



August 21, 2020

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Zoning Ordinance Amendments Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on August 19, 2020 and the following action was taken:

Zoning Ordinance Amendments- Proposed Amendments

Commissioner Abrams made a motion to recommend the zoning ordinance amendments to Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the zoning ordinance amendments to Mayor and Council passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

ZONING ORDINANCE AMENDMENTS

CHURCHES & DAYCARES:

10.1 PARKING REQUIREMENTS

- A. Off-street automobile parking spaces shall be provided with vehicular access to a street or alley, and shall be equal to at least the minimum requirements for the specific land use as herein provided.
- B. The required number of parking spaces for any number of separate uses may be combined in 1 lot, but the required space assigned to 1 use may not be assigned to another use at the same time, except that portion of the parking space required for an existing church whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.
- C. These standards shall not apply to B1, Central Business District, where on-street parking is provided **with the exception of new churches being constructed which would adhere to the regulations.**
- D. Parking Schedule:
 - 1. One, two, and multi-family dwellings; manufactured housing park – 2 spaces for each dwelling unit.
 - 2. Hotels, motels, and tourist homes – 1.1 spaces for each guest bedroom.
 - 3. Churches, auditoriums, stadiums, ball fields, civic centers and similar uses - 1 parking space for each 4 seats.

13.1.2 USES / STRUCTURES PERMITTED ON APPEAL

- A. Public Utilities such as electric and gas substations and water/wastewater pumping stations;
- B. Public buildings of a proprietary nature;
- C. General hospitals for humans (including nursing homes and assisted living facilities); institutional uses;
- D. Semi-public buildings and uses, including private schools, churches and childcare and adultcare facilities **unless otherwise allowed**;

17.1.1 B-1 CENTRAL BUSINESS DISTRICT

- A. Uses/Structures Permitted: Stores selling food, restaurants/drive-in eating places, general merchandise, apparel, furniture, housewares and household wares, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and laundry pick-up stations; barber and beauty shops; shoe repair shops; pet grooming; offices; banks; post offices; **churches; daycares** and similar services; joint residential and commercial use; any residential use not prohibited; any retail business not specifically restricted herein, places of amusement and assembly, hotels.

17.1.2 B-1A EXTENDED BUSINESS DISTRICT

- A. Uses/Structures Permitted: Stores selling food, restaurants/drive-in eating places, general merchandise, automobile filling stations, automobile repair (minor), apparel, furniture, housewares and household wares, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and laundry pick-up stations; barber and beauty shops; shoe repair; pet grooming; offices; banks; post offices; office/warehouses; **churches; daycares** and similar services; any retail business not specifically restricted herein; places of amusement and assembly; motels and hotels; joint residential and commercial use, any residential use not prohibited.

17.1.3 B-2 NEIGHBORHOOD BUSINESS DISTRICT

- A. Uses/Structures Permitted: Stores selling food, restaurants, general merchandise, apparel, furniture, housewares and household goods, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and pick-up stations; barber and beauty shops; shoe repair; pet grooming; offices; banks; post offices; **churches; daycares** and similar services; automobile filling stations, office/warehouses; drive-in eating places, motels, automobile repair (minor); any retail business not specifically restricted herein; any residential use not prohibited; places of amusement and assembly, and hotels.

17.1.4 B-3 LOCAL BUSINESS DISTRICT

- A. Uses/Structures Permitted: Drug stores, restaurants, drive-in eating places, jewelry and gift shops, flower shops, small beauty and barber shops, small dry cleaning and pick-up stations, automobile repair (minor), local laundry and washateria parlors, shoe repair shops, pet grooming; **churches; daycares;** small business and professional offices, office/warehouses, residential uses not prohibited herein, and other similar small retail businesses units not specifically prohibited herein.

17.2 PO - PREFERRED OFFICE DISTRICT

- A. Uses/Structures Permitted: Any governmental use or structure having characteristics compatible with this district; professional and business offices which shall include, but not be limited to, offices for lawyers, architects, engineers, insurance and real estate companies; research or testing laboratories compatible with other permitted uses; medical and dental offices (including clinics); **churches; daycares.**

18.1 M1 – LIGHT INDUSTRIAL DISTRICT

- A. Uses/Structures Permitted: Buildings used for the operation of light industrial, fabricating, processing, assembling and manufacturing, bottling and distribution plants, woodworking shops, cabinet shops, contractor or building material yards, highway maintenance yards and buildings, laundry and dry cleaning plants and printing establishments; wholesale sales.
- B. Uses/Structures Permitted on Appeal: Any use permitted in districts B-1, B-2, or B-3, and other industrial or commercial uses not specifically prohibited; self-storage warehouses and towing company storage yards.
- C. Uses/Structures Prohibited: Any use or structure not specifically permitted or permitted on appeal in this section or in Section 13.1.1 or 13.1.2 of Article XIII, including any residential use or structure, except that of a watchman or caretaker; poultry and livestock; **churches; daycares;** storage of junk or wrecked automobiles other than for repair or service, explosive products manufacture, garbage disposal plants or sanitary landfills.

18.2 PID – PLANNED INDUSTRIAL DISTRICT

- A. Uses Permitted/Prohibited:
Within a Planned Industrial District as shown on the official Zoning Maps of the City of Foley, Alabama, the following regulations shall apply:
 - 1. Uses Permitted: Examples of uses permitted include but are not limited to:
Commercial heliports and/or helipads; Aviation manufacturers & associated uses: Computer and data processing services; Educational, scientific, and research organizations; Engineering, architectural, and design services; Federal, state, county, city or public utilities owned or operated buildings and uses; Manufacturing, processing, fabrication or assembly of the following: Apparel; automotive and implements; electrical and electronic machinery, equipment and supplies; food and similar products intended for human consumption; lumber and wood products; machinery other than electrical; metal and metal products; plastics, glass and rubber

products; printing and publishing; professional, scientific, and controlling instruments; research and development operations; textile mill products; and transportation equipment; Medical and dental laboratories; Office buildings for general office purposes; Retail uses compatible to other allowed uses in a PID; Office Warehouses; Wholesale/Distributing; Warehousing, interior storage, and distribution in conjunction with manufacturing, assembly and office use; Exterior storage in conjunction with the above mentioned uses, completely screened from adjacent property lines and streets; and Accessory structures and uses to those permitted herein.

2. Uses Prohibited: Junkyards, including wrecker yards; explosive products manufacturing; garbage disposal plants; sanitary landfills; asphalt and concrete plants, **churches; daycares** and other uses that are detrimental to the health, safety, morals and general welfare of the community and the area.

19.1 AO – AGRICULTURAL OPEN SPACE

- A. Uses/Structures Permitted: Farms, residential uses and structures not prohibited modular dwellings, parks, playgrounds, clubs, lodges, public and private forests, wildlife refuges, stables, kennels, home occupations, home based businesses, churches, schools, **daycares**, public buildings, and other accessory uses to the above.

20.3 PDD – PLANNED DEVELOPMENT DISTRICT

- A. Uses/Structures Permitted: Hotel, motel, conference center, theater, indoor or outdoor entertainment center, recreation facility, museum, community center, restaurant, night club, bar, shopping center, retail store, retail service, personal service, craft studio, bank, professional office, business office, and other similar tourist related entertainment, recreation, service or commercial uses, **churches; daycares** and high density residential.

PUD AMENDMENTS:

20.1 PUD – PLANNED UNIT DEVELOPMENT

20.1.1 REQUIREMENTS

- A. A PUD must have a minimum of one (1) or more contiguous acres that are not separated by any right-of-way.
- B. PUDs will not increase density but should attempt to create larger and more significant open spaces through the use of reduced lot sizes, setbacks, clustering of dwellings, etc.
- C. Principal Uses: PUDs may have a mixture of principal uses selected from any of the following categories:
 - 1. Residential Uses: Single family dwellings, attached dwellings, Townhomes and multi-family dwellings **including Modular Structures. Excluding: Mobile/Manufactured Homes & Recreational Vehicles.**
- D. PUD Development Requirements:

Minimum Lot Width at Building Line	40 feet
Minimum Depth of Front Yard	15 feet
Minimum Depth of Rear Yard	20 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure	10 feet
Minimum Width of Side Yard	10 feet
	(Combination of both sides)
Maximum Building Area (% of Gross Lot Area)	50%
Maximum Building Height	85 feet
Maximum Number of Stories	6
Off-Street Parking Spaces (per family unit)	2
Maximum Density Per Acre	11