

## ARTICLE VIII. OFF-STREET PARKING AND LOADING AREA

This article is established to define requirements for the provision of off-street parking and loading areas for designated uses.

### Sec. 801. Off-street automobile parking.

Off-street automobile parking space shall be provided on every lot on which any of the uses listed in subsection (801.3) are hereafter established, enlarged, or increased in capacity, except in the B-2 Central Business district where the provision of parking by individual owners would not be practical. Such off-street parking spaces shall be maintained and shall not be encroached upon by structures or other uses so long as the principal building, structure, or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this ordinance.

- (801.1) *Plans and specifications required.* Plans and specifications showing required off-street parking spaces, including the means of access and interior circulation, shall be submitted to the building inspector for review at the time of application for a building permit or a certificate of occupancy.
- (801.2) *Off-street parking area design.* Each off-street parking space shall be not less than two hundred (200) square feet in area, exclusive of access drives or aisles, shall be of usable shape and condition, and shall have vehicular access to a public street. Except for single-family residences in residential districts, turning space shall be provided so that no vehicle will be required to back into a public street.
- (1) There shall be provided an access drive of not less than ten (10) feet in width and, where a turning radius is necessary, it will be of such an area as to reasonably allow an unobstructed flow of vehicles.

- (2) Parking aisles for automobiles shall be of sufficient width to allow a minimum turning movement in and out of a parking space. The minimum width of such aisles shall be as follows:
- (a) For ninety (90) degree or perpendicular parking, the aisle shall not be less than twenty-four (24) feet in width.
  - (b) For sixty (60) degree parking, the aisle shall not be less than eighteen (18) feet.
  - (c) For forty-five (45) degree parking, the aisle shall not be less than thirteen (13) feet in width.
  - (d) For parallel parking, the aisle shall not be less than ten (10) feet in width.
- (3) Any off-street parking area providing space for five (5) or more vehicles shall be effectively screened on any side which adjoins or faces a residential lot or institution by a wall, fence, or planted buffer strip not less than four (4) feet in height.
- (4) All off-street parking areas shall be drained so as to prevent runoff onto abutting properties and shall be constructed of materials which will have a dust-free surface resistant to erosion.
- (5) Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential lot or institutional premises.
- (801.3) *Off-street parking requirements.* The number of automobile parking spaces provided shall not be less than the number specified below for various uses. Where a use is not specifically mentioned, the parking requirements of a similar or related use shall apply.

- (1) Automobile or machinery sale and service garages. One (1) space for each two hundred (200) square feet of showroom floor area plus two (2) spaces for each service bay plus one (1) space for each two (2) employees.
- (2) Barber shops and beauty parlors. One (1) space for each chair plus one (1) space for each employee.
- (3) Bowling alleys. Three (3) spaces for each alley.
- (4) Banks, businesses, and professional offices. One (1) space for each two hundred (200) square feet of gross floor area.
- (5) Churches, auditoriums, stadiums, sports arenas, theaters, and other places of public assembly, other than schools. One (1) space for each four (4) seats.
- (6) Funeral homes and mortuaries. One (1) space for each three (3) seats in the chapel or one (1) space for each fifty (50) square feet of floor area plus one (1) space for each fleet vehicle, whichever is greater.
- (7) Furniture, appliance stores, household equipment, and furniture repair shops. One (1) space for each five hundred (500) square feet of floor area.
- (8) Gasoline filling stations. Three (3) spaces for each grease rack or similar facility plus one (1) space for each attendant.
- (9) Hospitals and nursing homes. One (1) space for each four (4) beds plus one (1) space for each four (4) employees, including nurses.
- (10) Hotels, motels and tourist homes. One (1) space for each guest bedroom plus one (1) space for each three (3) employees.

- (11) Industrial. One (1) space for each two (2) employees at a maximum employment on a single shift plus one (1) space for each company vehicle operating from the premises.
- (12) Lodges, clubs, and fraternal halls. One (1) space for each four (4) seats in the main assembly room or seating area, or one (1) space for each one hundred (100) square feet of floor area usable for seating if seating is not fixed.
- (13) Medical and dental clinics. One (1) space for each two hundred (200) square feet of floor area plus one (1) space for each employee.
- (14) Mobile home parks. Two (2) spaces for each mobile home stand.
- (15) Places of amusement or assembly without fixed seats. One (1) space for each three hundred (300) square feet of floor area devoted to patron use.
- (16) Residential. Two (2) spaces for each dwelling unit (a driveway may be used for parking).
- (17) Restaurants, beer parlors, taverns, and night clubs. One (1) space for each two (2) seats provided for patron use, plus one (1) space for each two (2) employees.
- (18) Retail trade, commercial or personal services. One (1) space for each one hundred and fifty (150) square feet of floor area.
- (19) Rooming and boarding houses. One (1) space for each two (2) bedrooms.
- (20) Schools. One (1) space for each one and one-half (1½) staff members plus one (1) space for each four (4) auditorium seats.
- (21) Self-service laundry or dry cleaning stores. One (1) space for each two (2) washing and/or dry cleaning machines.

- (22) Shopping centers. Five and one-half ( $5\frac{1}{2}$ ) spaces for each one thousand (1,000) square feet of floor space.
  - (23) Supermarket, self-service food and discount stores. One (1) space for each one hundred fifty (150) square feet of floor area.
  - (24) Wholesale establishments and warehouses. One (1) space for each five hundred (500) square feet of floor space.
  - (25) *Bed and breakfast*. One (1) space for each bedroom to let, but no less than two (2) spaces.
- (801.4) *Determination of off-street parking space*. For the purpose of determining off-street parking requirements, the following units of measurement shall be used.
- (1) Floor area. Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, or in the case of a shopping center, the gross leasable floor space, except that any area used for parking within the principal building and any area used for incidental service storage, installations of mechanical equipment, penthouse housing ventilators and heating systems, and similar uses, need not be included in the computation.
  - (2) Places of assembly. In stadiums, sports arenas, churches, and other spaces of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one (1) seat. In case where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.
  - (3) Fractions. When units of measurement determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half ( $\frac{1}{2}$ ) shall be disregarded and fractions over one-half ( $\frac{1}{2}$ ) shall require one (1) parking space.
- (801.5) *Cumulative parking requirements*. The parking requirements for all uses proposed on a lot shall be cumulative, unless

the zoning board of adjustment shall find that the parking requirements of a particular land use occur at different hours from those of other contiguous land uses, such that the parking area for the particular land use can be shared during nonconflicting hours by the other contiguous land uses, in which event the required parking spaces for such particular land use may be reduced by the zoning board of adjustment to a minimum of the greatest number of spaces required for any of such contiguous land uses.

- (801.6) *Location on other property.* If the required automobile parking spaces for commercial, industrial, or public uses cannot reasonably be provided on the same lot on which the principal use is conducted, such spaces may be provided on other off-street property provided such property lies within three hundred (300) feet of the entrance of such principal use. Such automobile parking space shall be associated with the principal use and shall not hereafter be reduced or encroached upon in any manner.
- (801.7) *Extension of parking space into a residential district.* Required parking space may be extended one hundred (100) feet into a residential zoning district, provided that:
- (1) The parking space adjoins a commercial or industrial district;
  - (2) The parking space has its only access to or fronts upon the same street as the property in the commercial or industrial district for which it provides the required parking spaces; and
  - (3) The parking space is separated from abutting properties in the residential district by a planted buffer strip not less than ten (10) feet in width and six (6) feet in height.
- (801.8) *Joint use of off-street parking areas.* Nothing in this ordinance shall be construed to prevent the joint use of an off-street parking area or facility by two (2) or more buildings or uses if the total of such spaces when used together shall not be less than the sum of the requirements for the various individual uses or buildings computed separately.
- (Ord. No. 373, 6-15-98)

**Sec. 802. Off-street loading and unloading space.**

Off-street loading and unloading space with access to a public street or alley shall be provided on every lot on which is hereafter established a business or industrial use which customarily receives or distributes material or merchandise, except in the B-2 Central Business district where provision of off-street loading space by individual owner would not be practical.

- (802.1) *Plans and specifications required.* Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted to the building inspector for review at the time of application for a building permit or a certificate of occupancy.
- (802.2) *Off-street loading area design and requirements.* Off-street loading and unloading spaces which shall be located on the same lot with the use which it is intended to serve, shall be provided as indicated below.
- (1) All retail sale facilities, having less than five thousand (5,000) square feet of floor area, shall provide at least one (1) loading space which shall not be less than ten (10) feet by thirty-five (35) feet.
  - (2) All retail sales facilities having over five thousand (5,000) square feet of gross floor area shall be provided with at least one (1) off-street loading and unloading space, and for every additional twenty thousand (20,000) square feet of gross floor space, or fraction thereof, one (1) additional loading and unloading space. Said loading and unloading space shall not be less than ten (10) feet in width and fifty-five (55) feet in length with not less than fifteen (15) foot vertical clearance.
  - (3) Wholesale and industrial uses shall provide one (1) space of at least ten (10) feet in width by fifty-five (55) feet in length for each ten thousand (10,000) square feet of floor area or part thereof, with a minimum of not less than two (2) loading spaces.
  - (4) Bus and truck terminals shall provide one (1) space to accommodate each bus or truck that will be stored or loading and unloading at the terminal at any one (1) time.

- (5) In the case of mixed uses on one lot or parcel, the total requirements for off-street loading-unloading facilities shall be the sum of the various uses computed separately.
- (6) Any loading-unloading space shall not be closer than fifty (50) feet to any other lot located in any residential district unless wholly within a completely enclosed building or unless enclosed on all sides by a wall, fence, or compact planting not less than six (6) feet in height.
- (7) All off-street loading and unloading facilities that make it necessary to back out directly into a public road shall be prohibited.



ARTICLE IX. AREA, YARD AND HEIGHT REQUIREMENTS

This article is established to show the minimum size, width and height requirements for the land uses within each designated district.

District	Minimum Lot Size		Lot Width In Feet	Minimum Front Yd. Setback from Right-of-Way of St. Major St. or Major Collector St. <sup>3</sup>		Minimum Side Yards In Feet	Minimum Rear Yard In Feet	Maximum Height In Feet
	Area In Sq. Feet	Square Ft. Per Family						
R-A	14,000 <sup>1</sup>	14,000	100	40	35	10 with a total of 25	40	35
R-1	10,000 <sup>1</sup>	10,000	90	35	35	10 with a total of 20	35	35
R-2	7,500 <sup>1</sup>	7,500 (One Family) 4,000 (Two Family) <sup>5</sup>	75 <sup>6</sup>	35	30	5 with a <sup>7</sup> total of 15	30	35
R-3	5,000 <sup>1</sup>	5,000 (One Family) 4,000 (Two Family) <sup>5</sup> 3,000 (Multi-Family)	50 75 <sup>6</sup> 90	30	25	5 with a <sup>7</sup> total of 15 None, 15 ft. if provided	30	35
R-1	Note <sup>4</sup>	—	None	45	35	None, 10 ft. if provided	20	35
R-2	Note <sup>4</sup>	—	None	None	None	None, 20 ft. if provided	None	None
R-3	Note <sup>4</sup>	—	100	45	35	None, 20 ft. if provided	25	45
R-1	Note <sup>4</sup>	—	100	45	35	20	30	50
R-2	Note <sup>4</sup>	—	100	45	35	20	40	50

- <sup>1</sup>For lots not served by sanitary sewer systems, the county health department can specify larger lot sizes in order to adequately accommodate septic tank filter fields.
- <sup>2</sup>If fronting on local streets or minor collector streets.
- <sup>3</sup>If fronting on major thoroughfares or major collector streets shown in major street plan.
- <sup>4</sup>It is the intent of this article to provide a lot of sufficient size for any use permitted in the commercial or industrial district. Such lot shall have adequate space for normal operation plus the space for yards, off-street parking, and loading and unloading.
- <sup>5</sup>Includes townhouses.
- <sup>6</sup>For each pair of townhouses or fraction thereof.
- <sup>7</sup>For each dwelling.

## ARTICLE X. GENERAL AND SUPPLEMENTAL PROVISIONS

It is the purpose of this article to provide certain general and supplemental provisions which clarify regulations and requirements found elsewhere in this ordinance.

### Sec. 1001. Use.

No buildings, structure, or land shall hereafter be used and no existing building or structure or part thereof shall be reconstructed, moved, or altered except in conformity with the regulations herein specified for the district in which it is located.

### Sec. 1002. Lot area and reduction of lot size.

No lot, even though it may consist of one (1) or more adjacent lots in the same ownership at the time of passage of this ordinance, shall be reduced in size except in conformity with the requirements specified in Article IX. This provision shall not apply when a portion of a lot is acquired for a public purpose.

### Sec. 1003. One principal building on a lot.

Only one (1) principal building and its customary accessory buildings or structures may hereafter be erected on any one (1) lot.

### Sec. 1004. Yards.

No part of a yard or other open space or the off-street parking or loading space required for any building shall be included as a part of the yard or off-street parking or loading space required for another building for the purpose of complying with the provisions of this ordinance.

### Sec. 1005. Height limitations.

No building or structure shall hereafter exceed the height limits specified in Article IX of this ordinance. However, the

height limitations of this ordinance shall not apply to belfries, church spires, cupolas, domes, and other similar structures not intended for human occupancy, nor to chimneys, conveyors, derricks, flag poles, monuments, observation towers, smoke stacks, silos, television or radio aerials, transmission towers, water towers and other similar structures.

**Sec. 1006. Density.**

No building or structure shall hereafter accommodate or house a greater number of families per lot or occupy a smaller lot area per family than the maximum densities specified in Article IX of the ordinance.

**Sec. 1007. Setback requirements.**

No building or structure shall hereafter be erected, constructed, reconstructed or altered except in conformity with the setback requirements specified in Article IX of this ordinance and the following regulations:

- (1007.1) The front yard setback requirement of this ordinance for dwellings shall not apply on any lot, where the average setback of existing dwellings located wholly or in part within one hundred (100) feet on each side of such lot within the same block and zoning district and fronting on the same side of the street, is less than the minimum required setback. In such cases, the setback on said lot may be less than the required setback, but no less than the average of the setbacks of the aforementioned existing dwellings.
- (1007.2) The side yard setback requirements for corner lots shall be the same as the front yard setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.
- (1007.3) On lots having frontage on two (2) streets, but not located on a corner, the minimum front yard setback shall be provided on each street in accordance with the provisions of this ordinance.

- (1007.4) On lots having frontage on more than two (2) streets, the minimum front yard setback shall be provided in accordance with the regulations set forth in this ordinance on at least two (2) of the street frontages.

**Sec. 1008. Future street lines.**

On any lot which, at the time of adoption of this ordinance or at the time this ordinance is changed by amendment hereafter, may be reduced in area by widening a public street to a future street line, as indicated on the duly adopted major street plan, or as reserved under the mapped street provisions under section 11-52-50, Code of Alabama, 1975, the minimum required side yards, lot area, lot width, and front yard setback shall be measured by considering the future street lines as the lot line of such lot.

**Sec. 1009. Public street frontage.**

No residential structure shall be erected on a lot which does not abut for at least twenty-five (25) feet on a public street.

**Sec. 1010. Curb cuts and access points.**

Ingress-egress openings in concrete, asphalt, rock or other street curbing provisions, commonly referred to as "curb cuts", as well as other means of vehicular access to and from private property, shall be regulated in accordance with the following requirements:

- (1010.1) *Size and spacing of curb cuts and other access points.*  
In no case shall a curb cut or other access point be less than nine (9) feet or more than fifty (50) feet in length. No two (2) curb cuts or other access points shall be closer than twenty (20) feet from each other except in residential zoning districts.
- (1010.2) *Location of curb cuts and other access points.* At street intersections, no curb cut or other access point shall be located closer than twenty (20) feet from the intersecting point of two (2) street right-of-way lines.

**Sec. 1011. Visibility at intersections and railroad crossings.**

In all districts, except the B-2 Central Business district, no fence, wall, terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of three (3) and fifteen (15) feet above the finished grade of streets shall be erected, permitted or maintained within twenty (20) feet of the intersecting point of the two (2) right-of-way lines of streets or railroads.

**Sec. 1012. Accessory uses.**

Accessory structures shall not serve any use detrimental to a residential neighborhood and shall not be used for living quarters; however, protective shelters may provide temporary living quarters in times of danger or emergency.

- (1012.1) *Prohibited accessory uses.* Any accessory structure, which creates heat, glare, noise, smoke, vibration, fumes, odors, vapors, gas, dust and other nuisances or hazardous conditions perceptible from any boundary line of the lot on which said structure is located, shall not be permitted, continued or maintained.
- (1012.2) *Attached accessory structures.* Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations applicable to the main building.
- (1012.3) *Location of accessory structure.* No accessory structure shall be located within the front or side yard, cover more than thirty (30) per cent of any required rear yard, or be closer than ten (10) feet to any other structures on the same lot.
- (1012.4) *Front yard setback.* No accessory structures shall be located within sixty (60) feet from the front lot line.
- (1012.5) *Side or rear yard setback.* No accessory structures shall be located closer than five (5) feet from the side or rear lot line.

(1012.6) *Corner lot.* The side yard setback requirement for any accessory structure on a corner lot adjoined in the rear by the lot facing the side street of the corner lot shall be the same as the front yard setback requirement of the adjoining lot.

### **Sec. 1013. Buffer strips.**

(1013.1) *Requirements.* A buffer strip meeting the specifications of section 1013.2 shall be developed as prescribed elsewhere in this ordinance and in the following cases:

- (1) Along those property lines of one or more lots in, or proposed to be in commercial or industrial use which are congruent with the property line or lines of one or more lots in residential use.
- (2) Along those property lines of one or more lots in, or proposed to be in commercial or industrial use which intersect the property line or lines of one or more lots in residential use.
- (3) Along those property lines of a lot in, or proposed to be in commercial or industrial use which serve also as all, or one or more parts of the boundary between the R-1, R-2 and/or R-3 districts, and one or more commercial and/or industrial districts.

(1013.2) *Specifications:*

- (1) *Building permit/site plan information.* When a buffer strip is required, the following information shall be submitted at the time a site plan and/or building permit application is filed:

—Composition of buffer. The applicant shall describe the composition of the proposed buffer strip, to include types and numbers of plantings for planted buffers and/or design and materials to be used for structural buffers.

—Maintenance plans. The applicant shall describe how the buffer strip will be irrigated and/or otherwise maintained in the future.

**Sec. 1011. Visibility at intersections and railroad crossings.**

In all districts, except the B-2 Central Business district, no fence, wall, terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of three (3) and fifteen (15) feet above the finished grade of streets shall be erected, permitted or maintained within twenty (20) feet of the intersecting point of the two (2) right-of-way lines of streets or railroads.

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Accessory structures shall not serve any use detrimental to a residential neighborhood and shall not be used for living quarters; however, protective shelters may provide temporary living quarters in times of danger or emergency.

- (1012.1) *Prohibited accessory uses.* Any accessory structure, which creates heat, glare, noise, smoke, vibration, fumes, odors, vapors, gas, dust and other nuisances or hazardous conditions perceptible from any boundary line of the lot on which said structure is located, shall not be permitted, continued or maintained.
- (1012.2) *Attached accessory structures.* Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations applicable to the main building.
- (1012.3) *Location of accessory structure.* No accessory structure shall be located within the front or side yard, cover more than thirty (30) per cent of any required rear yard, or be closer than ten (10) feet to any other structures on the same lot.
- (1012.4) *Front yard setback.* No accessory structures shall be located within sixty (60) feet from the front lot line.
- (1012.5) *Side or rear yard setback.* No accessory structures shall be located closer than five (5) feet from the side or rear lot line.

(1012.6) *Corner lot.* The side yard setback requirement for any accessory structure on a corner lot adjoined in the rear by the lot facing the side street of the corner lot shall be the same as the front yard setback requirement of the adjoining lot.

## **ARTICLE XI. FLOOD HAZARD AREA REQUIREMENTS**

For the purposes of this ordinance, the limits of flood hazard areas are hereby established as shown on the map entitled "Flood Hazard Area Boundary Map, City of Union Springs, Alabama". Said map, together with all explanatory matter thereon, is hereby adopted by reference and declared a part of this ordinance. Use of land lying within the areas subject to periodic flooding shall be governed by the following regulations:

### **Sec. 1101. Location of flood hazard area boundaries.**

In all cases, a person contesting the location of the flood hazard area boundaries shall be given a reasonable opportunity to present his or her case to the zoning board of adjustment and to submit his or her own technical evidence if he or she so desires. The board shall not allow deviations from the established boundary lines unless the evidence clearly and conclusively establishes that the mapped location of the line is incorrect.

### **Sec. 1102. Structures, buildings, landfill, materials or equipment in the flood hazard area.**

In the designated flood hazard area, no buildings and structures shall be erected, land filled, or materials or equipment stored, except in conformity with the regulations provided in this article.

### **Sec. 1103. Permitted uses in the flood hazard area.**

The following uses are permitted in the designated flood hazard area, provided that: (a) the use is not prohibited by other ordinances; and (b) the use does not adversely affect the capacity of the floodway.



- (2) *Construction standards.* Where this ordinance requires a buffer strip, the following shall apply:

—Composition.

*Planted buffer.* Plantings shall be of a size and type which will insure the meeting of opacity requirements specified herein, within no longer than twelve (12) months after the date of first planting. When questions arise as to the suitability of proposed plant materials to meet this requirement, final determination of suitability shall be made by the administrative officer, with appeal to the board of adjustment authorized.

*Structural buffer.* Except when specifically prohibited elsewhere in this ordinance, a six-foot-high opaque structure set in a five-foot-wide landscaped strip may be substituted for the six-foot-high, planted buffer specified herein. When questions arise as to the suitability of proposed materials to meet this requirement, final determination of suitability shall be made by the administrative officer, with appeal to the board of adjustment authorized.

*Coverage.* A buffer strip(s) shall be established along the entire length of and contiguous with the designated property line(s).

*Opacity.* A buffer strip shall be so designed, planted, constructed and/or maintained so as to be eighty (80) percent or more opaque between two (2) and six (6) feet above average ground level when viewed horizontally.

*Width.* A buffer strip shall not be less than five (5) feet in width as measured at right angles to the property line(s), except when a different width is specified elsewhere in this ordinance, in a site plan approval, or in such variance(s) as may be granted.

- (3) *Maintenance required.* Required buffer strips shall be maintained by the property owner in a manner such that the buffer serves its purpose of opacity. Failure to so maintain a buffer strip as set out above shall be a violation of this ordinance, punishable as provided at article XIV.

- (4) *Waiver by administrative officer.* When the administrative officer finds that the public safety so requires, he may waive or modify the buffer strip requirements set out above. The finding of the administrative officer shall be in writing and shall be filed with the approved building permit.

(Ord. No. 338, 7-15-91)

#### **Sec. 1014. Site/development plans.**

- (1014.01) *Applicability.* In the following named districts, development shall not proceed until a development plan has been submitted to, and approved unconditionally by the planning commission or other authority as designated herein as nonresidential zones:

B-1, B-2, B-3, M-1, M-2

- (1014.02) *Purpose.* The purpose of development plan review and approval is to ensure that all new construction in the above-listed districts will meet the minimum standards of the zoning, floodplain, subdivision, traffic, fire, health and other applicable ordinances, codes, regulations, etc., applicable to development in the City of Union Springs.

- (1014.03) *Scope.* Site/development plans shall:

- (a) Include all site information set forth elsewhere in ordinances, codes, regulations etc., for development in the City of Union Springs especially pertaining to any required subdivision of land, rezoning, variances, health, water/sewer, and or building permits, as may apply to a given development proposal; and
- (b) Show the proposed development in detail sufficient to enable the planning commission to determine impact of the proposed development on:
  - (1) The character of the surrounding neighborhood.
  - (2) Matters of public safety and welfare, such as (but not limited to) traffic flow, noise levels and congestion; and

- (3) The capacity of public service and commercial resources such as (but not limited to) utilities, public safety, streets, schools, health care, recreation, public service agencies, retail outlets, and private service providers to serve the proposed development satisfactorily.
- (1014.04) *Content.* At initial submission, the developer shall provide six (6) sets of scaled site plans showing clearly:
- (a) Location and lot dimension, including existing lots and any proposed subdivision.
  - (b) Public and private easements, existing and proposed.
  - (c) The location, shape, height, type of construction and use of each proposed building on each proposed lot to be developed.
  - (d) Existing and proposed setbacks of all existing and proposed buildings on existing and proposed lots within the development, and existing setbacks on parcels adjoining the parcel proposed for.
  - (e) Layout and type of surfacing of existing and proposed off street parking and loading/unloading spaces.
  - (f) Existing and proposed curb cuts and ingress/egress routes from/to existing public streets.
  - (g) Existing and proposed surface drainage.
  - (h) Location and size of existing and proposed public water and sewer mains serving the proposed development and or layout design, capacity and other appropriate specifications of any proposed nonpublic water-sewer service.
  - (i) Location of existing and proposed fire hydrants.
  - (j) Location, height and materials of existing and proposed fences and walls and provide landscape plans showing type and quantities of vegetation to be planted.
  - (k) Elevation(s) of finished floors of all existing and proposed principal structures and attached accessory structures.
  - (l) Location, type and luminous intensity of all exterior lights including those free standing and those attached to structures.

- (m) Submit specific size, height, type material, color and luminous intensity of signs to be used.
- (n) Other site information required for permits and license applicable to the proposed development.

(1014.05) *Process:*

- (a) Development plans shall be submitted to the building official or administrative officer for preliminary review, which shall be completed within fifteen (15) calendar days, unless consultation with the developer is required. When such is required, the building official or administrative officer shall complete an initial review within the fifteen-day period, consult as appropriate with the developer for items needed, and complete the preliminary review in a timely manner.
- (b) Once the preliminary review has been completed, the building official or administrative officer shall forward the development plan to local utilities, fire and police departments, as well as local health, soil conservation, educational etc., authorities as appropriate, for comments and recommendations, which to be considered, shall be forwarded to the building official or administrative officer within fifteen (15) calendar days after receipt.
- (c) After receiving comments and recommendations from other authorities, or after the fifteen-day period has elapsed, the building official or administrative officer shall provide the developer all comments and recommendations received, and the developer shall be given fifteen (15) calendar days to consider comments and recommendations and to modify the proposed development if so desired.
- (d) Following developer review of comments and recommendations, and modification of the development plan as desired, or after the fifteen-day period has elapsed, the building official or administrative officer shall prepare final technical recommendations received, to the planning commission for consideration at its next regular meeting.

- (e) The planning commission shall review the development plan, consider all comments and recommendations, and within thirty-one (31) calendar days thereafter shall either:
    - (1) Approve without conditions;
    - (2) Approve with conditions that must be met before a building permit can be issued; or
    - (3) Disapprove the proposal.
  - (f) Approval or approval with conditions shall embody all required planning commission approvals, including recommended rezoning and subdivision approval.
  - (g) Approval with conditions may include:
    - (1) Conditions imposed by the planning commission as the result of its review, which may be removed by the building official or administrative officer when conditions are satisfied;
    - (2) Conditions based on recommendations submitted by other authorities, which may be removed by the building official or administrative officer subsequent to these other authorities agreeing that such conditions have been satisfied; and or
    - (3) Conditions involving the necessity for the developer to obtain a zoning ordinance amendment, a variance, or other permit(s)/approval(s) beyond the purview of the planning commission which may be removed by the building official or administrative officer when the developer has obtained such permits and/or approvals.
- (1014.06) *Fee.* Development plans submitted to the building official or administrative officer shall be accompanied by a check or money order made payable to the City of Union Springs in the amount of one hundred dollars (\$100.00) which is nonrefundable. This fee will defray partially the cost of processing the development plan and is in addition

to any and all fees levied for any required rezoning, subdivision, building permit and/or other permits and approvals.

(Ord. No. 341, 1-20-92)

### **Sec. 1015. Bed and breakfast.**

Bed and breakfast business establishments, as defined at section 302.45 herein, shall conform to the following:

- (1) A simple site plan shall be submitted with the request for business license, showing adequate and safe:
  - (a) Location of structures;
  - (b) Location/description of any sign;
  - (c) Location/direction of outside lighting;
  - (d) Ingress/egress from public streets; and
  - (e) Off-street parking in compliance with section 801 herein.
- (2) A graphic fire escape plan shall be submitted with the request for business license and shall be displayed in each guest room.
- (3) In the absence of more stringent local, state and federal laws, codes and regulations, the establishment shall provide a smoke alarm in each guest room, and no less than one dry chemical fire extinguisher, minimum three-pound, visible and accessible to each guest, on each floor containing guest rooms.
- (4) One sign identifying the business may be placed on the property. Said sign shall be permanently installed, shall conform to specifications established by the City of Union Springs Planning Commission and shall be nonilluminated.
- (5) Parking shall not be provided, nor permitted in a front yard.
- (6) Exterior lighting shall not cause such glare as to be considered a nuisance to adjacent property owners.
- (7) If located in an existing dwelling in the Union Springs Residential Historic District as depicted in Historic As-

sets Bullock County Alabama, July, 1978, p. 39, there shall be no substantial modifications to the exterior appearance of the dwelling; however, fire escapes, handicapped entrances and other features which protect public health and safety may be added.

- (8) The establishment shall provide no less than one full bathroom plus one additional full bathroom for each three (3) guest rooms.
- (9) In residential districts (R-1, R-2, R-3, R-A), an owner having no less than fifty (50) percent interest in both the real property and in the business, shall reside on the premises and shall manage the business.
- (10) No more than one full-time person and one part-time person not a member of the owner's family, shall be employed in the bed and breakfast business. A larger number of employees not a member of the owner's family may be permitted as a conditional use on appeal to the zoning board of adjustment for a special exception permit as provided at section 1507 herein.
- (11) No guest or occupant shall be permitted to reside for more than fifteen (15) days in any thirty-day period.
- (12) The business shall register all guests by name and place of residence, which register shall be retained for not less than three (3) years, and made available to law enforcement officials upon request.
- (13) Breakfast and lunch shall be the only meals served on the premises for guests and employees of the business.
- (14) The business shall not serve meals to the public.
- (15) Rooms-to-let shall not be equipped with cooking facilities, coffee makers excepted.
- (16) Retail or other sales of goods or services are prohibited except those incidental and directly related to the accommodation of overnight guests. Examples of permitted sales to guests include, but are not necessarily limited to, toiletries, personal care items, snack foods and containerized beverages, tobacco products, and souvenirs including hand-carried antique items.

- (17) The City of Union Springs or any designated agent shall be permitted at any time to inspect any and all books, registrations, credit card receipts, or other records or documents maintained by the establishment.
- (18) Any refusal to comply with the provisions of this ordinance may result in termination of business license by the city council.
- (Ord. No. 373, 6-15-98)

## **ARTICLE XI. FLOOD HAZARD AREA REQUIREMENTS**

For the purposes of this ordinance, the limits of flood hazard areas are hereby established as shown on the map entitled "Flood Hazard Area Boundary Map, City of Union Springs, Alabama". Said map, together with all explanatory matter thereon, is hereby adopted by reference and declared a part of this ordinance. Use of land lying within the areas subject to periodic flooding shall be governed by the following regulations:

### **Sec. 1101. Location of flood hazard area boundaries.**

In all cases, a person contesting the location of the flood hazard area boundaries shall be given a reasonable opportunity to present his or her case to the zoning board of adjustment and to submit his or her own technical evidence if he or she so desires. The board shall not allow deviations from the established boundary lines unless the evidence clearly and conclusively establishes that the mapped location of the line is incorrect.

### **Sec. 1102. Structures, buildings, landfill, materials or equipment in the flood hazard area.**

In the designated flood hazard area, no buildings and structures shall be erected, land filled, or materials or equipment stored, except in conformity with the regulations provided in this article.



**Sec. 1103. Permitted uses in the flood hazard area.**

The following uses are permitted in the designated flood hazard area, provided that: (a) the use is not prohibited by other ordinances; and (b) the use does not adversely affect the capacity of the floodway.

- (1103.1) Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, truck farming, and forestry;
- (1103.2) Industrial-commercial uses such as parking areas, loading areas, and airport landing areas;
- (1103.3) Private and public recreational uses such as golf courses, tennis courts, golf driving ranges, archery ranges, picnic grounds, swimming areas, parks, wild-life or nature preserves, game farms, hunting and fishing areas, hiking and horseback riding trails, docks and piers;
- (1103.4) Transportation and utility uses such as pipelines, pumping stations, transmission lines, drainage channels, water monitoring stations, roadways, railroad lines, and bridges;
- (1103.5) Uses such as lawns, gardens, and play areas which are accessory to residential uses;
- (1103.6) Minor structures which are accessory to the above mentioned open space uses provided that:
  - (1) the structure is not designed for human or animal habitation or for storage of materials;
  - (2) the structure has a low flood damage potential;
  - (3) the structure will be constructed or placed on the proper site to minimize the obstruction to the flow of floodwaters; and
  - (4) the structure will be firmly anchored to prevent flotation.

**Sec. 1104. Residential and nonresidential structures in the flood hazard area.**

No new residential structure shall be erected in the flood hazard area; and no existing residential or nonresidential structure shall be extended, moved or substantially improved, unless the lowest floor (including basement) of said structure

is placed above the elevation of the one hundred (100) year flood, or said structure together with attendant utility and sanitary facilities is flood-proofed up to the elevation of the one hundred (100) year flood.

**Sec. 1105. Landfill in the flood hazard area.**

Land shall not be filled within the flood hazard area, unless approved by the zoning board of adjustment. The board with the advice of the city engineer shall determine the distance between the land to be filled and the limits of the flood hazard area.

**Sec. 1106. Solid waste disposal facilities, sanitary landfills, junkyards in the flood hazard area.**

Solid waste disposal facilities, sanitary landfills, junkyards and similar uses shall not be located in the flood hazard areas.

**Sec. 1107. Materials in the flood hazard area.**

Materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal or plant life shall be stored above the one hundred (100) year flood elevation.

**Sec. 1108. Use of or construction on the land partially located in the flood hazard area.**

Nothing in this ordinance shall prohibit any use or construction on a parcel of land lying only partly in the flood hazard area, if such use or construction is confined to that portion of the parcel which is located above the elevation of the one hundred (100) year flood and is otherwise in accordance with the provisions of this ordinance and other relevant sections of the City Code.

**Sec. 1109. County, state or federal public works projects.**

The provisions of this article shall not apply to county, state or federal public works projects related to navigation, power generation, flood control, drainage, recreation or transportation.

**Sec. 1110. Nonconforming use.**

The existing lawful use of a structure or premises which is not in conformity with the provisions of the article may be continued subject to the following conditions:

- (1110.1) No use shall be expanded or enlarged except in conformity with the provisions of this article;
- (1110.2) No structural alteration, addition or repair shall be undertaken except in conformity with the provisions of this article;
- (1110.3) Any nonconforming structure which is enlarged, relocated, or substantially improved shall be brought into conformance with the regulations of this article for residential and nonresidential buildings and structures; and
- (1110.4) If such use is discontinued for one (1) year, any future use of the building or premises shall conform to the provisions of the article.

**Sec. 1111. Structures to be located in other main drainage areas.**

Where the flood hazard area has not been designated, any structures proposed to be located within one hundred (100) feet of any main drainage channel or stream (hereafter referred to as stream) within the city must be approved by the zoning board of adjustment. The board with the advice of the city engineer shall determine, on the basis of the area of the watershed and the probable runoff, the floodway or openings needed for the stream, or how far a structure or fill must be located from the stream in order to assure adequate space for the flow of floodwater. However, no building or fill shall be permitted within twenty-five (25) feet of the banks of any stream.

**ARTICLE XII. PLANNED UNIT DEVELOPMENT**

It is the intent of this article to provide for the establishment and continuance of shopping centers, group housing projects,

planned industrial developments, medical centers, resort areas, and similar types of large-scale compatible use developments. The regulations which apply to planned unit developments are designed to encourage the formation of such projects when and as appropriate and to permit the greatest latitude possible with respect to (1) internal site planning considerations; and (2) the location of these developments within the city in a manner calculated to best achieve the goals of the comprehensive plan.

**Sec. 1201. Requirements for planned unit development.**

In order to qualify as a planned unit development, a proposed project must first meet the following specific requirements:

(1201.1) *Minimum acreage of site.* The site utilized for the planned unit development must contain the following minimum acreages:

- (1) Residential and industrial development, five (5) acres;
- (2) Medical centers, shopping centers and others, three (3) acres.

(1201.2) *Ownership requirement.* The area proposed shall be in one ownership, or if in several ownerships, the application for the building permit shall be filed jointly by all of the owners of the properties included in the plan; and

(1201.3) *Plan review and approval.* A suitable plan shall be submitted by the developers for review and approval by the planning commission and the city council. Specifically, such plan shall include the following elements, where applicable:

- (1) The plat drawn to scale by a registered civil engineer, registered landscape architect, or registered architect showing exact dimensions of the parcel or parcels of land under consideration. The plat shall include the following elements: