way or facilities, unless otherwise required by the *Adamsville Subdivision Regulations*.
- (5) Such conditions shall not include payment for or construction of off-site improvements, unless otherwise required by the *Adamsville Subdivision Regulations*.

(6) No condition shall be proffered that is not related to the physical development or physical operation of the property.

(7) No condition shall allow for the reversion of zoning held previous to the rezoning, unless a new application for rezoning is filed in accordance with this division.

(8) All such conditions shall be in conformity with the purposes and consideration of this ordinance.

(b) The Zoning Administrator shall be vested with all necessary authority on behalf of the City Council to administer and enforce conditions attached to a rezoning amendment.

(c) The official zoning map shall show by an appropriate symbol the existence of conditions attaching to the zoning. The Zoning Administrator shall keep in his office and make available for public inspection a *Conditional Zoning Index*. The index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district. The zoning designation of the property shall carry a C suffix in addition to the zoning district designation (for example, B-2C), and the zoning map shall reference the Conditional Zoning Index by ordinance number.

(d) Any amendment, waiver, or variation of conditions created pursuant to the provisions of this section shall be subject to zoning amendment procedures.

#### Sec. 347. Limitations on rezoning amendments.

Should the City Council reject a rezoning amendment proposal by a property owner, the same kind of rezoning of the same tract land will not be considered by the Planning and Zoning Commission until a period of one year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearing held by the Planning and Zoning Commission, but prior to the hearing held by the City Council shall also require a one year time period before another application may be submitted. However, the Planning and Zoning Commission may adjust this time period if in the opinion of a majority of the Commission, an unusual situation or circumstance exists which would warrant another hearing. Each time the zoning amendment application is made, the required filing fee must be paid. Under no condition shall the fee be refunded for failure of such proposed amendment to be enacted into law.

Secs. 348-349. Reserved.

## Division 5. Penalties and Remedies

### Sec. 350. Violations and penalties.

(a) *Citation for violations.* The Zoning Administrator or any Police Officer of the City shall serve upon the responsible person or owner of the property which is in violation of this ordinance, a citation to appear in the Municipal Court of the City of Adamsville at a time and date specified thereon to answer the charge of such violation(s) of this article. Provided however, that prior to 12:00 noon on the date this matter is to be set before the Municipal Court, such person, firm or corporation charged in such citation, if he has not previously settled or been convicted of three or more such violations within twelve months of the date of such citation, may dispose of the citation by settlement in the following manner: pay to the Clerk of the Municipal Court a fine for the offenses charged in the amount of \$25 plus any and all charges otherwise payable to the City pursuant to the terms and conditions of the article. If the offense charged is the third such offense by the owner or person charged within twelve months from the date of such citations, settlement cannot be voluntarily made to the Clerk of the Municipal Court as referred to above. If the settlement of the charges set out in the citation is not made prior to 12:00 noon of the date the case is set for trial in Municipal Court and if the party charged fails to appear and answer such charge in the Municipal Court at the time or place set out in such citation or if the citation is not otherwise been disposed of by such court, a warrant shall be issued charging such party with the violation set out in the citation, which warrant shall be obtained, served and tried as provided by law for the arrest and trial of the offenses involving violations of the Ordinances of the City. If a person receiving a citation as herein provided has within the prescribing twelve months from the date of such citation settled or been convicted of three or more such violations, he shall not be permitted to settle the instant alleged offense, but shall be required to stand trial in the Municipal Court.

(b) *Penalty for violation.* Once the warrant has been issued and tried before the Municipal court, a person found guilty of such violations shall be guilty of a misdemeanor and shall be punished as provided by the General Ordinances of the City of Adamsville which shall include the payment of any fines levied by the Court plus any court costs as therein provided and issued by the court. Each day such offense continues shall constitute a separate offense.

(c) *Issuance of citation.*

- (1) All citations shall be signed by the enforcement officer finding such violations and shall be sent by certified mail to the responsible person or to the owner of the property on which the violation is found.
- (2) A warning of violation may be issued in writing, personal appearance, or telephone by the enforcement officer finding such violations. The warning shall give an opportunity for correction of any violations within 30 or less days before a citation is sent, as provided in (1) above.

### Sec. 351. Remedies.

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure or land is used in violation of this ordinance, the Zoning Administrator or any other appropriate authority

or any adjacent or neighboring property owner who would be damaged or caused hardship by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to stay or prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to correct or abate such violation or to prevent occupancy of such building, structure or land.

State law reference - Remedies, Code of Ala. 1975, § 11-52-83.

Secs. 352-359. Reserved.

## ARTICLE VI. ZONING BOARD OF ADJUSTMENT

### Sec. 360. Creation.

The City Council of Adamsville hereby appoints a Zoning Board of Adjustment. This Board shall in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of this ordinance in harmony with its general purposes and interests and in accordance with the rules contained in this Article.

### Sec. 361. Composition and appointment.

The Board of Adjustment shall consist of five members, each to be appointed for a term of three years, except that in the first instance one member shall be appointed for a term of three years, two for a term of two years and two for a term of one year, and thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed. In addition to the five regular members provided for in this section two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment. Appointed members may be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

### Sec. 362. Meetings.

The Board shall adopt rules of meeting procedures. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman or, in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the Board and shall be a public record.

### Sec. 363. Appeals to the Board.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Zoning Administrator and with the board of adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall transmit forthwith to the Board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board of Adjustment after the notice of appeal shall have been filed with him/her that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the Zoning Administrator and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon

the hearing any party may appear in person or by agent or by attorney.

**Sec. 364. Powers and duties.**

(a) The Board of Adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance or of any ordinance adopted pursuant thereto;

(2) To hear and decide special exceptions to the terms of the ordinance upon which such Board is required to pass under such ordinance; and

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(b) In exercising the powers mentioned in this section, such board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and, to that end shall have all the powers of the Zoning Administrator. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

(c) The Board of Adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called on by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

**Sec. 365. Appeal of Board decision.**

Any party aggrieved by any final judgment or decision of such Board of Zoning Adjustment may within 15 days thereafter appeal therefrom to the circuit court by filing with such Board a written notice of appeal specifying the judgment or decision from which the appeal is taken. In case of such appeal such Board shall cause a transcript of the proceedings in the action to be certified to the court to which the appeal is taken, and the action in such court shall be tried de novo.

State law reference - Appeals to circuit court, Code of Ala. 1975. § 11-52-81.

**Secs. 366-369. Reserved.**

## ARTICLE VII. DEFINITIONS

### Division 1. Generally

#### Sec. 330. Purpose of definitions.

For the purpose of this Zoning Ordinance, certain terms used in this ordinance shall have the meanings defined by this article. In the event a term is not listed in this article or is not defined elsewhere in this ordinance, the conventional meaning of the term shall apply.

#### Sec. 331. Interpretation.

The Building Inspector is authorized to make a final determination of the meaning of any term used in this ordinance. In case of any dispute, an appeal of the Building Inspector's determination may be filed with the Zoning Board of Adjustment.

#### Sec. 332. Word usage.

In the interpretation of the words used in this ordinance, the provisions and rules of this section shall be observed and applied, except when the context clearly requires otherwise.

- (1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (2) Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- (3) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- (4) The word *shall* is mandatory, and the word *may* is permissive.
- (5) The word *person* includes an individual, firm, association, organization, partnership, trust, company, or corporation.

#### Secs. 333-339. Reserved.

## Division 2. General Terms

### Sec. 340. General terms defined.

The following general terms when referred to in this ordinance shall have the meanings defined by this section:

*abut, adjacent, adjoin, or contiguous.* To physically touch or border upon; or to share a common border with or be separated from the common border by an easement.

*access.* A way or means of approach to provide physical entrance to a property.

*accessory structure.* A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

*accessory use.* A use of land or of a building or portion thereof commonly associated with and integrally related to the principal use of the land or building on the same lot and which constitutes a customarily incidental and insubstantial part of the total activity on the lot.

*acre.* A measure of land area containing 43,560 square feet.

*addition.* A structure added to the original structure at some time after completion of or after a certificate of occupancy has been issued for the original structure.

*alteration.* Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

*applicant.* A person submitting an application for development.

*basement.* A portion of a building located wholly or partially underground, having one-half or more of its floor-to-ceiling height above the average grade of the adjoining ground.

*bedroom.* A room marketed, designed or otherwise likely to function primarily for sleeping.

*berm.* A grass-covered or landscaped mound of earth with a slope of 1/3 or greater on both sides of mound, used to screen activities or uses on a lot.

*Board or Board of Adjustment.* The Zoning Board of Adjustment of Adamsville, Alabama.

*boarder.* An individual other than a member of the family occupying the dwelling unit or part thereof, who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

*building.* A structure designed to be used as a place of occupancy, storage, or shelter.



*building, accessory.* A subordinate building detached from a principal building on the same lot and that is used incidentally to a principal building or that houses an accessory use.

*building, principal.* The primary building on a lot or a building that houses a principal use.

*building front.* The exterior wall of a building which faces a street line on the lot.

*building line.* A line generally parallel to the street right-of-way line at a distance equal to the depth of the front yard required for the zoning district in which the lot is located.

*building spacing.* The minimum distance between buildings, measured from the outermost projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices, and gutters.

*carport.* A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three sides.

*City.* The City of Adamsville, Alabama.

*Commission or Planning and Zoning Commission.* The Planning and Zoning Commission of Adamsville, Alabama.

*club.* A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.

*condominium.* An ownership arrangement, not a land use. It is allowed in any district and under the same restrictions as the land uses that it comprises. It is characterized by private ownership of individual units and undivided common ownership and maintenance of designated exterior and interior spaces by a condominium association of unit owners.

*Council or City Council.* The City Council of Adamsville, Alabama.

*density.* The minimum required lot area per dwelling unit or the maximum number of dwelling units per acre of site area.

*development.* The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, alteration, relocation, or enlargement of a structure; any mining, dredging, fitting, grading, paving, excavation, drilling, or disturbance of land; and any use or extension of use of land.

*dwelling.* Any building or portion thereof which is designed and used for residential occupancy.

*dwelling, attached.* Three or more dwelling units adjoining one another by a common roof, wall or floor, such as a multiplex, townhouse, garden apartment, multi-story apartment, or upper-story apartment.

*dwelling, detached.* A dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit, such as a single-family residence, patio home, or manufactured home.

*dwelling, multi-family.* A building containing two or more dwelling units on a commonly shared lot, such as a duplex, multiplex, garden apartment, multi-story apartment, or upper-story apartment.

*dwelling, semi-detached.* Two dwelling units adjoining one another by a common roof, wall, or floor, such as a duplex or twin townhouses.

*dwelling, single family.* A dwelling unit on an individual lot, such as a single family residence, patio home, manufactured home, or townhouse.

*dwelling unit.* An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use by a single family.

*easement.* Authorization by a property owner of the use by another and for a specified purpose of a designated part of his property.

*family.* One or more persons living together as a single housekeeping unit.

*fence.* An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

*floor area, gross.* The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

*improvement.* Any man-made, immovable item which becomes part of, placed upon, or affixed to real estate.

*livable or habitable floor area.* Any floor area within a dwelling usable for any combination of sleeping, eating, cooking, recreation, or working purposes.

*lot.* A parcel of land in one ownership used, or set aside and available for use, as the site of one or more buildings and accessory buildings, or for any other purpose. A lot is not divided by a sheet and does not include any land within the abutting right-of-way of a public or private street even if the ownership to such right-of-way is in the owner of the lot. A lot for the purpose of this ordinance may or may not coincide with a lot of record.

*lot, corner.* A lot abutting two or more streets at their intersection.

*lot, double frontage or through.* A lot having frontage on two streets but not at their intersection.

*lot, interior.* A lot other than a corner lot.

*lot, reverse frontage.* A double frontage lot having a rear yard on a major street and a front yard and access to a local or marginal access street.

*lot frontage or frontage.* Lot width measured at the street line. When a lot has more than one street line, lot width shall be measured, and the minimum lot width required by this ordinance shall be provided at each such line.

*lot line.* A line bounding a lot which divides one lot from another or from a street or from any other public or private space.

*lot line, front.* In the case of a lot abutting only one street, the street line separating such lot from such streets shall be the front lot line; in the case of a double frontage lot, each street line separating such lot from a street shall be the front lot line, in the case of a corner lot, the street line having the least dimension.

*lot line, rear.* That lot line which is parallel to and most distant from the front line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front line shall be considered to be the rear lot line. In the case of a double frontage lot, there are no rear lot lines but only front and side lot lines.

*lot line, side.* Any lot line other than a front or rear lot line.

*lot of record.* Any validly recorded lot which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

*manufactured home.* A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electric systems contained therein. If constructed on or after June 15, 1976 the unit bears a seal certifying compliance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development.

*manufactured home lot.* A lot that is designed for use by a manufactured home within a manufactured home subdivision.

*manufactured home space.* A space that is designed for use by a manufactured home within a manufactured home park.

*modular home.* A dwelling constructed on-site in accordance with the Standard Building Code. It is composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home is not a manufactured home in that the latter is constructed in a plant in accordance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development and does not meet the construction standards of the Standard Building Code.

*nonconformities.* Lawful uses, lots, structures, or characteristics of uses which, as a result of adoption or subsequent amendment to this ordinance, no longer conform to all applicable zoning provisions.

*open space, common.* Land area within a residential development that is held in

common ownership and maintained by a homeowners' association for all of the residents for recreation, protection of natural land features, amenities, or buffers; is freely accessible to all residents of the development; and is protected by the provisions of this ordinance to ensure that it remains in such uses. Common open space does not include surface water bodies (i.e., rivers, streams, lakes, or ponds) nor land occupied by non-residential buildings, common driveways or parking areas, or street rights-of-way; nor does it include lots for single family or multi-family dwellings. Common open space shall be left in a natural state or landscaped, except in the case of recreational structures.

*outdoor storage.* The keeping, in an unenclosed area, of any goods, materials, merchandise, or vehicles in the same place for more than twenty-four hours.

*owner.* The person or persons having the right to legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

*patio or terrace.* A level, landscaped or surfaced area on a lot directly adjacent to or close to a principal building and not covered by a permanent roof.

*perimeter.* The boundaries or borders of a lot, tract, or parcel of land.

*porch.* A roofed open area, which may be windowed or screened, attached to and with direct access to or from a building. A porch becomes a room within the building when heated or air conditioned or when the walled area is less than 50% windowed or screened.

*premises.* A lot, parcel, tract, or plot of land together with the structures thereon.

*property line.* The lot line.

*retail.* The provision of services or the sale of goods and merchandise to the public at large for personal or household use or consumption.

*satellite dish antenna.* An accessory structure designed to receive television broadcasts relayed by microwave signals from earth-orbiting communications satellites.

*sidewalk.* A paved, surfaced, or leveled area, paralleling and separated from the street, used as a pedestrian walkway.

*sight triangle.* A triangular-shaped portion of land established at street or driveway intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

*site.* A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

*site area.* A minimum land area required to qualify for a particular use or development. Site area is taken from an actual site survey and excludes:

- land within an existing or future street right-of-way;
- land which is not contiguous or is cut off by a major barrier;

- land which is part of a previously-approved development; and
- land which is zoned for another use.

*story.* That portion of a building included between the upper surface of a floor and upper surface of the floor or ceiling next above. A mezzanine or partial floor shall be counted as a story if the vertical distance from the floor next below to the floor or ceiling next above is 24 feet or more. A basement shall be counted as a story if it is used as livable area in the case of dwellings or is used by the principal use in the case of all other uses.

*story, half.* A space under a sloping roof, in which the floor area with head room of five feet or greater occupies no more than two-thirds of the total floor area of the story directly beneath.

*street.* Any vehicular way which has been dedicated to the public for public use, including all land within the right-of-way.

*street, arterial.* A major street intended to move through traffic to and from major activity centers within the City or intended as a major route between communities.

*street, collector.* A major street intended to move traffic from local streets to arterial streets. A collector street serves a neighborhood or large subdivision.

*street, local.* A minor residential street intended to provide access to other streets from individual lots.

*street, major.* A collector or arterial street.

*street, marginal access or service.* A street intended to provide access to a parallel arterial street from adjacent properties.

*street line.* The lot line along the street right-of-way.

*structure.* Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. All buildings are structures but not all structures are buildings.

*subdivision.* The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. Such term includes resubdivision of land, and when appropriate to the context, relates to the process of subdivision or to the land or territory subdivided.

*this ordinance.* The Adamsville Zoning Ordinance.

*travel trailer.* A structure that is intended to be transported over the streets, either as a motor vehicle or attached to or hauled by a motor vehicle and is designed for temporary recreational use as sleeping quarters but that does not meet the definitional criteria of a manufactured home.

*use.* The activity or function that actually takes place or is intended to take place on a lot or site.

*variance.* A relaxation or waiver of the terms of this ordinance (other than use provisions) as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done, as determined by the Zoning Board of Adjustment.

*Zoning Administrator.* An official charged with the administration and enforcement of this ordinance.

**Secs. 341-349. Reserved.**

### Division 3. Uses

#### Sec. 350. Uses defined.

The following uses when referred to in this ordinance shall have the meanings defined by this section.

##### (1) *Agricultural uses.*

*farm.* A 10 acre or larger tract of land used for the production, keeping or maintenance, for sale or lease, of plants and animals useful to man, including the following farming activities and the incidental sale of products on the premises:

- forages and sod crops;
- grains and seed crops;
- dairy animals and products;
- poultry, including egg production but excluding poultry processing;
- livestock, such as beef cattle, sheep, goats, or any similar livestock, including the breeding and grazing of such animals but excluding meat processing and the keeping of pigs or poultry;
- nursery operations involving the raising of plants, shrubs, and trees for sale and transplantation and including greenhouses and incidental sales of items customarily associated with a nursery operation;
- forestry operations involving the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or performing forest services, including temporary sawmills and chippers for cutting of timber growth on the same premises but excluding lumber yards, mills, and similar activities;
- stables engaged in the raising, keeping, boarding, or training of horses, ponies, and similar animals, including riding academies and incidental sales of riding accessories and animals raised or regularly kept on the premises.
- bees and apiary products;
- fisheries, excluding fish and seafood processing;
- fur animals, limited to the breeding and raising of such animals; and
- fruits and vegetables of all kinds, including growing and harvesting of such fruits and vegetables, but excluding food processing.
- A booth or stall (farm stand) from which produce and farm products are sold to the general public.

Refer to § 115 for supplemental use regulations.

*farm support business.* A commercial establishment engaged in the sale of farm support goods and services, including the following activities:

- the sale of feed, grains, fertilizers, pesticides, and similar farm support goods;
- the provision of warehousing and storage facilities for raw farm products; and
- the provision of veterinary services to large animals.

*hobby farm.* A five acre or larger tract of land used for the production, keeping or maintenance of farm animals personally useful to the occupants of a dwelling on the same tract but excluding the keeping pigs, poultry, or large livestock. Refer to §116 for supplemental use regulations.

*kennel.* The boarding or raising of small household pets for commercial purposes.

*livestock sales.* The sale of animal livestock within an enclosed yard or structure, including livestock markets, horse auctions, and similar activities.

(2) *Residential uses.*

*accessory apartment.* An accessory dwelling unit attached to or detached from a single family residence and located on the same lot. The term includes garage apartments. Refer to § 101 for supplemental use regulations.

*apartment.* Five or more attached, multi-family dwellings within a building of three or less stories. Refer to § 102 for supplemental use regulations.

*combination dwelling.* A dwelling unit used in combination with a non-residential use, such as the family residence of a manager, business owner, or security guard within the same building or on the same lot of an institutional, commercial, or industrial establishment.

*duplex.* A semi-detached, multi-family dwelling.

*group care residence.* A group care home serving up to ten individuals, unrelated by blood or marriage, living together as a single housekeeping unit within a dwelling, under the supervision of one or two resident managers. The home serves socially, physically, mentally, or developmentally impaired individuals in a family-type living arrangement, including child care homes for orphans or neglected children, handicapped or infirm homes for the mentally retarded or mentally ill, rehabilitation homes for drug or alcohol dependency, emergency care homes for abused spouses or children, and similar group residency facilities. The group care residence provisions of this ordinance meet or exceed the minimum requirements § 11-52-75.1 *Regulation as to housing of mentally retarded or mentally ill persons in multi family zones*, Code of Alabama, 1975, as amended. Refer to § 103 for supplemental use regulations.

*manufactured home, class A.* A design-restricted manufactured home placed on a subdivided lot. Refer to § 104 for supplemental use regulations and § 340 for *manufactured home* defined as a general term.

*manufactured home, class B.* A conventional manufactured home placed on a



subdivided lot. Refer to § 105 for supplemental use regulations and § 340 for *manufactured home* defined as a general term.

*manufactured home park.* A tract of land used or designed to accommodate a manufactured home community of multiple spaces for lease or condominium ownership. Refer to § 106 for supplemental use regulations and § 340 for *manufactured home* defined as a general term.

*multiplex.* Three or four attached, multi-family dwellings within a building. Refer to § 107 for supplemental use regulations.

*patio home.* A detached, single family dwelling constructed on-site in accordance with the Standard Building Code. The unit occupies a small lot and has an enclosed yard area with a porch or patio. Refer to § 108 for supplemental use regulations.

*residential cluster subdivision.* A tract of land planned and developed as an integral unit under single ownership or control. Clustering permits a developer to create smaller lots than in a conventional subdivision without substantially increasing the overall density. Land saved by clustering becomes usable common open space to the residents of the subdivision. Lots within the cluster subdivision are restricted to single family detached or attached dwellings, as permitted by the district. Refer to § 109 for supplemental use regulations.

*single family residence.* A detached, single family dwelling constructed on-site in accordance with the Standard Building Code.

*townhouse.* An attached or semi-detached, single family dwelling within a building of eight or less units. Refer to § 110 for supplemental use regulations.

(3) *Institutional uses.*

*animal shelter.* Non-profit (Humane Society) or public organization providing shelter for small domestic animals.

*boarding house.* A dwelling for the residency of two or more boarders on a long term basis (at least month-to-month). Each unit intended to be rented does not constitute a *dwelling unit* as defined by this ordinance.

*cemetery.* Human burial grounds.

*club.* Buildings arranged for the gathering of private club members and their guests, including social club, professional association, fraternal club or lodge, union hall, civic association, and similar uses.

*community center.* Buildings arranged for the community gathering for social, cultural, or community service purposes, including museums, galleries, community meeting rooms, community recreation centers, libraries, YMCA's, YWCA's, and similar uses.

*community facility.* Buildings arranged for the purpose of providing public services, not otherwise listed in this section, including government offices, post offices, transit stations, police stations, fire and emergency service stations, civil defense operations, and similar uses.

*country club.* Land and buildings containing recreational facilities and club house for private club members and their guests.

*day care center.* A licensed facility, other than a residence, providing day care on a regular basis to more than six children, elderly, or handicapped or infirm persons.

*day care home.* A licensed service operated from a dwelling by the resident, providing day care on a regular basis to six or less children, elderly persons, or handicapped or infirm persons.

*domiciliary care facility.* Licensed homes for the aged, intermediate institutions, and related institutions (not otherwise defined by this section), whose primary purpose is to furnish room, board, laundry, personal care, and other non-medical services, regardless of what it may be named or called, for not less than 24 hours in any week, to individuals not related by blood or marriage to the owner or administrator. This kind of care implies sheltered protection and a supervised environment for persons, who because of age or disabilities, are incapable of living independently in their own homes or a commercial board and room situation, yet who do not require the medical and nursing services provided in a nursing home. In these facilities, there might be available temporarily and incidentally, the same type of limited medical attention as an individual would receive if living at home.

*hospital.* An establishment which provides health services primarily for in-patient medical or surgical care of the sick or injured, including accessory facilities such as laboratories, pharmacies, out-patient clinics, training facilities, gift shops, coffee shops, cafeterias, and staff offices.

*military installation.* A government-sponsored defense facility, including military bases, national guard centers, military reserve centers, armories, and similar uses.

*nursing care facility.* A licensed institution maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that provided in a hospital but at a higher level than provided in a domiciliary care facility.

*park.* Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.

*penal institution.* A public institution housing inmates for correction or rehabilitation.

*place of worship.* Buildings arranged for religious service purposes, such as churches and synagogues, including related facilities for instruction, meeting, recreation, lodging, eating, and other integrally related activities.

*public assembly center.* Buildings arranged for the general assembly of the public at-large for community events, including coliseums, stadiums, civic centers, and similar uses.

*public utility facility.* Facility that provides public utility services to the public at

large, including water and sewerage facilities, gas distribution facilities, electric transmission and distribution facilities, and cable transmission and distribution facilities.

*public utility service.* Essential utility services which are necessary to support development and which involve only minor structures such as lines and poles.

*school.* Public or non-profit school.

(4) *Commercial uses.*

*animal hospital.* A place where small household pets are given medical or surgical treatment and short term boarding of pets within an enclosed building may be provided.

*bank or financial service.* A business engaged in providing banking or financial services to the general public, such as a bank, savings and loan association, credit union, finance company, and similar businesses.

*broadcast studio.* Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, including film and sound recording, such as a radio studio, TV studio, or a telegraphic service office.

*business or professional office.* A place where the administrative affairs of a business or profession is conducted such as the office of a law firm, real estate agency, insurance agency, architect, secretarial service, the administrative staff of business or industry, and the like.

*business support service.* A place of business which supplies support services primarily to business or professional offices or services, such as photocopy, computer, and office equipment, supplies and services.

*campground.* A group of buildings or structures on a site of 10 or more acres planned as a whole for seasonal recreation or vacation uses, including tent campsites, travel trailer or recreational vehicle sites, vacation cottages, recreational facilities, eating facilities, bathrooms, and sale of personal care items and gifts. Refer to § for supplemental use regulations.

*car wash.* A commercial establishment engaged in washing or cleaning automobiles and light vehicles.

*clinic.* A facility providing medical, psychiatric, or surgical services for sick or injured persons exclusively on an out patient basis.

*commercial school.* Private, gainful business providing instructional service in the arts, business, crafts, trades, and professions.

*convenience store.* A small, one story retail store that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a supermarket), including, not more than one automotive fuel service island.

*entertainment, indoor.* A commercial establishment providing spectator entertain-

ment within an enclosed building, including movie theaters, playhouses, and similar indoor facilities.

*entertainment, outdoor.* A commercial establishment providing spectator entertainment in open or partially enclosed or screened facilities, including drive-in theaters, sports arenas, racing facilities, and amusement parks.

*funeral home.* A commercial establishment engaged in funeral and undertaking services for human burial.

*garden center or nursery.* Retail sales of plants, trees, shrubs, and the like for ornamental or landscaping purposes, conducted from a building, greenhouse, outdoor display area, or stand, including incidental sales of items customarily associated with such sales activities, including such items as containers, fertilizers, ornaments, small gardening tools and equipment, and seeds.

*general retail business, enclosed.* Retail sales of goods and services, not otherwise defined by this section, conducted within an enclosed building, including, but not limited to, food sales, department stores, clothing stores, home furnishings sales, appliance stores, auto supplies stores, gift shops, specialty stores, jewelry stores, cosmetics sales, package liquor stores, tobacco stores, drug stores, variety stores, catalogue stores, and similar enclosed retail businesses.

*general retail business, unenclosed.* Retail sales of goods and services, not otherwise defined by this section, conducted partially or fully outside of a building, including, but not limited to, sidewalk sales, outdoor food service, outdoor tire sales, and other outdoor display or sales.

*home improvement center.* A place of business providing building, appliance, yard and garden materials, tools, and supplies at retail and wholesale.

*home occupation.* A business, profession, occupation, or trade conducted for gain or support as an incidental activity of the resident of a dwelling. Refer to § 112 for supplemental use regulations.

*hotel or motel.* A commercial facility offering transient lodging accommodation on a daily or weekly basis to nine or more guests, which may include as an integral part of the facility, such additional services as restaurants, meeting rooms, banquet rooms, gift shops, and recreational facilities.

*laundry service.* A commercial establishment providing laundering, dry cleaning, or dyeing service (other than a laundry or dry cleaning pick-up station defined under *personal service*), such as a laundry and dry cleaning plant, diaper or linen service, or laundromat.

*medical support service.* A place of business which supplies medical support services to individuals, medical practitioners, clinics, and hospitals, such as a pharmacy (where the business activity is limited to the filling of medical prescriptions and the sale of drugs and medical supplies), medical and surgical supply store, an optician, and the like.

*mini-warehouse.* A building or group of buildings containing separate storage spaces which are leased on an individual basis for the exclusive purpose of storing non-hazar-

dous goods, but not including any activity other than dead storage. Refer to § 113 for supplemental use regulations.

*open air market.* Retail sales of arts, crafts, produce, discount or used goods partially or fully outside of an enclosed building, such as a flea market, produce market, craft market, or farmers' market.

*personal service.* A retail establishment engaged in providing services involving the care of a person, such as a barber shop, beauty shop, cosmetic studio, dry cleaning and laundry pick-up station, indoor exercise and fitness center, tanning salon, seamstress, tailor, shoe repair shop, key repair shop, travel agency, interior decorator, formal wear rental, and similar uses.

*recreation, indoor.* A commercial establishment providing recreational or sports activities to participants within an enclosed building, including bowling alleys, billiard parlors, video game centers, ice and roller skating rinks, and other commercial indoor recreational and sports activities.

*recreation, outdoor.* A commercial establishment providing recreation or sports activities to participants in open or partially enclosed or screened facilities, including driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, and other commercial outdoor recreational and sports activities.

*restaurant, fast food.* An establishment where food and drink are rapidly prepared for carry out, fast delivery, drive-thru, or drive-in and may also include standard sit-down consumption.

*restaurant, standard.* An establishment where food and drink are prepared, served, and primarily consumed within the building where guests are seated and served.

*shopping center, community or regional.* A group of commercial establishments (as permitted in the district) located on a lot of ten or more acres planned and developed in a unified design with shared parking and driveway facilities and under common management authority.

*shopping center, neighborhood.* A group of commercial establishments (as permitted in the district) located on a lot of three to less than ten acres planned and developed in a unified design with shared parking and driveway facilities and under a common management authority.

*specialty retail center.* A group of commercial establishments (as permitted in the district) located on a lot of one to less than three acres planned in a unified design with shared parking and driveway facilities and under common management authority. The center may be a new development or involve the resubdivision and redevelopment of residential lots so as to create a planned grouping of buildings and commercial uses with common parking areas and access drives under a common management authority. Refer to § 114 for supplemental use regulations.

*tourist home.* An establishment, which may be a dwelling, which provides lodging for three to eight transient guests on a short term basis (daily or weekly).

*vehicle repair service.* A place of business engaged in the repair and maintenance

of automobiles, light trucks, travel trailers, recreational vehicles, or boats, including the sale, installation, and servicing of mechanical equipment and parts but not including painting, body work, upholstery work, fabrication of parts, or rebuilding of engines.

*vehicle sales or rental.* A commercial establishment engaged in the sale or rental of automobiles, light trucks, travel trailers, recreational vehicles, boats, or motorcycles, including incidental parking, storage, maintenance, and servicing.

*vehicle service station.* A commercial establishment providing fuel, lubricants, parts, and accessories, and incidental repair and maintenance service to motor vehicles.

(5) *Industrial uses.*

*construction service.* A place of business engaged in construction activities and incidental storage as well as wholesaling of building materials (but not a home improvement center which also sells at retail), such as a building contractor, trade contractor, or wholesale building supplies store.

*heavy industry.* Meat or poultry processing and slaughterhouses or the storage or manufacturing involving flammable or explosive materials or involving potentially hazardous or commonly recognized offensive conditions.

*maintenance service.* An establishment providing building and yard maintenance services, such as janitorial services, exterminating services, landscape services, and window cleaning services.

*manufacturing, general.* The basic processing and manufacturing of materials or products predominately from extracted or raw materials and the incidental storage, sales, and distribution of such products.

*manufacturing, light.* The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assemble, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products.

*research lab.* An establishment engaged in research of an industrial or scientific nature, excluding product testing, such as an electronics research lab, research and development firm, or pharmaceutical research lab.

*resource extraction.* The removal of soil, sand, clay, gravel, minerals, or similar materials for commercial purposes, including quarries, borrow pits, sand and gravel operations, gas extraction, and mining, excluding surface mining, stripping, or open field mining operations.

*salvage yard.* A place of business engage in the storage, sale, dismantling or other processing of used or waste materials, such as a junk or automotive salvage yard.

*sanitary landfill.* A State-approved site for solid waste disposal.

*transmission tower.* A tower used for the transmission of radio and television signals to the general public or private receivers, other than amateur radio towers and towers used by a public facility.

*vehicle and equipment repair, major.* A place of business engaged in the repair and maintenance of heavy trucks (over one ton), construction equipment, tractors and implements or engaged in painting, body repair, upholstery repair, fabrication of parts, or rebuilding of engines.

*vehicle and equipment sales, major.* A place of business engaged in the sale or rental of heavy trucks (over one ton), construction equipment, tractors and farm implements, manufactured homes, and similar heavy equipment, including incidental storage, maintenance, and servicing.

*warehousing, wholesaling, and distribution, enclosed.* A place of business engaged in warehousing, wholesaling, or distribution services within a building.

*warehousing, wholesaling, and distribution, open.* A place of business engaged in open air warehousing, wholesaling, or distribution services.

(6) *Temporary uses.*

*garage or yard sales.* The sale by a resident, conducted on the premises of a dwelling, of personal property belonging to the occupant of such dwelling.

*seasonal sales.* Temporary seasonal sales of produce, ornamental plants, fire wood, Christmas trees, and other temporary sales that are unlike the usual activities on the lot where the sales occur.

*special event.* Circuses, fairs, carnivals, festivals, benefits, religious events, or similar types of temporary outdoor events that run longer than one day but no longer than thirty days, are likely to attract large crowds, and are unlike the usual activities on the lot where the event occurs.

APPENDIX A

TABLE OF PERMITTED USES

KEY

- P = PERMITTED USE. Use permitted subject to appropriate permits being issued in accordance with this ordinance.
- C = CONDITIONAL USE. Use permitted subject to a conditional use permit being granted by the Planning and Zoning Commission and further subject to appropriate permits being issued in accordance with this ordinance.
- N = USE NOT PERMITTED.
- 
- AG = AGRICULTURAL DISTRICT.
- R-E = RESIDENTIAL ESTATE DISTRICT.
- R-1 = SINGLE FAMILY RESIDENCE DISTRICT.
- R-2 = LIMITED MULTI-FAMILY HOUSING DISTRICT.
- R-3 = MULTI-FAMILY HOUSING DISTRICT.
- R-M = MANUFACTURED HOUSING DISTRICT.
- R-T = TOWNHOUSE AND PATIO HOME DISTRICT.
- R-A = AFFORDABLE HOUSING DISTRICT.
- B-R = RESTRICTED BUSINESS DISTRICT.
- B-1 = NEIGHBORHOOD BUSINESS DISTRICT.
- B-2 = COMMUNITY BUSINESS DISTRICT.
- B-3 = REGIONAL BUSINESS DISTRICT.
- M-P = INDUSTRIAL PARK DISTRICT.
- M-1 = LIGHT INDUSTRY DISTRICT.
- M-2 = HEAVY INDUSTRY DISTRICT.
- 
- \* = SUBJECT TO SUPPLEMENTAL USE REGULATIONS.



*Class A  
223' wide*

*Class B  
323' wide*

Table of Permitted Uses

USE CLASSIFICATION	ZONING DISTRICT														
	A G	R E	R 1	R 2	R 3	R M	R T	R A	B R	B 1	B 2	B 3	M P	M 1	M 2
<i>agricultural uses</i>															
*farm	P	N	N	N	N	N	N	N	N	N	N	N	N	P	P
farm support business	C	N	N	N	N	N	N	N	N	N	N	N	P	N	P
*hobby farm	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N
kennel	P	N	N	N	N	N	N	N	N	N	N	P	P	N	N
livestock sales	C	N	N	N	N	N	N	N	N	N	N	N	N	N	P
<i>residential uses</i>															
*accessory apartment	P	C	C	P	P	N	N	P	N	N	N	N	N	N	N
*apartment	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N
combination dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
duplex	P	N	N	P	P	N	N	P	N	N	N	N	N	N	N
*group care residence	P	C	C	P	P	C	C	P	N	N	N	N	N	N	N
*manufactured home, class A	P	N	N	N	N	P	N	P	N	N	N	N	N	N	N
*manufactured home, class B	C	N	N	N	N	P	N	C	N	N	N	N	N	N	N
*manufactured home park	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N
*multiplex	N	N	N	N	P	N	N	C	N	N	N	N	N	N	N
*patio home	N	N	N	P	P	P	P	P	N	N	N	N	N	N	N
*residential cluster subdivision	N	C	C	P	P	C	P	C	N	N	N	N	N	N	N
single family residence	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N
*townhouse	N	N	N	P	P	N	P	C	N	N	N	N	N	N	N
<i>institutional uses</i>															
animal shelter	C	N	N	N	N	N	N	N	N	N	N	P	N	N	P
boarding house	C	N	N	N	C	N	N	C	P	N	N	N	N	N	P
cemetery	P	C	C	C	C	C	C	C	P	P	P	P	N	N	N
club	P	N	N	N	N	N	N	N	P	P	P	P	N	N	N
community center	P	N	N	N	N	N	N	N	P	P	P	P	N	N	N
community facility	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P
country club	P	N	N	N	N	N	N	N	P	P	P	P	N	N	N
day care center	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
day care home	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N
domiciliary care facility	P	N	N	N	C	N	N	C	P	P	N	N	N	N	N
hospital	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
military installation	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P
nursing care facility	N	N	N	N	C	N	N	N	P	P	N	N	N	N	N
park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
penal institution	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
place of worship	P	C	C	C	C	C	C	C	P	P	P	P	N	N	N
public assembly center	C	N	N	N	N	N	N	N	N	N	N	P	N	N	N
public utility facility	P	C	C	C	C	C	C	C	C	C	C	C	C	P	P
public utility service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
school	P	C	C	C	C	C	C	C	P	P	P	P	N	N	N

USE CLASSIFICATION	ZONING DISTRICT														
	A G	R E	R 1	R 2	R 3	R M	R T	R A	B R	B 1	B 2	B 3	M P	M 1	M 2
<i>commercial uses</i>															
animal hospital	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
bank or financial service	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
broadcast studio	C	N	N	N	N	N	N	N	N	N	N	P	P	P	P
business or professional office	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
business support service	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
*campground	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N
car wash	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
clinic	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
commercial school	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
convenience store	N	N	N	N	N	N	N	N	C	P	P	P	N	N	N
entertainment, indoor	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
entertainment, outdoor	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
funeral home	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
garden center or nursery	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
general retail business, enclosed	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
general retail business, unenclosed	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
home improvement center	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P
*home occupation	P	P	P	P	P	P	P	P	N	N	N	N	N	P	P
hotel or motel	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
laundry service	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P
medical support service	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
*mini-warehouse	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P
open air market	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P
personal service	N	N	N	N	N	N	N	N	P	P	P	P	N	P	P
recreation, indoor	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
recreation, outdoor	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
restaurant, fast food	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
restaurant, standard	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N
shopping center, community or regional	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N
shopping center, neighborhood	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
*specialty retail center	N	N	N	N	N	N	N	N	C	P	P	P	N	N	N
tourist home	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
vehicle repair service	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P
vehicle sales or rental	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N
vehicle service station	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P

*USE  
CLASSIFICATION*

*ZONING DISTRICT*

	<i>A</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>B</i>	<i>B</i>	<i>B</i>	<i>B</i>	<i>M</i>	<i>M</i>	<i>M</i>	
	<i>G</i>	<i>E</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>M</i>	<i>T</i>	<i>A</i>	<i>R</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>P</i>	<i>1</i>	<i>2</i>	
<i>industrial uses</i>																
construction service	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P
heavy industry	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P
maintenance service	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P
manufacturing, general	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P
manufacturing, light	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P
research lab	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P
resource extraction	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
salvage yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
sanitary landfill	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
transmission tower	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
vehicle and equipment repair, major	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P
vehicle and equipment sales, major	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P
warehousing, wholesaling, and distribution, enclosed	N	N	N	N	N	N	N	N	N	N	N	N	N	P	P	P
warehousing, wholesaling, and distribution, open	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P
<i>temporary uses</i>																
garage or yard sales	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N
seasonal sales	P	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P
special event	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

APPENDIX B

COMPARATIVE ZONING DISTRICTS

JEFFERSON COUNTY ZONE

MOST COMPARABLE ADAMSVILLE ZONE

residential zones

E-1 Estate . . . . .	R-E Residential Estate
E-2 Estate . . . . .	none
R-1 Single Family . . . . .	R-1 Single Family Residence
R-2 Single Family . . . . .	none
R-3 Two Family . . . . .	R-2 Two Family Residence
R-4 Multiple Family . . . . .	R-3 Multi-Family Housing
R-5A Mobile Home Subdivision . . . . .	R-M Manufactured Housing
R-5B Mobile Home Park . . . . .	R-M Manufactured Housing
R-6 Single Family . . . . .	R-M Manufactured Housing
R-7 Residential Cluster . . . . .	R-T Townhouse and Patio Home
R-T Townhouse . . . . .	R-T Townhouse and Patio Home
R-G Garden Home . . . . .	R-T Townhouse and Patio Home

specialty zones

A-1 Agriculture . . . . .	AG Agricultural
A-2 Agriculture . . . . .	AG Agricultural
Inst-1 Institutional . . . . .	none
Inst-2 Institutional . . . . .	none
U-1 Utilities . . . . .	none
Cem-1 Cemetery . . . . .	none
PC-1 Pet Cemetery . . . . .	none
Air-1 Airport . . . . .	none
CC-1 Country Club . . . . .	none

commercial zones

C-P Preferred Commercial . . . . .	B-1 Restricted Business
C-N Neighborhood Commercial . . . . .	B-2 Local Shopping
C-1 Commercial . . . . .	B-3 Regional Shopping
C-2 Outdoor Amusement . . . . .	none
C-3 Commercial . . . . .	none
C-4 Package Liquor . . . . .	none
C-5 Commercial Adult Entertainment . . . . .	none

industrial zones

I-1 Light Industrial . . . . .	M-1 Light Industrial
I-2 Heavy Industrial . . . . .	M-2 General Industrial
I-2(A) Industrial . . . . .	M-2 General Industrial
I-3 Industrial . . . . .	M-2 General Industrial
I-3S Strip Mining . . . . .	none
I-4 Industrial Park . . . . .	M-P Industrial Park
I-5 Sanitary Sewage . . . . .	none
I-O Obnoxious Odors . . . . .	M-2 Heavy Industrial
HW-1 Hazardous Waste . . . . .	M-2 Heavy Industrial