



Legislation Details (With Text)

File #: 19-0068 **Version:** 1 **Name:** AMENDING THE CITY OF FOLEY ZONING ORDINANCE
Type: Ordinance **Status:** Adopted
File created: 1/28/2019 **In control:** Community Development Department
On agenda: 3/4/2019 **Final action:** 3/4/2019
Title: AN ORDINANCE AMENDING THE CITY OF FOLEY ZONING ORDINANCE

Sponsors:

Indexes:

Code sections:

Attachments: 1. Zoning Ordinance Recommendation and Backup for Council

Date	Ver.	Action By	Action	Result
3/4/2019	1	City Council	adopted	Pass
2/4/2019	1	City Council	approved on first reading	Pass

AN ORDINANCE AMENDING THE CITY OF FOLEY ZONING ORDINANCE

AMENDING THE CITY OF FOLEY ZONING ORDINANCE

WHEREAS, the City of Foley, Alabama, adopted Ordinance No. 387-87 on June 15, 1987, ordaining a new Zoning Ordinance and Zoning Map for the City of Foley which has subsequently been amended, and

WHEREAS, the City of Foley Planning Commission has recommended changes within the current Zoning Ordinance, and the City Council of the City of Foley deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance, and

WHEREAS, all requirements to the laws of the State of Alabama, with regard to the preparation of the report of the Foley Planning Commission and subsequent action of the City Council have been met,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOLEY, ALABAMA while in regular session accepted the following changes:

B-3 LOCAL BUSINESS DISTRICT

B. Uses/Structures Permitted on Appeal: Veterinary clinics/hospitals; kennels; wholesale.

MH-1 MOBILE/MANUFACTURED DWELLING PARK

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; poultry and livestock.

COMMERCIAL - MISCELLANEOUS

FENCES AND WALLS

Fences and walls may be erected, placed and maintained, along lot lines as long as they do not exceed six (6) feet in height in all commercial zoning districts. No fence or wall located in a required front yard shall exceed a height of three (3) feet.

COMMERCIAL ACCESSORY STRUCTURES

No accessory structure shall be erected in any front yard or any street-side yard on a corner lot. Accessory structures: shall not exceed two (2) stories in height; shall not cover more than thirty percent (30%) of the required yard in which it is located; and shall be at least five (5) feet from all lot lines and ten (10) feet from any other habitable structure on the same lot. Temporary accessory structures may be permitted on a short term basis.

D. Parking Schedule:

7. Warehouses - 1 space for each 3,000 sq ft of gross floor area.

GENERAL REQUIREMENTS

F. If the required buffer abuts a public right-of-way, up to one-half (1/2) of the right-of-way width may be counted toward the buffer width requirement.

OFF-STREET LOADING SPACE

Off-street loading space shall be provided and maintained in accordance with the following schedule:

A. For each retail store, warehouse, wholesale establishment, industrial plant, factory, freight terminal, market, restaurant, mortuary, laundry, dry cleaning establishment, or similar use which has an aggregate floor area of:

DEFINITIONS

Structure: Anything constructed or erected which requires location on the ground or attached to something having a location on the ground, including among other things, signs, billboards, fences, walls, antennas, but not including telephone poles or overhead wires, wire fences and other fences less than three (3) feet high, retaining walls or terraces. Generators and HVAC Units are excluded from this definition.

R-4 RESIDENTIAL SINGLE FAMILY AND DUPLEX

A. Uses/Structures Permitted: Residential structures containing one or two family units; mobile/manufactured dwelling units, RV's and modular dwellings on individual lots; and home based businesses.

B-1 CENTRAL BUSINESS DISTRICT

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 kennels; poultry and livestock; towing company storage yard; industrial uses not specifically permitted herein; mobile/manufactured dwellings; modular dwellings; R.V.'s; and wholesale businesses.

B-1A EXTENDED BUSINESS DISTRICT

- 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 kennels; poultry and livestock; industrial uses not specifically permitted herein; travel trailers; mobile/manufactured dwellings; modular dwellings; and wholesale businesses.

B-2 NEIGHBORHOOD BUSINESS DISTRICT

- C. Uses 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 kennels; poultry and livestock; industrial uses not specifically permitted herein, travel trailers; mobile/manufactured dwellings; and modular dwellings.

B-3 LOCAL BUSINESS DISTRICT

- 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 industrial uses not specifically permitted herein; poultry and livestock; residential use including RV/travel trailer parks, mobile/manufactured dwelling parks, modular dwelling subdivisions; and automobile filling stations.

PO - PREFERRED OFFICE DISTRICT

- 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; any retail business or establishment that is not related or incidental to the office use or any retail business or establishment that has an entrance other than from inside the office structure; veterinary clinics/hospitals and kennels; poultry and livestock.

M1 - LIGHT INDUSTRIAL DISTRICT

- 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; storage of junk or wrecked automobiles other than for repair or service, explosive products manufacture, garbage disposal plants or sanitary landfills.

R-1R RESTRICTED RESIDENTIAL SINGLE FAMILY

- D. Requirements:
- | | |
|---|---------|
| Minimum Depth of Rear Yard | 30 feet |
| Minimum Depth of Rear Yard with Pool/Screen Enclosure | 10' |

R-1A RESIDENTIAL SINGLE FAMILY

- D. Requirements:
- | | |
|---|---------|
| Minimum Depth of Rear Yard | 30 feet |
| Minimum Depth of Rear Yard with Pool/Screen Enclosure | 10' |

R-1B RESIDENTIAL SINGLE FAMILY

- D. Requirements:

Minimum Depth of Rear Yard 30 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure 10'

R-1C RESIDENTIAL SINGLE FAMILY

- D. Requirements:
Minimum Depth of Rear Yard 30 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure 10'

R-1D RESIDENTIAL SINGLE FAMILY

- D. Requirements:
Minimum Depth of Rear Yard 15 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure 10'

R-2 RESIDENTIAL SINGLE FAMILY AND DUPLEX

- D. Requirements:
Minimum Depth of Rear Yard 30 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure 10'

R-4 RESIDENTIAL SINGLE FAMILY AND DUPLEX

- D. Requirements:
Minimum Depth of Rear Yard 30 feet
Minimum Depth of Rear Yard with Pool/Screen Enclosure 10'

13.3 SELF STORAGE WAREHOUSES

No individual warehouse unit may be more than 1,200 square feet in area, and cannot be more than 30 feet wide nor 40 feet in depth. No unit shall be constructed where an adjoining unit may have internal access. The side of each unit on which the main access, or front access is located must have a paved vehicular access drive of no less than twenty-five (25) feet from the nearest structure, and have a minimum of two points of access to a public right of way of no less than twenty (20) feet. No part of any self-storage warehouse shall be located within fifty (50) feet of any residential district boundary, and be adequately screened with fencing or plant material. Self-storage warehouses, when permitted or permitted on appeal, may be subject to being located, built, and concealed in such a manner that the self-storage warehouse shall not be visible from abutting public rights-of-way from more than 20 percent of the right of way frontage or to similar, more or less restrictive requirements as the Zoning Board of Adjustment and Appeals may dictate.