

**ZONING ORDINANCE**  
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**Town of Chatom, Washington County, Alabama**

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**Article One - Titles, Authority, Purpose, and Jurisdiction**

**Section 1.0 - Title and Short Title**

This ordinance shall be known as the “Zoning Ordinance of Chatom, Alabama” and may be referred to as the “Zoning Ordinance”.

**Section 2.0 - Authority**

This Zoning Ordinance is adopted by the Town of Chatom, Alabama under the authority of the Code of Alabama, 1975, § 11-52-70 through § 11-52-84.

**Section 3.0 - Purpose**

This Zoning Ordinance is part of and consistent with other portions of the Comprehensive Plan for the Town of Chatom, Alabama. The purposes of this Zoning Ordinance are to: control the uses of land and buildings; provide safe and sanitary structures; require improvements that provide for harmonious development; stabilize land values; avoid unnecessary population densities; and promote general health, safety, convenience, prosperity and welfare for the population of the Town of Chatom, Alabama. Strict compliance with the intent and requirements of this Zoning Ordinance is mandatory unless there are other ordinances or regulations requiring higher standards than the other ordinances or regulations shall govern.

**Section 4.0 - Jurisdiction**

This Zoning Ordinance and Map shall govern and regulate all land within the City limits of Chatom, Alabama. If additional territory is annexed to the Town of Chatom, Alabama at a subsequent date, that land shall be designated as an A-O District until zoned in accordance with the amendment procedures set forth in this Zoning Ordinance.

**Article Two - Terminology**

**Section 1.0 - Purpose**

For the purpose of interpreting this Zoning Ordinance, certain words or terms are interpreted and defined as follows. All other words used in this Zoning Ordinance shall have their customary dictionary definition.

**Section 2.0 - Interpretation of Certain Words and Terms**

*Shall* - The word “shall” is always mandatory.

*Tense and Number* - Words used in the present tense include the future tense. Words used in the singular number include the plural and words used in the plural number include the singular.

*Used or Occupied* - The words “used” or “occupied” as applied to any land, building or structure shall be construed to include all modifying words such as “intended”, “arranged”, or “designed” to be used or occupied.

### **Section 3.0 - Definitions**

*Accessory Use, Building or Structure* - A separate use, building or structure in the same ownership and generally located on the rear portion of the same lot and erected either simultaneously with or after the erection of the principal building for the benefit or convenience of the owners, occupants, employees, customers or visitors to the principal use, but is clearly incidental to the principal use, building or structure.

*Alley* - A publicly or privately maintained, permanently reserved road providing a secondary means of access to the rear of properties that abut another street.

*Alteration* - A change or rearrangement of members, or parts, of an existing building or structure, such as bearing walls, columns, beams, girders, or interior partitions, doors or windows; or any enlargement or reduction of a building or structure, whether horizontally or vertically; or moving the building or structure from one location to another.

*Apartment* - A single building comprised of three or more separate dwelling units where none of the dwelling units are rented or available to rent for occupation for periods of less than 30 days.

*Architect* - A person licensed in the State of Alabama to practice in the field of architecture.

*Assisted Living Facility* - A portion of or a complete permanent building, or group of permanent buildings in which room, board, meals, laundry, and assistance with personal care and other non-medical services are provided for a minimum of two ambulatory adults not related by blood or marriage to the owner and/or administrator; excluding facilities licensed by the Alabama Department of Mental Health/Mental Retardation.

#### *Automobile Repair*

*Minor, Automobile Repair* - The repair, rebuilding or reconditioning of parts, engines and motor vehicles or light trucks.

*Major, Automobile Repair* - The repair, rebuilding or reconditioning of motor vehicles, trailers and heavy trucks such as collision services, body repair and frame straightening, painting and upholstery; steam cleaning and undercoating.

*Automobile Service Station* - Land, buildings and structures where gasoline, oil, batteries, tires and accessories are supplied and dispensed at retail and in some instances minor automobile repair services are provided.

*Automobile Wrecking* - See salvage yard

*Billboard* - A structure to support a posted advertisement which does not apply to the premises or any use of premises where such sign is located.

*Block* - The length of a piece of land on one side of a street, located between the intersection of the two nearest streets on either side of the land; or the area of land defined on all four sides by streets.

*Bed and Breakfast* - A permanent residential building occupied by a one household unit and using not more than six rooms to provide short term lodging accommodations and meals for the traveling public for a fee.

*Boarding House* - A permanent building in which the proprietor supplies, exclusive of the proprietor, moderate to long term lodging accommodations with meals for three or more persons, either individually or as families for a fee.

*Borrow* - Earth material acquired from an off-site location for use in grading a site.

*Buildable Area* or *Building Area* - That portion of a lot remaining after required minimum yard and open space requirements have been met. The area of a lot within which permitted buildings or structures may be erected, used and maintained.

*Building* - A structure permanently fixed to the ground having one or more floors, walls and roof and built to be occupied and used for the enclosure and shelter or accommodation of persons, personal property or equipment, goods, or animals.

*Building Line* - A line, other than the lot line, used to regulate the position of a building on the lot.

*Front Building Line* - The minimum horizontal distance between the street right-of-way line and the area of a lot on which buildings or structures can be constructed or erected. The required setback for buildings to form the front yard.

*Side Building Line* - The minimum horizontal distance between a side property line and the area of a lot on which buildings or structures can be constructed or erected. The required setback for buildings to form the side yard.

*Rear Building Line* - The minimum horizontal distance between a rear property line and the area of a lot on which buildings or structures can be constructed or erected. The required setback for buildings to form the rear yard.

*Building Official* - The designated employee of the Town of Chatom, Alabama responsible for enforcing the provisions of this Zoning Ordinance.

*Building, Principal* - The building or structure in which the main or primary use is situated.

*Building, Secondary* - See accessory use or building.

*Building Separation* - The minimum horizontal distance between the nearest portions of any buildings and structures on a lot.

*City Council* - The City Council of the Town of Chatom, Alabama.

*City Plan* - The complete or any part of the master or comprehensive plan for the Town of Chatom, Alabama that has been legally adopted.

*Club, Private* - Buildings or facilities owned or operated by an association of persons, whether incorporated or not, united by some common interest such as social, educational or recreational purposes and operated to render a service which is customarily carried on as a business.

*Collector Streets* - See Streets, Collector.

*Community Center* - Any land, part of or complete building or structure used for community activities such as assembly, social, educational, or recreational activities, whether operated as a commercial purpose or not, and serving the immediate or adjoining area.

*Court* - An open space, other than a yard, that is unobstructed from the ground to the sky.

*Inner Court* - A court that is enclosed on all sides by the walls of the building or structure it serves.

*Outer Court* - A court that is adjacent to one wall, but may be surrounded by up to three walls, of the building or structure it serves.

*Courtyard* - A landscaped, outdoor space partially or totally surrounded by a building or structure such as a wall or fence.

*Coverage* - The percentage of the lot that is covered by all buildings (including accessory buildings), structures (detached carports), and non-pervious surfaces (drives and patios, etc).

*Day Care, Adult Center, Adult Day Care* - A portion of or a complete permanent building or group of buildings and related premises used to provide care, during the day, to five or more ambulatory and semi-ambulatory adults.

*Home, Adult Day Care* - Any private residential building and related premises used for the care, daily activities, eating and resting of four or less adults.

*Foster Home, Adult Day Care* - Any private residential building and related premises used for the care, daily activities, eating and resting of three or less adults because of physical, mental or emotional limitations.

*Day Care, Child* (See Code of Alabama, Title 38, Chapter 7)

*Center, Child Day Care* - Any building and related premises used for the care and/or teaching of thirteen or more children.

*Group Home, Child Day Care* - Any building and related premises used for the care and/or teaching of seven to twelve children.

*Home, Child Day Care* - Any building and related premises used for the care and/or teaching of six or less children.

*Density* - The ratio of a count expressed in relation to a unit of area. As typically used in this Zoning Ordinance the number of dwelling units in relation to the number of acres.

*Development Plan* - A plan for the use, excavation of, construction on, or rezoning of property. As used in these regulations "development plan" includes site plans (buildings), plot plans (projects and rezonings), and subdivisions plats (divisions of land consistent with subdivision regulations).

*District* - A portion of the Town of Chatom, Alabama for which regulations governing the characteristics and use of land, buildings and structures are uniform.

*Dwelling Unit* - A portion of or a complete permanent building used as living quarters by one or more persons as an independent residence.

*Dwelling Unit, Single Family* - A detached residential building containing one dwelling unit designed and occupied for residential use by one housekeeping unit consisting of one or more persons.

*Dwelling Unit, Two Family* - A detached residential building containing two independent dwelling units designed for and separately occupied for residential use by two housekeeping units consisting of one or more persons.

*Dwelling Unit, Multiple* - A portion of or a complete building designed for and separately occupied for residential use by three or more housekeeping units consisting of one or more persons.

*Earth Material* - Any rock, all natural soils or combination of the two.

*Engineer* - A person licensed in the State of Alabama to practice in the field of civil engineering.

*Erosion* - the wearing away of the land surface by the action of wind, water, gravity or other natural processes.

*Excavating or Excavation* - Any artificial or mechanical act by which earth material is dug into, cut, quarried, uncovered, removed, displaced, relocated or bulldozed and including the conditions resulting from such act.

*Fill or Filling* - Any artificial or mechanical act by which earth material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of a stripped surface and including the conditions resulting from such act.

*Farm*- Land upon which the predominant activity is farming, but including a single family dwelling in addition to the accessory buildings and structures that are incidental to the agricultural operations of the farm.

*Filling Station* - See automobile service station.

*Garage* - A structure that is owned, operated and used primarily for the parking or storage of vehicles.

*Garage, Private* - An accessory structure used for the storage of not more than four vehicles used by the occupants of the building to which it is an accessory.

*Garage, Public* - A structure, that is privately or publicly owned and operated for the parking and storage of vehicles owned by the general public whether or not a fee is charged.

*Garage, Auto Repair* - See automobile repair, major and minor

*Hazardous Substances* - Material that, by reason of being toxic, caustic, corrosive, abrasive, or otherwise injurious, may be detrimental or deleterious to the health of any person handling or using or otherwise coming into contact with such material.

*Height (of Building at Structure)* - The vertical distance measured from the grade level to the highest point on a building or structure.

*Highway* - A major street that forms a part of an officially recognized highway system.

*Federal Highway* - A road or street that is a recognized part of the existing Federal Aid Highway System.

*State Highway* - A road or street that is a recognized part of the existing Alabama State Highway system.

*County Highway* - A road or street that is a recognized part of the existing Washington County Highway System.

*Home Occupation* - An occupation for gain conducted entirely within the dwelling unit by members of a family residing that same dwelling unit.

*Hotel* - A building or group of buildings where sleeping accommodations are provided for short to moderate term periods and individual private cooking facilities may or may not be provided to the public for a fee. A hotel may provide accessory services such as dining facilities or newsstands for use by tenants and the public.

*Junk Yard*- See salvage yard

*Land Use* - See Use, Land

*Livable Area* - The enclosed volume of space that is conditioned for use and occupancy in any building intended for human habitation.

*Lot* - Land, typically under one ownership, that is considered as a unit. In the context of municipal development regulations a "lot" is typically a unit of land considered for use, the development of buildings or structures, or for transfer of ownership.

*Lot Area* - The gross area of land included within the property lines defining the lot.

*Lot, Corner* - A lot located at the intersection of two or more intersecting streets or one street

that curves and the interior angle is less than 135 degrees.



*Lot, Depth* - The minimum horizontal distance between the front and rear lot lines.

*Lot, Interior* - A lot that has at least one lot abutting each side.

*Lot, Mobile Home* - See mobile home lot

*Lot Width* - The minimum horizontal distance between the side lot lines.

*Lot Lines* - The legally defined boundaries of a lot.

*Lot Line, Front* - The lot line coincident with the street right-of-way line upon which the lot fronts.

*Lot Line, Rear* - The lot line at the rear of the lot, typically the dividing line between two tiers of lots.

*Lot Line, Side* - Any lot line other than the front or rear lot line.

*Major Street* - See Street, Major

*Manufactured Home, Mobile Home, Single Wide and Double Wide*

*Manufactured Home* - "A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site is three hundred and twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation, when connected to required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems therein." (National Manufactured Housing Construction and Safety Standards Act of 1974 as amended, 42U.S.C. 5401, et seq.) .

*Mobile Home* - A structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site is three hundred and twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation, when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems therein and manufactured prior to June 15, 1976.

*Single Wide* - A manufactured or mobile home that is manufactured having a width of 14 feet or less excluding expansion bays and a length of forty feet.

*Double Wide* - A manufactured or mobile home that is manufactured in two parts, that when assembled on a lot becomes a single structural unit having a width greater than 14 and a length of not less than forty feet.

*Mini-Storage Warehouse* - A portion of or a complete permanent building, or group of permanent buildings, divided into units by walls extending from floor to ceiling and with independent access to each unit from either the exterior or common hall within the building and where the units are designed to be rented or leased to the general public only for the storage of personal goods, materials and equipment.

*Mobile Home Park* - Land upon which two or more leased or rented sites, whether occupied or vacant, are provided for manufactured homes, mobile homes, trailers, campers or recreational vehicles and regardless of whether or not a charge is made for such accommodations.

*Mobile Home Site* - A site within a Mobile Home Park designed for the accommodation of one manufactured or mobile home.

*Modular, Panelized and Prefabricated Building*

*Modular Building* - A factory fabricated building constructed in one or more units constructed to site built standards and transported to a site to be incorporated into a permanent building.

*Panelized Building* - A building for which the envelope of the building is comprised of panels, including exterior sheathing and window units, built off-site to on-site standards and transported on-site and erected as a part of a permanent building.

*Prefabricated Building* - A building that is comprised of pre-made components that are manufactured off-site to site built standards and transported on-site and erected as part of a permanent building.

*Motel*- See hotel.

*Motor Vehicle Repair Shop* - See automobile repair, major and minor

*Natural Terrain* - The existing ground level as shown on the most recent topographic map(s) for the Town of Chatom, Washington County, Alabama.

*Night Club* - Restaurants, dining rooms or other similar establishments where floor shows or other forms of lawful entertainment are provided.

*Non-Conformity* - A use, building or structure that lawfully existed at the time of adoption or amendment of regulations that would limit or prohibit the use, building or structure because it is not in conformance with the regulations.

*Nursing or Convalescent Home* - A portion of or a complete permanent building or group of permanent buildings in which the proprietor provides nursing, medical and similar professional care and personal treatment, in accordance with Alabama statutes and regulations, for persons suffering from illnesses and ailments requiring acute care.

*Open Space* - Undeveloped area, extending from the ground to the sky.

*Parking* - An area of land or space in buildings or structures designed, used and maintained for storing vehicles.

*Parking, Off Street* - An area of land or space in buildings or structures that is not located in a street right-of-way that is used for parking and storing vehicles.

*Planning Commission* - Future or Reserved City Planning Commission of the Town of Chatom, Alabama.

*Plot Plan* - A scale drawing showing: i) the relationship of a lot or tract of land to off-site properties, buildings and structures in the general vicinity of the property; and ii) on-site proposals for a moderate to large sized or complex projects including buildings, structures, related infrastructure improvements (eg. utility services, storm water drainage) and other improvements.

*Poultry* - Fowl such as mean any chickens, turkeys, ducks, or geese.

*Principal, Building* - See *building, principal*.

*Recreation Space* - Open space for general recreational activities such as playgrounds.

*Salvage Yard* - A location where either the principal or accessory use of the land, including any buildings or structures is the abandoning, collecting, demolishing or wrecking, dismantling for parts or material, storing, bailing, or sale of discarded or scrapped material. This shall include, but not be limited to: used, discarded, worn out or scrapped appliances or machinery; vehicles, trailers and other equipment; scrap metal (aluminum, steel, brass, iron or copper); or other scrap or discarded materials such as chains, pipes, paper, rags, furniture, bottles, cans, or rope.

*Secondary Street* - See *street, secondary*.

*Sediment* - Solid material, both mineral and organic, that is in suspension, being transported, or has been moved from its original site by air, gravity or water as a product of erosion.

*Service Road* - See *Street, Service Road*.

*Site* - Any lot or parcel of land, or contiguous combination of the two, upon which excavation or filling will be performed or a location at which land use or development may occur.

*Site Area* - See *lot area*.

*Site Plan* - An accurately scaled drawing that illustrates: i) the relationship of a lot to adjacent off-site property lines, buildings and structures; ii) existing on-site conditions and requirements; and iii) proposed on-site improvements such as buildings, structures, utilities, and access points and circulation, parking and loading areas, screening walls or fences, and landscaping.

*Sign* - Any device, such as a structure, display board, screen or cloth designed and located to be visible and attract the attention of persons by using lettering, characters, symbols, emblems, drawings, pictures, lights, decorations or combinations thereof, to make persons (individuals, firms, organizations, businesses) aware of products, services or events.

*Sign, Advertising* - See *Sign, Off-site*

*Sign, Construction*- A sign listing architects, engineers, contractors, financial institutions and other suppliers performing work or providing materials and/or services for the construction site where the sign is located.

*Sign, Directional* - A sign erected with the approval of an authorized government authority to denote routes, give directions, regulate traffic, to mark certain facilities for special use (handicapped), or to provide directions to specific buildings or locations.

*Sign, Off-site* - A sign relating to subject matter at another location other than where the sign is located.

*Sign, On-site* - A sign relating to the location at which the sign is located.

*Sign, Permanent* - A sign affixed to a building or a sign structure permanently attached to the ground and intended to be displayed for an extended period of time.

*Sign, Structure* - Any construction designed and used to support a sign.

*Sign, Small Announcement* - Shall mean a sign or plate not more than three (3) square feet in area.

*Sign, Temporary* - A sign intended to be displayed for a specified or limited period of time.

*Slope* - Inclination of the ground surface which is expressed as a ratio of vertical and horizontal distance.

*Stable* - A building for the keeping of horses, mules, donkeys or ponies.

*Stable, Private* - A detached permanent accessory building for the keeping of horses, mules, donkeys or ponies owned by the occupants and not kept for hire, remuneration or sale.

*Stable, Public* - A detached permanent building in which horses, mules, donkeys or ponies are kept for remuneration, hire or sale.

*Story* - That portion of a building or structure included between the surface of any floor and the bottom of the above floor or roof.

*Story, Ground or First* - The lowest story entirely above the mean or average grade of the adjoining ground.

*Story, One-Half* - That portion of a building or structure under a sloping roof in which there is sufficient vertical space to provide a height of not less than 7-12 feet between the finished floor and finished ceiling.

*Story, Upper* - Any story above the ground or first story.

*Street* - A public or private maintained road that affords the primary means of access to abutting properties.

*Street, Collector* - A public street that primarily collects or distributes neighborhood traffic to and from those streets that serve traffic traveling from neighborhood to neighborhood or serve commercial businesses and community facilities.

*Street, Major* - A public street or highway of considerable continuity that is primarily used for travel between areas.

*Street, Secondary* - A public street, supplementary to the major street system and used primarily a means of travel between smaller areas and connecting the major streets to collector streets.

*Street, Service Road* - A public street paralleling and adjacent to a major street or highway that is physically separated from higher speed through traffic and that provides access to the abutting property.

*Street Line* - A property line marking the dividing line between a street right-of-way and a lot.

*Street Right-of-Way Width* - The minimum distance between the two right-of-way lines of a street as shown on existing plat maps or as required in the future by the Subdivision Regulations.

*Structure* - Anything that is constructed or erected above or below ground on public or private property in a safe and stable manner, other than a building, pavement, curbs, sidewalks, or open air surfaces, that requires a temporary or permanent location on the ground. This includes, but is not limited to: permanent structures such as walls, swimming pools, stadiums, radio and television towers, satellite dishes, storage bins, sheds, fences and display signs or billboards; and temporary structures such as platforms, staging and flooring used for standing or seating purposes.

*Use, Accessory* - See *Accessory Use or Building*.

*Use, Land, Business, Industrial and Residential*

*Use, Land* - The utilization of land for trade, industry, residence, recreation or any other activity or purpose including, but not limited to, land development activities necessary for the preparation of a site such as excavation, filling, grading or building construction for a use.

*Use, Business or Commercial* - That use of land and the buildings or structures thereon pertaining to activities (1) which are strictly commercial in character as indicated by the sale and exchange of goods, wares or property; and (2) those which are not strictly commercial in character such as those activities conducted in offices and establishments rendering personal services.

*Use, Industrial* - That use of land and the buildings and structures thereon pertaining to manufacturing or similar operations through which component products and marketable commodities are produced.

*Use, Residential* - That use of the land and the buildings and structures thereon for dwellings; i.e., for living and sleeping occupancy by persons.

*Used Car Lot* - Any area of land, including buildings and structures thereon for the open storage, display and buying or selling at wholesale or retail of used or secondhand vehicles.

*Yard* - Required open space on a lot between the property line and the building line that is unobstructed from the ground to the sky.

*Yard, Front* - That part of a lot that extends the full width of the lot and is located between the front property line and the nearest point of the front of a building or structure projected to the side lines of the lot.

*Yard, Rear* - That part of a lot extending the full width of the lot and situated between the rear line of the lot and the rear line of the building or structure projected to the side lines of the lot.

*Yard, Side* - That part of a lot that extends from the front yard to the rear yard between the side lot line and the wall or nearest supporting member of a building or structure.

## **Article Three - Establishment and Delineation of Districts**

### **Section 1.0 - Purpose**

The purpose of this article is to identify the zoning districts to be used and the map on which the districts are to be geographically defined, and to provide guidance for locating district boundaries.

### **Section 2.0 - Creation of Districts**

For the purpose of this Zoning Ordinance the Town of Chatom is divided using the following designated districts.

A-0	Rural Residential Zone	Agriculture – Open Space
R-1	Low Density Residential Zone	Single Family
R-2	Low Density Residential Zone	Single and Two (duplex) Family
R-3	Medium Density Residential Zone	Multiple Family and Manufactured/Mobile Home Parks
C	Commercial Zone	Central Business District
I	Industrial Zone	Industrial

### **Section 3.0 - Zoning Map**

The boundaries of the above districts are hereby established as shown on the Zoning Map of the

Town of Chatom. The "Zoning Map of Chatom, Alabama," identified by the signature of the Mayor and attested by the City Clerk, and all explanations made thereon are hereby adopted and made a part of this Zoning Ordinance. For purposes of maintaining a zoning map with greater detail, a sectional map and index may be used.

#### **Section 4.0 - Location and Interpretation of District Boundaries**

The district boundaries are shown on the Zoning Map. The exact location of district boundaries shall be determined using the following rules.

*Section 4.1 - Corporate Limits:* When district boundaries are indicated as following the corporate limits, such lines shall be construed to be the district boundaries.

*Section 4.2 - Lot Lines:* When district boundaries are indicated as following the lot lines, such lines shall be construed to be the district boundaries.

*Section 4.3 – Centerlines :*When district boundaries are indicated as following the center line of streets and alleys, or such lines extended, railroads or waterways, such lines shall be construed to be the district boundaries.

*Section 4.4 - Parallel Lines:* When district boundaries are indicated approximately parallel to corporate limits, lot lines, the center lines of streets and alleys, or such lines extended, railroads or waterways, such lines shall be construed as being parallel thereto and at such distance as indicated on the Zoning Map. If no dimension is given, the distance shall be determined by use of the scale appearing on the Zoning Map.

*Section 4.5 - Divisions of Land:* When district boundaries divide a lot or land that is not subdivided, the district lines, unless specified by dimensions, shall be determined by use of the scale appearing on the Zoning Map. When a lot or land is divided by district lines, the district regulation applying to the majority of the lot or land area (51 % or more) may be extended to the entire lot or land by an interpretation and ruling made by the Board of Zoning Adjustment.

*Section 4.6 - Vacated Rights-of-Way:* 'When a public right-of-way for a street, alley or other public land, or a private right-of-way such as a railroad, is officially vacated or abandoned through proper legal procedure as established by the Code of Alabama, 1975 as amended, the district regulations applicable to the property to which the vacated or abandoned land reverted shall apply to the vacated or abandoned land.

*Section 4.7 - Interpretation by Board of Zoning Adjustment:* In the case of any uncertainty, the Board of Zoning Adjustment shall determine the exact location of district boundaries. The Board of Zoning Adjustment may also order detailed maps prepared for any part of the City to interpret, following the guidelines contained in preceding paragraphs, the exact location of the district boundaries.

### **Article Four -Requirements for All Districts**

#### **Section 1.0 - Purpose**

This Article establishes minimum requirements adopted for all districts to promote public health, safety, convenience, prosperity and general welfare in the Town of Chatom, Alabama.

## **Section 2.0 - Applicability**

The requirements and provisions of this Article apply to all portions and uses of land, buildings and other structures within the Town of Chatom, Alabama regardless of district designation.

## **Section 3.0 - Uses**

*Section 3.1 - Uses Shall Conform With Regulations:* No land, building or structure shall be occupied, altered or used unless uses of the lot, building, or structure conforms with these regulations. In every district, no use other than the uses specified as "Permitted" shall be allowed, uses "Permitted on Appeal" or "Discretionary Uses" shall be subject to the terms and conditions imposed.

- A. Uses specified as "permitted" shall be permitted upon application to the Building Official, except when a requirement for Development Plan Review by the Planning Commission is specified.
- B. Uses specified as "permitted on appeal" are special exceptions. Permits for special exceptions shall be issued after written application to, and approval by, the Board of Zoning Adjustment. Permits for special exceptions shall be subject to any conditions the Board of Zoning Adjustment may require to preserve and protect the character of the district and the public health, safety, convenience, prosperity and general welfare of the Town of Chatom, Alabama.
- C. Uses specified as "discretionary uses" are all subject to Development Plan Review by the Planning Commission. Permits for discretionary uses shall be issued after written application to and approval by, the Planning Commission. Permits for discretionary uses shall be subject to any conditions the Planning Commission may require to preserve and protect the character of the district and the public health, safety, convenience, prosperity and general welfare of the Town of Chatom, Alabama.

*Section 3.2 - Uses Permitted in All Districts:* The following uses shall be permitted in all districts. Public land and buildings of a governmental nature including, parks and playgrounds. Public utilities, but excluding their offices, sub-stations or pumping stations. Temporary, protective shelters approved by the Alabama Emergency Management Agency may be used to provide temporary, emergency living quarters.

*Section 3.3 - Uses Permitted on Appeal in All Districts:* Refer to uses permitted on appeal in each district.

*Section 3.4 - Discretionary Uses in All Districts:* The following uses shall be discretionary uses subject to Development Plan Review in all districts. Public and private schools offering basic education curriculums, libraries and fire stations. Semi-public uses such as churches and similar places of worship. Cemeteries providing there is concurrent approval from the Alabama Department of Public Health. Public utility sub-stations and pumping stations.

*Section 3.5 -Use of Land Subject to Inundation:* No building or other structure, either in part or whole, shall be located, erected or altered where the land is subject to inundation or periodic flooding until the plans comply with applicable requirements for flood hazard areas.

*Section 3.6 - Extractive Use:* Exploration, extraction, or excavation of sand, clay, gravel, oil, gas, sulfur, or other mineral deposits, shall be excluded from all districts except upon 'written application

to, and approval by, the Board of Zoning Adjustment as a special exception. Approval shall be subject to any conditions the Board of Zoning Adjustment may require to preserve and protect the character of the district and the public health, safety, convenience, prosperity and general welfare of the Town of Chatom, Alabama.

## **Section 4.0 - Lot Area, Width and Required Setbacks**

*Section 4.1 - Lot Area and Width Maintained:* Lots shall not be reduced in area or width so that yards and open spaces are less than the minimum area required by all related and district regulations in which the lot is located.

*Section 4.2 - Lot Area Calculated and Setback Measured From Future Street Lines:* The minimum required lot area, lot width, yard setbacks and building area of any lot that may be reduced in area by widening a public street to a future street line, as indicated on the Official Map (defined by law as an adopted major street plan, official master plan, or street on an approved subdivision), shall be measured from the future street right-of-way line.

*Section 4.3 - Lot Area Applies to One Principal Use or Building:* No lot area, yard or open space required for the use of any portion of or a complete lot, building or structure shall be counted toward the requirements for another lot, building or structure.

*Section 4.4 - Building Projections Permitted in Yard Area:* All of the required yard area shall be open and unobstructed from the ground to the sky except for permitted accessory structures and ordinary projections of eaves, cornices and similar architectural features. Building projections shall not extend more than three (3) feet into any required yard. Open fire escapes may not extend into any required yard more than three and one-half (3-1/2) feet. Any district or proposed development plan not requiring a building setback shall not allow building projections into the required yard and open space of any adjacent property.

*Section 4.5 - Sight Triangles:* Safe sight lines shall be maintained at intersections of railroads, streets, vehicular access drives and pedestrian walkways. No fence, wall, landscaping, sign, or other obstructions to vision between the heights of three (3) feet and fifteen (15) feet above-street level shall be permitted within the applicable sight triangle of intersections of two or more public street rights-of-way lines, or any right-of-way intersections with railroads or access drives. The sight triangle shall be determined as follows:

- A. The sight triangle shall be formed at the intersection of public rights-of-way by measuring 30 feet from the intersection along each right-of-way line and connecting the points.
- B. The sight triangle shall be formed at the intersection of public rights-of-way and access drives by measuring from the intersection of the right-of-way and five feet outside the paving for a driveway for a distance of 30 feet along the right-of-way and 15 feet along the line outside the driveway and connecting the points.
- C. The sight triangle shall be formed at the intersection of public and railroad rights-of-way by measuring 30 feet from the intersection along the public right-of-way and 60 feet along the railroad right-of-way and connecting the points.



## **Section 5.0 - Height**

*Section 5.1 - Heights Restricted:* Every part of or complete building or structure constructed or altered shall not exceed the district requirements in which the building or structure is located and the following height regulations unless exempted by this section.

*Section 5.2 - Heights in Airport Approach Zone:* All areas in "Airport Approach Zones" shall be shown on the Zoning Map and regardless of the zoning district, the height limitations of landscaping, buildings or structures shall be determined by the glide angle approach to the airport as established by the Alabama State Department of Aeronautics.

*Section 5.3 - Exemptions from Height Requirement:* Height limits, except in airport approach zones, shall not apply to portions of buildings and structures that are not inhabited or regularly used by people. Such portions of buildings and structures include church steeples, farm structures (eg. silos), chimneys, flag poles, public utility poles, radio and television towers and aerials, and industrial structures (eg. cooling towers) required by the manufacturing process.

## **Section 6.0 - Principal Buildings and Structures**

*Section 6.1 - Permanent Buildings:* No permanent, principal building or structure shall be occupied, erected, located, altered, occupied or used unless that building or structure conforms with the prescribed district and related regulations.

*Section 6.2 - Manufactured and Mobile Homes:* Manufactured and mobile homes shall meet all federal and state regulations for manufactured homes.

- A. The manufactured or mobile home must be installed according to the manufacturer's instructions and comply with the regulations of the Alabama Manufactured Housing Commission. (Attention is directed to 535-X-13-.06 Minimum Blocking Standards, 535-X-13-.07 Minimum Anchoring Standards, and 535-X-13-.08 Installation of Anchors and Tiedown Devices) When complying with 535-X-13-.06 Minimum Blocking Standards, the maximum height of blocking piers allowed in Town of Chatom, Alabama shall be limited to 48".
- B. The manufactured or mobile home shall be connected to a public water and/or sewer system approved by the Alabama Department of Environmental Management or provide a well and or septic tank approved by the Alabama Department of Public Health.
- C. The area beneath the manufactured or mobile home must be enclosed with materials manufactured for such purposes, including but not limited to brick, block, rock, or other materials which have been approved by the local building official.

## **Section 7.0 - Accessory Structures**

Accessory structures on any lot shall conform to the following regulations:

*Section 7.1 - Location on Lot:* No detached accessory structure shall be erected in any required front or side yard and shall be at least ten (10) feet from any lot lines and fifteen (15) feet from any other structure on the same lot unless otherwise specified in the district regulations in which the accessory building or structure will be located.

*Section 7.2 – Location on Corner Lots:* Accessory structures on a corner lot shall be set back the minimum required front yard depth on both the front and side street.

*Section 7.3 - Height:* Accessory structures shall not exceed two stories or 25 feet in height.

*Section 7.4 - Coverage:* Accessory structures shall not cover more than thirty (30) percent of any required rear yard.

*Section 7.5 - Residential Use Prohibited:* Accessory buildings or structures shall not include living quarters. Manufactured and mobile homes shall not be used as accessory structures.

## **Section 8.0 - Temporary Buildings and Structures.**

Mobile buildings and temporary structures shall only be used on a temporary basis as an on-site construction office in connection with the construction or remodeling of a permanent building or structure. Temporary permits, when granted, shall only be valid as long as reasonably necessary for completion of construction or remodeling or for the completion of on-site construction.

## **Section 9.0 – Circulation and Points of Access**

*Section 9.1 - Points of Access and Circulation:* Safe access shall be provided within building sites and to public streets. Access to all parking facilities shall be planned so that entrances and exits function to minimize traffic congestion.

*Section 9.2. - General Criteria for Access Points:*

- A. Residential lots are limited to one access point per lot except as follows:
  - 1) Residential lots in R-1 and R-2 districts may have two access points per lot provided the provided the access points are separated by 60 feet.
  - 2) Residential lots in R-3 districts may have two access locations per lot provided the lot width at the front building line exceeds 120 feet and the access points are separated by 90 feet.
- B. Non-residential access points along public streets shall be minimized by sharing access to adjacent properties and linking parking areas. Reciprocal ingress, egress and parking agreements shall be required to facilitate vehicular movement between areas on the same site or between adjacent properties.
- C. Access points for corner lots shall be located as far from the corner as possible and not less than 30 feet from the point of intersection of the property lines at the corner.
- D. Vehicular circulation shall be designed to limit access to streets used by school children and the intrusion of traffic into residential areas.

*Section 9.3 - Curb Cuts:* All curbs used for on-site development shall be vertical curbs. Curb cuts for truck access driveways shall not exceed 45 feet at the curb line (edge of paving) and 35 feet at the property line. All other curb cuts shall not be greater than 35 feet at the curb line (edge of paving) and 25 feet at the property line unless designated turn lanes are provided. Up to 12 feet in width may be added for each designated turn lane. The number of curb cuts for developments shall be limited consistent with the general design criteria for access.

*Section 9.4 - Drive-Up Buildings:* Drive-up access to any building shall be provided as a part of the on-site circulation pattern. The on-site design of stacking lanes must prevent blocking points of ingress and egress and access to parking or adjacent properties.

**Section 10.0 - Off-Street Parking and Vehicle Storage**

*Section 10.1 - Off-street Parking Required:* Each use, building and structure shall be provided with off-street parking as specified in the schedules for off-street parking requirements and in accordance with the following requirements. (See Schedule for Residential Off-street Parking Requirements and Schedule for Non-residential Off-street Parking Requirements.) Any use, building or structure that meets the parking requirements of this Zoning Ordinance as of the effective date or at of any subsequent time, shall continue to fully comply with all parking requirements. Any existing building that partially meets the parking requirements of this Zoning Ordinance as of the effective date or at any subsequent time shall not reduce the number of parking spaces provided.

**Schedule for Residential Off-Street Parking Requirements**

Type Residential	Dwelling: Unit Size	Off-street Parking
Single Family Detached	1 to 3 bedrooms	2.0
	4 or more bedrooms	3.0
Garden Apartment	1 and 2 bedrooms	2.0
	3 or more bedrooms	3.0
Townhouses	1 and 2 bedrooms	2.0
	3 or more bedrooms	3.0
Mobile Home	All	2.0

**Schedule for Non-Residential Off-Street Parking Requirements**

Nonresidential Land Use	Off Street Parking Required
Assembly areas	1 per 800 sq. ft. GFA
Bar	1 per seats
Bowling Alley	4 per alley
Car Wash	10 per washing lane
Church / Synagogue	1 per 3 seats
Fiduciary Institutions	1 per 300 sq. ft. GFA
Hotel	.7 per guest room plus 10 per 1,000 sq. ft. GFA of non-room area
Industrial	1 per 800 sq. ft. GFA
Library	1 per 300 sq. ft. GFA
Manufacturing	1 per 800 sq. ft. GFA
Medical Center	1 per 250 sq. ft. GFA
Neighborhood Shopping Center (under 400,000 sq. ft. GLA)	4 per 1,000 sq. ft. GLA
Nightclub	1 per 3 seats
Offices	
Under 49,999 sq. ft GFA	4.5 per 1,000 sq. ft. GFA
50,000 to 99,999 sq. ft. GFA	4 per 1,000 sq. ft. GFA

100,000 plus sq. ft. GFA	3.5 per 1,000 sq. ft. GFA
Receiving	1 per 5,000 sq. ft. GFA
Research	1 per 1,000 sq. ft. GFA
Restaurant Regular eat-in Quick Food Establishments	1 per 3 seats 1 per 20 sq. ft.
Schools Elementary Intermediate Secondary	2 per classroom* 1.5 per classroom* 2.5 per classroom* * = not less than 1 space per teacher and staff
Service Stations	4 per service bay or work area
Shipping	1 per 5,000 sq. ft. GLA
Shopping Centers Under 400,000 sq. ft. GLA 400,000 to 599,999 sq. ft. GLA 600,000 plus sq. ft. GLA	4 per 1,000 sq. ft. GLA 4.5 per 1,000 sq. ft. GLA 5 per 1,000 sq. ft. GLA
Storage Areas	1 per 5,000 sq. ft. GLA
Theater Freestanding In Shopping Center	1 per 3 seats 1 per 4 seats
Warehouse	1 per 5,000 sq. ft. GFA

Notes: GFA = Gross Floor Area  
GLA = Gross Leasable Area

*Section 10.2 –Parking for Uses, Buildings or Structures:*

- A. No off-street parking space required for anyone use, building or structure shall be counted as off-street parking space for another use, building or structure. Off street parking space, subject to these requirements and the appropriate district regulations may be included as a part of the required yard area.
- B. Whenever a use, building or structure qualifies under two (2) or more classifications, the classification with the larger parking requirement shall govern.
- C. Off-street parking facilities, required for two or more uses located on the same lot, may be combined and jointly used provided the individual minimum parking requirements are summed and the total parking requirement is met.
- D. When any use is extended by construction or enlargement of a building or structure, the existing parking spaces shall be maintained and the required number of parking spaces to serve the new building or structure shall be provided.
- E. Off-street parking and storage space shall not be used for the sale, repair, servicing of any vehicles, equipment, or materials.

*Section 10.3 - Design Criteria for Off-street Parking:*

- A. Off-street parking and storage spaces shall be located on the same lot as the use, building or structure they are intended to serve.
- B. Each off-street automobile parking space shall have an area of not less than 200 square feet (10' x 20') exclusive of access or maneuvering area, ramps, drives, entrances or exits.
- C. Parking spaces shall be arranged in such a manner that vehicles do not extend beyond the parking space, obstruct any access or circulation drive, or protrude into required berm,

landscape screening or open space areas.

- D. Parking shall be arranged in such a manner that no vehicle, with the exception of single and two-family residences, is required to back into a street right-of-way.
- E. No parking shall be permitted on non-residential access drives and parking shall be arranged so that no vehicle is required to back into an on-site access drive if more than one principal building is located on the site.

*Note: If the required parking area, including aisles and turning areas, exceeds 3,000 square feet, see the requirements for landscaping in parking areas.*

*Section 10.4 - Location and Criteria for Residential Parking:* Required Off-street parking facilities for residential uses may occupy a part of the front yard, but may not be within fifteen feet of a street right-of-way or five feet of any side or rear lot line. For purposes of determining compliance with off-street residential parking requirements, spaces provided in garages and carports shall be included.

*Section 10.5 - Location and Criteria for Commercial and Industrial Parking:* Commercial and industrial parking facilities may occupy a part of the front yard, but may not be within fifteen feet of a street right-of-way or ten feet of any side or rear lot line. Commercial and industrial parking facilities shall be all-weather surfaced with asphalt or concrete, have proper drainage installed to prevent ponding, and be maintained free of trash and rubbish. Commercial or industrial parking facilities adjoining residential property or public rights-of-way shall provide buffer and screening (fence, wall, berm or planting).

*Section 10.6 - Vehicle Storage:*

- A. Travel trailers, busses, campers, recreational vehicles or any other structure built to be mobile in character shall not be permitted in any district for any use other than for the purpose of transportation or storage.
- B. No vehicle over 11,000 pounds gross vehicle weight and no trucks with over six wheels shall be permitted on residential off-street or on-street parking facilities except that travel trailers, campers and recreational vehicles may be stored on-site in a residential area providing the vehicle is:
  - 1) Not connected to the water, sewer, gas, or electrical facilities serving the lot;
  - 2) Located behind the front lot setback line; and
  - 3) A minimum of five feet from the side and rear property lines.

## **Section 11.0 - Lighting**

*Section 11.1 - Height of Luminaries:* The maximum height of on-site luminaries shall be eighteen feet (18').

*Section 11.2 - Directing and Shielding Lighting:* Lighting shall be located so that it does not interfere with traffic movement and be directed away and shielded from adjoining lots and public rights-of-way so as to not disturb, be objectionable, or cause glare to the adjacent property and thoroughfares.

*Section 11.3 - Security Lighting:* All luminaries, except for those required for on-site security, shall be extinguished not less than one hour after the end of business hours. The number of luminaries permitted for on-site security lighting shall not exceed twenty-five percent of the total luminaries used.

## Section 12.0 - Off-Street Service Bays

*Section 12.1 - Off-street Service Bays Required:* Off-street service bays shall be provided for loading and unloading areas, customer access to services, and spaces for trash dumpsters.

*Section 12.2 - General Criteria for Service Bays:*

- A. Off-street service bays shall be provided on the same lot and adjacent to the use, building or structure the service bay is intended to serve.
- B. Service bays provided to meet the needs of one use or building shall not be considered in meeting the needs of any other use or building. Service bays may be jointly or collectively located for two or more uses or buildings provided that the total area and number of facilities provided meet or exceed the requirements of all uses and buildings and that they are arranged in a manner to be useable by all uses and buildings.
- C. When any use is established or extended by construction or enlargement of a building or structure, the required amount of service bay area required shall be provided and maintained.
- D. Service bays shall not be oriented to face residential properties or districts or public rights-of-way. In cases where this is not possible, additional buffer material and open space may be required to mitigate the effects of service bay areas and to provide adequate screening.
- E. No service bay shall be provided using the space required for off-street parking.
- F. Special attention shall be given to avoiding potential conflict between pedestrians and the vehicles used for delivery and shipping.

*Section 12.3 - Design Criteria for Off-Street Loading and Unloading Spaces:*

- A. Each building or structure designed and erected shall provide off-street loading and unloading spaces as specified in the Schedule for Off-street Loading and Unloading Spaces.

### Schedule for Off-street Loading and Unloading Spaces

Type of Use	Loading and Unloading Space Requirement
Residential buildings with over 20 dwelling units	1 space
Commercial Buildings with a gross square footage of:	
Less than 10,000	No requirement
10,000 to 25,000	1 space
25,000 to 60,000	2 spaces
60,000 to 120,000	3 spaces
120,000 to 200,000	4 spaces
200,000 to 300,000	5 spaces
For each additional 60,000 or fraction thereof	1 additional space
For offices, auditoriums and arenas or similar places of assembly, hotels, and institutions such as Hospitals	
Under 10,000	No requirement
10,000 to 40,000	1 space
For each additional 60,000 or fraction thereof	1 space
Industrial Uses	Adequate spaces for vehicles to operate

	the industrial use
Other uses not specified	Spaces required for the category in which a similar use is grouped

B. In buildings where more than one use exists, the use consuming the most gross floor area shall be considered the primary use and used to determine the basic number of loading and unloading bays. All other uses in the same building shall be calculated at 50% of their gross floor area and then the regulations for the appropriate number of loading and unloading service bays shall be applied. The number of loading and unloading service bays shall be added to the basic number of bays required for the primary use to determine the total number required.

C. Each required space in service bays provided for loading and unloading of material, goods and supplies delivered to or shipped from the use or building, shall be a minimum of twelve feet (12') wide by fifty-five feet (55') long and have a vertical clearance of fifteen feet (15'). Each loading and unloading space shall be provided with safe convenient access (ingress and egress) by truck and tractor trailer vehicles.

D. Loading docks shall be oriented in such a manner that during the process of loading and unloading no vehicle shall block the passage of other vehicles in the service area, access drives or public rights-of-way.

*Section 12.4 - Criteria for Customer Service Bays:* Service bays provided to give customers access to services, such as automotive repair, may be combined with loading and unloading spaces. The service bay shall include the number of vehicle parking spaces required in the Schedule for Non-residential Parking Requirements, the number of required loading and unloading spaces, and sufficient space for vehicles to maneuver without blocking or unduly interfering with movement within the service bay or blocking circulation drives.

*Section 12.5 - Criteria for Trash Dumpster Service Bays:* Service bays for trash dumpsters shall be 12 feet wide by 35 feet long and have sufficient vertical clearance for lifting and dumping the trash dumpster. If the dumpster has to be moved out of a confined space prior to dumping, then additional loading space length shall be provided to avoid blocking parking spaces or circulation drives.

**Section 13.0 - Buffers, Screening, and Landscaping**

*Section 13.1 - Buffering and Screening Required:* All high and medium intensity uses shall provide on-site amenities as appropriate buffering and screening for adjacent lower intensity uses and properties. Non residential (industrial and commercial) uses shall provide buffering and screening for all residential properties and districts. High and medium density residential (R-3 and R-4) uses shall provide buffering and screening for lower density (R-1 and R-2) residential properties and districts.

*Section 13.2 - Perimeter Buffers and Screening:*

A. Any portion of the perimeter of any non-residential (industrial or commercial) lot abutting residential properties or districts shall contain a buffer. The buffer shall consist of a minimum of a 10 feet wide open space and a continuous, unbroken barrier. The continuous unbroken barrier shall be a minimum of 5 feet in height and may be provided by independent elements or a combination of berm, landscaping, and screening fence.

B. Any portion of the perimeter of medium density residential (R-3) abutting lower density residential (R-1 and R-2) lots shall contain a buffer. The buffer shall consist of a minimum of a 5 feet wide open space and a continuous, unbroken barrier. The continuous unbroken barrier shall be a

minimum of 3 feet in height and may be provided by independent elements or a combination of berm, landscaping, and screening fence.

**Section 13.3 - Parking *Buffers and Screening*:**

A. 'When parking spaces for four or more vehicles are required on-site in non-residential districts abutting either residential districts or public rights-of-way a buffer shall be established to screen the parking area.

B. When parking spaces for four or more vehicles are required on-site in medium or high density residential (R-3) districts either abutting lower density residential districts or public rights-of-way a buffer shall be established to screen the parking area.

C. The buffer shall be appropriately separated from the parking area (see Protection of Buffers, Screening and Landscaped Areas) and not be located closer than 15' to the front property line or 10' to the side and rear property lines. The buffer shall include a continuous unbroken barrier that shall be a minimum of 3' in height and may be provided by independent elements or a combination of berm, landscaping, and screening fence.

*Section 13.4 - Required Landscaping within Parking Areas:* Landscaped areas within parking areas shall be provided to buffer the parking area in accordance with the Schedule for Parking Lot Landscaping.

Schedule for Parking Lot Landscaping

Size of Parking Area	Percent Landscaped
Less than 3,000 square feet	0%
3,000 to 14,999 square feet	5%
15,000 to 29,999 square feet	7.5%
30,000 square feet or larger	10%

The landscaped areas shall be appropriately disbursed throughout the parking area in a manner consistent with the design of the parking area.

*Section 13.5 - Service Bay Screening:* All service bays (loading and unloading, customer service and trash containers), regardless of size, shall provide on-site screening that shall extend to a minimum height of 6'. The screening shall be a continuous, unbroken barrier that may be provided by independent elements or a combination of berm, landscaping, and screening fence.

*Section 13.6 - Equipment Screening:*

A. Ground-Mounted Equipment - .All ground mounted equipment related to a building or structure (e.g. heating, air conditioning, transformers) shall be enclosed within the building or completely screened from all surrounding properties to a sufficient height to prevent direct pedestrian views of the equipment.

B. Roof Mounted Equipment - All roof mounted equipment including, but not limited to, heating and air conditioning, shall be completely screened from adjacent properties including public streets, and minimize visibility from on-site parking areas.

C. Pad Mounted Equipment and Utility Connections - Pad mounted transformers, meters, and junction boxes shall be shown on the site plan. If the equipment is over three feet in height it shall be screened with landscaping in such a manner as to permit access for service and repair. Power lines



and other utility connections shall be installed underground whenever possible. All utility connections shall be designed to be compatible with the architectural elements of the on-site design and arranged in a manner so as not to be exposed except where necessary.

*Section 13.7 - Universal Criteria for Fences and Walls:* Fences and walls may be placed or erected and maintained along a lot line in any district subject to the following requirements.

- A. Fences and walls shall be located so they do not infringe on adjacent property.
- B. The height of fences and walls shall be limited as follows.

- 1) Along rear and side property lines up to the front building line — 8 feet maximum.
- 2) Between the street right-of-way line and the front building line — 3 feet maximum.

*Section 13.8 - Supplemental Criteria for Continuous Screening Barriers:*

A. Location - Continuous buffering and screening barriers may be located in the required yard area provided sight triangles are preserved and appropriate setbacks for minimum open areas are maintained adjacent to property lines in districts.

B. Requirements

- 1) If landscaping is used for the continuous screening barrier, it shall be planted with appropriately spaced, durable evergreens that will grow to provide the required screening within three years.
- 2) If a fence or wall is used for screening along a public right-of-way, then a minimum of one shrub per ten foot of screening shall be planted facing the right-of-way.
- 3) No fence, wall, landscaping, or sign with the exception of ground cover shall be located within five feet of an access driveway pavement and the sight triangle visibility shall be fully maintained.

*Section 13.9 - Protection of Buffers, Screening and Landscaped Areas:* Buffers, screening and landscaped areas shall be separated from parking areas, service bays and circulation drives by a six-inch-high curb or appropriately anchored wheel stops to protect all areas, landscaping and equipment from damage.

*Section 13.10 - Requirements for Landscape Material:*

- A. Existing, healthy plant material that is on-site may be used as a credit toward the landscaping and screening requirements specified in these regulations.
- B. All landscaping shall be planted with live plant material. Landscape material shall be selected and used that is appropriate for the area and drought tolerant to ensure the long term health and quality of the plant material. If drought tolerant material is not provided, a permanent, automatic irrigation system shall be installed.

*Section 13.11 - Responsibility for Maintenance:* The owner, tenant and any active agent representing the property shall be jointly and severally responsible for the maintenance of all landscaping unless an acceptable legal entity is identified and has agreed to accept the responsibility for maintenance. The landscaping shall be maintained in good condition and free of refuse and debris so as to maintain a healthy, orderly appearance. The Building Official is authorized to enter property, after notice and at reasonable times, to inspect any and all landscaping that was planted as a part of a required buffer or screening and may issue orders for maintenance or replacement as appropriate.

## **Article Five .. District Regulations**

### **Section 1.0 - Agriculture Open (A-O) District Regulations**

*Section 1.1 - Purpose:* The A-O district is intended for agricultural uses, rural residential, and open areas around the City prior to development. The agricultural uses consist primarily of agrarian uses of land with more intense agricultural activities located to the interior of the farm area. Extremely low density residential uses, such as farmhouses and sparsely developed large lot areas are also compatible with the intent of this district.

*Section 1.2 - Uses Permitted:*

A. The permitted agricultural uses of land include tree farms and timber production, orchards, row and crop farming, grazing of livestock, field nurseries and turf farms. Gardens, play areas and equipment for children on residential sites.

B. Permitted uses of buildings and structures include the following:

- 1) Principal uses - single family permanent dwellings and manufactured homes meeting district requirements and installed in accordance with state and City standards.
- 2) Accessory uses
  - a) Farm buildings and structures such as barns, cribs, chicken houses, greenhouses and container nurseries, pens and kennels, stables and silos.
  - b) Incidental residential buildings and structures such as garages, storage buildings, tool and garden sheds, private barbecue pits, private swimming pools, and satellite dish antennas.

*Section 1.3 - Uses Permitted on Appeal:* Home occupations provided they meet the requirements set forth elsewhere in these regulations. Seasonal roadside produce stands.

*Section 1.4 - Discretionary Uses:* Discretionary uses are: mobile home parks with direct access from designated United States and Alabama Highways and meeting the requirements set forth elsewhere in these regulations. Veterinary services including their related offices, animal clinics and animal hospitals; commercial kennels and stables. Country clubs and golf courses excluding miniature golf and commercial driving ranges. Facilities for utilities such as electric substations, gas metering stations, pumping stations and treatment plants.

*Section 1.5 - Uses Prohibited:* Any use not specifically permitted, permitted on appeal and or as a discretionary use.

*Section 1.6- Required Lot Area and Maximum Building Coverage:*

A. Uses of Land - There is no minimum- lot area or width requirement for open space, agricultural uses of land without buildings -or structures and gardens.

B. Uses with Buildings and Structures - The minimum lot area required and percent of impervious coverage in the A-O district varies based on the slope of land. Development of land with over a 50% slope is discouraged.

### Lot Area and Impervious Land Cover in Relation to Slope of Land

Slope	0 to 14.99%	15.0 to 24.99% See note 1	25 to 50% See note 1
Minimum Lot Area in square feet	43,560 (1 acre) See note 2	87,120 (2 acres) See note 2	130,680 (3 acres) See note 2
Maximum Percent Impervious Coverage	10	6	5

Notes:

1. Unless a larger area is required by the Health Department for soil percolation of a septic tank.

*Section 1.7 - Required Lot Width:* The minimum lot width at the front building line shall be 200 feet.

*Section 1.8 - Required Yard Setbacks and Building Separation:*

### Yard Setback and Building and Structure Separation Requirements

	Front Yard	Side Yard	Rear Yard	Building Separation
Agricultural Uses of Land	0' See notes 1 & 2	0' See notes 1 & 2	0' See notes 1 & 2	Not applicable
Agricultural uses with buildings and structures	Greater of 100' plus height of building or structure or sufficient distance See note 3	Greater of 100' plus height of building or structure or sufficient distance See note 3	Greater of 100' plus height of building or structure or sufficient distance See note 3	0' separation of farm buildings.  20' plus height of farm structure from all other buildings.
Residential buildings and Structures	50'	30'	40'	10'
Non-residential buildings and Structures	70'	50'	50'	20'

Notes:

1. No minimum required yard setback for open land uses such as pasture and row crops.
2. Orchards and forest timber shall be setback sufficient distance to allow the full growth of trees without overhanging adjacent property.
3. Sufficient distance to prevent odor, fumes, dust or noise from being detectable at the property or right-of-way lines.

*Section 1.9 - Required Building Height:* The maximum height of buildings and structures, unless accepted elsewhere in these regulations, is:

- A. Farm - 35'

B. Residential - 2-1/2 stories or 35'

C. Non-residential - 2 stories or 25'

## Section 2.0 - Residential (R-1) District Regulations

*Section 2.1 - Purpose:* The R-1 district is intended for low density, single family residential development.

*Section 2.2 - Uses Permitted:*

A. Permitted residential uses of land include gardens, play areas and equipment for children.

B. Permitted uses of buildings and structures include the following:

1) Principal uses - single family permanent dwellings.

2) Accessory uses - Incidental residential buildings and structures such as garages, storage buildings, tool and garden sheds, private barbecue pits, private swimming pools, and satellite dish antennas.

*Section 2.3 - Uses Permitted on Appeal:* Home occupations provided they meet the requirements set forth elsewhere in these regulations.

*Section 2.4 - Discretionary Uses:* Day care homes for adults and children.

*Section 2.5 - Uses Prohibited:* Any use not specifically permitted, permitted on appeal or as a discretionary use.

*Section 2.6 - Required Lot Area and Maximum Building Coverage:* The minimum lot area required and percent of impervious coverage in the R-1 district varies based on the slope of land. Development of land with over a 50% slope is discouraged.

Lot Area and Impervious Land Cover in Relation to Slope of Land

Slope	0 to 14.99%	15.0 to 24.99%	25 to 50%
		See note 1	See note 1
Minimum Lot Area in square feet	20,000 See note 2	30,000 See note 2	40,000 See note 2
Maximum Percent Impervious Coverage	25	20	15

Notes:

1. Unless a larger area is required by the Health Department for soil percolation of a septic tank.

*Section 2.7 - Required Lot Width, Yard Setback, Building Separation and Height*

A. Minimum lot width at front building line - 100 feet.

B. Minimum depth of front yard - 40 feet

C. Minimum depth of rear yard - 35 feet.

- D. Minimum width of side yard - 12.feet
- E. Minimum building separation - 15 feet
- F. Maximum height of structure - 2-1/2 stories or 35 feet.

**Section 3.0 - Residential (R-2) District Regulations**

*Section 3.1 - Purpose:* The R-2 district is intended for low density, single and two family residential developments.

*Section 3.2 - Uses Permitted:*

- A. Permitted residential uses of land include gardens, play areas and equipment for children.
- B. Permitted uses of buildings and structures include the following:
  - 1) Principal uses - single and two (duplex) family permanent dwellings.
  - 2) Accessory uses - Incidental residential buildings and structures such as garages, storage buildings, tool and garden sheds, private barbecue pits, private swimming pools, and satellite dish antennas.

*Section 3.3 - Uses Permitted on Appeal:* Home occupations provided they meet the requirements set forth elsewhere in these regulations.

*Section 3.4 – Discretionary Uses:* Day care homes and group homes for adults and children and churches. .

*Section 3.5 - Uses Prohibited:* Any use not specifically permitted, permitted on appeal or as a discretionary use.

*Section 3.6 - Required Lot Area and Maximum Building Coverage:* The minimum lot area required and percent of impervious coverage in the R-2 district varies based on the slope of land. Development of land with over a 50% slope is discouraged.

Lot Area and Impervious Land Cover in Relation to Slope of Land

Slope	0 to 14.99%	15.0 to 24.99%	25 to 50%
		See note 1	See note 1
Minimum Lot Area in square feet	10,000 plus 4,000 per added dwelling unit See note 2	20,000 plus 5,000 per added dwelling unit See note 2	35,000 plus 7,500 per added dwelling unit See note 2
Maximum Percent Impervious Coverage	30	20	15

Notes:

- 1. Unless a larger area is required by the Health Department for soil percolation of a septic tank.

*Section 3.7 - Required Lot Width, Yard Setback and Building Separation and Height:*

- A. Minimum lot width at front building line - 80 feet for the first dwelling unit and an additional 15' for the second dwelling unit.
- B. Minimum depth of front yard - 35 feet

- C. Minimum depth of rear yard - 30feet.
- D. Minimum width of side yard - 10 feet.
- E. Minimum building separation - 12 feet
- F. Maximum height of structures, 2-1/2 stories or 35 feet;

Section 4.0 - Regulations (Multiple-Family & Manufactured/Mobile Home Parks, Travel Trailer Parks)

*Section 4.1- Purpose:* The R-3 district is intended for moderate high density, multiple family residential development offices and medical facilities.

*Section 4.2 - Uses Permitted:*

- A. Permitted residential uses of land include gardens, play areas and equipment for children.
- B. Permitted uses of buildings and structures include the following:
  - 1) Principal uses - Residential permanent buildings ranging from one to twenty four dwelling units. Day care homes and group homes, rooming and boarding houses such as a bed and breakfast with up to three lodging rooms. Fraternity and sorority houses for up to 25 occupants. Assisted living facilities and nursing homes. Manufactured and mobile home parks, travel trailers and recreational vehicle parks, when consistent with all other requirements. Professional offices provided there is limited generation of traffic and the hours of operation are limited.
  - 2) Accessory uses - Incidental residential buildings and structures such as garages, storage buildings, tool and garden sheds, private barbecue pits, private swimming pools, and satellite dish antennas.

*Section 4.3 - Uses Permitted on Appeal:* Home occupations provided they meet the requirements set forth elsewhere in these regulations.

*Section 4.4 – Discretionary Uses:* Day care centers for children and adults; assisted living facilities and nursing homes and churches. Professional offices, provided there is limited generation of traffic and the hours of operation are limited. Overnight parking facilities for travel trailers, recreational vehicles, camping trailers or other vehicles or structures designed or constructed as to permit occupancy thereof for sleeping quarters for one or more persons on a short term basis and churches. Business offices and medical facilities and offices including hospitals for humans, doctor and dentist offices, and related medical clinics, laboratories and diagnostic facilities.

*Section 4.5 - Uses Prohibited:* All agricultural, industrial, warehouses, wholesale, and retail commercial.

*Section 4.6 - Required Lot Width, Yard Setback and Building Separation and Height.*

- A. Minimum lot width at front building line - 60 feet for the first dwelling unit plus 15' for each additional dwelling unit.
- B. Minimum depth of front yard – 25 feet
- C. Minimum depth of rear yard - 25 feet.
- D. Minimum width of side yards

- 1) one side - 12 feet.
- 2) other side - 8 feet
- E. Building Separation - 10 feet.
- F. Maximum height of structure - 3 stories or 35 feet.

## **Section 5.0 - Business (C) Central Business District**

*Section 5.1 - Purpose:* The C district is intended to include a diverse mixture of activities to serve a regional market area as well as the general population of Chatom. It is intended that the businesses be provided in an easily accessible, compact setting that includes a high quality of urban design to attract people and support pedestrian activity. It is also intended to allow medium to high density residential development provided, certain conditions are met.

*Section 5.2 - Development Plan Review Required:* All use of land, excavation, construction including development and redevelopment, moving or alterations of a building or structure located in this district are subject to Development Plan Review.

*Section 5.3 - Uses Permitted:*

A. Ground Floor - Commercial activities such as retail sales, service, and commercial business functions. Typical examples are as follows: general merchandise (furniture, appliances, house and household wares, dry goods, apparel, antiques, music stores, shoes, jewelry, gifts, books, cosmetics, florists); financial institutions (banks, credit unions); offices (professional, medical, ambulance services, utility, business, insurance and office furniture and office / school/church supply stores); commercial lodging (hotel and motel); food service (eat-in restaurants, delicatessen, catering, bakery ice cream parlor, candy store); personal services (barber and beauty shop, tanning salon, shoe repair, dry cleaning and laundry pick-up, drugs and sundries); quasi public (museums, galleries, places of assembly such as auditoriums) and churches. Neighborhood retail commercial stores and markets including the following types of stores: neighborhood retail (grocery stores, bakeries, hardware, housewares, household goods and decoration, photo processing, drugs and sundries, and movie rentals); personal services (barber and beauty shop, nail and tanning salons, shoe repair, dry cleaning and laundry pick-up, health and fitness centers); general merchandise (apparel, shoes, books, jewelry and gifts, novelty shops, florists, sporting goods, paint stores, pet shop and supplies); food service (delicatessens, coffee shop, bakery, pizza and ice cream parlors, candy store, and retail specialty food outlets); financial institutions (banks, credit unions and loan offices); and quasi public (museums and galleries).

B. Upper Floors - Extensions of uses located on the first floor.

*Section 5.4 - Uses Permitted on Appeal:* None

*Section 5.5 - Discretionary Uses:*

A. Ground Floor - Medium to high density residential complexes, assisted living facilities and nursing homes. Entertainment including places of amusement and assembly such as theaters, billiards and nightclubs. Fraternal clubs and lodges. Wholesale provided over the counter sales are included. Warehousing not exceeding 50% of the floor area of the building in which it is located and mini-storage facilities. Other commercial services and retail businesses such as gas stations, car wash, pawn shop, day care center, alignment shop, cabinet shops, laundromats, and auto upholstery. Light Industrial uses such as existing textile

and garment production. General business (furniture sales and leasing, frame shops, planned shopping centers, telephone sales, auto parts and repairs including related machine shop, discount stores, automobile service - oil and lubrication, building supply and paint store, satellite and television sales), offices (professional, medical, home health care, armed services recruiting, business offices including insurance, and office furniture and supply stores). Wholesale and mini-storage. Commercial agribusiness activities (feed and seed) and contractors offices. Radio and television stations. Places of amusement (bowling alley and theater) or other places of assembly such as auditoriums and churches. Residential use.

The following are discretionary uses provided the location of the use has direct access to a designated United States or State of Alabama highway. Sales and service uses requiring large outdoor storage and/or display areas (automobile, mobile home, farm implement, camper and recreational vehicle sales, building supply and lumber yard, body shop with exterior storage for wrecked vehicles that are to be repaired within 90 days). Commercial lodging (motels, hotels) and related facilities such as restaurants and news stands. Retail sales and service requiring high traffic volume and access (drive-in restaurants, gas stations and indoor repair of motor vehicles). Fraternal clubs and lodges and night clubs. Agribusiness uses and their directly related services.

B. Upper Floor - Quasi public, but limited to museums, galleries, and similar display area uses. Residential.

C. Mixed Use Buildings

Individual or groups of buildings containing mixed uses (e.g. residential and commercial) on one or more floors shall be discretionary uses based on the following criteria.

- 1) Residential uses shall not be mixed in the same building with other permitted or discretionary uses if the non-residential use typically uses, stores, or creates any of the following identifiable characteristics: dust, noise, odor, smoke, outdoor storage, vibration or volatile or caustic materials."
- 2) The residential uses in any portion of any building shall have entrances and exits which do not requires access through any portion of the building that is used for non-residential uses except for common lobbies or plaza areas. The location and design of entrances, exits and floor plans shall be subject to approval as a part of an expanded Development Plan Review for mixed use buildings in this district.
- 3) Modifications to setbacks may be required as a part of the Development Plan Review process to assure that residential dwelling units have adequate natural light, air and open space.
- 4) Residential dwelling units of any type (e.g. efficiency, studio, one bedroom, two bedroom, etc.) may be developed provided each individual dwelling unit has more than 350 square feet of habitable living area.
- 5) All uses within mixed use buildings must be serviced by public water and sewer.
- 6) All mixed use buildings shall comply with all other portions of this Zoning Ordinance, other applicable development codes, and requirements attached to the development plan as a condition of approval.

*Section 5.6- Uses Prohibited:* All agricultural and any industrial uses not specifically identified as discretionary uses.

*Section 5.7 - Minimum Lot Area and Width:*

The minimum lot area and width in the central business district are based on the type of land and



building use.

#### Minimum Lot Area and Width in the Central Business District

	Residential Buildings	Commercial Buildings
Minimum lot area (square feet)	6,000	5,000
Minimum lot width (feet)	50	40

#### *Section 5.8 -Minimum Yard Size:*

The minimum yard setbacks in the central business district are based on the type of land and building use.

#### Minimum Yard Setbacks in the Central Business District

	Residential Buildings	Commercial Buildings
Front Yard (feet)	20	0
Rear Yard (feet)	20	0
Side Yard (feet)	12	0

*Section 5.9 - Maximum Height:* Any structure more than 35 feet in height is subject to the requirements and approval of the Chatom Fire Department.

*Section 5.10 - Off-Street Parking:* When mixed use buildings include residential dwellings on the upper floors the required parking provided for the dwelling units shall be restricted in a manner that the spaces are always available for the residents.

*Section 5.11 - Off-Street Loading and Unloading:* Service bays, to the extent possible, shall be provided at the rear of the property and accessed by alleys.

## **Section 6.0 Industrial (I) District Regulations**

*Section 6.1 - Purpose* The "I" district is intended for all industrial uses in Chatom.

*Section 6.2 - Development Plan Review Required:* All use of land, excavation, construction including development and redevelopment, moving or alterations of a building or structure located in this district are subject to Development Plan Review.

*Section 6.3 - Uses Permitted:* Industrial operations not involving noxious materials or typically offensive characteristics. Such industrial uses include: bottling and central distribution plants; distribution centers and trucking terminals; food preparation plants such as baking plants, ice plants, ice cream plants and creameries; veterinarian, animal hospital or kennels; warehouses and mini-warehouses.

*Section 6.4 - Uses Permitted On Appeal:* None

*Section 6.5 - Discretionary Uses:* Any industrial process typically having identifiable characteristics

such as dust, effluents, noise, odor, smoke, outdoor storage, vibration and volatile or caustic materials whether the industry is producing such characteristics or using or storing such material. Examples of such industrial uses include: central plant for mortar, plaster, cement or other paving materials; plants producing or storing coal; dye-material, dyeing plants and textile mills; heavy metal fabrication or forge plants; saw and planer mills; fertilizers; soap; stockyards, slaughter houses, curing, tanning or storage of hides; tar or tar products; brick, pottery, terra cotta or tile products, concrete blocks or pipes; junk or salvage yards; other types of waste reclamation or processing activities; the manufacture or process use of acetylene, acid, alcohol, ammonia, bleaching powder, or disinfectants; dry cleaning and laundry plants; coal and illuminating or heating gases; paint, turpentine or varnish. Any other industrial use not specifically mentioned.

*Section 6.6- Uses Prohibited:* Residential and business uses of any type.

*Section 6.7 - Minimum Lot Area and Width:* Lots shall be of sufficient size to provide for: the minimum yard setbacks specified below; the normal operations of the industrial use; parking and service bays; and all required buffers, screening and landscaping.

*Section 6.8 - Minimum Yard Size:*

	Front Yard	Side Yard	Rear Yard
Industrial uses of land See note 1	30	20	20
Industrial Uses with Buildings and structures See note 2	40' plus 1' for every 1' of building height	30' plus 1' for every 1' of building height	30' plus 1' for every 1' of building height

Notes:

1. All fences or walls required for buffers or screening and monument name signs shall adhere to these setback requirements.
2. All principal or accessory buildings and structures, except for fences, walls and monument name signs shall adhere to these setback requirements.

*Section 6.9 - Building Separation and Maximum Height:*

- A. Separation of Buildings and Structures. All on-site buildings and structures shall be separated by 30'.
- B. Building Height - Any building more than 35 feet in height is subject to the requirements and approval of the Chatom Fire Department.

## **Article Six- Home Occupations**

The following criteria shall be used to determine valid home occupations in all residential dwelling units.

### **Section 1.0 - Impact Limitations**

*Section 1.1 - Impact to Utilities:* There shall be no use of utilities or community facilities beyond that reasonable to the use of the dwelling unit for residential purposes.

*Section 1.2 –Impact to Traffic:* The home occupation shall not generate pedestrian or vehicular traffic beyond that reasonable for the district in which the home occupation is located.

*Section 1.3 - Employment Limitation:* The home occupation shall not employ on-site employees other than members of the resident family.

### **Section 2.0 - Building Characteristics**

*Section 2.1 - Residential Appearance Maintained:* The appearance of the residential building shall not be altered or the conduct of the occupation within the building be such that the residential building may be easily recognized (either by color, materials, or construction, lighting, signs, sounds or noises, or vibrations) as including a non-residential use.

*Section 2.2 - Residential Character Maintained:* No use of material or mechanical equipment shall exceed levels normally recognized as reasonable household uses.

*Section 2.3 - Space Use Limitation:* No more than the lesser of one room or 20% of the gross floor area in the dwelling unit shall be used for the home occupation.

*Section 2.4 - Exterior Use and Storage Prohibited:* No accessory building, structure or space outside of the principal building shall be used for the home occupation. The outdoor storage of materials and/or supplies is prohibited.

### **Section 3.0 – Other basic limitations**

*Section 3.1 - Home Occupation:* An occupation in a dwelling unit, provided that:

- A. There are no more than three persons involved in such occupation, all of whom are members of the household and inhabitants thereof.
- B. The use of the dwelling unit for the home occupation is clearly incidental and subordinate to its use for residential purposes by its occupation, and not more than 25 percent of the floor area of the dwelling unit is used in the conduct of the home occupation.
- C. There is no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding 2 feet by 3 feet in area, non-illuminated, and mounted flat against the wall of the principal building.

- D. There is no public display of goods in connection with such home occupation.
- E. No traffic is generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation is met off the street and in other than a required front yard.
- F. No equipment or process is used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, is the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence.

## **Article Seven - Multiple Structure Developments**

### **Section 1.0 - Purpose**

It is the general intent of this Zoning Ordinance that there shall be one principal building or structure, plus related accessory structure(s), on any lot. To provide for and encourage a variety of architectural design, original land planning, and flexibility of regulations for projects comprised of multiple buildings, the provisions of this section waive the requirement for a separate building site for each principal building and allow two or more principal buildings to be erected and maintained on certain building sites when site planning conditions, as determined by the Planning Commission, are met. Multiple building projects may include, but are not necessarily limited to, public housing, cluster developments, apartment projects, shopping centers, multiple use developments and mobile home parks.

### **Section 2.0 - Applicability**

- A. Multiple principal building projects are prohibited in the R-1 and R-2 districts.
- B. A minimum lot area of two acres (87,120 square feet) is required for a multiple principal building project.
- C. Nothing in this section shall permit a use in any district that is prohibited by the district regulations in which the project is to be located. The Board of Zoning Adjustment shall not authorize a use variance to locate a multiple building ,or structure project in any district.

### **Section 3.0 - Development Plan Review**

The Planning Commission shall conduct a Development Plan Review of all proposed projects when two or more principal buildings are to be constructed on a lot:

- A. That will not be subdivided by customary streets and lots; or
- B. Where the project layout makes it impractical to apply requirements to individual buildings within a project.

### **Section 4.0 - Development Plan Approval Required**

No multiple building project shall be approved until a Development Plan, providing the information required has been submitted and approved by the Planning Commission.

### **Section 5.0 - Special Conditions**

The Planning Commission may apply special requirements to multiple building projects in a manner that will ensure harmony between the character and occupancy of the project and the neighborhood in which the project is located. The special requirements are intended to maintain the overall density

of the development while providing more open space and yard area than required in the district in which the proposed project is located.

## Section 6.0 - Requirements for Manufactured and Mobile Home Parks

*Section 6.1 - Applicability:* The following requirements apply to manufactured and mobile home parks wherever they are located. Two or more manufactured or mobile homes shall constitute a multiple building or structure development and a manufactured or mobile home park.

*Section 6.2 - Required Lot Area and Width, Yards and Setbacks for Parks:*

A. Mobile Home Park Site Area and Width: The land to be used for a mobile home park shall have a minimum lot area of two acres (87,120 square feet). The minimum width of the lot at the front building line shall be 300 feet.

B. Mobile Home Park Yard Setbacks: The minimum yard setbacks for mobile home parks shall be:

- 1) front yard - 30 feet; and
- 2) side and rear yards - 20 feet.

This yard area shall not be developed, used for parking or on-site circulation, or constitute the yard requirement for any individual mobile home site within the mobile home park. However, the front yard may include two access drives to serve the mobile home park.

C. Mobile Home Park Building Height: The height of all structures in a mobile home park shall be limited to one story and a maximum of 18 feet.

D. Mobile home park access and on-site circulation drives shall be surfaced with an all weather surface of asphalt or concrete, have a minimum paved width of 24 feet and provide access to all mobile home sites within the park.

*Section 6.3 - Required Lot Area and Width, Yards, and Setbacks for Home Sites:* Individual mobile home sites shall have a minimum lot area and yard setbacks as follows:

Minimum Lot Dimensions Yard Requirements	Single Wide Lots 40' x 110'	Double Wide Lots 50' x 120'
Front	30 feet	30 feet
Rear	15 feet	20 feet
Sides	10 feet	10 feet

The required yard of a manufactured or mobile home site may be used for parking residents vehicles, but shall not constitute any of the yard requirements for the manufactured or mobile home park. Accessory buildings and structures shall not be located in the front yard of a mobile home site. Accessory buildings that are enclosed (e.g. and storage buildings) shall not cover more than 25% of the remaining building area after the manufactured or mobile home has been located on the manufactured or mobile home site.

*Section 6.4 - Manufactured and Mobile Home Compliance with State Requirements:* Manufactured and mobile homes, regardless of where they are sited, shall be anchored and blocked in accordance with State of Alabama requirements and skirted at the perimeter of the undercarriage in accordance

with City specifications.

*Section 6.5 - Development Plan Approval Requirements:* No manufactured or mobile home park shall be permitted until a Development Plan providing the information required has been approved by the Planning Commission.

## **Article 7A - Travel Trailer and Recreational Vehicle Parks**

SECTION 1.0 Purpose, authority and allowable zoning districts.

SECTION 2.0 Definitions

SECTION 3.0 General regulations

SECTION 4.0 Plan preparation and approval procedures

SECTION 5.0 Application requirements

SECTION 5.01 Fees, Permits and Licenses

SECTION 6.0 Travel trailer park specifications

SECTION 7.0 Registration

SECTION 8.0 Minimum requirements

SECTION 9.0 Variances

### **SECTION 1.0 - PURPOSE, AUTHORITY and ALLOWABLE ZONING DISTRICTS**

(A) Travel trailers have become an important factor in providing safe and sound housing for visitors coming to Chatom and Washington County. The increasing acceptance of this type temporary home away from home in the county. The potential for growth in this area is vast and will be forthcoming in the very near future. To maintain a safe, sanitary environment for occupants of travel trailer and RV parks, to protect the ecologically sensitive lands and streams, and to coincide with Chatom's lifestyle, these regulations are provided.

(B) The following regulations for the protection of the public are hereby adopted pursuant to authority granted in the provisions of Section 11-52-70 of the Alabama Code, 1975, inclusive.

(C) Travel trailer and RV parks must be located within a zoning district approved for such usage. In Chatom, only the R-3 district and the "C" district permit such development.

### **SECTION 2.0 - DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CAMPING TRAILER.** A folding structure that is mounted on wheels, and designed for travel, recreation, and vacation use.

**COUNCIL.** Town Council of Chatom, Alabama

**COUNTY.** Washington County, Alabama.

**DEPENDENT TRAILER.** A trailer which is dependent upon a service building for toilet, shower and lavatory facilities.

**HOUSE TRAILER.** A mobile home.

**INDEPENDENT TRAILER.** A trailer that has kitchen and bath facilities but does not have the capability of disposing of water and sewage except as in SECTION 3.0(B).

**MAY.** Is permissive.

**MOBILE HOME.** A dwelling unit, manufactured in a factory and designated to be transported to a site and semi-permanently attached.

**MOTOR HOME.** A portable, temporary dwelling used for travel, recreation, and vacation, that when constructed is an integral part of a self-propelled vehicle.

**PICK-UP COACH.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

**ZONING BOARD.** The Town of Chatom Board of Zoning Adjustment.

**RV.** Generally considered to be a motor home, but could be a travel trailer.

**SELF-CONTAINED TRAILER.** A trailer or motor home which can operate independent of connections for water, sewer, and electric systems. It contains a water flushed toilet, lavatory, bathing facilities, and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

**SHALL and WILL.** Are mandatory.

**TOWN.** The Town of Chatom, Alabama.

**TOWN COUNCIL.** Governing body for the Town of Chatom, Alabama.

**TRAILER SPACE.** A parcel of land in a travel trailer park set aside for the placement of a single trailer and for the exclusive use of its occupants.

**TRAVEL TRAILER.** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, vacation uses, and shall be permanently identified as a travel trailer by the manufacturer.

**TRAVEL TRAILER PARK.** A parcel of land upon which three or more spaces are occupied or intended for occupancy by travel trailers for transient dwelling purposes regardless of whether or not a charge is made for such service. For the purpose of this chapter **TRAVEL TRAILER PARK** and **RV PARK** have the same meaning.

### **SECTION 3.0 - GENERAL REGULATIONS.**

(A) Travel trailers shall not hereafter be parked in any travel trailer park unless they are provided plumbing and sanitation facilities installed in conformity with these regulations and the requirements of Town of Chatom, the Washington County Department of Health and the Alabama Department of Health or their successor agency or agencies.

(B) Every independent travel trailer space shall provide a gas and watertight connection for sewage disposal which shall be connected to an underground sewage collection system discharging into a public or private disposal system.

(C) No dependent travel trailer shall be parked at any time in a space designed and designated for an independent travel trailer unless public toilet and bath facilities are within 200 feet of the dependent trailer.

(D) Every travel trailer park that has spaces for dependent trailers shall have at least one service building to provide necessary sanitation and laundry facilities. The service building shall be of permanent construction with interior finish of moisture resistant material which will withstand frequent washing and cleaning. The service building shall be well lighted and ventilated at all times.

(E) Every mobile home park shall be identified as such by a sign displaying the name of the park, which sign shall be clearly visible and readable from the road, street or highway upon which the mobile home park fronts.



(F) For the purpose of this chapter certain words or terms used herein shall be interpreted as follows:

(1) The present tense includes the future tense and the future tense includes the present tense.

(2) The singular number includes the plural number and the plural number includes the singular number.

#### **SECTION 4.0 - PLAN PREPARATION AND APPROVAL PROCEDURE.**

No person shall construct, alter, or extend a travel trailer park within the Town unless they have a valid permit issued by the Town in the name of such a person for the specific travel trailer park. The Town Building Official, the Washington County Department of Health, and the Alabama Department of Health are authorized to refuse a permit, or to revoke a permit whenever upon inspection they find that the proposed travel trailer park does not comply with these regulations. No permit shall be issued until proper plans, specifications, and supporting data have been presented to the Town Planning Board, and approved by them upon determination that the travel trailer park shall be constructed, altered, or extended to comply with these regulations.

#### **SECTION 5.0 - APPLICATION REQUIREMENTS.**

The owner of every trailer park, before providing space for the use and accommodation of independent, dependent or self contained travel trailers, shall make application for a permit and file four sets of plans and specifications with the Town Board of Zoning Adjustment, via the Town Clerk. The plans and specifications shall be in detail as follows:

(A) Name and address of owner/and or authorized agent.

(B) Location and legal description of the travel trailer park property.

(C) Complete plans and specifications of the proposed park showing:

1. A scaled plat of the plan for the park, indicating spaces, area, or portion of the park for independent, dependent, or self contained travel trailers. The scale of the plat shall be not less than one inch per 100 feet.
2. Size, location and specification of park drainage system.
3. Size, location and specifications of the water lines.

4. Size, location and layout of the service building, sanitary stations, and other proposed structures.
5. A scaled layout of a typical travel trailer site.
6. The location of roadways and walkways.
7. The location of sewer lines, sewage disposal facility and riser pipes.
8. The location and details of lighting and electrical systems.
9. Applications and plans shall bear the approval of the Town Planning Board.
10. The issuance of a permit shall not constitute approval of any violation of this chapter or of any county or state regulation.
11. An approved set of plans and a copy of the permit shall be kept on the park premises until the final inspection is made.

## **SECTION 5.01 - FEES, PERMITS AND LICENSES**

(A) The owner or developer of any proposed trailer park shall first obtain a building permit from the Town Clerk, prior to the start of any construction on the premises. The cost of the permit will be based on the estimated total cost of the project, which includes land development and facilities construction.

(B) The owner of any proposed trailer park shall purchase annually, a valid Town Business License, obtained from the Town Clerk.

(C) An annual fee for any travel trailer / RV park shall be \$25.00 per designated space to be occupied by a travel trailer or RV, whether used or not.

## **SECTION 6.0 - TRAVEL TRAILER PARK SPECIFICATIONS.**

(A) Every travel trailer park shall contain at least three spaces. Travel trailers shall only be located in approved spots.

(B) Each space shall consist of at least 2,000 square feet. (Suggested: 25' x 80')

(C) Parking spaces sufficient to accommodate at least one motor and/or camping vehicle shall be constructed within each space. No more than one camping vehicle may be parked in any one space. The vehicle used to tow a travel trailer or camper is considered as a part of the travel package. A vehicle towed by a motor home is also considered as a part of the travel package.

(D) All spaces developed adjacent to a public street or highway shall be set back a minimum of 20 feet from the edge of any street or highway pavement.

(E) All spaces shall be located on sites with elevations that are not susceptible to flooding. Spaces shall be graded to prevent any water from pooling, ponding or accumulating within the park. Each space shall be graded to provide adequate drainage away from the space.

(F) The park shall have all weather roads that directly abut each space. All road rights-of-way shall be a minimum of 20 feet wide, except that one-way roads may have a minimum width of 12 feet. In areas of heavy vehicular use, 30-foot rights-of-way shall be required. No space shall have direct vehicular access to public street or highway.

(G) The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.

(H) Each park shall have a central structure or structures that will provide separate toilet and shower facilities for both sexes. This structure may also contain a retail sales counter and/or coin operated vending machines for the park residents use only. All toilet, shower, lavatory, and laundry facilities shall be maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted, easily and conveniently located.

(I) The water supply, sewage disposal, and sanitary facilities shall meet or exceed the requirements of the Town of Chatom and the Washington County, Health Department, or their successor organization.

1. Sewage dumping stations shall be approved by the Town of Chatom and the Washington County Health Department, or their successor organization.

2. No method of sewage disposal shall be installed, altered, or used without the approval of the Town of Chatom and the Washington County Health Department, or their successor organization. All sewage waste from each park, including waste from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water appliances not herein mentioned, shall be piped into the park's sewage system or systems.

(J). The park owner is responsible for refuse collection. Storage, collection, and disposal of refuse shall be so managed as not to create health hazards, rodent harborage, insect-breeding areas, accident, fire hazards, or air pollution. All refuse shall be stored in conveniently located leak-proof, rodent-proof containers with tight-

fitting lids. One such can with a capacity of at least 30 gallons shall be provided for every 2 spaces.

Garbage cans shall be located no farther than 100 feet from any trailer/camping space.

(K) Each park shall provide  $\frac{1}{4}$  acre of open park space for every 50 trailer spaces in the park. This open park space is to be utilized by the campers. The park owner is responsible for the development and maintenance of open or park space areas.

(L) It shall be unlawful for a person to park or store a mobile home in a travel trailer park. However, one mobile home may be allowed in a travel trailer park to be used as an office and one mobile home to be used for a residence of a person or persons responsible for the operation and maintenance of the travel trailer park.

(M) All buildings shall be constructed in accordance with the local building codes.

## **SECTION 7.0 - REGISTRATION**

It shall be the duty of the operator of the travel trailer park to keep an accurate register containing a record of all occupants of the park. The operator shall keep the register available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of information contained in the register. The register shall contain the following information:

(A) Name and address of the occupants of each space;

(B) Date entering and leaving the park;

(C) The license number of each vehicle (car, truck, camping vehicle, etc.) state of issuance, and make and type of equipment.

## **SECTION 8.0 - MINIMUM REQUIREMENTS**

The provisions of this ordinance shall be held to be minimum requirements, adopted for promotion of the public health, safety, moral, and general welfare of the public. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations the most restrictive or that imposing the higher standards shall prevail.

## **SECTION 9.0 - VARIANCES**

Where, because of conditions peculiar to the site, strict adherence to the provisions to this chapter would cause unnecessary hardships, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this chapter. Variances thus authorized shall be entered in writing in the official minutes of the Planning Board with the reasoning set forth on which the departure from this chapter was justified. All requests for variances must be made in writing by the builder/developer.

**SECTION 4.** That there is added as Article 7B which states as follows:

**SECTION 5.** That except as amended or modified, this ordinance with all provisions of Ordinance Number 303 shall remain in full form and effect.

**SECTION 6.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 7.** If any part of this ordinance be declared invalid the remaining parts of this ordinance shall not be affected.

**SECTION 8.** This ordinance shall be effective on and after the \_\_\_\_ day of \_\_\_\_\_, 2008.

**SECTION 9.** ADOPTED AND APPROVED by the Town Council of the Town of Chatom, Alabama at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**APPROVED:**

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**HAROLD L. CROUCH, MAYOR**

**ATTEST:**

---

**CLERK**

**ARTICLE 7-B RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT**

**Town of Chatom, Alabama**

**Section 1. District Description**

These regulations are designed to promote flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities; to preserve as much as possible existing landscape of tracts of land; and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof. These districts are freestanding and are not to be used as an overlay zone.

The provisions of Article 7-B Residential Planned Unit Development District are to supersede and have precedent over the provisions of Ordinance Number 303, Zoning Ordinance of the Town of Chatom, Alabama, if there is any conflict between the requirements set forth.

**Section 2. Residential Planned Unit Developments**

**1. Type of Developments** There are hereby created two (2) districts of Residential planned Unit Developments (PUD’s) as follows:

- |                                |         |
|--------------------------------|---------|
| Low Density Residential PUD    | R-1 PUD |
| Medium Density Residential PUD | R-2 PUD |

2. **Purpose** The purpose of a Low Density Residential, R-1 PUD is to permit development of land in a cohesive planned development in order to increase useable recreation space, provide for pedestrian circulation, and to prohibit the use of land which by reason of topography or floodplain contains some areas unsuitable for development, and to permit the cluster of lots in order to leave the unsuitable land as permanent open space.

The purpose of a Medium Density Residential R-2 PUD is the same as the R-1 PUD, except that the R-2 PUD permits increased density, a variety of housing types, limited commercial activity, and generally requires access to arterial or collector streets and roadways.

3. **Minimum Size** The minimum amount of acres required for each PUD type is as follows:

R-1 PUD	10 Acres
R-2 PUD	3 Acres

4. **Permitted Activities In a Residential PUD** – The following activities listed in Table I, may be permitted in a Residential PUD only when deemed appropriate by the Planning Commission and the Town Council as approved with the Preliminary Master Plan. Other activities not listed are prohibited.

5. **Limitation on Commercial Activities** - The commercial activities permitted in Table I, shall be limited to no more than five (5) percent of the total gross area within such development and provided further that the maximum floor area for any single establishment shall be five thousand (5,000) square feet. Such commercial activities shall be designed to serve primarily the residents within the PUD and shall not be constructed until at least one-half (1/2) of the residential units are complete unless other phasing has been approved as part of a preliminary master plan. In addition to the aforementioned limitations the commercial structure shall normally be located within the perimeter of the PUD.

## 6. **R-1, Low Density Residential Planned Unit Development**





Dwelling Two-Family Detach	N	P
Dwelling Semi-Detached	P	P
Dwelling Mobile Home	N	N
Dwelling Multi-Family	N	P
Boarding House	N	N
Rooming House	N	N

Community Facilities Activities

Golf Courses	P	P
Libraries	P	P
Parks and Playgrounds	P	P
Recreation Centers	P	P
Public or private Swimming Pools	P	P
Schools Grades K to 12- Public and Private	P	P
Retirement and Nursing Homes	N	P
Churches and Other Religious Assembly	P	P

Commercial Activities

Convenience Stores	N	P
Convenience Services	N	P
Country Club	P	P
Day Care Centers	N	P
Group Child Care Home	P	P
Health Care Facilities Designed Primarily to Serve Residents of the PUD	N	P

KEY TO INTERPRETING USES

P - Permitted Use.

N - Not Permitted In the District.

b. Yards

For detached or semi-detached structures the following setbacks are required:

Minimum Front Yard	20 feet
Minimum Side Yard	8 feet
Minimum Rear Yard	10 feet

These yards are to be measured to the property lot lines. If the ownership between structures is dedicated open space the yard provisions may be waved provided they were so shown on the

Preliminary and Final Master Plans and that all provisions of the building and fire code are satisfied.

**7. R-2 Medium Density Residential  
Unit Development**

a. Density, Bulk and Open Space Regulations

(1) Density and Open Space Re-  
quirements

<b>Minimum Lot Size</b>	<b>None</b>
<b>Maximum Density</b>	<b>6 Dwelling Units per Acre</b>

Density bonuses shall be given as follows:

Dedication of land for school, library, fire station, or similar public use if so approved by the Town Council is ten (10) percent.

Alternately on developments with less than twenty- five (25) acres the actual area of the land to be dedicated may be used as bonus density if so approved by the Town Council.

Areas in road right of ways are not included in calculating the number of dwelling units. When calculations are made as to the number of permitted dwelling units the number of units may be rounded up provided that at least .5 of a unit is calculated. Areas dedicated for schools, fire stations, etc., are also excluded but do receive a density bonus.

b. Yards

For detached or semi-detached structures the following setbacks are required:

<b>Minimum Front Yard</b>	<b>20 feet</b>
<b>Minimum Side Yard</b>	<b>8 feet</b>
<b>Minimum Rear Yard</b>	<b>10 feet</b>

These yards are to be measured to the property lot lines. If the ownership between structures is dedicated open space the

yard provisions may be waved provided they were so shown on the Preliminary and Final Master Plans and that all provisions of the building and fire code are satisfied.

### **Section 3. Development Standards Applicable to All Residential Planned Unit Developments**

**1. Perimeter Requirements** - Along the perimeter of the Planned Unit Development, buildings shall be designed to harmonize in scale, setbacks, and mass with existing adjacent areas. A minimum setback of forty (40) feet shall be required around the perimeter of all residential planned unit developments. Perimeter landscaping shall also be required when deemed necessary to minimize the impact of the PUD on adjacent property.

**2. Pedestrian Circulation** - All PUD's shall be designed so as to allow safe pedestrian circulation between dwelling units as well as to provide access to improved open space or other amenities. Sidewalks shall be located on at least one side of any proposed street or common drive area. Sidewalks should normally be separated from the road surface by at least five (5) feet and may be buffered from the street by trees or other vegetation. Sidewalks shall be at least five (5) feet wide and built at reasonable slopes and grades.

**3. Open Space Requirements** - No open area may be accepted as common open space under the provisions of this section unless the location, shape, size and character of the common open space is appropriate to the scale and character of the development considering its size, density, expected population, topography, and the number and type of dwellings to be provided.

Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation, steep slopes, or floodplains may be left unimproved.

If the master plan provides for buildings, structures, and/ or improvements in the common open space then the developer shall provide surety of sufficient value to ensure that the buildings, structures, and improvements will be completed. The Planning Commission shall release the bond or other assurance when the

buildings, structures, or improvements have been completed according to the development plan

A golf course may be used as open space provided that additional improved open space is provided appropriate to the needs of the residents of the development. Areas for walking trails may be used provided they are in addition to required sidewalks.

4. **Arrangement** - Lots along existing County roads shall be arranged so as to either be screened from or front the existing road. Driveways shall normally access only roads within the development. Connections to existing collector or arterial roads shall be kept to a minimum.

5. **Landscaping Requirements** - Each PUD shall be attractively landscaped and the proposed landscaping shall be included in the preliminary master plan. Areas to be landscaped include the perimeter of the development, parking lots, and waste containers, utility structures such as pumping stations or electrical substations, and multi-family structures.

6. **Parking and Storage** - Storage areas shall be enclosed or concealed by berms and/or buffers. Parking lots shall be landscaped.

7. **Signs** - The location and design of all signs shall be shown as a separate element of the preliminary master plan.

8. **Access** - Planned Unit Developments with more than twenty-five (25) units must have two (2) points of ingress/egress. PUD's with between fifteen (15) and twenty-four (24) units may use two (2) ingress/egress points or a single boulevard road with either a median or a third lane. The minimum right of way for a boulevard shall be sixty (60) feet.

9. **Street Improvements** - All streets, public or private, shall be constructed to the road specifications contained in the Washington County Subdivision Regulations with the following exceptions:

a. The right of way may be reduced where curb and gutter streets are used.

b. Traffic calming methods are permitted and encouraged.

c. Alleys are permitted.

d. Landscaping of the center of cul-de-sac turnarounds is permitted and encouraged.

10. **Utilities** - The development shall be serviced with public sanitary sewerage systems. The water systems shall be capable of providing needed fire flows for the development as well as domestic water supply. Fire hydrants shall be installed to be within five hundred (500) feet of any lots designated for detached dwellings. However, a fire hydrant must be placed within two hundred-fifty (250) feet of any dwelling unit part of an attached structure or multi-family building

11. **Waste Disposal** - If any central waste disposal containers are provided, they shall be completely enclosed and screened from view.

#### **Section 4. Development Standards for Multi-Family Projects**

1. The spacing of all buildings contained in multi-family dwellings shall be in compliance with the building codes adopted by the Town of Chatom.

2. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses and the reduction of noise.

3. Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking courts or garages and for convenient circulation and access to all facilities.

4. The appearance and character of the site shall be preserved and enhanced by retaining and protecting existing trees and other site features; and additional new plant material shall be added for privacy, shade, beauty of buildings and grounds and the screen out objectionable features. The planting plan shall be submitted with the preliminary master plan.

5. Existing trees, shrubs, evergreens and ground cover shall be retained to the extent that they enhance the project, are effective as a screen planting or are useful in protecting slopes.

6. Adequate recreation facilities for the residents of the project shall

be provided in locations easily accessible to the living units and where they do not impair the view and privacy of living units.

7. Well-equipped playgrounds of adequate size and number shall be provided, where it is anticipated that children will occupy the premises.

8. Access and circulation shall adequately provide for fire fighting equipment, service deliveries, and moving vans and refuse collection.

9. Off-street parking may be grouped in bays, either adjacent to streets or in the interior of blocks. Such parking areas shall generally be located in close proximity to the dwelling units they are designed to serve. At least, one (1) parking space per dwelling unit shall be located so as to provide a maximum walking distance of two hundred (200) feet from the nearest entrance of the dwelling unit the space is to serve.

## **Section 5. Development Standards for Attached Dwellings**

1. No attached dwelling shall exceed three (3) stories in height.

2. Parking for attached dwellings may be constructed with two (2) off-street parking space required and the other required space constructed in bays either adjacent to the streets or in the interior of blocks. Such spaces shall be located within two hundred (200) feet of each unit to be served. Where appropriate, common driveways, parking areas, walks and steps shall be provided, maintained and lighted for night use. Screening of parking and service areas shall be encouraged through ample use of trees, shrubs, hedges, and screening walls.

3. Each dwelling unit shall be provided with reasonable visual and acoustical privacy. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of the development and privacy of the occupants, screening of objectionable views or uses and the reduction of noise

4. Street sidewalks and on-site walks shall be provided for convenient and safe access to all living units from streets, driveways, parking

courts or garages and for convenient circulation and access to all facilities.

**Section 6. Administrative Procedures Applicable to Planned Unit Development**

1. General Provisions

a. Master Plan Required - No application for a Planned Unit Development (PUD) District shall be considered unless a master plan meeting the requirements outlined in Section 5.048, G, 2, is submitted therewith. Such application shall indicate that the services of one (1) or more design professionals were utilized in the preparation of the plan.

b. Ownership and Division of Land - No tract of land may be considered for or approved as a planned unit development unless such tract is under single ownership. The holder(s) of a written option to purchase, any governmental agency, or a redeveloper under contract shall be considered landowners for purposes of this section. Unless otherwise provided as a condition of approval of a PUD, the landowner of an adopted PUD may divide and transfer parts of such development. The transferee shall complete each such unit, and use and maintain it in strict conformance with the adopted final master plan. Prior to the transfer of any section, a subdivision plat shall be filed with the Planning Commission.

c. Relationship to Subdivision Regulations - The uniqueness of each proposal for a planned unit development may require that specifications for the width and surfacing of streets, public ways, public utility rights-of-ways, curbs, and other standards may be subject to modification from the specifications established in the subdivision regulations adopted by the Planning Commission. Modifications may be incorporated only with the approval of the Planning Commission as a part of its review of the master plan for a PUD and granted as a variance in the preliminary approval of the subdivision, which must be concurrent with the final approval, by the Planning Commission of the master plan.

d. Combination of Separate Types of Planned Unit Developments - The Planning Commission may consider separate types of Planned Unit Developments, such as residential and commercial within a consolidated Master Plan as a single administrative procedure provided that the total tract is in single ownership by a landowner and the land area is sufficient to comply with the separate type requirements combined.

e. Development Period, Staging Schedule - The expeditious construction of any PUD shall be undertaken to assist in the assurance of the full completion of the development in accordance with the approved master plan.

Within two (2) years after the date of approval, actual construction shall have commenced in such development. In the event that construction has not been started, the Planning Commission shall conduct a hearing on the project and review the feasibility of the PUD and may act to cancel or extend approval of the master plan depending upon the circumstances of each case.

The Planning Commission may permit the development to be constructed in stages so that completion is achieved in a logical manner. Each stage shall be planned and related to existing surroundings and available facilities and services, so that failure to proceed to the subsequent stages will not have an adverse Impact on the planned unit development or its surroundings, at any stage of the development.

f. Common Open Space and Facilities

Any common space or public or private facilities shall be subject to the following provisions:

(1) The location, shape, site, and character of the common open space shall be reviewed in detail, and it must be used for amenity or recreational purposes.

The uses authorized for the common open space must be appropriate to the scale and character of the planned development considering its size, density, expected population, topography, and the number and type of dwellings or Structures to be provided.

(2) Common open space must be suitable for its intended uses but common open space containing natural features worthy



of preservation may be left unimproved.

(3) The Planning Commission shall require that the landowner provide for and establish an organization for the ownership and maintenance of any common open space and facilities and such organization shall not be dissolved nor shall not dispose of any common open space, by sale or otherwise (except to an organization conceived and established to own and maintain the common open space), without first offering to dedicate the same to an appropriate public agency and said dedication be approved by the Planning Commission. However, the conditions of any transfer shall conform to the adopted final master plan.

(4) In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the planned unit development fail to maintain the common open space in reasonable order and condition in accordance with the adopted master plan, the codes director may serve written notice upon such organization and/or the owners or residents of the planned unit development and hold a public hearing. After thirty (30) days when deficiencies of maintenance are not corrected, the codes director may call upon any public or private agency to maintain the common open space for a period of one (1) year. When the codes director determines that the organization is not prepared for the maintenance for the common open space such agency shall continue maintenance for yearly periods.

(5) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the planned unit development that have a right of enjoyment of the common open space, and shall become a lien on said properties.

(6) When the common open space is deeded to a Homeowners' Association, the developer shall file a declaration of covenants and restrictions that will govern the association, to be submitted with the application for preliminary approval. The provisions shall include, but not be limited to the following:

(a) The Homeowners' Association shall be formed prior to the final plat approval of any phase of the development.

(b) Membership must be mandatory for each homebuyer and any successive buyer.

(c) The open space restrictions must be permanent, not just for a period of years.

(d) The association must be responsible for liability insurance, local taxes, and the maintenance of recreational, open space and other facilities.

(e) Homeowners must pay their pro rata share of the cost, and the assessment levied by the association can become a lien on the property.

(f) The association must be able to adjust the assessment to meet changing needs.

(7) A recreation plan shall be developed and presented with the Preliminary Master Development Plan for any proposed residential planned unit development. This plan shall indicate the general demographic characteristics of the anticipated market being targeted by the proposed development. The plan shall indicate the recreation facilities proposed and the age groups these facilities are designed to serve, as well as provide the number and detailed specifications of each type of recreational equipment and facility proposed. The size of each type of recreational facility, or type of recreational equipment shall be directly related to the age and number of the anticipated user population. These facilities may be devoted to either: (1) Shared limited use facilities designed so as to assure privacy and control of access by and for the exclusive use of a specific residential clientele within the development; or (2) Shared general use recreation facilities which are available to all residents of the proposed development. All recreational equipment provided should be durable commercial grade equipment. A minimum of five (5) percent of the net area of every residential PUD shall be devoted to Improved and developed recreational open space.

## **Section 7. Administrative Procedure for Review and Approval for All Planned Unit Developments**

The provisions of this section govern the procedure for review and approval for all planned unit developments as provided herein. Any landowner or developer, as defined, may apply for a PUD zoning in any area subject to these provisions, and the Town Council may, within its legislative power, impose PUD zoning upon any land area, and after such action, the landowner shall follow the remaining procedures before any zoning permits can be issued and the land developed.

1. Steps of Approval Process

a. The applicant may request a pre-application conference with planning staff to evaluate the proposal and to determine and clarify any issues that may arise.

b. Applicants may, at their discretion, submit a sketch preliminary master plan so as to receive feedback from the Planning Commission and/or the Town Council before proceeding with the additional cost of preparing a more detailed preliminary master plan.

c. The applicant shall submit a preliminary master plan and rezoning request to the Planning Commission for their consideration along with the required fees.

d. The Planning Commission may recommend approval or disapproval of a developer's request. If approved, the Planning Commission shall recommend the necessary PUD Zoning to the Town Council.

e. After approval of the preliminary master plan and amendment of the zoning map, preparation of the final master plan may begin. The preliminary master plan shall be filed by the developer with the Washington County Registrar of Deeds prior to the application of the final master plan.

f. The applicant shall submit a final master plan to the Planning Commission for their consideration. If any part of the PUD is to be subdivided, a preliminary subdivision plat shall also be submitted. Both documents may be considered simultaneously. Approval of the final master plan shall form the basis for all permits, variances, and standards for the PUD.

g. Prior to the sale or transfer of any property, the applicant shall submit and have approved a final subdivision plat.

**2. Application for Approval of the Preliminary Master Plan and Zoning Request** - Application for approval of the preliminary master plan shall be made by the landowner of the affected property or his authorized agent, to the Planning Commission in accordance with such written general rules regarding general procedure, form of application, and required information as the Planning Commission may determine, provided they are not inconsistent herewith. The application for preliminary approval shall consist of the following:

a. The preliminary master plan for the proposed planned unit development shall be a general concept plan which may include such items as the Planning Commission by general rule which may include, but is not limited to the following items:

(1) The location and size of the area involved.

(2) Transportation routes including streets, driveways, sidewalks, and pedestrian ways, and off-street parking and loading areas.

(3) Location and approximate dimensions of structures including an approximate height and bulk, and the utilization of structures including activities and the number of living units.

(4) Estimated population and density and extent of activities to be allocated to parts of the project.

(5) Reservations for public uses including schools, parks and other open spaces.

(6) Availability commitments from the appropriate water and sewer provider.

(7) Major landscaping features, including topography.

(8) The general means of the disposition of sanitary wastes and storm water.

(9) North arrow, graphic scale, and location map showing relationship to existing Street system and adjoining properties.

(10) Specify the various uses of structures within the RPUD, for example the percentage of structures that are residential and the percentage of structures that are nonresidential.

(11) Elevations as necessary.

(12) Location of gas, water, sewerage, and drainage facilities.

(13) Details and locations of signs.

(14) Plans for street and parking lot improvements.

(15) Location and use of all common open space area.

(16) Approximation of proposed topography.

(17) Additional information as determined by the Planning Commission to indicate fully the ultimate operation and appearance of the PUD.

b. A tabulation of the land area to be devoted to various uses and activities and overall densities.

c. The nature of the landowners interest in the land proposed to be developed and a written statement or concurrence from all parties having a beneficial interest in the affected property.

d. The substance of covenants, grants of easements, deed restrictions, or other restrictions to be imposed upon the use of the land, buildings and structures to include total square footage, building materials, architectural drawings, and proposed easements for public utilities.

e. A development schedule, setting forth when the landowner intends to commence construction and an estimated completion period.

f. When it is proposed that the final master development plan will be submitted in stages, a schedule of submission thereof.

g. A filing and review fee in an amount determined according to the standard fee schedule as approved by the Town Council.

h. A general summary explaining the character, intent, and financing of the PUD.

If the application is incomplete, the Planning Commission shall hold in abeyance their formal review until such time as complete information is submitted

**3. Application for Approval of the Final Master Plan** - The action of the Town Council on the zoning request and the preliminary master plan shall authorize and form the basis for the Planning Commission approval of a final master plan.

**4. Application for Final Approval** - After zoning a Planned Unit Development District, the landowner may make application to the Planning Commission for approval of a final master development plan, provided that the proposed master development plan and other elements associated with the planned unit development are in substantial compliance with the substance of the preliminary approval of the Town Council. The application shall include all aspects of the preliminary application, the proposed final master development plan, other required drawings, specifications, covenants, easements, and conditions and forms of bonds as were set forth by the Planning Commission's preliminary approval. Copies of all legal documents required for dedication or reservation of group or common open space and/or for the creation of a nonprofit association shall also be submitted. When appropriate, this application shall contain the stage development schedule.

**5. Final Approval of Stages** - The application for final approval and the final approval by the Planning Commission may be limited to each stage as appropriate in a large planned unit development.

**6. Final Master Development Plan** - The final master plan of a planned unit development, or as submitted in stages if authorized, shall be substantially consistent with the approved preliminary master plan.

**7. Amendments to the PUD** - The terms, conditions, and the final master plan of a PUD may be changed from time to time by official action of the Planning Commission if requested to do so by the Developer of the property. Any such amendments must remain in compliance with the appropriate zoning regulations and comply with the following.

The developer of the PUD may apply to the Planning Commission for an amendment to the master plan. The Planning Commission may approve such amendment so long as the original intent is not abrogated and the change does not in any way damage any part of the PUD or any adjoining properties. Minor changes in the location, arrangement, sitting, and height of buildings may be authorized by the Planning Commission if required by engineering or other circumstances of the location not foreseen at the time of final approval.

Major changes differing from the Preliminary Master Plan must be submitted to both the Planning Commission and Town Council. Major changes include any increase in the number of dwelling units, substantial alteration of the type of structures and/or their location, a reduction in open space of more than five (5) percent of that proposed, substantial changes in the improvement of open space, additional commercial area or structures, or any other change that in the opinion of the Planning Commission prevents the development from being in substantial compliance with the approved preliminary master development plan.

**8. Cancellation of an Adopted Planned Unit Development** - in the event that actual construction has not begun within two years from and after the date of the ordinance adopting or amending a plan unit development the Planning Commission may, after an official meeting with notice to the landowner, act to cancel the approved master plan or at any time upon the petition of the landowner.

**9. Building Permits** - A building permit shall be issued for structures, buildings, activities, or uses as a part of a finally adopted planned unit development only in strict compliance with the master development plan of the particular planned unit development including the conditions of approval and only after the

administrative procedure outlined in this section has been strictly adhered to. No building permit shall be issued for the area included in a preliminary planned unit development until a final master development plan has been approved.

## **Article Eight - Sign Regulations**

### **Section 1.0 - Purpose**

The purposes of this article are to: encourage the safe construction and effective use of signs as a means of communication with the public; to improve traffic and pedestrian safety; to prevent the accumulation of trash; to minimize adverse effects to nearby public and private property to protect property values; to enhance the community environment; and to enable the consistent enforcement of these sign regulations.

### **Section 2.0 - Applicability**

The provisions of this article, consistent with general zoning authority authorized by the Code of Alabama, 1975 as amended, apply to the entire corporate limits of Chatom, Alabama to govern the location, size, setback and height of signs. Signs shall be erected, placed, created, painted and maintained in conformance with the requirements and procedures of these regulations.

### **Section 3.0 - Pre-Existing Non-Conforming Signs**

All signs, including billboards, erected prior to the adoption of these regulations, but not conforming with these regulations, are non-conforming signs and shall be regulated as follows.

#### **A. Permanent Signs**

- 1) Non-conforming permanent signs may be continued and be maintained after the effective date of this ordinance. Establishing that a sign is a pre-existing, legal but nonconforming permanent sign is the responsibility of the person claiming such status for the sign.
- 2) Normal maintenance of non-conforming signs, such as changes on the faces of the sign are not subject to these requirements. Non-conforming permanent signs that are totally replaced as a part of future maintenance shall fully comply with these regulations.
- 3) When a change in use, occupancy or ownership occurs that necessitates the changing a non-conforming permanent sign, the replacement sign shall fully comply with these regulations.
- 4) Whenever a non-conforming permanent sign is damaged to 80% of the current fair market value or destroyed, including natural acts, or becomes obsolete for any cause, any replacement sign shall fully comply with these regulations.
- 5) Non-conforming permanent signs that are relocated on the same property or moved to a different lot shall fully comply with these regulations.
- 6) A non-conforming permanent sign that has changes to either the height or surface area shall fully comply with these regulations after the modification

#### **B. Non-conforming, Temporary and Non-durable Signs**

- 1) Non-conforming temporary and non-durable signs shall be brought into compliance with these sign regulations by taking the following actions.
- 2) All non-conforming signs made of paper, cloth and other non-durable material



shall be removed within 60 days.

3) All other non-conforming temporary signs shall be removed in accordance with time criteria established for removal of similar types of conforming signs in these regulations. In the event no time criteria has been set for removal of a comparable temporary sign, the non-conforming temporary sign shall be removed within 120 days.

## **Section 4.0 - Sign Regulations Applying to All Districts**

### *Section 4.1 - Maintenance of Signs:*

- A. All signs and related sign structures shall be kept in a proper state of repair and preservation. The Building Official, or an appropriately designated representative is authorized to inspect and order the painting, repair or alteration of poorly maintained or dilapidated signs, and the removal of abandoned signs, subject to the requirements of these regulations, or signs that constitute a physical hazard to public safety. Any repair, painting, alteration or removal shall be at the sign owners expense.
- B. Weeds and grass shall be kept cut beneath and for a distance of 10' in all directions from the perimeter of a sign. This area shall also be maintained free of debris and rubbish that would constitute a fire or health hazard or be construed as a nuisance.
- C. All signs that are no longer functional shall be removed at the owners expense within 30 days of becoming dysfunctional.
- D. Signs that have been abandoned for a period of six consecutive months shall be removed at the owners expense.

### *Section 4.2 - Permitted Signs:*

- A. Signs required for legal notices and other official instruments.
- B. Flags and insignias of governmental, religious, charitable or fraternal organizations with an area of less than 50 square feet and mounted on a single pole.
- C. Decorative flags and bunting as authorized by the City Council for a city-wide celebrations, commemorations or conventions.
- D. Memorial signs, tablets or cornerstones, names of buildings and dates of erection when included as a part of the building plans and constructed of bronze or other durable non combustible material or cut into masonry surfaces.
- E. Small, not to exceed two square feet, directional signs and symbols (eg. entrance, exit, handicapped) located on buildings and property to comply with other codes and ordinances and to advise the public of non-advertising information.
- F. One bulletin board and identification sign per site for public, educational, charitable and religious buildings that shall be located on-site, not to exceed 32 square feet in area or 51 in height, and be located a minimum of 15' from the edge of the pavement or curb.
- G. Holiday lights and decorations during customary holiday periods.

### *Section 4.3 - Temporary Event Signs:*

- A. Political Signs - Political signs are temporary signs that may be placed on private property provided such signs are placed a minimum of 15' from the edge of paving or the curb, mounted no higher than four feet above ground level, and are less than 6 square feet in all residential districts and 16 square feet in all other districts. Any political sign placed in a public right-of-way may be removed by the Town of Chatom and the candidate billed for each sign removed. Political signs shall not be erected more than 30 days prior to an election and must be removed not more than 7 days following the election. It shall be the

responsibility of the candidate's sponsor and the private property owner to place, erect and remove political signs in conformance with this requirement.

B. Community Functions and Special Events - Signs to notify the public of community functions and special events are temporary signs that may be placed or erected following approval by the City Council. Prior to requesting approval by the City Council, the sponsor of the event shall meet with a designated representative of the office of the Building Official and develop a plan for locating the signs and preparing a description of the signs. Special event signs shall not be more than 6 square feet in area and shall be placed or erected in conformance with the plan approved by the City Council. Community function and special event signs shall not be placed more than 30 days prior to an event and must be removed not more than 7 days after the last day of the event. Identification of a responsible legal entity for the placement and removal of the signs is required.

*Section 4.4 - Prohibited Signs:*

A. Any sign that uses words such as "stop" or "caution" or similar words or that emulates the shape and/or color in a manner to copy or imitate a traffic control sign.

B. Any sign or sign structure placed in any public right-of-way, required sight triangle, or on any public land except informational and directional signs placed by an appropriate public entity or at the direction of the Town of Chatom.

C. Signs that flash, illuminate intermittently or are animated to change physical position by movement or rotation, except for time, temperature and public service electronic bulletin board type signs.

D. Signs that emit any detectable smoke, vapor, odor, particles or that include any lighting or control mechanism that interfere with radio, television or electronic means of communication.

E. Any sign painted on or attached to an object and placed less than 15 feet from the edge of the pavement or on a public right-of-way or public land for the purpose of advertising.

F. No banners, pennants, streamers or other types of temporary signs shall be hung over a public rights-of-way.

G. Signs attached to or painted on trees, fences, fire escapes, elevated water storage tanks (stand pipes), utility poles, or traffic sign standards.

H. Signs painted on a sloping roof or wall of a building.

I. Tethered inflatable signs of all types.

## **Section 5.0 - Sign Regulations for Residential Districts**

*Section 5.1 - On-site Signs Required:* All signs in a residential district (A-O and R-1 through R-3) shall be limited to on-site signs. Off-site signs displaying information or advertising products or services at other locations are prohibited in all residential districts.

*Section 5.2 - Electric Signs Prohibited:* No electric signs shall be permitted in residential districts.

*Section 5.3 - Attached Signs:* Attached signs, except for house numbers, are prohibited in residential districts.

*Section 5.4 - Detached Signs:*

A. Subdivision Identification Markers - Each subdivision shall be allowed one monument style sign to identify the name of the subdivision. Subdivision identification markers shall be

monument style signs not higher than 4 feet and having a total surface area, including architectural features and signage, of 80 square feet. The signage shall not exceed 30 square feet. An acceptable legal entity shall be identified to provide maintenance for the sign

B. Multiple Family Complex Identification Markers - Each apartment complex or mobile home park shall be allowed one sign to identify the name of development. The sign shall not be more than 5' in height nor have an aggregate area of more than 24 square feet when including the total area defined by the sign and supports.

C. Mailboxes and Street Numbers - Each dwelling unit receiving mail at a curb side mail box may attach one sign to the mail box to identify the name of the resident and provide the street address. Such signs shall be limited to the length of the mail box and shall not extend either higher than 9" above the mail box or hang lower than 1' below the mailbox.

D. Detached Signs Prohibited - All other detached signs are prohibited in all residential districts.

### *Section 5.5 - Temporary Signs:*

#### A. Construction Signs

1) Subdivisions - A maximum of two temporary construction signs shall be permitted at the primary entrance to a subdivision. Each sign may be up to 32 square feet in area and shall not be mounted higher than 6 feet above ground. The subdivision construction sign shall not be located within 20 feet of an existing edge of pavement or curb. Temporary subdivision signs shall be removed no more than 30 days following the completion of the development of the subdivision, but not including the construction of houses.

2) Home Sites in New Subdivisions - A maximum of six on-site signs per lot may be posted at any time to indicate that the lot is for sale and to identify contractors and suppliers. Each individual sign shall not exceed 2 square feet in area; be posted higher than 3 feet above ground level; or be closer than 1.5 feet to the edge of pavement or curb. Home site signs posted by contractors and suppliers shall be removed not more than 7 days after the completion of construction. Home site signs posted to identify the lot and offer it for sale shall be removed not more than 7 days after sale closing for the home or lot.

B. Repair Signs - A maximum of one on-site sign per lot may be posted for a period of not to exceed 30 days to identify the contractor conducting repairs or performing construction at a residential property. The sign shall not exceed 3 square feet in area; be posted higher than 3 feet above ground level; nor be closer than 15 feet to the edge of pavement or curb. Home repair signs shall be removed not more than 7 days after completion of the home repair or construction.

C. Real Estate Signs - A maximum of one sign per interior lot and two signs per corner lot may be posted to indicate a property or home is for sale or rent. Each sign shall not exceed 4 square feet in area, be more than 31 above ground level, nor be closer than 15 feet to the edge of pavement or curb. Rent signs shall be removed the day after rental. For sale signs shall be removed not more than 7 days following the sale closing for the home or lot.

D. Other Temporary Signs - Any other temporary signs shall not be posted on the property for more than three periods within a calendar year and not for more than three consecutive days during each period. Such signs shall not exceed 4 square feet in area, be more than 3' above ground level, nor be closer than 15 feet to the edge of pavement or curb.

## Section 6.0 - Sign Regulations for Commercial and Mixed Use Districts

*Section 6.1 - General Requirements:* These sign requirements shall apply to all land, buildings, and structures in commercial zones.

*Section 6.2 - Attached Signs for Businesses:* Each use shall be permitted either one attached flat sign or one projecting sign subject to the following limitations.

A. Sign Contents - Identification can be by letter, numeral, symbol or design or nature of use and include the name and address.

B. Allowable Sign Area

1) The sign area shall be computed at one square foot of sign per lineal foot of wall on which the business, or individual tenant, has a main entrance. The sign shall not exceed 100 square feet. (See sign area incentive for excluding detached premises signs Detached Signs, Incentives.)

2) Window signs shall be limited to 20 percent of the total glass area of the window in which the sign is placed or near. Neon tubing outlining a window shall be included in the sign area and measured by multiplying the length of tubing by .5 feet. Illuminated window signs within five feet of any window shall be included in the computation of sign area.

C. Large Buildings With Increased Setback - Signs for large buildings, exceeding 25,000 square feet of gross floor area, that are significantly setback from the front building line shall be allowed larger attached signs in accordance with the Schedule for Attached Sign Size Adjustment for Additional Setback Distance.

### Schedule for Attached Sign Size Adjustment for Additional Setback Distance

Setback Distance	Total Sign Area (SQ. ft.)
Over 200' and UP to 299'	150
Over 300' and UP to 399'	200
Over 400'	300

D. Multiple Frontage

1) Properties located at the intersection of major streets, as identified by designation as a United States or Alabama highway, shall be allowed one additional attached sign on the secondary building face subject to the following conditions. The total sign area shall not be more than 65% of the sign area on the primary face of the building.

2) If the intersecting street provides access to residential development immediately behind the lot or if residential development is directly across the intersecting street, then no additional sign shall be permitted.

E. Projecting Signs - No sign shall project more than five feet from the face of the building.

F. Sign Height - No sign shall be erected above the parapet of the building or more than 30' above ground level, whichever is less. (See Schedule for Sign Height and Setback)

G. Illumination - Signs may be illuminated subject to the general requirements for all signs.

H. Canopy or Marquee Signs - In developments with multiple businesses, each business shall be allowed two canopy or marquee signs, with each such sign limited to a maximum of three square feet.

Section 6.3 - Detached Signs for Businesses: Each development shall be allowed one detached on-site sign subject to the following conditions.

A. General Criteria - Detached sign regulations are intended to reduce competition among signs and increase visibility for individual developments by controlling the size, height and number of detached signs. Low "eye level" monument and ground-mounted type signs are encouraged over signs mounted on poles or structures.

B. Detached Sign Incentives - Incentives, shown in the Schedule of Incentives for Use of Attached Signs, are provided for attached signs based on the type of detached signs used.

Schedule of Incentives for Use of Attached Signs

Detached Sign	Attached Sign Area Incentive
Detached signs omitted	+30%
Detached signs Monument style limited to 6' feet in height or less, not more than 60 square feet and located in a landscaped area	+15%
Detached sign not meeting either of the above criteria	+0%

C. Sign Contents - Identification can be by letter, numeral, symbol or design or nature of use and include name and address.

D. Allowable Sign Area - The allowable sign area for monument and ground-mounted signs shall be computed at one square foot per lineal foot of street frontage based on lot width or street frontage for the entire development up to a maximum of 300 square feet of sign area. Multiple tenant developments may add an additional 20 square feet of detached sign per tenant up to a maximum of an additional 200 square feet of sign area. The square footage shall include all architectural features and signage. The allowable sign area for pole mounted signs shall be limited to 40% of the sign area calculated for monument and ground-mounted type signs.

E. Secondary Signs on Through Lots - A second detached sign may be located on the second front of a through lot subject to the following conditions. The maximum area of the second sign shall be limited to 20 square feet if the through lot is located across from or within 75 feet distance of any residential district; otherwise the sign may be 50 square feet. The second sign must be incorporated in a landscaped area of at least 50 square feet. The landscaping shall consist of shrubs, ground cover, or other suitable plant materials and exclude grass and impervious surfaces.

F. Sign Height - The maximum height of a detached sign shall be set in relation to the setback provided as shown in the following Schedule for Sign Height and Setback.

Schedule for Sign Height and Setback

Height of Sign	Setback Requirement
Up to 10'	10'
10' to 20'	10' plus 1 additional foot of setback per foot of height
Above 20' to a maximum of 30'	20' plus 2 additional feet of setback per foot of height

G. All detached signs that are 10 feet or more in height shall be constructed with double

supports.

H. Illumination - Detached signs may be illuminated subject to the general requirements for all Signs.

I. Sign Location - Detached primary and secondary signs on through lots shall be located to maintain sight triangles at intersections and driveways.

*Section 6.4 - Temporary Signs:*

A. Commercial Signs - Rate information on detached premises signs shall be limited to 30% of the surface area of the sign.

B. Repair Signs

1) Residential - Residential repair signs shall comply with requirements for residential repair signs established elsewhere in this ordinance.

2) Commercial: A maximum of one on-site sign per lot or building may be posted for a period of not to exceed 60 days to identify the contractor conducting repairs or performing construction on the property. The sign shall not exceed 12 square feet in area; be posted higher than 6' above ground level; nor be closer than 15' to the edge of pavement or curb. Business repair signs shall be removed not more than 7. days after completion of the business repair or construction.

C. Real Estate Signs

1) Residential - Residential real estate signs shall comply with requirements for residential real estate signs established elsewhere in this ordinance.

2) Commercial - A maximum of one sign per interior lot and two signs per corner lot may be posted to indicate a property or business is for sale or lease. Each sign shall not exceed 16 square feet in area, be posted higher than 6' above ground level, nor be closer than 15' to the edge of pavement or curb. Lease and rent signs shall be removed the day after leasing. For sale signs shall be removed not more than 7 days following the sale closing for the business or lot.

D. Other Temporary Signs

1) Residential - Residential temporary signs shall comply with the residential temporary sign requirements set forth elsewhere in this ordinance.

2) Commercial - Any other temporary sign shall not be posted on the property for more than four periods within a calendar year and not for more than 10 consecutive days during each period. Such signs shall not exceed 20 square feet in area, be more than 3 feet above ground level, nor be closer than 15' to the edge of pavement or curb.

*Section 6.5 - Off-site Signs:* Off-site signs, including billboards, are prohibited in the B-2 district; and shall not be located within 200 feet of any residential district or 100 feet of an existing residential development in the B-3 and MU districts.

## **Section 7.0 - Sign Regulations for Industrial District**

*Section 7.1 - On-site Signs Required:* All signs in an industrial district shall be limited to on-site signs. Off-site signs displaying information or advertising products or services at other locations are prohibited in all industrial districts.

*Section 7.2 - Attached Signs:*

A. Each industrial use may have one surface mounted sign that shall not exceed 200 square feet. The sign may be internally illuminated, subject to the general requirements, or lit by external spot or flood lights. All external lighting fixtures shall be directed away from or

shielded so as not to disturb or be objectionable to adjacent properties, public-rights-of-way and on-site access drives.

B. Roof mounted signs are prohibited.

*Section 7.3 - Detached Signs:* Each industry may have one detached monument style sign to identify the name of the industry. The sign shall adhere to the yard setback requirements of the Industrial district and shall not be over 8 feet in height. The sign area shall not exceed 120 square feet, including architectural features, and the signage shall not exceed 60 square feet.

*Section 7.4 - Temporary Signs:*

A. Real Estate Signs – A maximum of two signs per industrial lot may be posted to indicate a property or industry is for sale or lease. Each sign shall not exceed 32 square feet in area, 6 feet in height, nor be closer than 151 to the edge of pavement or curb. Lease signs shall be removed the day after leasing. For sale signs shall be removed not more than 7 days following the sale closing for the industry or lot.

## **Section 8.0 - Administrative Requirements and Procedures**

*Section 8.1 - Sign Permits Required:* A sign permit is required for any permanent sign having one or more of the following characteristics:

- A. Exceeding 50 square feet in area;
- B. Elevated more than 10 feet above ground level;
- C. Projecting over or located in any public right-of-way, such as a sidewalk or bench sign;
- D. The height of the sign, as measured from the outer base of the sign along the ground, would indicate that if the sign fell it could strike another building or structure or obstruct a public right-of-way; and
- E. All off-site signs.

*Section 8.2 - Application for Sign Permit:* Written application for a sign permit shall be made to the Building Official on the forms provided and be supplemented by a complete description of materials and the structural details of the sign.

*Section 8.3 - Indemnification of City:* Every sign application shall include an agreement of indemnification and hold the City harmless for any damages or expenses that may be incurred because of the sign and related structure.

*Section 8.4 - Certification by Registered Engineer:* All signs requiring permits shall be certified by an Alabama registered engineer regarding compliance with the provisions of all codes and ordinances and the use of current engineering structural design criteria and practices.

*Section 8.5 - Fees:* A permit fee shall be paid to the office of the Building Official at the time an application for a sign permit is filed. The fee shall be in the amount specified by the City Council.

*Section 8.6 - Review of Application:* Upon receipt of a complete application the Building Official shall review the plans, specifications and other data. If the application is determined to meet all requirements, the Building Official shall issue a sign permit. If the application is denied the Building Official shall state in writing the reasons for disapproval. The applicant will be notified of approval or disapproval.

*Section 8.7 - Duration of Sign Permit:* A sign permit shall be valid for a period of six months following the date it was issued. If the sign is not erected within six months a new application for a sign permit shall be submitted.

*Section 8.8 - Identification Tag:* The sign contractor shall attach a weatherproof identification tag to all signs requiring sign permits. The tag shall have the following information permanently printed or impressed:

- A. "Town of Chatom Sign Permit" followed by the sign permit number;
- B. Year the sign was put in place; and
- C. The name and address of the sign contractor.

The erection, placement or construction of a sign requiring a permit without a proper identification tag shall be evidence that the sign is in violation of these requirements.

*Section 8.9 - Modification of Permitted Signs:* No permitted sign may be structurally altered without obtaining another sign permit and providing complete information regarding the proposed modification.

## **Article Nine - Non-Conforming Uses**

### **Section 1.0 - Purpose**

Within the districts established by this Zoning Ordinance, or any subsequent amendments, there may be existing uses, lots, buildings and structures with characteristics that were previously lawful, but that would be regulated or prohibited as a result of district zoning and related regulations. These are non-conformities. It is the intent of this Zoning Ordinance that nonconformities be allowed to continue, but not enlarged or used as grounds for adding additional non-conformities. The non-conformities may be continued subject to the requirements of this Article.

### **Section 2.0 - Construction Prior to Adoption or Amendment of Zoning Ordinance**

Nothing in this Zoning Ordinance shall be interpreted as requiring a change in plans, construction or use and occupancy of land, buildings or structures on which construction was lawfully begun and diligently continued prior to the adoption this Zoning Ordinance or any subsequent amendment that would make the use and occupancy non-conforming.

- A. Construction shall mean the erection and fastening of building material in a permanent manner in accordance with approved plans.
- B. Where demolition and removal of an existing building has begun in preparation for rebuilding, or where excavation has begun for building, construction shall be deemed to have begun provided the work is diligently continued.
- C. The storage of building materials or location of a temporary office on a lot shall not be deemed as having begun construction.

**Section 3.0 - Changes and Reversions to Non-Conforming Uses Prohibited** A non-conforming use of land, buildings or structures shall not be changed to another nonconforming use. A non-conforming use of land, buildings or structures that is changed to a conforming use shall not be permitted to revert back to a non-conforming use.

### **Section 4.0 - Non-Conforming Lots of Record**



*Section 4.1 - Non-conforming Lot of Record:* When a lot exists at the time of adoption of this Zoning Ordinance, or any subsequent amendment, that does not consist of sufficient land to enable the owner to comply with the lot area, yard and building setback requirements set forth, it shall be considered a non-conforming lot of record.

*Section 4.2 - Effect of Single Owner:* If two or more contiguous non-conforming lots of record exist in a single ownership at the time of adoption of this Zoning Ordinance or any subsequent amendment, the land involved shall be considered an undivided tract of land. No portion of the tract of land shall be sold or developed in a manner that diminishes the ability to comply with the requirements of this Zoning Ordinance.

*Section 4.3 - Appeal to Build on Non-conforming Lot of Record* A non-conforming lot may be used as a building site provided application is made to the Board of Zoning Adjustment for a variance from applicable requirements for the district in which the lot is located. The lot area, yard and building setback and other requirements shall conform, as closely as possible, to the requirements; and, further, provided that:

- A. The front yard set back shall not be less than the average of the setbacks of existing buildings within one hundred (100) feet on each side of the lot; except, no front yard shall be less than twenty (20) feet;
- B. At least one side yard shall not be reduced to less than ten (10) feet in width and the other side yard not less than five (5) feet in width;
- C. The rear yard setback shall not be less than 20'; and
- D. Not more than one use and principal building shall be allowed on a non-conforming lot of record.

### **Section 5.0 - Non-Conforming Use of Land**

A non-conforming use of land shall not be: i) extended to occupy greater land area; or ii) relocated, in whole or part, to another part of the land. If a nonconforming use of land ceases for 60 consecutive days for any reason, the use of the land shall not be reestablished and any future use shall conform with these regulations.

### **Section 6.0 - Non-Conforming Buildings and Structures**

When a building or structure exists at the time of adoption of this Zoning Ordinance, or any subsequent amendment, that does not comply with these regulations, that building or structure shall be allowed to continue subject to the following conditions.

*Section 6.1 - New Construction Must Conform With Regulations:* No additional buildings or structures may be erected that do not conform with this Zoning Ordinance and other applicable development regulations.

*Section 6.2 - Enlarging Non-conforming Buildings and Structures Prohibited:* A building or structure may not be enlarged or altered in a manner that increases the non-conformity, but may be altered to decrease the non-conformity.

*Section 6.3 - Effect of Relocation:* If a building or structure is relocated on the existing site or moved to another location, the lot, building or structure and use shall comply with all zoning and applicable development regulations after it is moved.

*Section 6.4 Expansion of Non-conforming Use within Building or Structure:* Extension of non-conforming use within a structure is allowed provided the building was arranged or designed with contiguous space. Such extension shall be limited to within the building and may not be extended to occupy any land outside the building, including parking or loading areas required by the use of additional square footage within the building. A non-conforming use shall not be expanded or relocated, in whole or part, to a non-contiguous part of a building or structure.

*Section 6.5 - Repair and Restoration of Non-conforming Buildings and Structures:* Nothing shall prevent the restoration or repair of a building subject to the following requirements.

A. Nothing in this Zoning Ordinance shall prevent the restoration of any building or structure to a safe and sanitary condition when required by the proper authority.

B. A non-conforming building or structure or use shall not be rebuilt or restored except in conformance with the provisions of this Zoning Ordinance after being damaged by fire or other natural acts to the extent of eighty (80) percent or more of its assessed value at the time the damage occurred. If a non-conforming building is damaged less than eighty (80) percent of its assessed value at the time of damage it may be rebuilt or restored and used provided that such rebuilding or restoration is started within twelve (12) months following the date of such damage and that restoration work is diligently continued.

*Section 6.6 - Termination of Abandoned Non-conforming Use:* The non-conforming use of buildings and structures that have been discontinued for any reason for a period of 90 consecutive days shall not be reestablished and any future use of the building or structure shall comply with these regulations.

## **Article Ten - Abatement of Hazards and Nuisances**

### **Section 1.0 - Purpose**

The Board of Zoning Adjustment may require the conduct of any conforming or non-conforming use that results in any smoke, noise, radio interference, odor or other hazard or nuisance to an adjoining and nearby property to be changed to abate the hazard or nuisance.

### **Section 2.0 - Criteria**

*Section 2.1 - Noise:* Noise emanating from any use or operation shall not exceed five decibels above the ambient level of the area as measured by instruments at the property line and shall not be normally perceptible without instruments at a distance of 100 feet from the building.

*Section 2.2 - Odor, Fumes and Dust:* No use shall be permitted which creates an odor in such quantity as to be readily detectable at the boundaries of the site. All dust and fumes shall be effectively confined and disposed of in a manner to avoid air pollution.

*Section 2.3 - Waste Material:* Except during construction, all refuse and waste materials must be stored within buildings or screened trash receptacles prior to collection. No materials or waste shall be stored in such a manner that may it be transferred off site by natural forces or causes: No on-site disposal shall be permitted.

## **Section 3.0 - Procedure for Issuing an -Order for Abatement**

The Board of Zoning Adjustment may direct the Building Official to issue an abatement order providing: i) A signed petition is filed by any person affected by the hazard or nuisance or initiated by the Board of Zoning Adjustment; ii) a notice of a public hearing is (a) sent by certified mail to the owners or operators of the use causing the nuisance or hazard and (b) advertised in a newspaper of general circulation; and iii) a public hearing is held by the Board of Zoning Adjustment to consider issuance of the abatement order. An abatement order may only be directed by the Board of Zoning Adjustment after receiving reasonable evidence of the hazard or nuisance. Upon receipt of such order the hazard or nuisance shall be abated by the owners and operators.

## **Article Eleven - Board of Zoning Adjustment**

### **Section 1.0 - Establishment and Membership of the Board of Zoning Adjustment**

The Board of Zoning Adjustment, hereinafter referred to as the "Board," is hereby established as authorized by the Code of Alabama. The Board shall consist of five members to be appointed by the City Council. One member shall be appointed for a term of three (3) years, two members for two (2) years, and two members for one (1) year. The chairman shall be appointed by the mayor and council and be a non-voting member. Thereafter, each member appointed shall serve for a term of three (3) years or until a successor is appointed. Members of the Board may be removed from office by the City Council for cause upon written notification of charges and after a public hearing. Vacancies occurring for any reason shall be filled by the City Council for the unexpired term of the member being replaced. The chairman shall be the building officer and does not have voting powers.

### **Section 2.0 - Powers and Duties**

The Board shall have the following powers and duties:

*Section 2.1 - Administrative Review:* To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the office of the Building Official regarding the enforcement of this Zoning Ordinance.

A. Any person aggrieved by an order or decision from the office of the Building Official may appeal to the Board. Such appeal shall be made by filing with the Board, within the time provided by the rules of the Board, a notice of appeal specifying the grounds upon which the appeal is based.

B. Upon receipt of a notice of appeal the Building Official shall transmit to the Board all original documents and material; or true copies thereof, constituting the record upon which the appeal is based.

C. An appeal to the Board shall stay all proceedings unless the Building Official certifies with statements fact that a stay would cause imminent peril to life or property. When such a certification is filed by the Building Official, proceedings shall not be stayed except by an order of the Board or a restraining order granted by a court of competent jurisdiction.

D. The Board shall fix a reasonable time for hearing the appeal, give due notice to the parties in interest, provide public notice of the hearing, and decide on the appeal within a reasonable time. At the hearing any person may appear in person or be represented by an agent or attorney.

In exercising these authorized powers, the Board may, so long as such action is in conformity with the terms of this Zoning Ordinance, wholly or partly reverse, affirm, or modify an order, requirement, decision, or determination made by the office of the Building Official.

*Section 2.2 - Special Exceptions:* To hear and decide on special exceptions or uses permitted on appeal. The Board is authorized to:

- A. Interpret the terms and protect the intent of this Zoning Ordinance; and
- B. To decide:
  - 1) whether a special exception should be granted;
  - 2) to grant a special exception with conditions and safeguards as are appropriate under this Zoning Ordinance; and
  - 3) to deny a special exception when not in harmony with the purpose and intent of this Zoning Ordinance.

*Section 2.3 - Variances:* To authorize variances from the requirements of this Zoning Ordinance when the variance would not be contrary to the public interest and where owing to special conditions the literal enforcement of the provisions of this Zoning Ordinance would result in unnecessary hardship. The Board shall not grant a variance to permit a use that is implicitly or expressly prohibited in any district.

A variance from the terms of this Zoning Ordinance shall not be granted until a written application for a variance is submitted to the Board demonstrating all of the following:

- A. That special conditions exist which are peculiar to the land, building or structure involved that are not applicable to other lands, buildings or structures in the same district.
- B. That the special conditions and circumstances are not the result of actions of the applicant.
- C. That literal interpretation of the provisions of this Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district.
- D. That granting the variance will not confer on the applicants land, building(s) or structure(s) any special privilege that is denied to other lands, buildings, or structures, in the same district.

In granting a variance, the Board may require appropriate conditions and safeguards in conformity with the intent of this Zoning Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Zoning Ordinance.

### Section 3.0 - Decisions of the Board of Zoning Adjustment

The concurring vote of four members shall be necessary on any matter brought before the Board.

### Section 4.0 - Proceedings

*Section 4.1 - By-laws:* The Board shall adopt rules, in keeping with the provisions of this Zoning Ordinance, necessary for the conduct of its affairs.

*Section 4.2 - Meetings:* Meetings shall be held at such times as the Board may determine or upon special call by the Chairman.

*Section 4.3 - Minutes:* The Board shall keep minutes to record its examinations and other official

actions, showing the vote, or if absent or failing to vote, for each member upon each question before the Board. The Board minutes shall be a public record and be filed in the office of the Building Official.

## Section 5.0 - Appeal from Action of the Board of Zoning Adjustment

Any person aggrieved by any final decision of the Board may appeal to the council through the court of competent jurisdiction, by filing with the Board a written notice of appeal specifying the decision upon which appeal is based. Upon receipt of notice of appeal the Board shall have a record of the proceedings upon which the appeal is based certified to the Court. The appeal will go to the Circuit Court of Washington County, Alabama.

## **Article Twelve - Amendment of the Zoning Ordinance**

### Section 1.0 - Methods to Initiate Amendments

This section describes the procedure for amending the Zoning Ordinance. The Town Council, may from time to time, revise the regulations or modify the boundaries of districts based upon: i) petition by an owner or agent of a property owner; ii) a recommendation of the Planning Commission; or iii) its own motion. Such amendment shall follow public notice and hearing requirements in accordance with the provisions of Code of Alabama of 1975, § 11-52-79 through § 11-52-84.

### Section 2.0 - Method of Initiation Varies Start of Amendment Procedure

Depending on how the rezoning or amendment is initiated determines where the amendment process begins. i) A rezoning initiated by petition of a property owner begins at section 3.1. ii) A rezoning or amendment of regulations initiated by recommendation of the Planning Commission begins at section 3.2. . iii) A rezoning or amendment of regulations initiated by action of the Town Council begins at section 3.3.

### Section 3.0 - Description of Steps in Amendment Procedure

#### *Section 3.1 - Petition by Property Owner:*

A. An owner or agent of a property owner may initiate a petition for rezoning by filing an application with the Building Official. This includes:

- 1) Completing the application forms provided and attaching supplemental maps, plans, documents, calculations and data as required in the Application for Proposed Amendment to the Zoning Ordinance. (See Exhibit A - Sample Application for Proposed Amendment to the Zoning Ordinance and Exhibit B - Sample Map)
- 2) Paying a \$25.00 fee by submitting a check payable to the City of Chatom; and
- 3) Submitting an original and five (5) copies of all material a minimum of 25 days prior to the regularly scheduled Planning Commission meeting at which the petition for rezoning is to be considered.

B. Upon receipt of the application for rezoning copies of the application shall be distributed as follows:

- 1) The original and one copy are sent to the Planning Commission Recording Secretary.
- 2) One copy is retained by the Building Official who reviews the application and

- submits written comments to the Planning Commission prior to the regularly scheduled Planning Commission meeting at which the application will be considered.
- 3) One copy is sent to the Utility Department to review the application and submit written comments prior to the regularly scheduled Planning Commission meeting at which the application will be considered.
  - 4) The Building Official sends a letter and a copy of the application to all Planning Commission members.

*Note: - The rezoning process initiated by a property owner continues at paragraph 3.2-B.*

*Section 3.2 - Amendments Initiated by Recommendation of the Planning Commission:*

A. Amendments initiated by recommendation of the Planning Commission may be initiated at the discretion of the City Planning Commission or upon receipt of a request from the City Council. Such amendments may be for district rezoning or amending regulations within the Zoning Ordinance. The Planning Commission or Building Official shall:

- 1) Complete an Application for Proposed Amendment to the Zoning Ordinance;
  - 2) The fee for filing the application shall be waived; and
  - 3) Submitting the material for review and comment 25 days prior to the regularly scheduled Planning Commission meeting at which the application will be considered.
- In lieu of written comments from city departments regarding the proposed rezoning or amended of regulations, the matter may be discussed at the Planning Commission meeting.

B. The Planning Commission Recording Secretary shall have the City Clerk publish a legal notice in the local newspaper specifying

- 1) The date, starting time, and place of a public hearing to be conducted by the Planning Commission to receive comments on the proposed amendment or rezoning;
- 2) If the amendment is a district rezoning:
  - a) The notice shall include: i) a description of the property to be rezoned; ii) the current zoning; and iii) the proposed zoning.
  - b) The Building Inspector shall place a sign on the property advising the public of the Planning Commission's public hearing date, time and place.
- 3) If the amendment is a change of regulations the notice shall include:
  - a) Identification of the section of the Zoning Ordinance to be amended;
  - b) A synopsis of the intent of the amendment; and
  - c) The proposed language of the amendment.

(See Exhibit C - Sample Legal Notice Regarding Public Hearing by Planning Commission)

C. For zoning amendments initiated by petition of a property owner the Planning Commission shall have thirty (30) to submit a recommendation to the Town Council regarding any proposed rezoning. If the Planning Commission fails to submit a report within thirty (30) days, 'it shall be deemed to have approved the rezoning.

D. For zoning amendments initiated by the Planning Commission, a recommendation may be forwarded to the City. Council following a public hearing and within 30 days of the recommendation being acted upon during a regularly scheduled meeting of the Planning Commission. .

*Note: - The zoning amendment procedure for rezoning initiated by petition of a property owner or recommendation of the Planning Commission continues at paragraph 3.3-B.*

*Section 3.3 - Amendments Initiated by Action of City Council*

A. The City Council may initiate a rezoning or amendment *of* regulations by requesting a recommendation from the Planning Commission or acting on its own initiative by using the following procedures.

B. The time, date, and place *for* a public hearing to be held by the Mayor and Council is set. (See Exhibit D - Sample Legal Advertisement Regarding Public Hearing by City Council)

C. The City Clerk shall:

1) Publish a notice regarding the proposed rezoning in accordance with the requirements of state law; and

2) Send registered letters to all the immediately adjacent property owners of record. (See Exhibit E - Sample Registered Letter Sent to Property Owners of Adjacent Property)

D. The City Council holds the public hearing.

E. At the next regular meeting the City Council makes a decision regarding the amendment.

1) If the rezoning was initiated by petition of a land owner, then:

a) If approved the applicant is so advised.

b) If denied the applicant is notified and the applicant can either: i) wait six (6) months and re-apply for rezoning using the same process; or ii) appeal to the Circuit Court.

2) If the City Council denies an application for district rezoning or an amendment of the regulations initiated by recommendation of the Planning Commission the decision can not be appealed.

3) V/hen an district rezoning or amendment of regulations is approved by the City Council the City Clerk shall:

a) If a district rezoning, have the Zoning Map amended within sixty (60) days based on an excerpt of the Council minutes, the vicinity map, and the legal description of the property.

b) If an amendment of regulations, have the text of the Zoning Ordinance in the copies maintained by the Building Official and City Clerk amended within 30 days.

## **Article Thirteen - Administration and Enforcement**

### **Section 1.0 - Building Permit Required**

It shall be unlawful to: i) commence excavation or construction of any building or other structure, including accessory structures; ii) store building materials; iii) erect temporary field offices; iv) commence the moving, alteration, or repairs exceeding \$1,500.00 in costs (except painting; wall papering, replacement of appliances and temporary emergency repairs such as holes in walls or roof caused by natural acts); or v) other repairs, regardless of cost, that change the character of any structure, including accessory structures until the Building Official has issued a building permit.

### **Section 2.0 - Approval of Plans Required for Building Permit**

It shall be unlawful for the Building Official to approve any plans or issue a building permit for any excavation or construction until such plans have been inspected in detail and found in conformance with this Zoning Ordinance and other applicable development regulations.

### **Section 3.0 - Content of Application for Building Permit**

Application for a building permit shall be made to the Building Official on forms provided for that

purpose. The application shall be supplemented with maps, plans, documents, calculations and data as required by the City of Chatom. It is the responsibility of the applicant for a building permit for use of land, excavation, construction, moving or alteration of a building, structure, or any portion thereof, to provide sufficient detail to enable the office of the Building Official to determine whether the proposed project complies with the requirements of this Zoning Ordinance and other applicable development regulations.

## **Section 4.0 - Phased Development**

*Section 4.1 - Single Phase Development Assumed:* If no phasing schedule is submitted with the application, then the proposed project will be considered to be a single phase development.

*Section 4.2 - Criteria for Phased Development:* Phased development of projects shall be allowed subject to the following conditions.

- A. Off-site improvements (eg. access points) must be completed in the first phase of development.
- B. Each on-site phase must be independent of other phases so that completed phases of the project can be completely utilized. All on-site improvements must be made as required for the completion of later phases. No infrastructure may be undersized based on phasing of the development. The phased development of all infrastructure, buildings, structures and uses shall be detailed as a part of the phasing plan.
- C. A phasing schedule must be provided at the time the Development Plan application is filed. The schedule must include the number of phases to be included and specify dates when the various phases of development shall begin and be completed.
- D. Construction of successive phases shall not be permitted until the current phase is at least 85% complete as determined by the office of the Building Official.
- E. Time limits on phased development shall be as follows.
  - 1) Construction of a single or multiple phase development must commence within the six month limitation as specified elsewhere in these regulations.
  - 2) Projects must be diligently continued and completed as specified in these regulations or in accordance with the phasing plan unless an extension of time is granted by the Planning Commission. Such extension shall be based solely on unforeseen circumstances.
  - 3) Under no circumstances shall development of any single phase project or anyone phase of a multiple phased project exceed two years from initiation of construction.

## **Section 5.0 - Review Procedures**

*Section 5.1 - Pre-submission Conference:* Prior to the submission of an application to use, develop, redevelop, or rezone property the applicant is encouraged to confer with a designated representative of the office of the Building Official.

*Section 5.2 - Administrative Examination for Complete Application:* The office of the Building Official shall have ten working days following submission of an application to determine that the



application for a building or sign permit is complete.

*Section 5.3 - Determination of Type of Review:* After determining that the application is complete, the Building Official shall determine the type of review that is required.

A. Level 1: Administrative Review by Building Official - All proposals involving one principal structure that are limited to residential use and fully meet all requirements and not involving land dedication or acceptance of maintenance shall be subject to a Level 1: Administrative Review by the Building Official. Upon determination that all requirements are met, the site and building plans are subject to the building permit process and applicable code enforcement procedures.

B. Level 2: Development Plan Review - Upon reviewing a proposal the office of the Building Official may determine that one or more of the following conditions are contained in the proposal.

- 1) Some or all proposed uses must be conditionally permitted;
- 2) Portions of the proposal require a variance from the regulations;
- 3) The proposal is for non-residential use or development;
- 4) Multiple principal structures are being located on the same lot;
- 5) Lots or buildings are being subdivided;
- 6) Development will be phased; or
- 7) Land is being proposed for dedication or for city maintenance.

C. When conditions apply the initial Development Plan Review shall be conducted by the Board of Zoning Adjustment as a special exception and/or variance procedure as described elsewhere in this Zoning Ordinance b) to make final determination official.

D. When condition applies the acceptance of a property dedication or maintenance responsibility is at the discretion of the City Council. In these cases, final approval is then contingent on acceptance by the City Council and, when appropriate, recording of the dedicated land.

*Section 5.4 - Development Plan Recording:* If implemental, the original copy of any development plan shall be maintained by the office of the Building Official. When land dedication, restrictive covenants or

special features such as architectural review requirements are included a certified copy of the approved development plan and all related legal documents shall be recorded at the Washington County Probate Office. The approved and signed plan shall be binding on the developers and owners for purposes of enforcement. The approved Development Plan and related legal documents shall also be used as the basis for the issuance of appropriate permits and certificates. Two copies of the approved site plan shall be returned to the applicant.

*Section 5.5 - Amendment or Withdrawal of the Development Plan:* Using the same procedures and requirements, any applicant can request an amendment to an approved development plan. Requests for withdrawal of partially completed developments shall only be permitted if the original development was phased. All structures and uses under the amended, or remaining under a partially withdrawn development plan, shall be subject to all the conditions and regulations of the appropriate zone. Any development that is withdrawn or rezoned from a mixed use development must comply with the requirements of one of the other zoning districts currently permitted under the existing Zoning Ordinance.

## **Section 6.0 - Building Permit Decision and Duration**

*Section 6.1 - Effect of Building Permit Approval:* If the proposed excavation, use of land, construction, moving, or alteration, as set forth in the application, is in conformance with the provisions of this Zoning Ordinance and other applicable development regulations, the Building Official shall issue a building permit. If the proposed excavation, use of land, construction, moving, or alteration has special conditions attached by either the Board of Zoning adjustment (special exception and/or variance) or the Planning Commission (development plan review) those conditions are considered to be included as a part of the proposal. Issuance of a building permit shall not be construed as waiving any provision of this Zoning Ordinance, conditions attached to the approval, or any other applicable development regulation.

*Section 6.2 - Denial of Building Permit:* If an application for a building permit is not approved, the Building Official shall notify the applicant and state, in writing, the reason for disapproval.

*Section 6.3 - Duration of Building Permit:* Any building permit issued shall become invalid unless the work authorized by the building permit is commenced within six (6) months of the date issued, or if the work is not diligently pursued for a period of twelve (12) consecutive months.

## **Section 7.0 - Certificate of Occupancy Required**

*Section 7.1 - Certificate of Occupancy Required:* No land, building, other structure, or part thereof, shall be occupied or used until the Building Official has issued a Certificate of Occupancy.

*Section 7.2 - Inspection for a Certificate of Occupancy:* The owner or appropriate agent shall notify the office of the Building Official that land, building, other structure, or part thereof, is ready for occupancy or use. Within three (3) days after notification it shall be the duty of the office of the Building Official to make a final inspection and determine if the land, building, other structure, or part thereof, conforms with the provisions of this Zoning Ordinance and other applicable development regulations.

*Section 7.3 - Issuance of a Certificate of Occupancy:* If all applicable regulations are met, the Building Official shall issue a Certificate of Occupancy stating that such land, structure, or part thereof, is found to conform with applicable development regulations and may be used or occupied.

*Section 7.4 - Denial of a Certificate of Occupancy:* If a Certificate of Occupancy is denied, the Building Official shall notify the applicant and state, in writing, the reason for disapproval.

## **Section 8.0 - Enforcing Officer**

The provisions of this Zoning Ordinance shall be administered and enforced by the Building Official. Representatives of the office of the Building Official shall have the right to enter *on* any land, building, other structure, or parts thereof, at any reasonable time prior to the issuance of Certificate of Occupancy *for* the purpose of making inspections necessary to carry *out* duties related to the enforcement of this Zoning Ordinance and other applicable development regulations.

## **Section 9.0 - Remedies**

When any land, building, other structure, or part thereof, is erected, constructed, reconstructed, altered, repaired, converted or maintained, and used in violation of this Zoning Ordinance: i) the Building Official; ii) any other appropriate authority; *or* iii) any adjacent or neighboring property owner who would be damaged by such violation, may institute injunction, mandamus, *or* other

appropriate actions, proceedings or other remedies to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use and to correct or abate such violation or to prevent the use or occupancy of such land, building, other structure, or part thereof.

**Section 10.0 - Penalties**

Any person violating any provision of this Zoning Ordinance or other applicable development regulation shall, upon conviction, be fined not less than ten dollars (\$10.00), nor more than five hundred dollars (\$500.00) and court costs for each offense. Each day the violation continues shall constitute a separated offense.

**Article Fourteen - Legal Provisions**

**Section 1.0 - Savings Clause**

All portions of this Zoning Ordinance are severable. If any article, section, portion or clause of this *Zoning* Ordinance is held to be unconstitutional or invalid by any court, of competent jurisdiction, such decision shall not affect the validity of any other clause, portion, section or article of this Zoning Ordinance.

**Section 2.0 - Conflicting Ordinances**

The existing Zoning Ordinance of the City of Chatom, Alabama and all subsequent amendments conflicting with this revision of the Zoning Ordinance are hereby repealed upon the effective date of this ordinance.

**Section 3.0 - Effective Date**

This Zoning Ordinance shall take effect and be in force from and after its passage and adoption this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**Article Fifteen - Travel Trailer and Recreational Vehicle Parks**

- SECTION 15.01 Purpose, authority and allowable zoning districts.
- SECTION 15.02 Definitions
- SECTION 15.03 General regulations
- SECTION 15.04 Plan preparation and approval procedures
- SECTION 15.05 Application requirements
- SECTION 15.05.01 Fees, Permits and Licenses
- SECTION 15.06 Travel trailer park specifications
- SECTION 15.07 Registration
- SECTION 15.08 Minimum requirements
- SECTION 15.09 Variances
- SECTION 15.10 Amendments
- SECTION 15.99 Penalty

**SECTION 15.01 - PURPOSE, AUTHORITY and ALLOWABLE ZONING DISTRICTS**

(A) Travel trailers have become an important factor in providing safe and sound housing for visitors coming to Chatom and Washington county. The increasing acceptance of this type temporary home away from home is indicated by the constant number of recreational vehicles moving through the county. The potential for growth in this area is vast and will be forthcoming in the very near future. To maintain a safe, sanitary environment for occupants of travel trailer and RV parks, to protect the ecologically sensitive lands and streams, and to coincide with Chatom’s lifestyle, these regulations are provided.

(B) The following regulations for the protection of the public are hereby adopted pursuant to authority granted in the provisions of Section 11-52-70 of the Alabama Code, 1975, inclusive.

(C) Travel trailer and RV parks must be located within a zoning district approved for such usage. In Chatom, only the R-3 district and the “C” district permit such development.

**SECTION 15.02 - DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CAMPING TRAILER.** A folding structure that is mounted on wheels, and designed for travel, recreation, and vacation use.

**COUNCIL.** Town Council of Chatom, Alabama

**COUNTY.** Washington County, Alabama.

**DEPENDENT TRAILER.** A trailer which is dependent upon a service building for toilet, shower and lavatory facilities.

**HOUSE TRAILER.** A mobile home.

**INDEPENDENT TRAILER.** A trailer that has kitchen and bath facilities but does not have the capability of disposing of water and sewage except as in SECTION 15.03(B).

**MAY.** Is permissive.

**MOBILE HOME.** A dwelling unit, manufactured in a factory and designated to be transported to a site and semi-permanently attached.

**MOTOR HOME.** A portable, temporary dwelling used for travel, recreation, and vacation, that when constructed is an integral part of a self-propelled vehicle.

**PICK-UP COACH.** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

**ZONING BOARD.** The Town of Chatom Board of Zoning Adjustment.

**RV.** Generally considered to be a motor home, but could be a travel trailer.

**SELF-CONTAINED TRAILER.** A trailer or motor home which can operate independent of connections for water, sewer, and electric systems. It contains a water flushed toilet, lavatory, bathing facilities, and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

**SHALL** and **WILL.** Are mandatory.

**TOWN.** The Town of Chatom, Alabama.

**TOWN COUNCIL.** Governing body for the Town of Chatom, Alabama.

**TRAILER SPACE.** A parcel of land in a travel trailer park set aside for the placement of a single trailer and for the exclusive use of its occupants.

**TRAVEL TRAILER.** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreation, vacation uses, and shall be permanently identified as a travel trailer by the manufacturer.

**TRAVEL TRAILER PARK.** A parcel of land upon which three or more spaces are occupied or intended for occupancy by travel trailers for transient dwelling purposes regardless of whether or not a charge is made for such service. For the purpose of this chapter **TRAVEL TRAILER PARK** and **RV PARK** have the same meaning.

## **SECTION 15.03 - GENERAL REGULATIONS.**

(A) Travel trailers shall not hereafter be parked in any travel trailer park unless they are provided plumbing and sanitation facilities installed in conformity with these regulations and the requirements of Town of Chatom, the Washington County Department of Health and the Alabama Department of Health or their successor agency or agencies.

(B) Every independent travel trailer space shall provide a gas and watertight connection for sewage disposal which shall be connected to an underground sewage collection system discharging into a public or private disposal system.

(C) No dependent travel trailer shall be parked at any time in a space designed and designated for an independent travel trailer unless public toilet and bath facilities are within 200 feet of the dependent trailer.

(D) Every travel trailer park that has spaces for dependent trailers shall have at least one service building to provide necessary sanitation and laundry facilities. The service building shall be of permanent construction with interior finish of moisture resistant material

which will withstand frequent washing and cleaning. The service building shall be well lighted and ventilated at all times.

(E) Every mobile home park shall be identified as such by a sign displaying the name of the park, which sign shall be clearly visible and readable from the road, street or highway upon which the mobile home park fronts.

(F) For the purpose of this chapter certain words or terms used herein shall be interpreted as follows:

(1) The present tense includes the future tense and the future tense includes the present tense.

(2) The singular number includes the plural number and the plural number includes the singular number.

#### **SECTION 15.04 - PLAN PREPARATION AND APPROVAL PROCEDURE.**

No person shall construct, alter, or extend a travel trailer park within the Town unless they have a valid permit issued by the Town in the name of such a person for the specific travel trailer park. The Town Building Official, the Washington County Department of Health, and the Alabama Department of Health are authorized to refuse a permit, or to revoke a permit whenever upon inspection they find that the proposed travel trailer park does not comply with these regulations. No permit shall be issued until proper plans, specifications, and supporting data have been presented to the Town Planning Board, and approved by them upon determination that the travel trailer park shall be constructed, altered, or extended to comply with these regulations.

#### **SECTION 15.05 - APPLICATION REQUIREMENTS.**

The owner of every trailer park, before providing space for the use and accommodation of independent, dependent or self contained travel trailers, shall make application for a permit and file four sets of plans and specifications with the Town Board of Zoning Adjustment, via the Town Clerk. The plans and specifications shall be in detail as follows:

(A) Name and address of owner/and or authorized agent.

(B) Location and legal description of the travel trailer park property.

(C) Complete plans and specifications of the proposed park showing:

1. A scaled plat of the plan for the park, indicating spaces, area, or portion of the park for independent, dependent, or self contained travel trailers. The scale of the plat shall be not less than one inch per 100 feet.
2. Size, location and specification of park drainage system.

3. Size, location and specifications of the water lines.
4. Size, location and layout of the service building, sanitary stations, and other proposed structures.
5. A scaled layout of a typical travel trailer site.
6. The location of roadways and walkways.
7. The location of sewer lines, sewage disposal facility and riser pipes.
8. The location and details of lighting and electrical systems.
9. Applications and plans shall bear the approval of the Town Planning Board.
10. The issuance of a permit shall not constitute approval of any violation of this chapter or of any county or state regulation.
11. An approved set of plans and a copy of the permit shall be kept on the park premises until the final inspection is made.

## **SECTION 15.05.01 - FEES, PERMITS AND LICENSES**

(A) The owner or developer of any proposed trailer park shall first obtain a building permit from the Town Clerk, prior to the start of any construction on the premises. The cost of the permit will be based on the estimated total cost of the project, which includes land development and facilities construction.

(B) The owner of any proposed trailer park shall purchase annually, a valid Town Business License, obtained from the Town Clerk.

(C) An annual fee for any travel trailer / RV park shall be \$25.00 per designated space to be occupied by a travel trailer or RV, whether used or not.

## **SECTION 15.06 - RAVEL TRAILER PARK SPECIFICATIONS.**

(A) Every travel trailer park shall contain at least three spaces. Travel trailers shall only be located in approved spots.

(B) Each space shall consist of at least 2,000 square feet. (Suggested: 25' x 80')

(C) Parking spaces sufficient to accommodate at least one motor and/or camping vehicle shall be constructed within each space. No more than one camping vehicle may be parked in any one space. The vehicle used to tow a travel trailer or camper is considered as a part of the travel package. A vehicle towed by a motor home is also considered as a part of the travel package.

(D) All spaces developed adjacent to a public street or highway shall be set back a minimum of 20 feet from the edge of any street or highway pavement.

(E) All spaces shall be located on sites with elevations that are not susceptible to flooding. Spaces shall be graded to prevent any water from pooling, ponding or accumulating within the park. Each space shall be graded to provide adequate drainage away from the space.

(F) The park shall have all weather roads that directly abut each space. All road rights-of-way shall be a minimum of 20 feet wide, except that one-way roads may have a minimum width of 12 feet. In areas of heavy vehicular use, 30-foot rights-of-way shall be required. No space shall have direct vehicular access to public street or highway.

(G) The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.

(H) Each park shall have a central structure or structures that will provide separate toilet and shower facilities for both sexes. This structure may also contain a retail sales counter and/or coin operated vending machines for the park residents use only. All toilet, shower, lavatory, and laundry facilities shall be maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted, easily and conveniently located.

(I) The water supply, sewage disposal, and sanitary facilities shall meet or exceed the requirements of the Town of Chatom and the Washington County, Health Department, or their successor organization.

1. Sewage dumping stations shall be approved by the Town of Chatom and the Washington County Health Department, or their successor organization.
2. No method of sewage disposal shall be installed, altered, or used without the approval of the Town of Chatom and the Washington County Health Department, or their successor organization. All sewage waste from each park, including waste from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water appliances not herein mentioned, shall be piped into the park's sewage system or systems.

(J). The park owner is responsible for refuse collection. Storage, collection, and disposal of refuse shall be so managed as not to create health hazards, rodent harborage, insect-breeding areas, accident, fire hazards, or air pollution. All refuse shall be stored in conveniently located leak-proof, rodent-proof containers with tight-fitting lids. One such can with a capacity of at least 30 gallons shall be provided for every 2 spaces. Garbage cans shall be located no farther than 100 feet from any trailer/camping space.

(K) Each park shall provide  $\frac{1}{4}$  acre of open park space for every 50 trailer spaces in the park. This open park space is to be utilized by the campers. The park owner is responsible for the development and maintenance of open or park space areas.

(L) It shall be unlawful for a person to park or store a mobile home in a travel trailer park. However, one mobile home may be allowed in a travel trailer park to be used as an office and one mobile home to be used for a residence of a person or persons responsible for the operation and maintenance of the travel trailer park.

(M) All buildings shall be constructed in accordance with the local building codes.



**SECTION 15.07 - REGISTRATION.**

It shall be the duty of the operator of the travel trailer park to keep an accurate register containing a record of all occupants of the park. The operator shall keep the register available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of information contained in the register. The register shall contain the following information:

- (A) Name and address of the occupants of each space;
- (B) Date entering and leaving the park;
- (C) The license number of each vehicle (car, truck, camping vehicle, etc.) state of issuance, and make and type of equipment.

**SECTION 15.08 - MINIMUM REQUIREMENTS.**

The provisions of this ordinance shall be held to be minimum requirements, adopted for promotion of the public health, safety, moral, and general welfare of the public. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations the most restrictive or that imposing the higher standards shall prevail.

**SECTION 15.09 - VARIANCES.**

Where, because of conditions peculiar to the site, strict adherence to the provisions to this chapter would cause unnecessary hardships, the Planning Board may authorize a variance, if such variance can be made without destroying the intent of this chapter. Variances thus authorized shall be entered in writing in the official minutes of the Planning Board with the reasoning set forth on which the departure from this chapter was justified. All requests for variances must be made in writing by the builder/developer.

**SECTION 15.10 - AMENDMENTS.**

- (A) The provisions of this chapter may from time to time be amended, supplemented, changed, modified, or repealed by the Town Council.
- (B) The Board of Zoning Adjustment shall consider and make recommendations to the Town Council concerning each proposed amendment.

**SECTION 15.99 - PENALTY.**

If any person shall violate the rules and regulations set forth in this ordinance, and adopted by the Town of Chatom, they shall be guilty of a misdemeanor and punishable by a fine not to exceed \$500 or imprisonment not exceeding 30 days.

## **EXHIBITS**

EXHIBIT A - Application for Proposed Amendment to the Zoning Ordinance

EXHIBIT B - Sample Map for Inclusion With Proposed Property to be Rezoned

EXHIBIT C - Sample Legal Notice Regarding Public Hearing by Planning Commission

EXHIBIT D - Sample Legal Advertisement Regarding Public Hearing By City Council

EXHIBIT E - Sample Registered Letter Sent to Property Owners of Adjacent Property



**EXHIBIT B**

## EXHIBIT C

NOTICE IS HEREBY GIVEN to the interested public, that a public hearing will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at AM/PM in the City Hall of Chatom, Alabama, by the Planning Commission concerning the request to rezone from \_\_\_\_\_ to \_\_\_\_\_ submitted by \_\_\_\_\_ the following described property.

INSERT LEGAL DESCRIPTION

Interested public should attend this meeting of the Planning Commission.

Signed \_\_\_\_\_  
Recording Secretary

## EXHIBIT D

NOTICE IS *HEREBY* GIVEN to the interested public, that a public hearing will be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at am/pm in the City Hall of Chatom, Alabama, by the Chatom Town Council concerning the request to rezone from \_\_\_\_\_ to \_\_\_\_\_ submitted by \_\_\_\_\_ the following described property.

INSERT LEGAL DESCRIPTION

Interested public should attend this public hearing.

# EXHIBIT E

CHATOM, ALABAMA

DATE:

Mr. and Mrs. John H. Jones  
#2 Exciting Skeet  
Chatom, Alabama

Dear Mr. and Mrs. Jones:

A public hearing is scheduled by the Chatom City Council for \_\_\_\_\_, \_\_\_\_\_,  
at \_\_\_\_\_ PM at the City Hall. The purpose of this meeting will be to consider rezoning from  
\_\_\_\_\_ to \_\_\_\_\_  
property owned by \_\_\_\_\_ which is immediately adjacent to your  
property.

The legal description of this property is as follows:

\_"Lot 14 and 15 in Unit 4, Delwood Subdivision recorded in Plat Book 110, Page 36 in the records  
of the Washington County Courthouse. This property measures 120 feet on Shelton Beach Road by  
100 feet deep."

You are cordially invited to attend this meeting regarding this rezoning proposal.

Yours truly,

City Clerk  
Town of Chatom, Alabama

