

ORDINANCE NO. 1279

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PRICHARD, ALABAMA, BEING ORDINANCE NO. 981.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

SECTION 1. Ordinance No. 981 is hereby amended so that Article 4, Section D, Paragraph 4A shall read as follows:

"(a) Minimum lot area 7,500 square feet for the first single family unit; add 3,000 square feet for each additional unit, and a maximum bedroom density of 45 bedrooms per acre, the Planning Commission to have discretion as to maximum number allowable, depending on area or location."

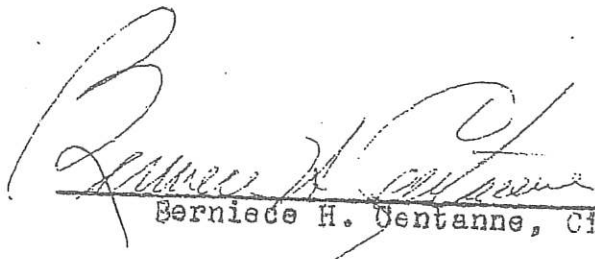
SECTION 2. All ordinances or resolutions heretofore passed, and parts thereof, in conflict with this ordinance be and the same are hereby repealed to the extent of any such conflict.

SECTION 3. This ordinance shall become effective upon its adoption by the City Council.

ADOPTED THIS 26th day of April, 1971.


V. O. CAPPE, MAYOR

ATTEST:


Berniece H. Gentanne, City Clerk

- 4.4.2 Uses Permitted On Appeal: Public utilities, substations, pumping stations, public buildings of a proprietary nature, general hospitals for humans and uses including private schools and churches; also nursery for children.
- 4.4.3 Uses Prohibited: Business, commercial, industrial uses and services conducted for profit unless specifically provided herein, billboards, signs, overnight parking of any vehicle used in a business for a profit, storage, excavation of surface materials, and excavation for minerals and exploration for all other minerals.
- 4.4.4 Required Lot Area and Width, Yard, Building Area and Height For Residence:
- 4.4.4.1 Maximum lot area 7,500 square feet for the first single family unit; add 3,000 square feet for each additional unit, and a maximum bedroom density of 45 bedrooms per acre, the Planning Commission to have discretion as to maximum number allowable, depending on area or location.
 - 4.4.4.2 Minimum lot width at setback line 60 feet.
 - 4.4.4.3 Minimum depth of front yard 25 feet. (Maximum setback line).
 - 4.4.4.4 Minimum depth of rear yard 30 feet.
 - 4.4.4.5 Minimum side yard; one side 10 feet, other side 5 feet. Side yard abutting street 10 feet.
 - 4.4.4.6 Maximum total building area 40 percent of total lot area.
 - 4.4.4.7 Maximum height of structure two stories or 35 feet.
- 4.4.5 Off-Street Parking Requirements: One car space per each dwelling unit. (See Article III, Section J. Table 1).
- 4.5 BUSINESS (B-1) DISTRICT REGULATIONS (LOCAL SHOPPING)
- 4.5.1 Uses Permitted:
- 4.5.1.1 Neighborhood retail stores and markets, including the following types of stores; food, general merchandise, apparel, furniture, household and hardware, radio and television, drugs and sundries, jewelry and gifts, florists, sporting goods, pet shops and similar types.
 - 4.5.1.2 Neighborhood services including the following types dry cleaning and laundry pickup stations, barber and beauty shops, shoe repair, offices, banks, post offices, theatres and similar services.

- 4.5.1.3 Any use permitted or permitted on appeal in an R-4 Residential District and subject to all district requirements of an R-4 District as specified in Section E thereof.
- 4.5.2 Uses Permitted On Appeal: Filling stations provided however, that gasoline storage above ground in excess of five hundred (500) gallons is prohibited that there is no major auto repair.
- 4.5.3 Uses Prohibited: Major auto repair, laundry and dry cleaning plants, manufacturing, trucking terminals, metal working and any use prohibited in a B-2 Business District, Article IV, Section G.
- 4.5.4 Minimum Lot Size: It is the intent of this ordinance that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.
- 4.5.5 Minimum Yard Size: Front yard 20 feet; rear yard 20 feet; side yard not specified except on a lot adjoining along its side lot line a lot which is in a residential district there shall be a side yard not less than eight (8) feet wide.
- 4.5.6 Maximum Height: 35 feet or two (2) stories.
- 4.5.7 Off-Street Parking: 400 square feet of parking for each 100 square feet of one (1) story buildings and per each 60 square feet of two (2) story buildings.
- 4.5.8 Off-Street Loading And Unloading: Shall use required rear or side yard for loading and unloading. A plot plan including elevation, drainage, building placement, parking, loading and unloading shall accompany all applications for building permit.
- 4.6. BUSINESS (B-2) DISTRICT REGULATIONS (CENTRAL BUSINESS)
- 4.6.1 Uses Permitted: Any retail or wholesale business or service not specifically restricted or prohibited herein. Major auto repair, places of amusement and assembly, offices, hotels, outdoor advertising structures, all uses permitted in a B-1 Local Shopping District.^{3,4}
- 4.6.2 Uses Permitted On Appeal: Outpatient animal clinics or hospitals; dry cleaners and laundries; and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein.^{3,4}
- 4.6.3 Uses Prohibited: Coal yards; lumber yard or mill; auto wrecking; gasoline, oil, gas or alcohol storage above the ground in excess of five hundred (500) gallons; grist or flour mill; junk, scrap paper, rag storage of baling; any use prohibited in a

- 4.8 BUSINESS (B-4) BUSINESS DISTRICT² In the B-4 commercial District, when an existing residence is converted to a commercial type use, off-street parking must be provided in the ratio of 1:1, the same as applies to new construction.

4.8.1 Uses Permitted: Retail stores and markets, (excluding food storage), general merchandise, apparel, furniture, household and hardware, radio and television, drugs and sundries, jewelry and gifts, florist, sporting shops, automotive store, off-street parking facilities and similar types, service station (providing no above ground storage of gasoline and no major automobile repair), single family residence. Business services including laundry pickup station, barber and beauty shops, shoe repair, offices, banks, post office, theatre, hotel, motels, and similar types of services and public and semi-public uses.

4.8.2 Uses prohibited: (a) Animal clinics, hospitals, or kennels, coal or fuel yard storage, rag storage and baling, industrial uses not specifically permitted herein.

4.8.3 Height of Building: (a) Shall not exceed the width of the fronting street right-of-way.

4.8.4 Maximum Building Area: (a) 50% of parcel.

4.8.5 Off-Street Parking: (a) Off-street parking will be provided at a ratio of 1:1, one (1) square foot of building area.

4.9 MANUFACTURING (M-1) DISTRICT REGULATIONS (LIGHT INDUSTRY)

4.9.1 Uses Permitted: Light industrial operations not obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor, or effluents, including the following types of business or industry; ice plants; ice cream plants and creameries; cold storage plants; bottling and central distribution plants; baking plants; textile mills; dyeing plants; warehouses; dry cleaners and laundries; mobile home parks; trucking terminals and similar types of industries or businesses. All business, service and manufacturing uses permitted in a B-2 Business District.

4.9.2 Uses Permitted On Appeal: Any manufacturing or business use not specifically prohibited herein. Any use permitted or permitted on appeal in a R-4 Residential District, and subject to all district requirements of said district as specified in Section E hereof.

4.9.3 Uses Prohibited: (a) Slaughter houses; stockyard; bag cleaning; central mixing plant for cement, mortar, plaster or paving material; curing, tanning or storage of hides; distillation of bones, coal, tar or wood; fat rendering; forge plant; manufacture of acetylene, acid, alcohol, ammonia, bleaching powder, brick, pottery, terra cotta or tile, concrete blocks, candies. Disinfectants, dyestuffs, fertilizers, illuminating or heating gas including storage, paint, turpentine, varnish,

soap and tar products; wool pulling or scouring; junk yards; cotton waste reclaiming; saw mill and similar types of plants or operations.

4.9.4 Minimum Lot Size: It is the intent of this ordinance that lots of sufficient size be used for any industrial, service or business use to provide adequate parking and loading space in addition to the space in addition to the space required for the other normal operations of the enterprise. The application for building permit must be accompanied by an accurate survey of the property and plot plan showing the proposed building, drainage, parking, loading and unloading, etc.

4.9.5 Minimum Yard Size:

4.9.5.1 Front yard; none specified except where existing establishments (other than residential) are set back, any new structure shall be set back not less than the average of the of the setbacks of the existing establishments within on hundred (100) feet each side thereof.

4.9.5.2 Side yard: none specified excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a side yard not less than ten (10) feet wide.

4.9.5.3 Rear yard: none specified.

4.9.6 Maximum Height: Forty-five feet or three stories.

4.9.7 Off-Street Parking Space necessary to accommodate the cars of all workers in the industry or use. Also, space necessary to store over night all vehicles incidental to the operation of the industry or use.

4.9.8 Off-Street Loading or Unloading: Shall provide adequate space for loading or unloading all vehicle or trucks identical to the operation of the industry or use.

4.10 SUPPLEMENTARY REGULATIONS⁷

4.10.1 Supplementary Use Regulations: (a) The uses listed below are permitted upon approval of the location and the site plan thereof by the Planning Commission as being appropriate with regard to transportation and access; water supply; wasted disposal, fire and police protection, and other public facilities, as not causing undue traffic orderly and appropriate development of the district in which the use is located. Further, the uses listed below are declared to possess such special form that each specific use shall be considered an individual case and shall be subject to approval of the Board of Adjustment in accordance with the provisions of Article VI, Section C, governing Special Exceptions and such additional regulations as provided below:

constructed exceeding the height requirements which have adjoining property less than the height of the structure.

- 3.9 Structures. It is the intent of this ordinance that there shall be but one main structure plus any permitted accessory structure on any lot used for residential purposes; also that accessory structures shall not include living quarters; neither will sanitary facilities be permitted in accessory structures without the approval of the Board of Adjustment.

3.10 Off-Street Automobile Parking.

- 3.10.1 In each district each structure hereafter erected or altered shall be provided with off-street automobile storage as specified in district schedule in this Article. No off-street automobile storage space required for a building or structure shall, during its life, be occupied or counted as off-street automobile space for another building or structure but may be included in the required yard space. Upon adoption of this ordinance all existing structures, land or uses or enlarged, expanded or changed, in which event the land, or structure and uses hereby excluded shall not be used, occupied or operated unless there is provided the increment of such land, structure or uses and maintained as herein required at least the amount of off-street parking facilities required if the increment were a separate land, structure or use.
- 3.10.2 Each off-street parking space as provided in Table I, Article III shall be an area of not less than 200 square feet net, exclusive of access or maneuvering area, ramps, drives, entrances or exits. Except as otherwise permitted by the Board of Adjustment for sharing of parking facilities, off-street parking facilities shall be located on the building site, lot, tract or parcel on which the use or structure shall be located; required off-street parking facilities for dwelling uses shall not occupy any part of a front yard.
- 3.10.3 Parking facilities for business, commercial or industrial parking shall be so arranged that the vehicles parked thereon do not extend beyond the parking facility.
- 3.10.4 Parking facilities for residential, commercial and industrial structures shall be surfaced with an all-weather surface of asphalt or concrete, proper drainage installed to prevent ponding and such parking facilities shall be maintained free of trash, rubbish, etc.
- 3.10.5 Where business, commercial or industrial parking facilities adjoin residential property there shall be provided a barrier (fence, wall or planting) approved by the building inspector so as not to be unreasonably objectionable to the occupant of the adjoining property.
- 3.10.6 If lighting is used on parking facilities, it shall be so arranged as not to disturb or be objectionable to the adjacent residential property and so arranged that it does

ARTICLE XII

SPECIAL EXCEPTIONS⁵

- 12.1 The uses listed below are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case. Those uses are designated as Special Exceptions, none of which shall be allowed until approval is obtained in accordance with the provisions of this Article, and in no event shall any such use be allowed in a district other than zoned M-1.
- 12.2 Special exceptions. The following uses are designated as Special Exceptions:
- 12.2.1 Acid or Acetylene Gas Manufacturing or Storage;
 - 12.2.2 Automobile Wrecking, Dismantling or Salvage;
 - 12.2.3 Explosives, Fireworks, or Gunpowder Manufacturing, Storage or Sales;
 - 12.2.4 Cement, Lime, Gypsum and Plaster Manufacturing
 - 12.2.5 Clay and Clay Products Manufacturing;
 - 12.2.6 Correctional, Detention or Penal Institutions;
 - 12.2.7 Disinfectant, Insecticide or Poison Manufacturing;
 - 12.2.8 Animal Shelters;
 - 12.2.9 Fertilizers Manufacturing or Processing;
 - 12.2.10 Grain Milling, Storage and Elevators;
 - 12.2.11 Hazardous Materials or Substances Manufacturing, Processing or Storage.
 - 12.2.12 Meat Slaughtering or Packing;
 - 12.2.13 Matches Manufacturing;
 - 12.2.14 Petroleum and Petroleum Products Manufacturing, Processing or Storage;
 - 12.2.15 Tannery, Including Curing of Hides;
 - 12.2.16 Tar Manufacture or Distillation;
 - 12.2.17 Alcohol Distillation;

ORDINANCE NO. 1659

AN ORDINANCE AMENDING THE CITY OF PRICHARD ZONING ORDINANCE, NO. 981, AS AMENDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRICHARD, ALABAMA, AS FOLLOWS:

WHEREAS, the City Council of the City of Prichard, Alabama, has determined that the health, welfare, and safety of the residents of the City could be adversely affected by certain specified uses of land, the Council by this Ordinance does amend the City Zoning Ordinance to add Article XII, as follows:

ARTICLE XII - SPECIAL EXCEPTIONS

1. The uses listed below are declared to possess such characteristics of unique or special form that each specific use shall be considered an individual case. Those uses are designated as Special Exceptions, none of which shall be allowed until approval is obtained in accordance with the provisions of this Article, and in no event shall any such use be allowed in a district other than zoned M-1.

2. Special exceptions. The following uses are designated as Special Exceptions:

- a. Acid or Acetylene Gas Manufacturing or Storage;
- b. Automobile Wrecking, Dismantling or Salvage;
- c. Explosives, Fireworks, or Gunpowder Manufacturing, Storage or Sales;
- d. Cement, Lime, Gypsum and Plaster Manufacturing
- e. Clay and Clay Products Manufacturing;
- f. Correctional, Detention or Penal Institutions;
- g. Disinfectant, Insecticide or Poison Manufacturing;
- h. Animal Shelters;
- i. Fertilizers Manufacturing or Processing;
- j. Grain Milling, Storage and Elevators;
- k. Hazardous Materials or Substances Manufacturing, Processing or Storage.
- l. Meat Slaughtering or Packing;
- m. Matches Manufacturing;
- n. Petroleum and Petroleum Products Manufacturing, Processing or Storage;
- o. Tannery, Including Curing of Hides;
- p. Tar Manufacture or Distillation;
- q. Alcohol Distillation;
- r. Drug and Alcohol Rehabilitation Facilities;
- s. Mental Institutions and Sanitoriums.

3. Approval. All Special Exception uses are subject to the same requirements as uses requiring planning approval, as well as all other requirements related to the administration and enforcement of this Ordinance. In addition, all Special Exception uses shall be approved by the Planning Commission or by the City Council acting on behalf of the Planning Commission, only after a consideration of the following conditions to the degree that the public health, safety

or welfare, or the City of Prichard master zoning plan are not substantially adversely affected:

- a. That the exception will not substantially or permantly injure the appropriate use of adjacent conforming property in the immediate vicinity;
- b. That the exception will not alter the essential character of the immediate vicinity or the neighborhood in which is located the property for which the exception is sought;
- c. That the exception will not weaken the general purpose of this ordinance;
- d. That the exception will be in harmony with the spirit and purpose of this ordinance;
- e. That the exception will not adversely affect the future development of the immediate vicinity;
- f. That the exception will not adversely affect immediately adjoining residential districts;
- g. That the exception will not adversely affect the public health, safety, or welfare.

4. Special Exceptions shall be subject to such terms and conditions as specified by the Planning Commission, the Board of Adjustment, in an appropriate situation, or the City Council acting on behalf of the Planning Commission.

5. All provisions of this Ordinance inconsistent with this amendment are hereby repealed. All other provisions of Ordinance No. 981, as amended, shall remain in full force and effect.

6. The provisions of this Ordinance, and the provisions of all amendments thereto, are separable, and the invalidity or unenforceability of any provision shall not effect the validity or enforceability of the remaining provisions.

This Ordinance shall take effect on its adoption and publication as required by law.

Adopted this 5th day of December, 1986.

APPROVED: _____

MAYOR

ATTEST: _____

EVA C. GREENE, CITY CLERK-TREASURER

CLERK'S CERTIFICATE: This Ordinance having been passed by the City Council on December 5, 1986, and not having been returned to me, as City Clerk, by the Mayor with his approval or veto within the ten days after its passage by the Council, in compliance with Title II, Section 45-4, Code of Alabama, 1940, recompiled in 1975, the same has been published as herein provided.

Eva C. Greene

EVA C. GREENE, CITY CLERK-TREASURER

Please Publish: Press, December 23, 1986

not interfere with traffic movement within the parking area or a public right-of-way.

3.10.7 All parking facilities shall be planned so that entrances and exits are functional and minimize traffic congestion. The parking plan must be approved by the building inspector. Off-street storage shall not be used for the sale, repair, servicing of any vehicles, equipment, materials, etc.

3.10.8 No vehicles over 8000 pounds gross vehicle weight and no trucks with over six (6) wheels shall be admitted on residential off-street or on-street parking facilities.

3.10.9 Combined off-street parking facilities required for two or more uses located on the same building site may be combined and used jointly provided, however, that the minimum requirements are adhered to in this Article.

3.11 Off-Street Loading and Unloading. In each business district each structure hereafter designed, erected or altered shall be provided with off-street loading and unloading facilities as specified in Article III, Table I and Article IV, District Regulations.

3.12 Development Plan. In any commercial or industrial districts any proposed new development or alteration provided, a development plan must be approved by the Planning Commission for any enlarged, altered or for new structure. The proposed development plan must show sufficient detail including location of existing and proposed structure, loading and unloading facilities, driveways, entrances, exits, parks, parking spaces, side-walks and easements.

TABLE 1

<u>TYPE</u>	<u>NUMBER PARKING SPACES REQUIRED</u>
Dwellings.....	One space per family dwelling unit
Hotels, Motels, Rooming Houses & Tourist Courts.....	One and ½ space per guest room
Mobile Home Parks.....	One and ½ space per mobile home space
College Fraternities & Sororities.....	One and ½ space per sleeping room
Hospitals and Sanatoriums.....	One space per one bed
Institutions for Children or the Aged, Nursing Homes.....	One space per two beds

TABLE 1

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Mobile Home Parks.....	one and ½ space per mobile home space
College Fraternities & Sororities.....	one and ½ space per sleeping room
Hospitals and Sanatoriums.....	one space per bed
Institutions for Children or the Aged, Nursing Homes.....	one space per two beds
Theaters, Auditoriums, Gymnasiums, Convention Halls.....	one space per three seats
Churches.....	one space per three seats
Funeral Homes.....	one space per three seats in parlors, and chapels
Schools, Elementary.....	one and ½ spaces per classroom
Schools, Secondary.....	eight spaces per classroom
Business Colleges & Trade Schools.....	one space per two seats at peak attendance periods
Restaurants.....	one space per 100 square feet of gross floor area
Commercial Amusements, offices, Personal Service Establishments, Filling stations, Repair Shops, Retail Establishments.....	one space per 300 square feet of gross floor area
Libraries, Museums, Art Galleries.....	one space per 200 square feet of gross floor area
Clubs and Lodges	
Industrial and Manufacturing Establishments.....	one space per 400 square feet of gross floor area or per two employees whichever is greatest

* Or an alternative design maybe accepted when prepared by a registered design professional using acceptable engineering practices.