Anniston Zoning Ordinance

ORDINANCE NUMBER 16-O- 10

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ANNISTON, ALABAMA; TO REGULATE WITHIN SUCH DISTRICTS THE USE OF REAL PROPERTY CONTAINED THEREIN, INCLUDING, THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE USE OF BUILDINGS, STRUCTURES AND LAND; TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

PASSED and **ADOPTED** this 18th day of July, 2016.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

absent
David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ACKNOWLEDGMENTS

MAYOR	Vaughn Stewart	
CITY MANAGER	Brian Johnson	
ANNISTON PLANNING COMMISSION	Burt Arthur	Jay Jenkins
	David Christian	Cory Salley
	Sharon Dunson	Ridgely Smith
	Mark Hearn	Vaughn Stewart
	Stanley Jackson	Ann Welch
ANNISTON CITY COUNCIL	Millie Harris	David E. Reddick
	Jay Jenkins	Seyram Selase
DIRECTOR, PLANNING AND DEVELOPMENT SERVICES	Toby Bennington	
PLANNING SECRETARY, PLANNING AND DEVELOPMENT SERVICES	Jennie Emerson	

TABLE OF CONTENTS

Sec. 1: Provisions for Official Zoning Map....1

Sec. 2: Districts....2

Sec. 3: Measurements and Requirements....3

Sec. 4: Urban Core (C) District....8

Sec. 5: Urban Center 1 (UC1) District....9

Sec. 6: Urban Center 2 (UC2) District....10

Sec. 7: Urban Neighborhood 1 (UN1) District....11

Sec. 8: Urban Neighborhood 2 (UN2) District....12

Sec. 9: Surburban Corridor (SC) District....13

Sec. 10: Suburban Neighborhood Center (SNC) District....14

Sec. 11: Suburban Neighborhood 1 (SN1) District....15

Sec. 12: Suburban Neighborhood 2 (SN2) District....15

Sec. 13: Suburban Edge (SE) District....16

Sec. 14: Industrial 1 Light (IL) District....16

Sec. 15: Industrial 2 General (IG) District....17

Sec. 16: Natural/Open Space (NO) District....18

Sec. 17: Major Institution/Civic Campus (MI) District....18

Sec. 18: Site Requirements....20

Sec. 19: Public Realm Requirements....21

Sec. 20: Landscaping....26

Sec. 21: Permitted Uses....27

Sec. 22: Permitted Use Table....28

Sec. 23: Development Types....32

Sec. 24: McClellan District....34

TABLE OF CONTENTS (continued)

Sec. 25: Signs....38

Sec. 26: Outdoor Advertising....45

Sec. 27: Parking Regulations....47

Sec. 28: Non-Conforming Lots, Uses of Land, and Structures and Premises....48

Sec. 29: Supplementary District Regulations....50

Sec. 30: Mobile Home Parks....52

Sec. 31: Regulations for Telecommunication Facilities and Structures....54

Sec. 32: Definitions....59

Sec. 33: Administration and Enforcement of Building Permits....65

Sec. 34: Board of Adjustment - Establishment and Procedures....66

Sec. 35: Special Exceptions....67

Sec. 36: Amendments....67

Sec. 37: Complaints Regarding Violations....69

Sec. 38: Penalties for Violation....69

Sec. 39: Severability Clause....69

Sec. 40: Repeal of Conflicting Ordinance - Effective Date....70

Sec. 1: PROVISIONS FOR OFFICIAL ZONING MAP

Official Zoning Map – The City is hereby divided into zones, or districts as shown on the Official Zoning Map of the City of Anniston, Alabama which, together with all explanatory matter thereon is hereby adopted by reference and declared to be a part of this Ordinance. The Official Zoning Map of the City of Anniston, Alabama is identified by the signature of the Mayor of the City of Anniston, attested by the City Clerk of the City of Anniston and bears the seal of the City under the following words: This is to certify that this is the Official Zoning Map of the City of Anniston, Alabama referred to in Section 1 of Ordinance Number 81-0-40 of the City of Anniston Alabama adopted on the 18th day of July, 2016. The City Clerk is hereby authorized, directed, and empowered to insert on said map the number and the date of adoption of this Ordinance.

If changes are made in district boundaries or other matter portrayed on the Official Zoning Map of the City of Anniston, Alabama, such changes shall be entered by ordinance number and date by the Planning Director on the official Zoning Map of the City of Anniston, Alabama promptly after the amendment has been approved by the City Council. No amendment to this Ordinance shall become effective until after such change and entry has been made on said map. No changes of any nature shall be made in the Official Zoning Map of the City of Anniston, Alabama or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Sec. 38.

Regardless of any existence of purported copies of the Official Zoning Map of the City of Anniston, Alabama which may from time to time be made or published, the Official Zoning Map of the City of Anniston, Alabama, which shall be maintained in Planning and Development Services, shall be the best and conclusive evidence thereof.

INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map of the City of Anniston, Alabama, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following city limits shall be construed as following such city limits;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
6. Boundaries indicated as parallel to or extensions of features indicated in sub-sections 1 through 5 above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map; and
7. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by subsections 1 through 6 above, the Board of Adjustment shall interpret the district's boundaries.

Sec. 2: DISTRICTS

I. The following districts and abbreviations are hereby established:

DISTRICT	ABBREVIATION
Urban Core	C
Urban Center 1	UC1
Urban Center 2	UC2
Urban Neighborhood 1	UN1
Urban Neighborhood 2	UN2
Suburban Corridor	SC
Suburban Neighborhood Center	SNC
Suburban Neighborhood 1	SN1
Suburban Neighborhood 2	SN2
Suburban Edge	SE
Industrial 1 - Limited	IL
Industrial 2 - General	IG
Major Institution/Civic Campus	MI
Natural/Open Space	NO

II. *Principles.* Principles are statements of intent related to the character of the physical environment and preferences for how Anniston should manage its land resources in the future. They are used in conjunction with the districts to help communicate preferences for how and where development or redevelopment should or should not take place. The districts have been created with these principles in mind.

A. Priority investment areas are the focus for future development and will serve as catalysts for city-wide reinvestment.
B. Infill development and redevelopment of underutilized and/or deteriorating sites take priority over development in greenfield locations.
C. Downtown is "everyone's neighborhood," featuring a vibrant mix of businesses, residences, and civic uses, and a distinctive character that is appealing to residents, visitors, and investors.
D. The city's stable neighborhoods will be maintained.
E. The development of new residential areas and redevelopment of existing residential areas have strong neighborhood qualities, including sidewalks, mixed housing types, parks, and easy access to basic retail needs.
F. Development that includes a mix of uses (residential, commercial, civic, employment) both vertically (within buildings) and horizontally (within sites) and is connected to existing urban areas is encouraged.
G. The city's historic assets are conserved and respected through future development.
H. More opportunities to walk, bike, and access public transportation are created.
I. Quality design is emphasized for all uses to create an attractive, distinctive public (streets, sidewalks, parks, and street trees, etc.) and private (building faces, lawns and landscaping, parking lots and driveways, etc.) realm.

Sec. 3: MEASUREMENTS AND REQUIREMENTS

I. LOT

A. *Defined.* A parcel of land intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership, or possession, or for the purpose of development.

B. *Lot Area*. Lot area is the area included within all lot lines, but does not include any public rights-of-way.

C. *Lot Width*. Lot width is the length of the Primary Street frontage of a lot.

D. *Lot Depth*. Lot depth is the measurement between the front and rear property lines measured along a line midway between the side lot lines.

II. BUILDING SETBACKS

A. *General.* Building setbacks are defined as the measurement from the lot line to the building facade or elevation. In this ordinance, there are generally four (4) types of setbacks: primary street, side street, side interior, and rear. Setbacks are to remain clear of permanent structures except for permitted encroachments (see Sec. 3: II E). Setbacks are measured from the property lines and do not include any public rights-of-way.

B. *Minimum/Maximum Setbacks*. Where there are minimum and maximum setbacks rather than Build-to-Areas (see Sec. 3: III), the minimum setback refers to the minimum distance the structure must be set back from the property lines, while the maximum setback refers to the maximum distance the structure may be set back from the property line. Generally maximum setbacks are only applicable to Primary or Side Street frontages.

C. *Corner Lots*. A corner lot must have at least one designated Primary Street. The Zoning Official shall determine the Primary Street and may consider the following in the determination: street classification, orientation of other structures on the block, longest face of the lot, orientation of any alleys within the block, and address of the lot.

D. *Through Lots*. Through lots may have either two (2) Primary Street setbacks or one (1) Primary Street setback and one (1) Side Street setback, as determined by the Zoning Official.

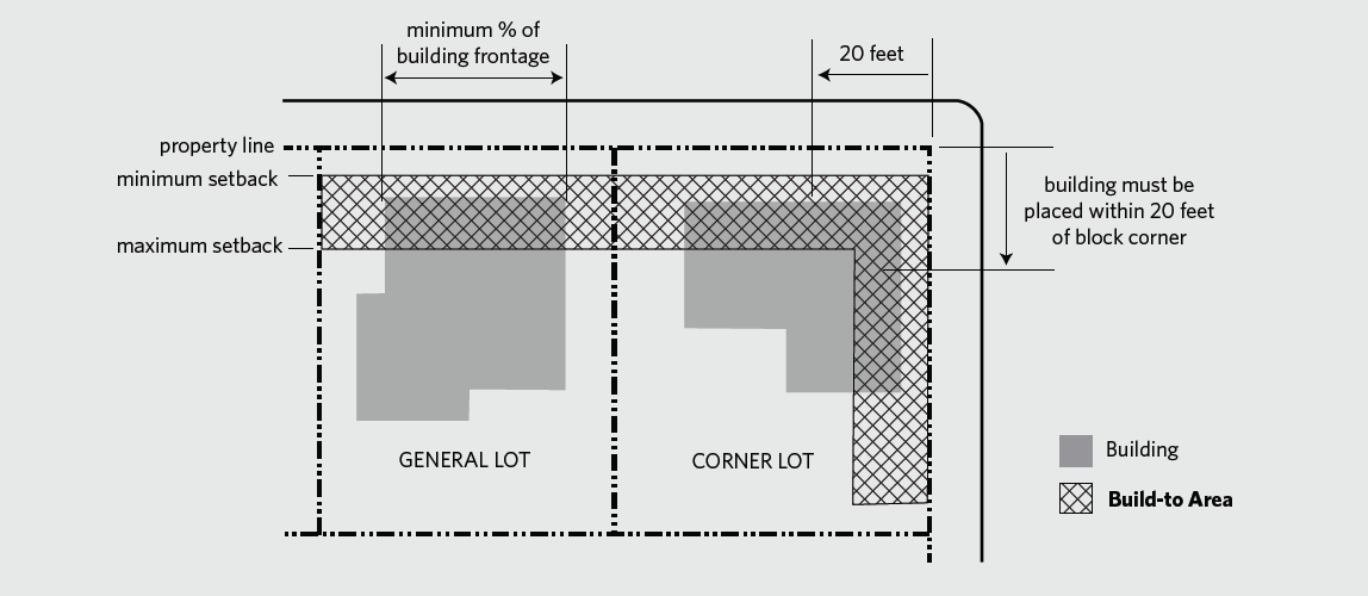
E. *Setback encroachments*. The following building features and other implements may encroach into a required setback, unless otherwise specified, as listed below:

1. Porches, stoops, arcades, awnings, balconies (50% of the depth may encroach up to six [6] feet into the required setback).
2. Unenclosed decks (up to six [6] feet into a rear setback or up to four [4] feet into a side setback. Such encroachment must be at least five [5] feet from any lot line).
3. Accessibility ramps (to the extent necessary to be functional).
4. Mechanical equipment (such encroachment must be at least five [5] feet from any lot line and said equipment is only permitted on the side or rear of the structure).

III. BUILD-TO-AREA (BTA)

A. *General.* The Build-to-Area(BTA) is the area along street frontages within which the building must be located. When a district has a minimum percentage in the BTA, that percentage of the frontage must be occupied by a building between the minimum and maximum setback range for the BTA. The percentage is measured by dividing the width of the building by the width of the lot.

B. *Corner Lots*. On corner lots, where applicable, the building facade must occupy the BTA for both streets within the first twenty (20) feet from the block corner.



C. *Civic Buildings*. See Sec. 23: Development Types K for reductions to the BTA for Civic Development types.

IV. PARKING SETBACKS

A. *General*. Parking setbacks are defined as the measurement from the property line to the edge of a parking surface or elevation of a parking structure. There are four (4) types of parking setbacks: primary street, side street, side interior, and rear.

B. *Parking*. All parking, whether surface or structured, must be located beyond the parking setback. The parking setback applies only to the ground floor of a parking structure.

C. Where parking setbacks apply, in no case shall the parking be set back less than the setback of the building.

V. BUILDING HEIGHT

A. *Measurement.* Building Height is measured in feet from the ground at average grade to the top of the highest point of a roof, whether flat or pitched.

B. *Basements and Attics.* Basements do not count as an additional story where they are more than fifty (50) percent underground. Attics do not count as an additional story where they have a ceiling height clearance of seven (7) feet or less for fifty (50) percent or more of the floor area.

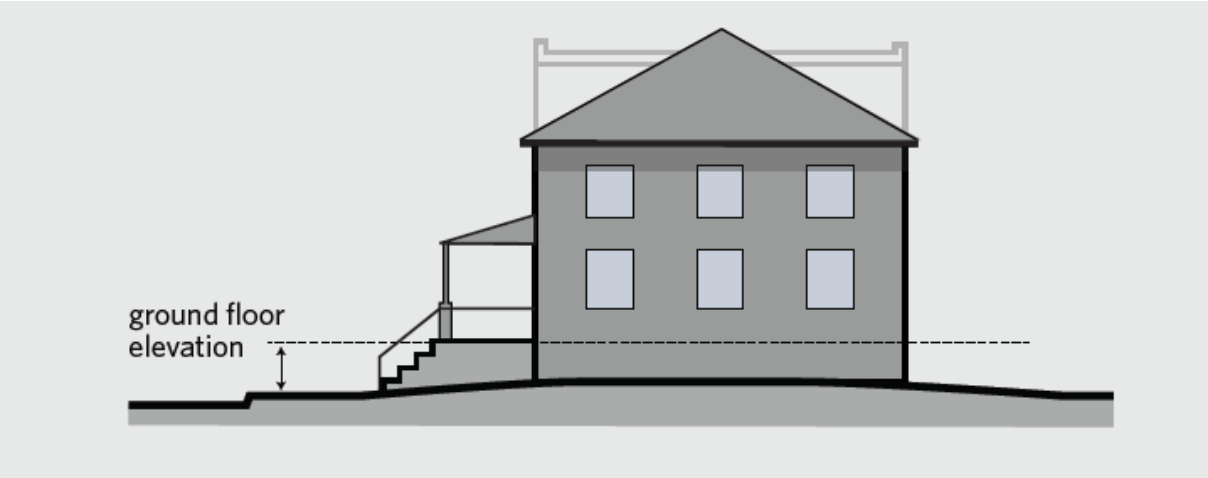
C. *Exceptions*. The maximum height limits do not apply to spires, steeples, cupolas, domes, etc. not intended for human occupancy or to water tanks or towers, monuments, or other structures that by design or function, must exceed the height limits. The following may also exceed the height limit by not more than ten (10) feet:

1. Electric utility equipment
2. Chimney or vent stack
3. Flagpole
4. Landscaping
5. Parapet wall (limited to a height of four [4] feet)
6. Amateur communications tower*
7. Elevator structure or access to roof*
8. Cooling tower*
9. Mechanical equipment*
10. Greenhouse*

*In this context, these structures are all meant to be located on the roof. They must be set back at least ten [10] feet from the edge of the roof. If they are not located on the roof, height limits apply.

VI. GROUND FLOOR ELEVATION

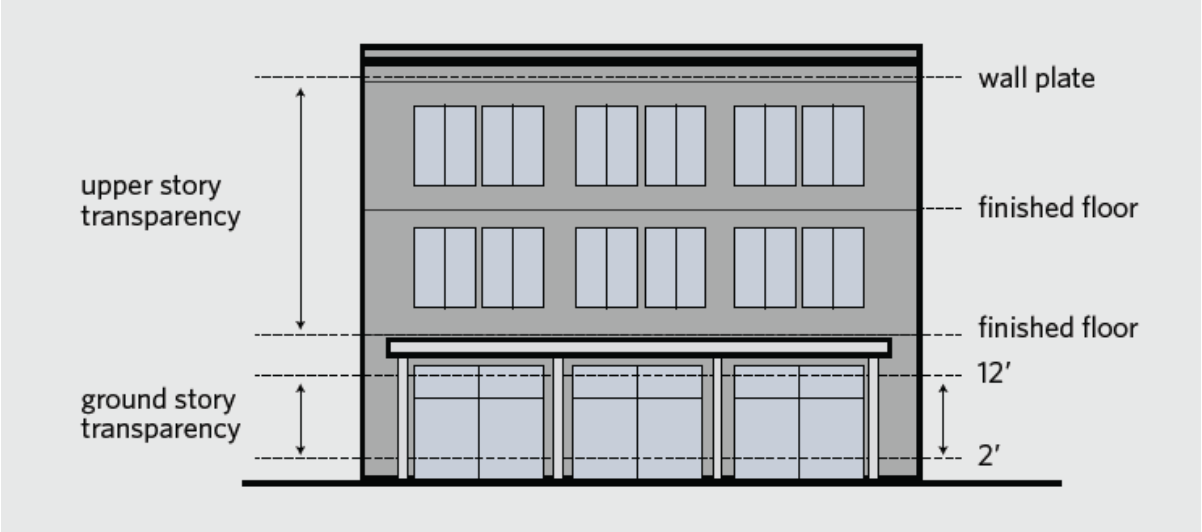
A. *Measurement*. Ground floor elevation is measured from the top of the sidewalk to the top of the finished ground floor.



VII. TRANSPARENCY

A. *Definition*. Transparency refers to the minimum amount, as a percentage, of windows and doors that must cover a story's facade. Transparency requirements do not apply to residential structures.

B. *Measurement - ground floor.* The ground story transparency is measured between two (2) and twelve (12) feet above the adjacent sidewalk.



C. *Measurement - upper story.* Transparency on an upper story is measured from the top of the finished floor to the top of the finished floor above or to the top of the wall plate if there is no floor above.

D. *Applicability.* Transparency requirements apply to facades on Primary and Side Streets only, and do not apply to residential structures. See Sec. 23: Development Types K for reductions to the transparency requirements for Civic Development types.

E. *Requirements.* Glass may not be painted. Windows may not be made permanently opaque by window treatments.

F. *Blank Wall*. Blank wall area is defined as a wall that does not include a substantial material change; windows or doors; columns, pilasters, or other articulation greater than twelve (12) inches in depth. Blank wall applies to both horizontal and vertical measurements and to primary and side street facing facades, both ground and upper stories.

G. *Exceptions.* In the historic districts, the Anniston Historic Preservation Commission may alter the transparency requirements for contributing buildings if the proposed changes meet the design guidelines and the intent of the zoning ordinance.

VIII. PEDESTRIAN ACCESS

A. *General*. A functioning entrance, operable during normal business hours, is required to meet the street-facing entrance requirements. Additional entrances are permitted.

B. *Corner Building*. An angled entrance on the corner may fulfill the street-facing entrance requirements for both the primary and side streets.

C. *Entrance Spacing*. For buildings over 100 feet in length on a street-facing facade in the Urban Core and Urban Center Districts, two entrances are required on any facade that is over 100 feet in length.

IX. BUILDING ELEMENTS

A. *Porch.* To meet the requirement, a porch must be contiguous with a width not less than fifty (50) percent of the building facade. The porch must also be at least six (6) feet deep, not including any steps or ramps. The porch may be covered but not fully enclosed. A porch may encroach by up to fifty (50) percent of its depth into a required setback, but may not be closer than three (3) feet to any lot line. A multi-family structure must have at least one porch or stoop, but is not required a porch or stoop for each residence. Townhouses should provide a stoop or porch on each residence.

B. *Stoop.* To meet the requirement, a stoop must be no more than six (6) feet deep and six (6) feet wide. The stoop may be covered but not fully enclosed. A stoop may extend by up to fifty (50) percent of its depth into a required setback, but may not be closer than three (3) feet to any lot line.

C. *Other*. Other building elements, such as arcades, awnings, balconies, etc. are permitted and may encroach into a required setback up to fifty (50) percent of their depths, but may not be closer than three (3) feet to any lot line.

D. *Public right-of-way.* Balconies on upper stories in the Urban Core and Urban Center districts may encroach into the public right-of-way by up to five (5) feet as long as they are cantilevered with no elements attaching them to the ground and the City Engineer has reviewed and approved the plans. No other building elements may encroach into a public right-of-way.

Sec. 4: URBAN CORE DISTRICT

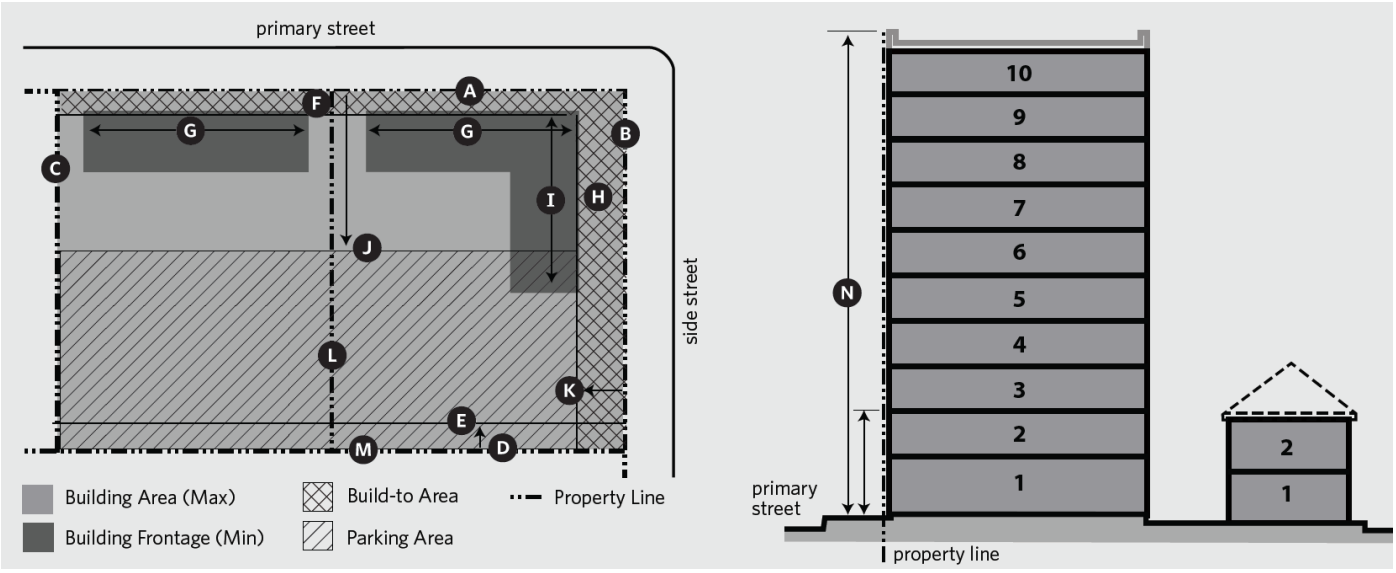
I. *Intent.* The most compact, walkable development in the City comprises the Urban Core district. The district also contains the City's largest collection of historic commercial structures. The intent of the Urban Core district is to maintain and improve the City's historic downtown commercial area and at the same time foster adaptive reuse, redevelopment, and new construction that contribute to the vitality of the district by promoting walkability, a mix of uses, and activity in design and practice.

II. *Requirements.* The following dimensional and building requirements shall apply in the Urban Core District:

Lot Dimensions	
Minimum lot area	None
Minimum lot width	None
Building Setbacks	
Primary street (min)	0' A
Side street (min)	0' B
Side, interior (min)	0' or 5' C
Rear (min)	0' or 5' D
Rear, alley (min)	5' E
Build to Area (BTA)	
Primary street (min/max)	0'/5' F
% of bldg in primary street BTA (min)	85% G
Side street (min/max)	0'/10' H
% of bldg in side street BTA (min)	50% I
Parking Setbacks	
Primary street (min)	30' J
Side street (min)	10' K
Side interior (min)	0' L
Rear (min)	0' M
Abutting protected area (min)	10'

Building Height	
Min/max (feet) - Minimum height applies only to buildings with frontage on Noble Street between 9th and 13th Streets	25'/110' N
Min/max (stories) - See above re. min height	2/10
Ground Floor Elevation	
Commercial (min)	0'
Residential (min)	2'
Transparency	
Primary street ground floor (min)	50%
Primary street upper story (min)	20%
Side street ground floor (min)	30%
Side street upper story (min)	20%
Blank wall area (max)	20'
Pedestrian Access	
Street-facing entrance	Required
Entrance transparency (min)	50%
Accessory Structures	
Primary street setback (min)	50'
Side street setback (min)	20'
Side interior setback (min)	5'
Rear setback (min)	5'
Square footage (max)	600 sf

For signage requirements in the C district, see Sec. 25: Signs, page 38.



Sec. 5: URBAN CENTER 1 DISTRICT

I. *Intent.* The area immediately surrounding the Urban Core is the Urban Center 1 district, which accommodates a wide variety of uses and development types. The intent of the Urban Center district is to cluster a mix of buildings, uses, and development in the areas adjacent to the Urban Core in order to enhance the downtown area as a whole.

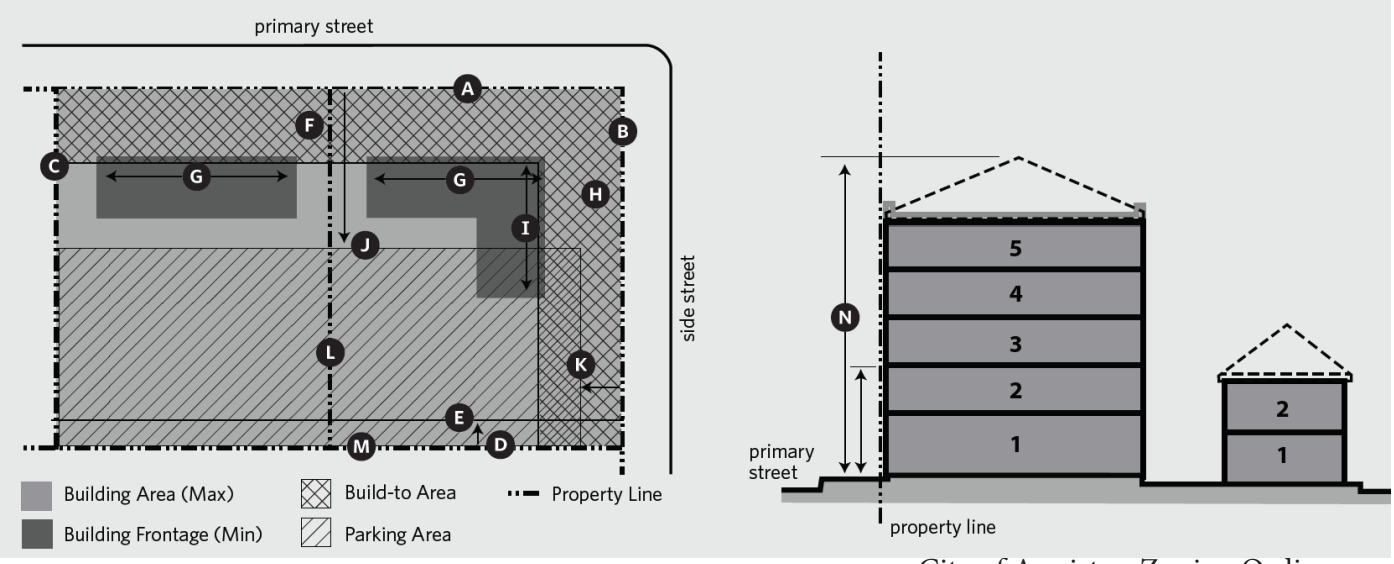
II. *Requirements.* The following dimensional and building requirements shall apply in the Urban Center 1 District:

Lot Dimensions	
Minimum lot area	None
Minimum lot width	None
Building Setbacks	
Primary street (min)*	0’ A
Side street (min)*	0’ B
Side, interior (min)	0’ or 5’ C
Rear (min)	0’ or 5’ D
Rear, alley (min)	5’ E
Build to Area (BTA)	
Primary street (min/max)	0’/20’ F
% of bldg in primary street BTA (min)	50% G
Side street (min/max)	0’/20’ H
% of bldg in side street BTA (min)	30% I
Parking Setbacks	
Primary street (min)	20’ J
Side street (min)	10’ K
Side interior (min)	0’ L
Rear (min)	0’ M
Abutting protected area (min)	10’

Building Height	
Max (feet/stories)	55’/5 N
Ground Floor Elevation	
Commercial (min)	0’
Residential (min)	2’
Transparency	
Primary street ground floor (min)	40%
Primary street upper story (min)	10%
Side street ground floor (min)	20%
Side street upper story (min)	10%
Blank wall area (max)	20’
Pedestrian Access	
Street-facing entrance	Required
Entrance transparency (min)	50%
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	20’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

For signage requirements in the UC1 district, see Sec. 25: Signs, page 38.

* Structures should generally align with those on adjacent properties.



Sec. 6: URBAN CENTER 2 DISTRICT

I. *Intent.* Outside downtown Anniston, these small mixed-use centers serve surrounding urban neighborhoods. This district accommodates a variety of uses and development types, but the centers are generally small, sometimes occupying as little as one block.

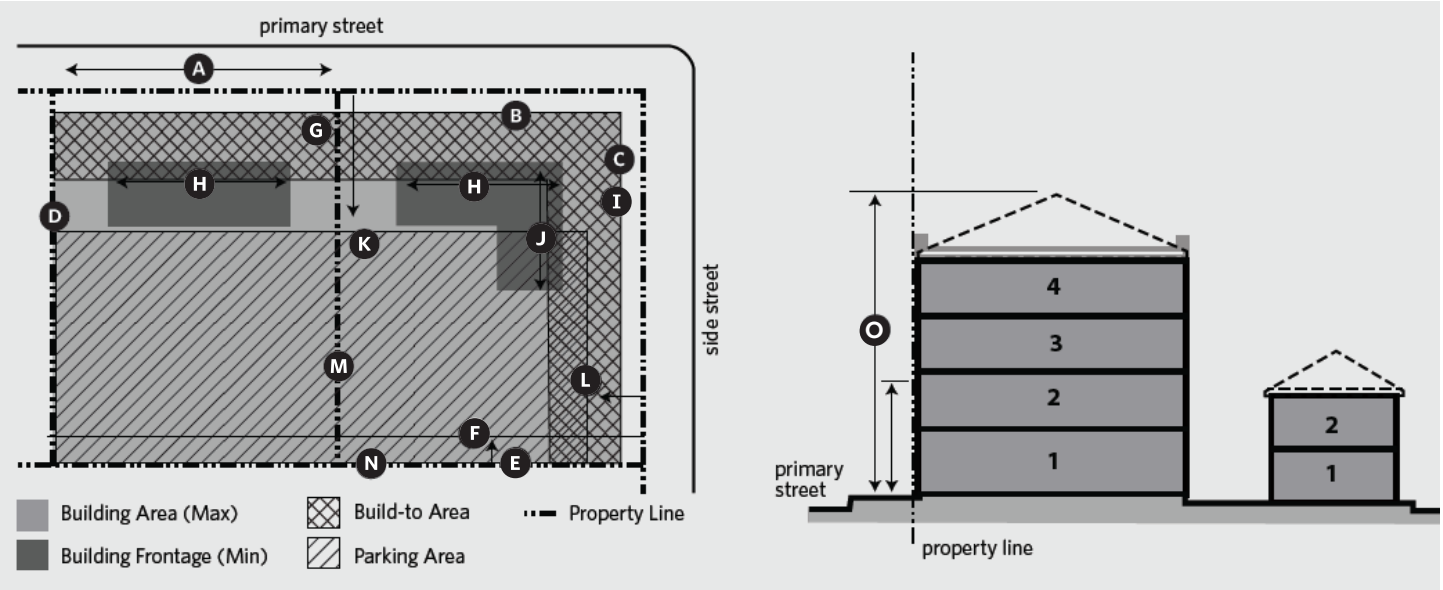
II. *Requirements.* The following dimensional and building requirements shall apply in the Urban Center 2 District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’ A
Building Setbacks	
Primary street (min)*	5’ B
Side street (min)*	5’ C
Side, interior (min)	0’ or 5’ D
Rear (min)	0’ or 5’ E
Rear, alley (min)	5’ F
Build to Area (BTA)	
Primary street (min/max)	5’/20’ G
% of bldg in primary street BTA (min)	50% H
Side street (min/max)	5’/20’ I
% of bldg in side street BTA (min)	30% J
Parking Setbacks	
Primary street (min)	30’ K
Side street (min)	10’ L
Side interior (min)	0’ M
Rear (min)	0’ N
Abutting protected area (min)	10’

Building Height	
Max (feet/stories)	45’/4 O
Ground Floor Elevation	
Commercial (min)	0’
Residential (min)	2’
Transparency	
Primary street ground floor (min)	40%
Primary street upper story (min)	10%
Side street ground floor (min)	10%
Side street upper story (min)	5%
Blank wall area (max)	20’
Pedestrian Access	
Street-facing entrance	Required
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	20’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

* Structures should generally align with those on adjacent properties.

For signage requirements in the UC2 district, see Sec. 25: Signs, page 38.



Sec. 7: URBAN NEIGHBORHOOD 1 DISTRICT

I. *Intent.* The Urban Neighborhood 1 district is a mixed residential neighborhood comprised primarily of small-lot single family residences with some small multifamily buildings, small retail and office uses, and civic sites that may exist together within the same block. The intent of this district is to expand and diversify residential opportunities within close proximity to downtown and to foster a walkable, mixed use neighborhood environment.

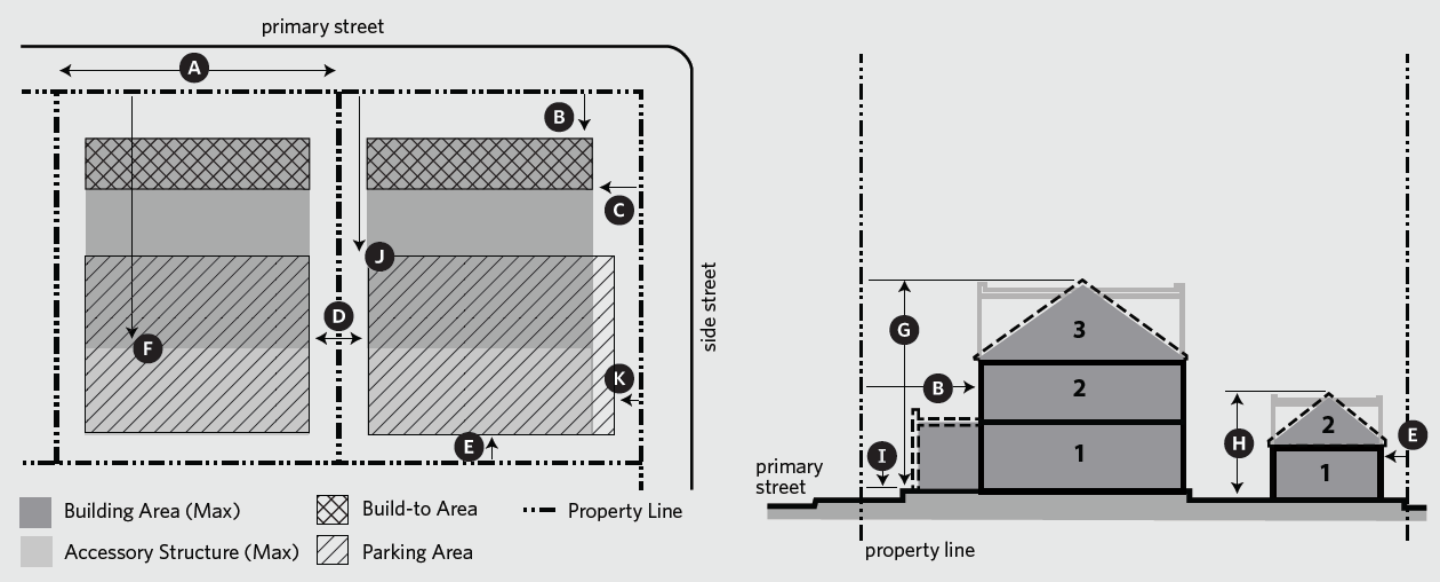
II. *Requirements*. The following dimensional and building requirements shall apply in the Urban Neighborhood 1 District:

Lot Dimensions		
Minimum lot area	5,000 sf	
Minimum lot width	50’	A
Building Setbacks		
Primary street (min/max)*	10’/20’	B
Side street (min)*	10’	C
Side, interior (min)	5’	D
Rear (min)	5’	D
Rear, alley (min)	5’	E
Accessory Structures		
Primary street setback (min)	50’	F
Side street setback (min)	10’	C
Side interior setback (min)	5’	D
Rear setback (min)	5’	E
Square footage (max)	600 sf	

Building Height		
Primary structure - max (feet/stories)	40’/3	G
Accessory structure - max (feet/stories)	25’/2	H
Ground Floor Elevation		
Residential on ground floor (min)	2’	I
Commercial on ground floor (min)	0’	I
Building Elements		
Street-facing entrance	Required	
Porch, stoop, or balcony (residential)	Required	
Transparency (commercial - min)	30%	
Parking Setbacks		
Primary street (min)	30’	J
Side street (min)	5’	K
Side interior (min)	5’	D
Rear (min)	5’	E

For signage requirements in the UN2 district, see Sec. 25: Signs, page 38.

* Structures should generally align with those on adjacent properties.



Sec. 8: URBAN NEIGHBORHOOD 2 DISTRICT

I. *Intent.* The Urban Neighborhood 2 district is a transitional neighborhood occurring at the edges of Urban Neighborhood 1. This district consists mainly of single family residences on larger lots than UN1 with some small multifamily and civic sites. The intent of this district is to maintain and reinforce walkable residential neighborhoods and foster the development of neighborhood services in strategic locations.

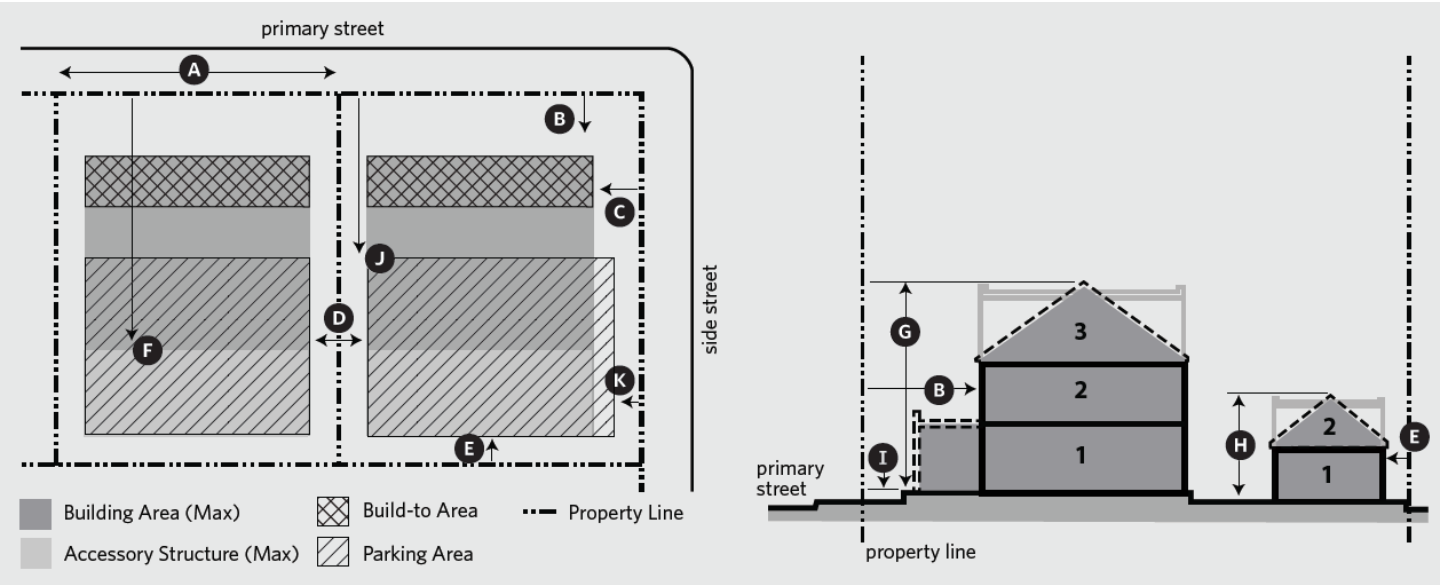
II. *Requirements*. The following dimensional and building requirements shall apply in the Urban Neighborhood 2 District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’ A
Building Setbacks	
Primary street (min)*	20’ B
Side street (min)*	15’ C
Side, interior (min)	10’ D
Rear (min)	10’ D
Rear, alley (min)	5’ E
Accessory Structures	
Primary street setback (min)	50’ F
Side street setback (min)	10’ C
Side interior setback (min)	5’ D
Rear setback (min)	5’ E
Square footage (max)	600 sf

Building Height	
Primary structure - max (feet/stories)	35’/2.5 G
Accessory structure - max (feet/stories)	25’/2 H
Ground Floor Elevation	
Residential on ground floor (min)	2’ I
Commercial on ground floor (min)	0’ I
Building Elements	
Street-facing entrance	Required
Porch, stoop, or balcony (residential)	Required
Transparency (commercial - min)	30%
Parking Setbacks	
Primary street (min)	30’ J
Side street (min)	5’ K
Side interior (min)	5’ D
Rear (min)	5’ E

For signage requirements in the UN2 district, see Sec. 25: Signs, page 38.

* Structures should generally align with those on adjacent properties.



Sec. 9: SUBURBAN CORRIDOR DISTRICT

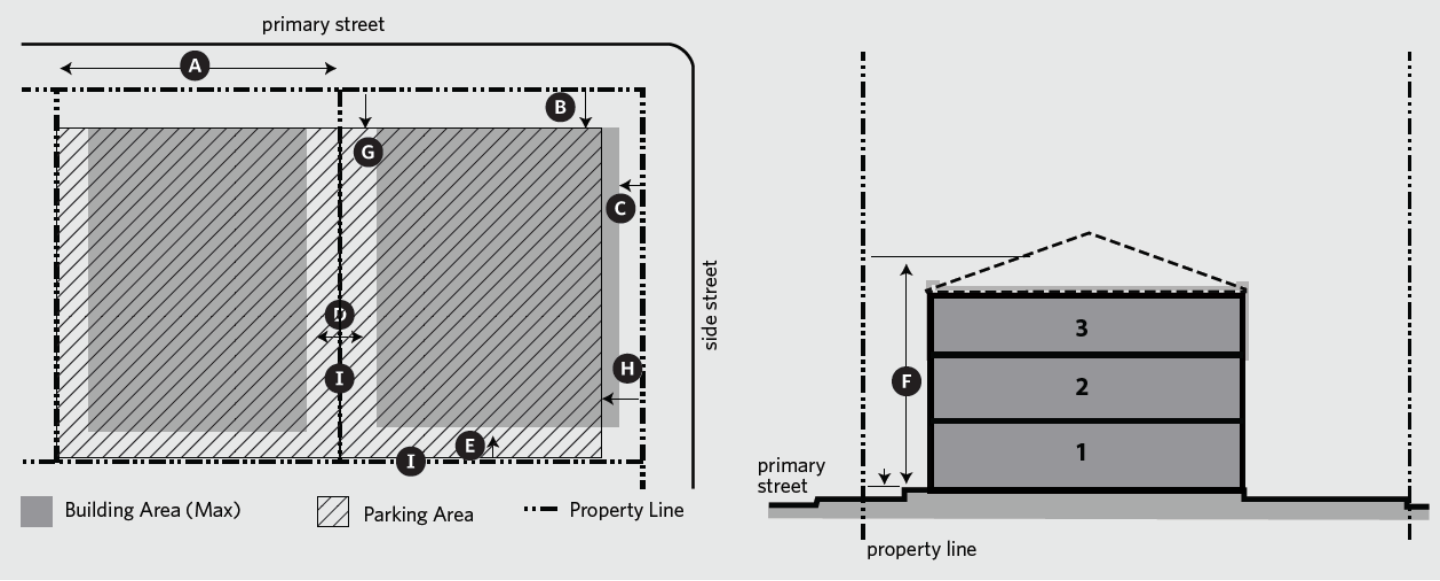
I. *Intent.* The Suburban Corridor district consists of areas along major road corridors primarily composed of commercial uses that serve the broader community. The intent of this district is to foster an environment conducive to primarily single use commercial development but also to improve the environment for drivers, cyclists, and pedestrians alike.

II. *Requirements.* The following dimensional and building requirements shall apply in the Suburban Corridor District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’ A
Building Setbacks	
Primary street (min)	5’ B
Side street (min)	5’ C
Side, interior (min)	0’ or 5’ D
Rear (min)	0’ or 5’ D
Rear, alley (min)	5’ E

Building Height	
Max (feet/stories)	35’/3 F
Pedestrian Access	
Street-facing entrance	Required
Parking Setbacks/Requirements	
Primary street (min)	10’ G
Side street (min)	10’ H
Side interior (min)	0’ or 5’ I
Rear (min)	0’ or 5’ I
Abutting protected area (min)	10’
Max # of parallel parking aisles in front of building	4

For signage requirements in the SC district, see Sec. 25: Signs, page 38.



Sec. 10: SUBURBAN NEIGHBORHOOD CENTER DISTRICT

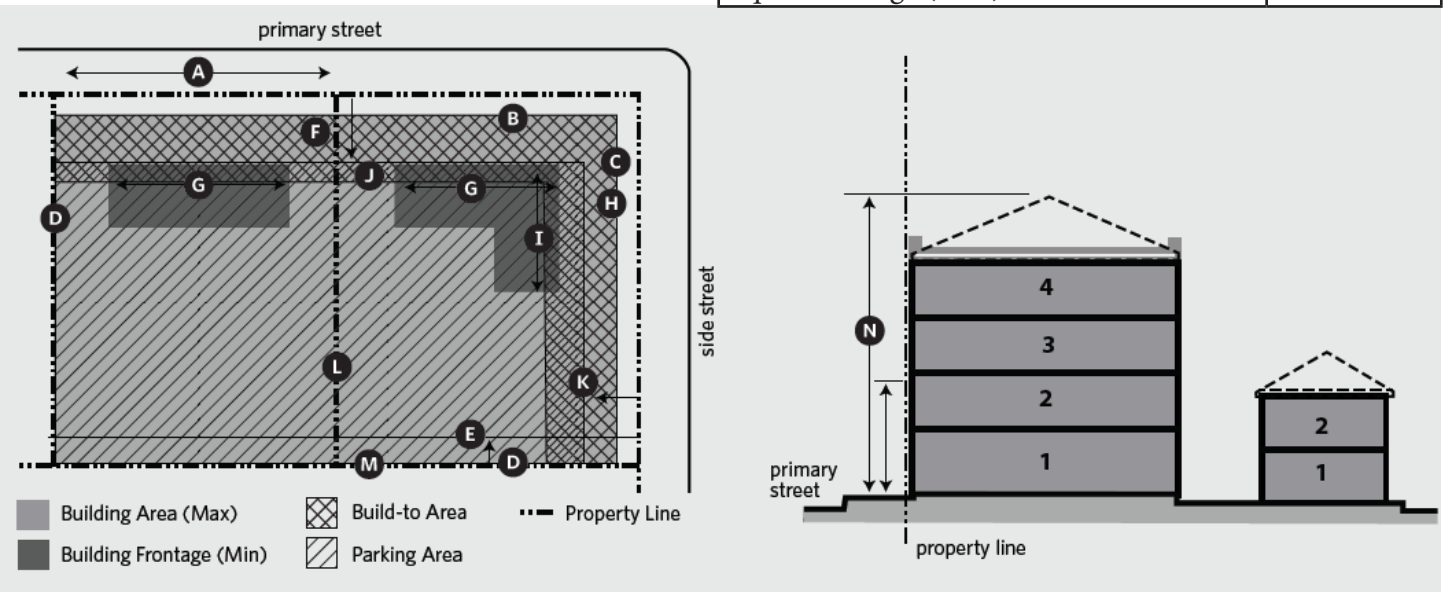
I. *Intent.* The Suburban Neighborhood Center district is meant to allow small, mixed use centers that primarily serve surrounding neighborhoods, but may also include higher density residential uses integrated with nearby office, commercial, or mixed use buildings. The intent of this district is to provide opportunities for village centers in locations that are advantageous for both surrounding neighborhoods and transportation corridors.

II. *Requirements*. The following dimensional and building requirements shall apply in the Suburban Neighborhood Center District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’ A
Building Setbacks	
Primary street (min)	5’ B
Side street (min)	5’ C
Side, interior (min)	0’ or 5’ D
Rear (min)	0’ or 5’ D
Rear, alley (min)	5’ E
Build to Area (BTA)	
Primary street (min/max)	5’/20’ F
% of bldg in primary street BTA (min)	50% G
Side street (min/max)	5’/20’ H
% of bldg in side street BTA (min)	30% I
Building Height	
Max (feet)	55’ N
Max (stories)	4

Transparency	
Primary street ground floor (min)	40%
Primary street upper story (min)	20%
Side street ground floor (min)	20%
Side street upper story (min)	10%
Blank wall area (max)	20’
Pedestrian Access	
Street-facing entrance	Required
Parking Setbacks	
Primary street (min)	10’ J
Side street (min)	10’ K
Side interior (min)	0’ L
Rear (min)	0’ M
Abutting protected area (min)	10’
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	20’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

For signage requirements in the SNC district, see Sec. 25: Signs, page 38.



Sec. 11: SUBURBAN NEIGHBORHOOD 1 DISTRICT

I. *Intent.* The Suburban Neighborhood 1 district is primarily comprised of single family homes on lots of varying sizes, but most lots are larger than those found in either of the Urban Neighborhood districts. Some multifamily residential exists in this district as well, but it tends to be physically separated from single family homes. The intent of this district is to provide for the protection of existing residential neighborhoods and creation of new residential neighborhoods that are better connected to community facilities and neighborhood services and other neighborhoods. New cul-de-sacs shall not be permitted unless demonstrated that no other street configuration will be possible.

II. *Requirements.* The following dimensional and building requirements shall apply in the Suburban Neighborhood 1 District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’
Building Setbacks	
Primary street (min)	20’
Side street (min)	20’
Side, interior (min)	10’
Rear (min)	20’

Building Height	
Max (feet/stories)	35’/2.5
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	20’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

For signage requirements in the SN1 district, see Sec. 25: Signs, page 38.

Sec. 12: SUBURBAN NEIGHBORHOOD 2 DISTRICT

I. *Intent.* The Suburban Neighborhood 2 district is primarily comprised of single family homes on lots of varying sizes, but most lots are larger than those found in either of the Urban Neighborhood districts. There is very little multi-family residential development in this district. The intent of this district is to provide for the protection of existing residential neighborhoods and creation of new residential neighborhoods that are better connected to community facilities and neighborhood services and other neighborhoods. New cul-de-sacs shall not be permitted unless demonstrated that no other street configuration will be possible.

II. *Requirements.* The following dimensional and building requirements shall apply in the Suburban Neighborhood 2 District:

Lot Dimensions	
Minimum lot area	5,000 sf
Minimum lot width	50’
Building Setbacks	
Primary street (min)	25’
Side street (min)	20’
Side, interior (min)	10’
Rear (min)	20’

Building Height	
Max (feet/stories)	35’/2.5
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	20’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

For signage requirements in the SN2 district, see Sec. 25: Signs, page 38.

Sec. 13: SUBURBAN EDGE DISTRICT

I. *Intent.* Large lots of typically at least one acre with scattered residential development comprise the Suburban Edge district. Sites often feature significant natural areas. The intent of the Suburban Edge district is to focus development into areas where there is existing infrastructure and preserve invaluable natural features and areas. New cul-de-sacs shall not be permitted unless demonstrated that no other street configuration will be possible.

II. *Requirements*. The following dimensional and building requirements shall apply in the Suburban Edge District:

Lot Dimensions	
Minimum Lot Area	1 acre
Minimum Lot Width	100’
Building Setbacks	
Primary street (min)	30’
Side street (min)	30’
Side, interior (min)	10’
Rear (min)	30’

Building Height	
Max (feet/stories)	35’/2.5
Accessory Structures	
Primary street setback (min)	50’
Side street setback (min)	30’
Side interior setback (min)	5’
Rear setback (min)	5’
Square footage (max)	600 sf

For signage requirements in the SE district, see Sec.25: Signs, page 38.

Sec. 14: INDUSTRIAL 1 LIMITED DISTRICT

I. *Intent.* The Industrial 1 Limited district is comprised of primarily large footprint buildings intended for light industrial development, clean manufacturing, or warehousing activities. The intent of this district is to provide for industrial development that has little impact on surrounding properties.

II. *Requirements*. The following dimensional and building requirements shall apply in the Industrial 1 Limited District:

Lot Dimensions	
Minimum lot area	1 acre
Minimum lot width	100’
Building Setbacks	
Primary street (min)	30’
Side street (min)	30’
Side, interior (min)	20’
Rear (min)	20’
Abutting protected area	30’

Building Height	
Max (feet/stories)	45’/4
Landscaping for Parking Areas	
Primary street buffer strip (min)	10’
Side street buffer strip (min)	10’
Side interior (min)	10’
Rear (min)	10’
Abutting protected area	30’
Distance between trees in buffers (max)	50’
Size of landscape islands (min)	10’x10’
Max # of spaces between landscape islands	10

For signage requirements in the IL district, see Sec. 25: Signs, page 38.

Sec. 15: INDUSTRIAL 2 GENERAL DISTRICT

I. *Intent.* The Industrial 2 General district is comprised of sites generally larger than 20 acres that are the sites for large footprint buildings intended for a range of industrial development. Industrial development in this district tends to generate more traffic and other impacts on surrounding properties. Properties in this district tend to be near major transportation infrastructure. The intent of this district is to provide convenient sites for industrial development that minimize the effects on surrounding properties by ensuring development is not located in close proximity to neighborhoods or other development that would be adversely affected by industrial uses. Furthermore, this district intends to ensure that development that is potentially harmful to the environment or public health is located in a way to mitigate and minimize these effects.

II. *Requirements*. The following dimensional and building requirements shall apply in the Industrial 2 General District:

Lot Dimensions	
Minimum lot area	2 acres
Minimum lot width	150’
Building Setbacks	
Primary street (min)	40’
Side street (min)	40’
Side, interior (min)	20’
Rear (min)	20’
Abutting protected area	40’

For signage requirements in the IG district, see Sec. 25: Signs, page 38.

Building Height	
Max (feet/stories)	45’/4
Landscaping for Parking Areas	
Primary street buffer strip (min)	10’
Side street buffer strip (min)	10’
Side interior (min)	10’
Rear (min)	10’
Abutting protected area	30’
Distance between trees in buffers (max)	50’
Size of landscape islands (min)	10’x10’
Max # of spaces between landscape islands	10

Sec. 16: NATURAL/OPEN SPACE DISTRICT

I. *Intent.* The Natural/Open Space district is comprised of areas intended to remain in a natural state and may include infrastructure as well as passive recreational facilities and trails. Some places in the district may be suitable for development or may have been developed but are now vacant and returning to a natural state. The intent of this district is to preserve natural areas and open space in order to preserve wildlife habitat, improve air and water quality, and protect scenic areas and view. Furthermore, the intent of this district is to direct development into areas most suitable for development where there are existing services, infrastructure, and connections.

II. *Requirements.* The following dimensional and building requirements shall apply in the Natural/Open Space District:

Lot Dimensions	
Minimum Lot Area	10 acres
Minimum Lot Width	500’
Building Setbacks	
Primary Street (min)	45’
Side Street (min)	45’
Side, interior (min)	20’
Rear (min)	20’
Building Height	
Max (Feet/Stories)	25’/2
Impervious Surface	
Max Percentage	20%

For signage requirements in the NO district, see Sec. 25: Signs, page 38.

Sec. 17: MAJOR INSTITUTION/CIVIC CAMPUS

I. *Intent.* The Major Institution/Civic Campus district encompasses major community-serving institutions such as educational campuses and hospitals. The development patterns for these institutions are unique to the site and may differ significantly from their surroundings. The intent of this district is to create places for these types of uses, which are highly desirable as economic generators, but also to ensure that these sites do little harm to surrounding districts by integrating better into their surroundings.

II. Except for the development of a new public park or open space, this district is not intended to be expanded beyond the existing boundaries.

III. *General Procedure.* In the Major Institution/Civic Campus district, all development is conditional based on the submittal and approval of a development plan, reviewed and approved by the Anniston Planning and Zoning Commission. The application and approval process is described in detail in Sec. 17: IV.

IV. In order to gain approval for development or redevelopment in the MI District, the applicant shall submit an MI Development Application to Planning and Development Services.

A. A complete application shall include the following:

1. A site plan scaled to not less than 1:100 showing all proposed improvements to include buildings, landscaping, paving, parking, sidewalks, open spaces, location of signage, etc. as well as all information required by the Anniston Subdivision Regulations for a preliminary plat.

2. Representative drawings of all elevations of proposed structures including material call-outs, landscaping, etc.

3. Proposed uses and/or tenants for each structure or part of a structure.

4. A master signage plan showing typical signage type, location, materials, size, etc.

5. Evidence of ownership or control of the tract proposed for development, or, if the property is under contract or contingency, evidence of the contract or contingency.

6. Names and addresses of persons/firms/partnerships/corporations showing a financial interest in the project.

7. A fee, which shall be in accordance with the schedule of fees established by Planning and Development Services.

B. Upon receipt of a complete application for approval, the Planning Commission shall advertise and conduct a public hearing to determine the suitability of the proposal.

C. The Planning Commission shall make a decision on the application within sixty (60) days of receipt of the complete application.

D. The Planning Commission's designee may approve changes to approved development plans that he or she determines to be insubstantial. Insubstantial changes are those that do not affect the overall character of the development.

E. Any changes to an approved development plan that the Planning Commission's designee determines to be substantial must be presented to the Planning Commission for approval. Substantial changes may include, but are not limited to, changes to the design of the building or site, changes to materials, changes to the proposed uses in a development, or changes to signage.

V. *Use Approval*. The Planning Director may approve the use of an existing structure in the Major Institution/Civic Campus District if the use is listed in the Permitted Use table (Sec. 22: Permitted Use Table) as C. This administrative approval is only applicable to the use of the property, not any changes to the exterior or signage, which must be approved by the Planning Commission. For signage requirements, see Sec. 25: Signs.

Sec. 18: SITE REQUIREMENTS

I. *Protected Areas.*

A. *Defined.* A protected area is defined as any area zoned Urban Neighborhood, Suburban Neighborhood, Suburban Edge, or Natural/Open Space.

II. *Driveways*. The following requirements apply to all non-residential driveways.

A. *Alley Access*. If parking areas can be accessed from an improved alley, access from the alley is required and no new curb cuts shall be created.

B. *Spacing*. Non-residential driveways shall be spaced according to the following list:

Right of Way Width	Spacing
Up to 60 feet	100’
61 to 80 feet	200’
81 or more feet	300’

C. *Credit for Removing or Combining Curb Cuts.* Whenever possible, driveways shall be consolidated and no additional driveways or curb cuts shall be added. If a curb cut is closed, eliminated, or combined with another curb cut, credit will be given for one (1) landscape island. The developer may construct one (1) less landscape island than would be required.

D. *Corner Lots.* On corner lots, access will be from the street with the lower classification.

E. *Width*. At the edge of pavement, driveways shall be no greater than the widths established below:

District	Driveway Width
C	12’
UC1	15’
UC2	15’
UN1	12’
UN2	12’
SC	24’
SNC	15’
SN1	15’
SN2	15’
SE	20’
IL	32’
IG	32’
MI	15’
NO	20’

F. No new driveways shall be permitted on Noble Street between 17th Street and 4th Street.

II. *Cross Access*. Shared parking and cross access is encouraged for all non-residential, non-industrial uses. Therefore, site plans shall comply with the following:

A. Cross access between abutting properties must be provided.

B. A stub for future cross-access must be provided.

C. The requirement for cross access may be waived if it is deemed infeasible by the City Engineer. Pedestrian access shall still be provided when cross access is waived.

D. Where cross access is established, an easement allowing cross access and a joint maintenance agreement shall be recorded.

III. *Other Site Requirements*.

A. *Loading Areas and Bay Doors.* All loading areas and bay doors must be located on the side or rear of the building, and shall in no instance face the primary street in any district or the side street in the Urban Core, Urban Center 1, Urban Center 2, or Suburban Neighborhood Center Districts.

B. *Outdoor Storage*. Outdoor storage is permitted only in the Industrial Districts.

C. *Garbage/Trash Receptacles.* All garbage receptacles will be screened from view with a fence of wood, masonry, stone, or stucco. Garbage receptacles shall not be located between a building and any adjacent street.

D. *Fuel and Drive-Thru Canopies*. Canopies do not count as a portion of the building when calculating Build-to-Area on a primary street.

E. *Underground Utilities.* For any new construction or substantial redevelopment (over 75% of the site being redeveloped), all utilities located upon said site must be located underground, unless they can be located in a manner so as not to be visible from the public right-of-way. The underlying land owner shall be responsible for all cost(s) related thereto. This provision shall not apply, however, to electric substations and/or facilities associated with the transport of electricity in excess of 25kV.

Sec. 19: PUBLIC REALM REQUIREMENTS

I. *Improvements Required.* Where new development or substantial redevelopment occurs, the developer shall be required to install the public realm improvements in accordance with the provisions of this section.

II. *Determination of Street Type.* The street type to be followed shall be determined by the City Engineer and the Planning Director on a project-by-project basis. The City Engineer and Planning Director may determine that a street is of a type not listed in that district if it more closely resembles a different street type; however, the following street types listed by district shall serve as a guide to determine the street type. The street type shall be determined utilizing the following criteria:

A. Existing ROW width.

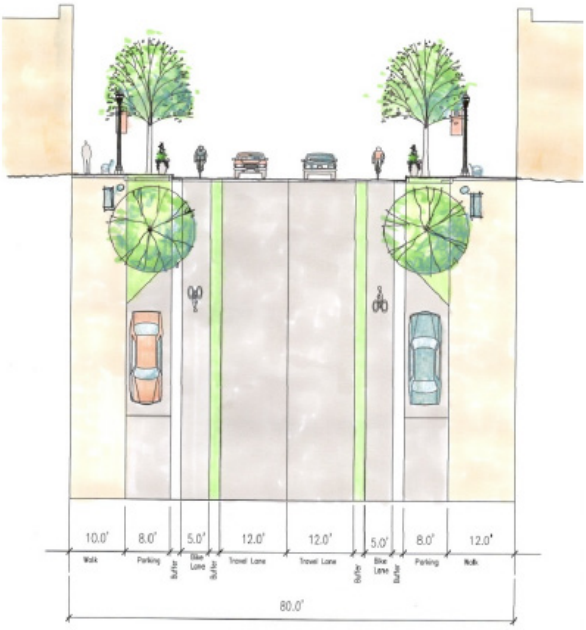
B. Street classification.

C. Character of the public realm adjacent to abutting and nearby properties.

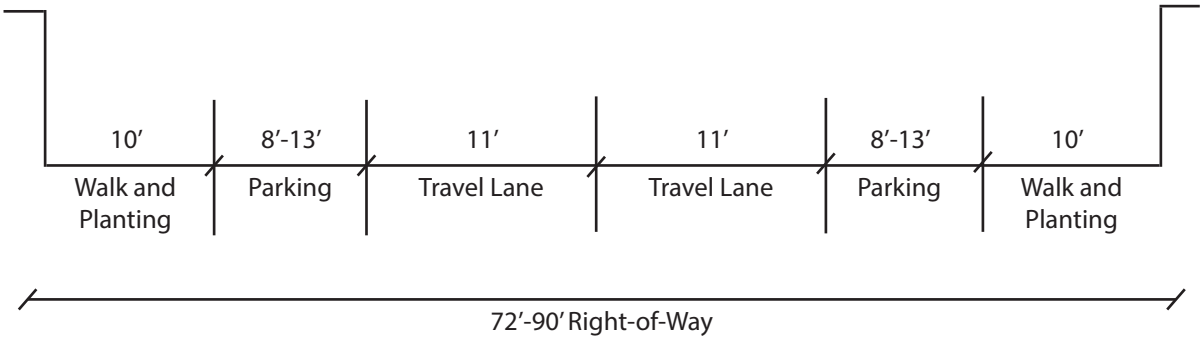
III. *Street Types Defined.* Street types are defined herein for each district. Street types are the same across different districts; this section defines the types of streets most likely to be found in each district.

A. *Urban Core District.*

1. *Urban Main Street.* This type is primarily intended for Noble Street, but other streets within the Urban Core or other districts may also be defined as Urban Main Streets.

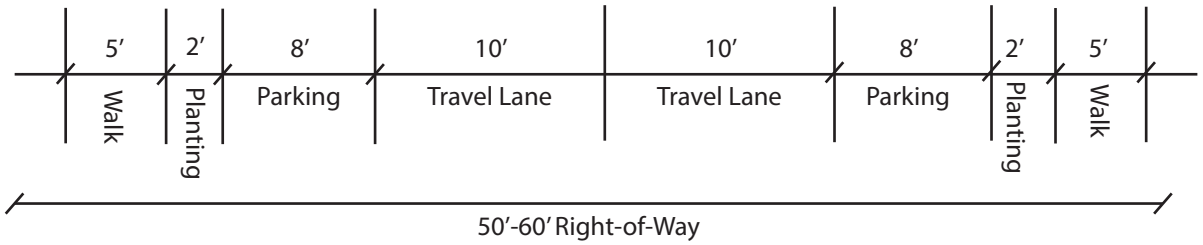


2. *Urban Street.* This type of street is found in multiple districts. Dimensions may vary slightly by district and street. Parking lane widths depend on whether parking is angled or parallel.

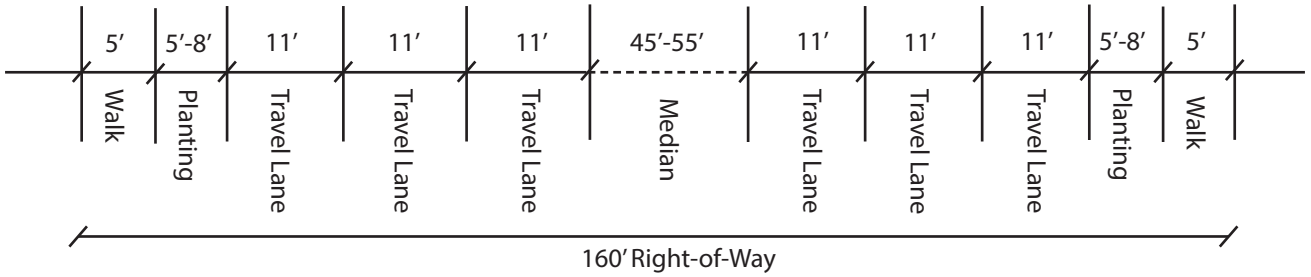


B. *Urban Center 1 District.*

1. *Urban Street.* See Sec. 19: IIIA2.
2. *Urban Neighborhood Street.* This type of street is found in multiple districts. Dimensions may vary slightly by district and street. Parking, for the most part, is parallel.



3. *Urban Boulevard.* This street type is based on the cross section of Quintard Avenue in the Urban Center 1 District and should not be applied to other streets. Dimensions may vary.



C. *Urban Center 2 District.*

1. *Urban Main Street.* See Sec. 19: IIIA1.
2. *Urban Street.* See Sec. 19: IIIA2.
3. *Urban Neighborhood Street.* See Sec. 19: IIIB2.

D. *Urban Neighborhood 1 District.*

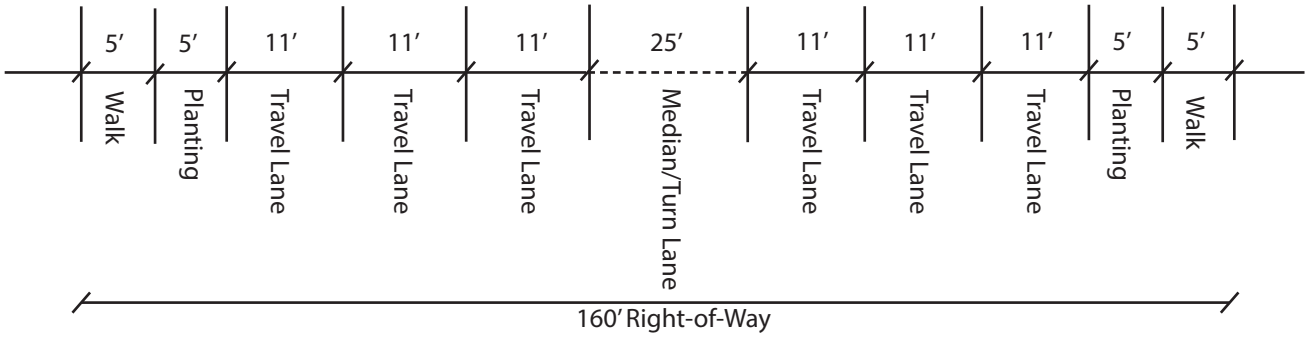
1. *Urban Neighborhood Street.* See Sec. 19: IIIB2.

E. *Urban Neighborhood 2 District.*

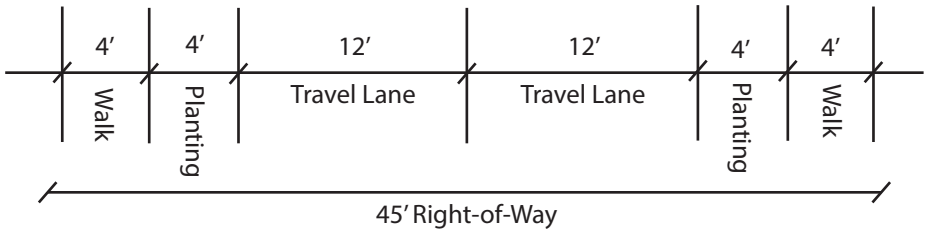
1. *Urban Neighborhood Street.* See Sec. 19: IIIB2.

F. *Suburban Corridor District.*

1. *Urban Street.* See Sec. 19: IIIA2.
2. *Suburban Corridor.* This street type is intended for Quintard Avenue in the Suburban Corridor District and should not be applied to other streets.



3. *Suburban Street.* Dimensions may vary by street. Some streets may have four travel lanes and a median.

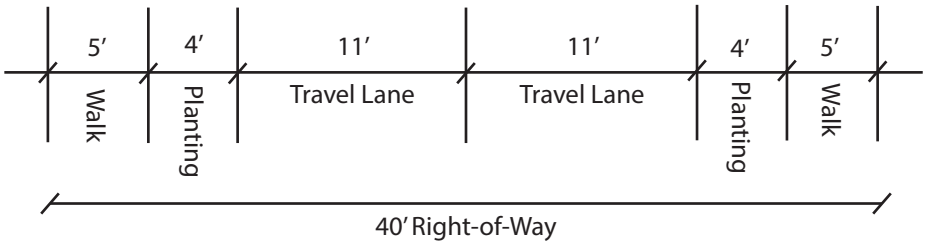


G. *Suburban Neighborhood Center District.*

1. *Urban Main Street*. See Sec. 19: IIIA1.
2. *Urban Street.* See Sec. 19: IIIA2.
3. *Urban Neighborhood Street.* See Sec. 19: IIIB2.

H. *Suburban Neighborhood 1 District.*

1. *Urban Neighborhood Street.* See Sec. 19: IIIB2.
2. *Suburban Street.* See Sec. 19: IIIF3. Suburban Streets in this district shall have only two travel lanes.
3. *Suburban Neighborhood Street.* Dimensions may vary by street. Space may be provided for on-street parking, but street widths should remain narrow so as to discourage speeding.

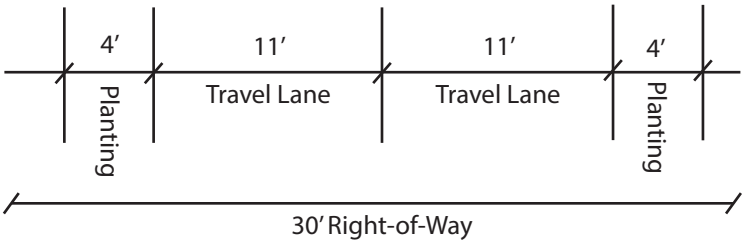


H. *Suburban Neighborhood 2 District.*

1. *Urban Neighborhood Street.* See Sec. 19: IIIB2.
2. *Suburban Street.* See Sec. 19: IIIF3. Suburban Streets in this district shall have only two travel lanes.
3. *Suburban Neighborhood Street.* See Sec. 19: IIIH3.

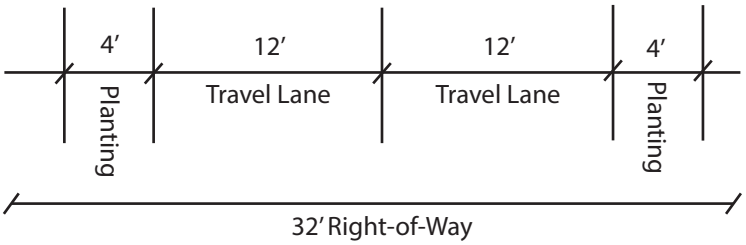
I. *Suburban Edge District.*

1. *Suburban Street.* See Sec. 19: IIIF3.
2. *Suburban Neighborhood Street.* See Sec. 19: IIIH3.
3. *Suburban Edge Street.* Dimensions may vary slightly by street.



J. *Industrial 1 Limited District.*

1. *Industrial Street.* Dimensions may vary by street.



2. *Suburban Street*. See Sec. 19: IIIF3.

K. *Industrial 2 General District.*

1. *Industrial Street.* See Sec. 19: IIIJ1.
2. *Suburban Street*. See Sec. 19: IIIF3.

L. *Major Institution/Civic Campus District.* In this district, streets shall primarily be urban types, but the determination shall be made by the Planning Commission at the recommendation of the City Engineer and Planning Director.

M. *Natural/Open Space District.*

1. *Suburban Edge Street.* See Sec: 19: IIII3
2. *Industrial Street.* See Sec. 19: IIIJ1.

N. *McClellan District.* Street types in the McClellan District shall be determined using the McClellan Streets Classification map and the above street types at the discretion of the Planning Commision, based on the recommendations of the City Engineer and Planning Director in consultation with the McClellan Development Authority.

Sec. 20: LANDSCAPING

I. Except as otherwise specified, or as determined by any electric utility provider to endanger the safety or reliability of its facilities, the following landscaping requirements shall apply to all districts.

II. *Applicability.* The standards listed shall apply to all new construction and/or substantially redeveloped parking areas, unless otherwise specified. Surface parking lots as a primary use shall be landscaped according to Sec. 22: Footnote 13. In the case of conflict between these standards and those in a particular district's requirements, the more stringent of the requirements shall apply.

II. *Maintenance of Landscaping.* All landscaping shall be maintained in good condition for its lifespan, and, after its lifespan, shall be replaced with similar or better landscaping. Failure to maintain landscaping may result in penalties as described in Sec. 38.

III. *Requirements.*

Landscaping for Parking Areas	
Primary street buffer strip (min)	5'
Side street buffer strip (min)	5'
Side interior (min)*	5'
Rear (min)*	5'
Abutting protected area (min)	10'
Distance between trees in buffers (max)	50'
Max # of spaces between landscape islands	10

*See V. Buffers.

IV. *Landscape Islands.*

A. *Size.* Unless otherwise specified, all landscape islands shall, at a minimum, be the same size as the parking spaces provided in the lot. For landscape islands within or at the end of a double parking row, said islands shall be double the size of the parking spaces provided in the lot.

B. *Trees Required.* All landscape islands shall include at least one (1) shade tree of minimum two inches (2") in caliper measured at DBH (diameter at breast height): the diameter of a tree four and one-half feet (4½') above ground level.

C. Landscape islands shall be an integral part of a site's stormwater management.

V. *Buffers.* Unless otherwise specified, all buffer strips shall meet the following requirements.

A. *Trees Required.* All buffer strips must have shade trees of minimum two inches (2") in caliper measured at DBH. These trees shall be spaced no more than fifty feet (50') apart.

B. For side interior and rear lot lines, buffers are not required along the portion of the parking area that is being stubbed for future cross access. Buffers shall still be provided along the parking stalls.

C. Existing street trees may count as trees required in buffer areas. However, if existing trees are spaced greater than fifty feet (50') apart, additional trees must be added to meet that requirement.

VI. *Preservation of Existing Trees.* The preservation of existing trees is encouraged, and may be included in the minimum planting requirements and credited toward trees required by this section according to the following list:

DBH of Preserved Tree	Trees Credited
9-19 inches	2
20-25 inches	3
26-29 inches	4
30-35 inches	5
36 or more inches	6

A. The preservation of existing trees shall only be credited for required tree plantings if the following conditions are met:

1. The critical root zone of the tree must be protected during the construction process. The extent of the protected area shall be shown on the submitted site plan.
2. No part of a structure or pavement, except for sidewalks or other surfaces not intended for vehicular use, shall encroach into the critical root zone.

VII. All landscaping requirements shall be fulfilled before a Certificate of Occupancy is issued.

Sec. 21: PERMITTED USES

I. This section establishes the uses allowed in each zoning district. Lots and/or buildings may be occupied only with the uses allowed in the permitted use table.

II. One or more land uses allowed in a district may be established on any lot within that district in compliance with all applicable requirements.

III. Accessory uses on the same lot with and incidental to any of the uses listed in the permitted use table are allowed.

IV. *Land uses not listed*. If a proposed use is not listed in the Permitted Use Table, but is similar to a listed use, the Planning Director may allow the proposed use. The Planning Director shall consider the following criteria when determining if a proposed use is similar to a listed use:

A. The amount of site area or floor area dedicated to the proposed use
B. The number of employees
C. The hours of operation
D. Building and site arrangement
E. Signage
F. The likely impact on surrounding properties
G. Types of vehicles used and their parking requirements
H. Characteristics of the proposed use

V. *Limited uses.* Unless otherwise specified, no limited use shall be located on the same block face as another limited use and no limited use shall be located within two hundred and fifty (250) feet of another limited use. See also Footnote 14 in Sec. 22: Permitted Use Table.

Sec. 22: PERMITTED USE TABLE	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
RESIDENTIAL														
SF	-	-	-	P	P	-	P	P	P	P	-	-	-	P
SF-A	-	P	P	P	-	-	P	P	P	-	-	-	-	-
Townhouse	-	P	P	P	-	-	P	P	-	-	-	-	-	-
MF 4 units or fewer	P[1]	P	P	P	-	-	P	P	-	-	-	-	-	-
MF 5 units or more	P[1]	P	P	-	-	P	P	P	-	-	-	-	-	-
Mobile home park	-	-	-	-	-	-	-	-	-	S	-	-	-	-
Group home	-	-	-	P	-	-	P	P	-	-	-	-	-	-
Rehabilitation home	-	-	-	-	-	-	-	P	-	P	-	-	-	-
Personal care home	-	P	-	-	-	P	P	-	-	-	-	-	-	-
Home occupation	P	P	P	P	P	P	P	P	P	P	-	-	-	P
Home day care[2]	P	P	P	P	P	-	P	P	P	P	-	-	-	P
CIVIC/INSTITUTIONAL														
Cemetery as primary use[3]	-	-	-	-	-	P	-	-	-	P	-	-	-	P
College/university	P	P	P	P[4]	P[4]	P	P	-	-	-	-	-	C	-
Outdoor recreation, nonprofit	-	P	P	P	-	P	P	P	P	P	P	-	C	P
Police or fire station	P	P	P	P	P	P	P	-	-	P	P	P	C	P
Public building, government office	P	P	P	P	P	P	P	P	P	P	P	P	C	-
Public park or recreation	P	P	P	P	P	P	P	P	P	P	P	P	C	P
Place of worship[5]	P	P	P	P	-	P	P	-	-	P	-	-	C	P[6]
School, public or private[6]	P	P	P	P	P	P	P	P	P	P	-	-	C	-
LODGING														
Bed and breakfast	-	P	P	P	P	-	-	P	-	-	-	-	-	-
Hotel, motel	P	P	P	-	-	P	P	-	-	-	-	-	-	-
Extended stay hotel, motel	-	-	-	-	-	P	P	-	-	-	-	-	-	-
SERVICE, RETAIL, ENTERTAINMENT														
Arts studio, gallery, instruction	P	P	P	P	-	P	P	-	-	-	-	-	C	-
Bar, tavern	P[7]	P	P	-	-	P	P	-	-	-	-	-	-	-
Brewery	P	P	P	-	-	P	P	-	-	-	P	P	-	-
Brewpub	P	P	P	-	-	P	P	-	-	-	-	-	-	-
Cigar bar[8]	P	P	P	-	-	P	P	-	-	-	-	-	-	-
Country club	-	-	-	-	-	P	-	P	-	P	-	-	C	-
Club, public or private	-	P	P	-	-	P	P	-	-	-	-	-	-	-
Day care center	-	P	P	-	-	P	P	-	-	-	-	-	-	-
Financial or lending institution	P	P	P	-	-	P	P	-	-	-	-	-	C	-
Firing range - indoor	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Firing range - outdoor	-	-	-	-	-	-	-	-	-	C[9]	C[9]	C[9]	-	-
Funeral home	-	P	P	-	-	P	P	-	-	-	-	-	-	-
Laundry, dry cleaning	P	P	P	-	-	P	P	-	-	-	-	P	-	-
Package liquor store	-	P	P	-	-	P	P	-	-	-	-	P	-	-

	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
SERVICE, RETAIL, ENTERTAINMENT (cont.)														
Personal service	P	P	P	C[10]	-	P	P	-	-	-	-	P	-	-
Recreation facility - indoor	P	P	P	-	-	P	P	-	-	-	P	P	C	-
Recreation facility - outdoor	-	-	-	-	-	P	P	-	-	-	-	-	-	P[11]
Restaurant with bar	P	P	P	-	-	P	P	-	-	-	-	-	-	-
Restaurant without bar	P	P	P	C[10]	-	P	P	-	-	-	-	-	C	-
Restaurant with drive-thru	-	P[12]	P[12]	-	-	P	P[12]	-	-	-	-	-	-	-
Retail sales or service	P	P	P	C[10]	-	P	P	-	-	-	P	-	C	-
Special events center	P	P	P	-	-	P	P	-	-	-	-	-	C	-
Television or other production studio	P	P	P	-	-	P	-	-	-	-	P	P	-	-
Temporary festival or special event	P	P	P	-	-	P	P	-	-	-	-	-	-	P[13]
Theater (live or cinema)	P	P	P	-	-	P	P	-	-	-	-	-	-	-
Financial institution per Ord. No. 14-O-21[14]	-	L	L	-	-	L	-	-	-	-	L	-	-	-
Sexually-oriented adult use	-	L	-	-	-	L	-	-	-	-	L	L	-	-
Tattoo parlor	-	-	L	-	-	L	L	-	-	-	L	L	-	-
Tobacco shop	L	L	-	-	-	L	L	-	-	-	L	-	-	-
GENERAL BUSINESS														
Ambulance or emergency service	-	P	P	-	-	P	-	-	-	-	P	P	C	-
Artisanal	P	P	P	P	-	P	P	-	-	-	P	-	-	-
Business, vocational school	-	P	P	-	-	P	P	-	-	-	P	-	-	-
Hospital	-	P	P	-	-	P	P	-	-	-	-	-	C	-
Medical or dental office, clinic	P	P	P	-	-	P	P	-	-	-	P	-	C	-
Office, professional services	P	P	P	P[15]	-	P	P	-	-	-	P	-	C	-
Radio, television, etc. broadcasting	-	P	P	-	-	P	-	-	-	-	P	P	C	-
Self-storage, indoor	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Service or repair (except automobile)	P	P	P	-	-	P	P	-	-	-	P	P	-	-
Veterinary office, clinic	-	P	P	-	-	P	P	-	-	-	P	P	-	-
Wholesale trade	-	P[16]	P[16]	-	-	P	-	-	-	-	P	P	-	-
VEHICLE ACCOMMODATIONS														
Parking garage, structure (public or private)	P	P	P	-	-	P	P	-	-	-	P	P	C	-
Car wash	-	-	P	-	-	P	-	-	-	-	P	P	-	-
Fuel station	-	P	P	-	-	P	P	-	-	-	P	P	-	-
Passenger transportation terminal	P	P	P	-	-	P	P	-	-	-	P	P	C	-
RV Park[17]	-	-	-	-	-	-	-	-	-	P	-	P	-	-
Surface parking lot (as primary use)[17]	-	L	L	-	-	L	L	-	-	-	P	P	L	-
Vehicle repair, minor	-	P	P	-	-	P	P	-	-	-	P	P	-	-
Vehicle repair, major	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Vehicle sales, leasing, rentals	-	-	P	-	-	P	P	-	-	-	P	P	-	-
INDUSTRIAL														
Armory	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Construction contractor	-	-	-	-	-	-	-	-	-	-	P	P	-	-

	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
INDUSTRIAL (cont.)														
Electrical substation	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Equipment or machinery sales, leasing, repair	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Laboratory - medical, analytical	-	-	-	-	-	-	-	-	-	-	P	P	C	-
Manufacturing/processing - heavy	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Manufacturing/processing - medium	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Manufacturing/processing - light	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Public utility	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Recycling - large collection facility	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Recycling - small collection facility	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Recycling - processing facility	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Research and development	-	-	-	-	-	-	-	-	-	-	P	P	C	-
Scrap and dismantling or salvage yard	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Sewer and waste facility	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Storage - outdoor	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Storage and distribution	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Water supply facility	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Wireless transmitter	-	-	-	-	-	-	-	-	-	-	P	P	-	-

P	Permitted
C	Conditional
L	Limited
S	Special Exception Required
-	Not Permitted

1. Multi-family uses are only allowed on upper stories in the C district, not on the ground floor.
2. A home day care shall only be permitted if five (5) or fewer children shall be cared for in the home and if adequate parking space for the loading and unloading of children is provided.
3. Cemeteries are permitted as an accessory use to a place of worship anywhere that a place of worship is permitted.
4. College/university is permitted as a use in UN1 and UN2 district if it is a program that uses an existing structure.
5. A place of worship is permitted in the NO district if no more than ten (10) percent of the lot area is covered by impervious surfaces.
6. A place of worship or school is permitted in the C, UN1, UN2, SN1, and SN2 districts only in a Civic development type.
7. No bars or taverns are permitted in the Urban Core district on any property located between 9th and 13th Streets with frontage on Noble Street.
8. A cigar bar is subject to all of the requirements of Ordinance No. 15-O-16.
9. An outdoor firing range is permitted if the point of origin of any weapons being fired is at least 500 yards from any adjoining residential property. Any outdoor firing range must be approved as a conditional use by the Planning Commission and any application for such must include a site plan and an acoustical study.

10. A restaurant without bar, retail sales, personal service, or professional office shall be permitted in the UN1 District only with an occupied floor area of less than 2,500 square feet and on a corner lot. Furthermore, no more than six (6) parking spaces shall be provided on the site. These uses must be approved by the Planning Commission, which may impose more specific conditions on the use.
11. A recreation facility - outdoor shall be permitted in the NO District only if it meets the following conditions:
    a. It is located on a lot of more than ten (10) acres.
    b. The use requires minimal impervious surfaces; no more than five (5) percent of the lot area may be covered by impervious surfaces.
12. A restaurant with drive-thru is permitted in the UC1, UC2, and SNC Districts only if the drive-thru does not face a Primary Street and all of the other building and parking requirements are met.
13. A temporary festival or special event may be permitted in the NO District only for a period six (6) or fewer days.
14. Ord. No. 14-O-21 defines financial institutions as businesses other than federally or state chartered bank, credit union, mortgage lender or savings and loan association, that conduct business as a Pawn Shop, Pay-Day Lending, Title Pawn Shop, or a Deferred Presentment Financial Institution. Such uses are subject to the following restrictions:
    a. No two (2) Financial Institutions shall be permitted to be located within 600 feet of each other.
    b. No Financial Institution shall be permitted within 500 feet of a residence, church, school, or public park.
    c. No Financial Institution shall be permitted if there exists a ratio of more than one (1) Financial Institution for every 2,500 residents of the City.
15. Office, professional services is permitted in the UN1 district only in the area bounded by 15th Street to the north, Woodstock Avenue to the east, 12th Street to the south, and the alley between Christine and Leighton Avenues to the west. An office, professional services is also permitted in the UN1 district in the area south of 11th Street between Woodstock Avenue and Highland Avenue. If a question arises about a property in the UN1 district's being permitted to have an office, professional services, refer to the area on the former zoning map that was zoned RO - Residential Office. Lots in these areas may not be subdivided to encompass an area of greater than 40,000 square feet.
16. In the UC1 and UC2 districts, wholesale trade is limited to no more than 5,000 square feet.
17. A surface parking lot as primary use, in addition to meeting the conditions of a Limited Use, must also provide landscaping to comply with the following:

Landscaping for Surface Parking Lots	
Primary street buffer strip (min)	10’
Side street buffer strip (min)	10’
Side interior (min)*	5’
Rear (min)*	5’
Abutting protected area (min)	10’
Distance between trees in buffers (max)	50’
Max # of spaces between landscape islands	10
Height of wall* along primary street (min)	4’

*Wall must be constructed of masonry materials

Sec. 23: DEVELOPMENT TYPES

I. *Development Types.* All development is classified into the following development types. Each of the development types is further defined.

A. *Single Family Residential Detached - SF.* Detached 1-2.5 story residential structures each intended for one family.

B. *Single Family Residential Attached - SF-A.* 1-3 story residential structures that are attached to similar structures on at least one side (aka townhouses or rowhouses). Each attached structure has a separate entry and is intended for one family.

C. *Two-Four Family Residential -MF-A.* Structures that each contain between two and four separate residential dwellings under one roof. May be built in a similar pattern as single-family structures.

D. *Multi-Family Residential - MF-B.* Higher density residential format where five or more separate dwelling units are contained within a structure. Units may have separate entries or may only be accessed through a central lobby.

E. *Vertical Mixed Use - MU.* Structures intended to include different uses within the same structure. Typically ground floor uses are retail with offices or residential units occupying upper floors.

F. *Community Commercial - CC.* Large scale, primarily retail, restaurant, and accommodation uses that serve the broader community. Buildings tend to be 1-2 stories and larger than 30,000 square feet.

G. *Neighborhood Commercial - NC.* Small scale retail, restaurant, and accommodation buildings which should be compatible with and primarily serve nearby neighborhoods. Buildings are typically smaller than 30,000 sqaure feet.

H. *Office - O.* 1-6 story buildings designed for professional offices with single or multiple tenants. May involve multiple large or small footprint buildings in a campus setting.

I. *Limited Industrial - LI.* 1-2 story large footprint buildings intended for light industrial development, clean manufacturing or warehousing activities, includes “flex” configurations that offer a hybrid office/industrial format.

J. *General Industrial - I.* Development intended for modern industrial activities such as clean manufacturing and distribution. Larger in scale than Limited Industrial with minimal, utilitarian architecture.

K. *Civic - C.* Public and semi-public uses such as government buildings, libraries, police and fire stations, schools, and places of worship. Civic sites may differ from surroundings in style and relationship to the street. In the Core and Urban Center Districts, Civic development types may reduce the BTA requirements by 25 percent. In the Core and Urban Center 1 District, the maximum building setback may be increased to 20 feet, but the parking setback shall not be decreased, and no parking is permitted in front of the building on either the primary or side street. In the Core and Urban Center districts, ground floor transparency requirements may be reduced by ten (10) percent.

II. *Development Types Allowed by District.* The following is a table of permitted development types by district. Development or substantial redevelopment may only occur in these development types in these districts.

	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
DEVELOPMENT TYPE														
SF	-	-	-	P	P	-	-	P	P	P	-	-	-	P
SF-A	-	P	P	P	-	-	P	P	-	-	-	-	-	-
MF-A	-	P	P	P	-	-	P	P	-	-	-	-	-	
MF-B	P	P	P	-	-	P	P	P	-	P	-	-	-	-
MU	P	P	P	P	P	P	P	P	-	-	-	-	P	-
CC	-	-	P	-	-	P	P	-	-	-	-	-	-	-
NC	-	P	P	P[1]	-	P	P	-	-	-	P	-	-	-
O	P	P	P	-	-	P	P	-	-	-	P	-	P	-
LI	-	-	-	-	-	-	-	-	-	-	P	P	-	-
I	-	-	-	-	-	-	-	-		-	-	P	-	
C	P	P	P	P	P	P	P	P	P	P	P	P	P	P[2]

1. Neighborhood Commercial development is allowed in the UN1 District if it occupies a lot of 15,000 square feet or less and does not incorporate parking in front of the building.
2. The Civic development type is permitted in the NO district, but only on a lot of more than five (5) acres and with less than five (5) percent impervious surfaces.

Sec. 24: MCCLELLAN DISTRICT

I. *Introduction*.

A. *Intent.* The intent of the McClellan development approval process is to facilitate the development of land in a manner that conforms to City plans (including the Master Plan and plans for McClellan) but also provides flexibility on the development of the site, promoting high standards in layout and construction and ensuring development is harmonious with existing topographical and historic features and surrounding land uses.

B. *General Procedure.* In the McClellan district, all development is conditional based on the submittal and approval of a development plan, reviewed and approved by the Anniston Planning and Zoning Commission. The application and approval process is described in detail in Sec. 24: V. In this district, there are sub-districts that permit certain types of uses, which are specified in this section.

II. *McClellan Districts.* Within the McClellan District, there exist the following sub-districts. While these districts have similar characteristics to the districts outside of McClellan, McClellan has a unique character that is expressed in each district's requirements. The districts are further defined as to each district's intent:

A. *McClellan Central District - MC.* The intent of the McClellan Central District is to allow for the redevelopment of a walkable, mixed-use neighborhood at the core of the previous fort. The McClellan Central District is similar in type to the Suburban Neighborhood Center, but development and redevelopment should be in keeping with the character of historic buildings within McClellan.

B. *McClellan Historic Neighborhood 1 District - MHN.* The intent of the McClellan Historic Neighborhood District is to, first, preserve the existing historic Buckner Circle neighborhood and, second, to allow infill development within the context of this historic, mixed-use neighborhood that honors the character of the historic district.

C. *McClellan Neighborhood District - MN.* The intent of the McClellan Neighborhood District is to guide the development of McClellan's more suburban neighborhoods. The McClellan Neighborhood District is similar in type to the Suburban Neighborhood 1 District, but development and redevelopment should be in keeping with the character of buildings within McClellan.

D. *McClellan Suburban Corridor District - MSC.* The intent of the McClellan Suburban Corridor District is to allow for commercial and other development along the most viable commercial corridors such as McClellan Boulevard and Summerall Gate Road. Development along these corridors should be attractive and reminiscent of the character of historic structures in McClellan while at the same time being viable for larger commercial or other uses.

E. *McClellan Industrial District - MIN.* The intent of the McClellan Industrial District is to provide land suitable for light industrial development that is accessible by major transportation routes within the context of the historic fort. Development in this district should be sensitive to the historic and natural character of the larger McClellan District.

F. *McClellan Natural/Open Space District - MNO.* The intent of this district is to preserve natural areas and open space in order to preserve wildlife habitat, improve air and water quality, and protect scenic areas and view. Furthermore, the intent of this district is to direct development into areas most suitable for development where there are existing services, infrastructure, and connections.

G. *McClellan National Guard District.* The intent of the McClellan National Guard District is to provide property for the operations of the National Guard. As this District is under the purview of the US National Guard, the City does not have any jurisdiction over this District.

III. *Conditional Uses.* The uses that may be conditionally approved (C) in each of the McClellan sub-districts are listed below. The approval of these uses is at the discretion of the Planning Commission based on an approved development plan. However, these uses are deemed to be the most appropriate uses for these districts and shall be approved if the development plan meets all development requirements and guidelines.

	MC	MHN	MN	MSC	MIN	MNO
AGRICULTURAL						
Timber management	-	-	-	-	C	C
Horticultural operations	C	C	-	C	-	C
Processing facilities	-	-	-	-	C	-
Research and training activities	-	-	-	-	C	-
BUSINESS OFFICE						
General office use	C	-	-	C	C	-
Administrative use	C	-	-	C	C	-
Data processing facility	C	-	-	C	C	-
Call center	C	-	-	C	C	-
COMMERCIAL/RETAIL						
Retail shopping center	C	-	-	C	-	-
Individual retail facility	C	-	-	C	-	-
Motel/hotel	C	-	-	C	-	-
Bed and breakfast	C	C	-	C	-	-
Conference center	C	C	-	C	-	-
Radio, television, recording studio	C	-	-	C	C	-
Publishing operation	C	-	-	C	C	-
Entertainment venue	C	-	-	C	-	-
Cultural activity	C	C	C	C	-	-
Professional service business	C	-	-	C	-	-
EDUCATIONAL						
Educational facilities	C	C	C	C	C	-
HEALTHCARE						
Hospital	C	-	-	C	C	-
Nursing home	C	-	-	C	-	-
Independent and assisted living facility	C	-	-	C	-	-
Medical rehabilitation facility	C	-	-	C	-	-

	MC	MHN	MN	MSC	MIN	MNO
Medical or dental office	C	-	-	C	-	-
Laboratory	C	-	-	C	C	-
INDUSTRIAL						
Manufacturing	-	-	-	-	C	-
Processing	-	-	-	-	C	-
Fabrication	-	-	-	-	C	-
Assembling	-	-	-	-	C	-
Warehousing	-	-	-	-	C	-
RELIGIOUS						
Place of worship	C	C	C	C	-	-
Clerical educational and training facility	C	-	-	C	-	-
RESEARCH/TECHNOLOGY						
General research facility	C	-	-	C	C	-
Experimental or testing laboratory	-	-	-	-	C	-
Technology education or innovation center	C	-	-	C	C	-
Data storage facility	-	-	-	C	C	-
Call center	-	-	-	-	C	-
RESIDENTIAL						
Single family dwelling	C	C	C	-	-	C
Multi-family dwelling	C	C	C	-	-	-
Planned retirement community	C	C	C	C	-	-
WAREHOUSE/STORAGE						
General warehousing or storage facility	-	-	-	-	C	-
OTHER PERMITTED USES						
The Planning Commission may approve other uses as part of the approval process if those uses are deemed appropriate and the development proposal conforms to this ordinance and the MDA Supplemental Design Development Guide.						
EXPRESSLY PROHIBITED USES						
See the MDA Supplemental Design Development Guide for expressly prohibited uses. Any uses expressly prohibited by Environmental or other Covenant may not be approved by the Planning Commission.						

IV. All development in McClellan must meet the following standards:

A. Must be compatible with the Master Plan.

B. Must be compatible with the topography of the land, shall preserve any sensitive, unusual, or significant topographic, natural, or historic features.

C. Development shall not unduly negatively impact surrounding properties or the district by adding significant volumes of traffic, degrading the natural environment or removing historic structures that are viable and in reparable condition.

D. All development, redevelopment, rehabilitation, and signage shall conform to the guidelines set forth by the McClellan Development Authority in the Supplemental Design Development Guide. Enforcement of these guidelines is the responsibility of the Anniston Planning Commission or its designee. The Planning Commission shall not approve any proposal that does not align with these guidelines.

V. In order to gain approval for development or redevelopment in any McClellan district, the applicant shall submit a McClellan Development Application to Planning and Development Services.

A. A complete application shall include the following:

1. A site plan scaled to not less than 1:100 showing all proposed improvements to include buildings, landscaping, paving, parking, sidewalks, open spaces, location of signage, etc. as well as all information required by the Anniston Subdivision Regulations for a preliminary plat.

2. Representative drawings of all elevations of proposed structures including material call-outs, landscaping, etc.

3. Proposed uses and/or tenants for each structure or part of a structure.

4. A master signage plan showing typical signage type, location, materials, size, etc.

5. Evidence of ownership or control of the tract proposed for development, or, if the property is under contract or contingency, evidence of the contract or contingency.

6. Names and addresses of persons/firms/partnerships/corporations showing a financial interest in the project.

7. A fee, which shall be in accordance with the schedule of fees established by Planning and Development Services.

B. Upon receipt of a complete application for approval, the Planning Commission shall advertise and conduct a public hearing to determine the suitability of the proposal.

C. The Planning Commission shall make a decision on the application within sixty (60) days of receipt of the complete application.

D. The Planning Commission's designee may approve changes to approved development plans that he or she determines to be insubstantial. Insubstantial changes are those that do not affect the overall character of the development.

E. Any changes to an approved development plan that the Planning Commission's designee determines to be substantial must be presented to the Planning Commission for approval. Substantial changes may include, but are not limited to, changes to the design of the building or site, changes to materials, changes to the proposed uses in a development, or changes to signage.

V. The Planning Director may approve the use of an existing structure in the McClellan District if the use is listed in the Conditional Use table (Sec. 24: III) as C. This administrative approval is only applicable to the use of the property, not any changes to the exterior or signage, which must be approved by the

Planning Commission.

VI. *Southern McClellan Master Plan Area*. In the area covered by the Southern McClellan Master Plan, the Planning Commission shall have the discretion to approve a design or use in accordance with the Southern McClellan Master Plan. This Plan is meant to be conceptual only.

Sec. 25: SIGNS

I. *Primary Sign Types.* The following sign types are herein defined. Billboards or outdoor advertising signs are covered in Sec. 26: Outdoor Advertising.

A. *Building Sign.* A building sign is any permanent on-premises sign, other than a ground mounted sign, that is attached to, erected on, painted on, or supported by any building.

B. *Pole Sign*. Any sign permanently supported by structures or supports (poles) that are placed on, or anchored in, the ground and that are independent from any building or other structure.

C. *Monument Sign.* Any ground mounted sign generally having a low profile with little or no open space between the ground and the sign and having a structure surrounding the sign constructed of masonry, wood, or other materials that are similar to those of the building. The sign is also generally landscaped. A monument sign is independent from any building or other structure.

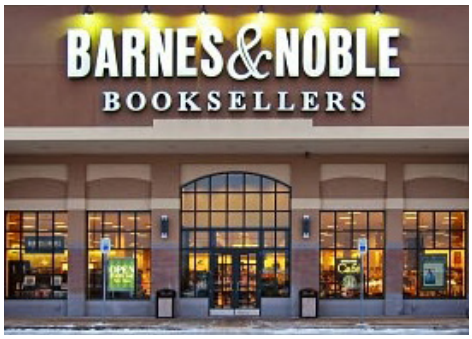
D. *Freestanding Sign*. Any ground mounted sign that does not meet the definition of a pole or monument sign but is not attached to or supported by any part of the building. The supporting structures shall be considered as part of the sign and shall be included in computing the sign display area.

E. *Projecting Sign.* Any sign affixed to a building or wall that extends at a perpendicular angle to the wall or building to which it is attached.

F. *Canopy/Awning Sign*. Any sign permanently affixed to, painted on, or supported by an awning or canopy that is attached to the building.

G. *Internally Illuminated Sign*. Any sign lighted by artificial lighting within the face of the sign and with no external light source so that the sign is illuminated from within. Internally illuminated signs may be pole, freestanding, projecting, monument, or building signs.

H. *Externally Illuminated Sign*. Any sign lighted by artificial lighting from an external source, such as lights directed onto the sign. Externally illuminated signs may be any type of sign.



II. *Primary Sign Types allowed by District.* The following table lists sign types allowed by district.

	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
SIGN TYPE														
Building Sign	P	P	P	P	P	P	p	-	-	-	P	P	P	P
Pole Sign	-	-	-	-	-	P	P	-	-	-	P	P	-	-
Monument Sign	-	P[1]	P[1]	P[2]	P[2]	P	P	P	P	P	P	P	P	P
Freestanding Sign	-	P[1]	P[1]	P[2]	P[2]	P	P	-	-	-	P	P	P	-
Projecting Sign	P	P	P	P	P	-	-	-	-	-	-	-	-	-
Awning/Canopy Sign	P	P	P	P	P	P	P	-	-	-	P	P	P	P
Digital Readerboard[3]	-	-	-	-	-	P	P	-	-	-	P	P	P	-
Internally Illuminated Sign	-	-	-	P[4]	P[4]	P	P	-	-	-	P	P	P	-
Externally Illuminated Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	-

1. Monument and Freestanding Signs in the UC1 and UC2 Districts may be no greater than eight (8) feet in height and no more than 64 square feet in area. The measurement for height shall include the entire sign structure.
2. Monument and Freestanding Signs in the UN1 and UN2 Districts may be no greater than six (6) feet in height and no more than 36 square feet in area. The measurement for height shall include the entire sign structure.
3. See Sec. 25: V - Digital Readerboards.
4. Internally Illuminated Signs may be allowed in the UN1 and UN2 Districts if they are Building Signs and are no more than 24 square feet in area.

III. *Requirements for Signs.*

A. *Maximum Square Footage*. The following table lists the maximum square footage for all signage on a property in all districts. Square footage is measured on one side of the sign only. For example, a sign that is 10'x10' has a sign area of 100 square feet, even if it is double sided.

DISTRICT	MAX SQUARE FEET
C	2 sq. ft. per 1 linear foot of facade or 32 sq. ft., whichever is more
UC1	2 sq. ft. per 1 linear foot of facade or 32 sq. ft., whichever is more
UC2	2 sq. ft. per 1 linear foot of facade or 32 sq. ft., whichever is more
UN1	72 sq. ft.
UN2	72 sq. ft.
SC	2 sq. ft. per 1 linear foot of facade or 32 sq. ft., whichever is more - freestanding signs are limited to 100 sq. ft.
SNC	2 sq. ft. per 1 linear foot of facade or 32 sq. ft., whichever is more
SN1	36 sq. ft.
SN2	36 sq. ft.
SE	36 sq. ft
IL	150 sq. ft.
IG	150 sq. ft.
MI	As determined by the Planning Commission
NO	36 sq. ft.

B. *General Requirements.*

1. No freestanding sign shall be taller than thirty (30) feet in height.

2. No more than one (1) freestanding sign of any type is permitted on a lot with frontage on one (1) street. Corner lots may have one (1) freestanding sign per street frontage, but these signs must be at least fifty (50) feet apart measured in a line from sign base to sign base. Corner lots are still limited to the maximum square footage requirements for the district.

3. Height of ground mounted (monument, pole, or freestanding) signs shall be measured from grade level of the lot measured at the location of the sign.

4. No more than one pair of ingress and egress signs shall be displayed per driveway entrance. These signs shall not exceed four (4) square feet in area or three (3) feet in height from the finished grade of the lot at the location of the sign and shall not bear any commercial message or logos.

5. No more than one real estate sign shall be displayed per street frontage per lot and shall be located at least fifteen (15) feet from any street line. Such sign shall not exceed six (6) square feet in area for a residential property and shall not exceed 32 square feet in area for a commercial property.

6. No temporary signs shall be erected in or on any public right of way, public building, public grounds, or other public place, and no such sign shall be affixed to any tree, tree branch, fence, fence post or utility pole.

7. Temporary construction site signs shall be permitted on a site where building is in progress provided that such signage is removed within fourteen (14) days of completion of the project and totals no more than 32 square feet in area.

8. Shopping centers with four (4) or more tenant spaces may have a freestanding sign of up to 200 square feet. On the building, individual tenants are limited to two (2) square feet per linear foot of the tenant space or 32 square feet, whichever is more.

9. All signs shall conform with building, electrical, and other applicable codes adopted by the City of Anniston. All signs and components thereof, including structural supports, shall be kept in a state of good repair, in good working order, and shall be kept free of excessive rust, corrosion, rotting, or other deterioration.

10. Repainting, repair, or copy changes including removal and reinstallation shall not require a permit if the size of the sign is not enlarged, the existing cabinet is reused, and the lighting does not change.

11. Any new sign erected after the effective date of enactment of this Section shall expressly meet the regulations contained herein. Any sign which does not conform to the provisions of this Section, may not, after the effective date of this Section, be enlarged, strucurally altered or extended unless such sign be made to conform to the provisions contained herein.

.

12. Normal maintenance of non-conforming signs is permitted. When a nonconforming sign is removed, damaged, or destroyed by any means to the extent of fifty percent (50%) of its replacement value exclusive of foundation it shall not be restored, unless such sign shall be made to conform to the provisions of this Section.

13. Any non-conforming sign which is abandoned for more than six (6) months shall be removed.

C. *Sign Placement.* Signs may be located in the following ways:

1. Building signs may only be located on street-facing facades or on a facade with a customer entrance.

2. Freestanding signs may not be placed in such a way that they would overhang the right-of-way. If there is more than one freestanding sign on a corner lot, the sign bases shall be located a minimum of fifty (50) feet apart.

3. No sign shall impede clear line-of-sight for traffic, including pedestrian traffic. The City Engineer shall determine whether a sign's proposed placement meets this criteria.

IV. *Exempt Signs.* The following signs are exempt from the general provisions of these regulations and all permit requirements therein.

A. Signs for the control of traffic or other regulatory purposes including signs for the control of parking on private property, and official messages erected by or on the authority of a public officer in the performance of his duty.

B. Non-illuminated signs not to exceed two (2) square feet which are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information.

C. Signs which identify restrooms or provide instructions as required by law or necessity, provided the sign does not exceed two (2) square feet in area.

D. Signs affixed to door or window glass which permanently identify the name and/or address of an establishment. Said signs may not exceed ten (10) square feet in area or twenty (20) percent of the glass area, whichever is less. Window signs in any historic district are subject to review by the Anniston Historic Preservation Commission.

E. Flags and insignia of any government except when displayed in connection with commercial promotion.

F. Non-inflatable signs or decorations customarily displayed in conjunction with a national holiday for a period not to exceed thirty (30) days.

G. Signs, banners, flags and pennants displayed in conjunction with a City-sponsored event or approved as non-commercial.

H. Printed placards or other graphic material of a temporary nature. Said placards or materials shall not exceed six (6) square feet and shall not be left in place for more than thirty (30) days.

I. Legal notices, identification, informational or directional signs erected or required by governmental bodies, or historic markers.

J. Signs of local cultural or historical significance as determined so by the City's Historic Preservation Commission, including ghost signs - signs that were historically hand-painted on the sides or rear of historic buildings and have been uncovered or are existing. A ghost sign is exempt from signage requirements such as maximum square footage only if it does not advertise the existing business on the premises it occupies. The Anniston Historic Preservation Commission shall have authority to approve the restoration or removal of ghost signs.

V. *Digital Readerboards.* Digital readerboards shall be limited to twelve (12) square feet and shall not have flashing, scrolling, or otherwise animated content. Messages shall only be changed instantaneously and must be visible for a minimum of nine (9) seconds.

VI. *Signs on US or State Roads.* In addition to complying with all provisions of this ordinance, all signs on property abutting US or State Roads shall comply with FHWA and other State or Federal requirements for signage.

VI. *Prohibited Signs*. The following signs are expressly prohibited within the City, and it shall be unlawful to erect or maintain any of the following:

A. Any sign which is determined to constitute a traffic hazard or may be confused with or construed as a traffic control device by reason of site, location, content, color or type of illumination.

B. Any sign which is located within the public right-of-way, in public parks, or on other public property, including (but in no way limited to) the Quintard Avenue median.

C. Any sign which extends over the City right-of-way without a clearance of at least eight (8) feet. Building signs on buildings located within two (2) feet of the right-of-way may project a maximum of eighteen (18) inches beyond the surface to which they are attached.

D. Portable signs as defined herein and portable signs attached or affixed as appendages to free standing signs which are not inclusive to the original sign design; A or T frame signage for the display of menus, or special promotions shall be allowed at the point of entry provided they do not interfere with the safe flow of pedestrian traffic.

E. A changeable copy reader board which constitutes seventy-five percent (75%) or more of the entire sign.

F. Any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating or otherwise animated sign, except for time and temperature or stock information displays and digital readerboards as herein provided (see Sec. 25: V. Digital Readerboards).

G. Any roof signs as defined herein.

H. Any off-site sign, not an outdoor advertising sign or billboard as defined in Sec. 26: Outdoor Advertising. An off-site sign is any sign not relating in its subject matter to the premises on which it is located or to products, accommodations, services, or activities on the premises.

VII. *Banners.* Banners are defined as signs printed or otherwise inscribed on a fabric of some sort, not meant to be utilized as permanent signage. Banners may be connected to a pole or hung using grommets in the fabric. Except in the MI and SC districts, banners shall be permitted to be displayed only in accordance with a banner permit issued by Planning and Development Services. Banner permits shall allow the display of a banner for a period not to exceed thirty (30) days, and no business or other entity may obtain more than four (4) banner permits in a calendar year. Permitted banners are limited to 32 square feet. In all districts, banners must be maintained in good condition and must be removed if they are in disrepair.

VIII. *Inflatable Signs.* Inflatable signs may only be displayed in conjunction with a Grand Opening celebration as herein defined or in conjunction with a special sales event for a period not to exceed two (2) weeks with an approved inflatable sign permit. No business or other entity may obtain more than four (4) inflatable sign permits in a calendar year.

IX. *Sign Area*. The area of a wall mounted sign shall be computed as the area of the wall covered by the various components that make up the sign. In the case of irregular shapes (such as individual letters) the area shall be computed by placing a rectangle around each individual character and computing the area of each such rectangle. The area of the sign shall be the sum total of the areas of all such rectangles. If the backing or panel of a sign is clearly a part of the company's logo, as in the example below, the entire area shall be calculated as the sign.

Sec. 26: OUTDOOR ADVERTISING

I. *Billboards Permitted in these Districts.* Outdoor Advertising Signs which conform to the provisions of this ordinance shall be permitted only in the SC, IL, and IG districts, unless expressly prohibited herein. Outdoor Advertising Signs shall only be permitted on lots with frontage on a road classified as a major or minor arterial by the MPO. Under no circumstances shall an Outdoor Advertising Sign be permitted on a property with frontage on Iron Mountain Road or on any property within any McClellan district.

II. Any non-conforming signs, structures, or non-conforming use, which are removed, damaged, or destroyed by any means to the extent of fifty percent (50%) of its replacement value shall not be restored unless such sign be made to conform to the provisions of this ordinance.

III. *General Requirements.*

A. No Outdoor Advertising Sign shall be erected in the area along either side of Quintard Avenue between A Street and 22nd Street.

B. Outdoor Advertising Signs shall not be established at any location having principal frontage on any street within three hundred (300) feet of any property which is used for public parks, public schools, church, courthouse, city hall or public museum having principal frontage on the same street.

B. No Outdoor Advertising Sign shall be established closer to the street than the building setback line, if such a line exists. No portion of any Outdoor Advertising Sign may be placed on, or extend over the right-of-way line of any street or highway.

C. No Outdoor Advertising Sign shall be constructed which resembles any official marker erected by the City, State or any governmental agency, or which by reason of position, shape, or color would conflict with the proper functioning of any traffic sign or signal.

D. All Outdoor Advertising Signs shall be constructed in accordance with the adopted building and electrical code.

E. All Outdoor Advertising Signs shall be maintained in good and safe structural condition. The painted portions of Outdoor Advertising Signs shall be periodically repainted and kept in good condition.

F. The general ground area in the vicinity of any Outdoor Advertising Sign must be kept free and clear of sign materials, weeds, debris, trash, and other refuse.

G. Signs which are not effectively shielded as to prevent beams or rays from being directed at any portion of the traveled ways and are of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

H. No sign shall be so illuminated that it interferes with the effectiveness or obscures an official traffic sign, device or signal.

J. No Outdoor Advertising Signs shall be erected without first securing a permit from the City of Anniston.

IV. *Size of Signs*.

A. On the Interstate system, size shall be in accordance with the agreement entered into by the State and the U.S. Secretary of Transportation and shall be pursuant to State regulation.

B. The maximum area for any one sign facing shall be eight hundred (800) square feet inclusive of any border and trim, but excluding the base or apron, supports and other structural members.

C. The maximum size limitations shall apply to each facing of a sign structure and signs may be placed back-to-back, or in V-type construction with not more than one (1) display to each facing and such sign structures shall be considered as one sign.

V. *Spacing of Outdoor Advertising Signs*.

A. On the Interstate system, spacing shall be in accordance with the agreement entered into by the State and the U.S. Secretary of Transportation and shall be pursuant to State regulation.

B. On all other streets and highways within the jurisdiction of this Ordinance no Outdoor Advertising Sign may be established within one thousand (1,000) feet of any other Outdoor Advertising Signs.

C. Official and On-Premise Signs, as well as any other sign which does not constitute an Outdoor Advertising Sign as defined herein, shall not be counted nor shall measurements be made from them for the purpose of determining compliance with these spacing requirements.

D. The minimum distance between structures shall be measured along the nearest edge of the pavement between points directly opposite the center of the signs along either side of the roadway.

VI. *Height of Outdoor Advertising Signs.* No sign may exceed 45 feet in height or the height limit of the zoning district in which it is located, whichever is less.

VII. *Digital Outdoor Advertising Signs.* The replacement of existing traditional outdoor advertising signs with digital outdoor advertising signs is permitted. Messages shall only be changed instantaneously and must be visible for a minimum of thirty (30) seconds. No new digital outdoor advertising signs may be erected unless such sign meets the spacing requirements in Sec. 26:V above.

Sec. 27: PARKING REGULATIONS

I. *General.* The following regulations shall be the requirements for off-street parking in all districts unless otherwise specified.

II. *Districts with No Minimum Parking Requirements*. There shall be no minimum parking requirements in the following districts: Urban Core, Urban Center 1, Urban Center 2. However, lodging facilities and multi-family dwellings (including those in mixed-use developments) shall provide 75 percent of the required off-street parking spaces for those uses in other districts.

III. *Minimum Parking Requirements*. Properties in all other districts in the City shall provide off-street parking in accordance with the following table:

Use	Minimum # of Parking Spaces Required
RESIDENTIAL	
Multi-family dwellings (includes townhomes)	.5 per bedroom
All other residential	2 per dwelling unit
Group living facilities	1 per bedroom
Home day care	2 per dwelling unit + adequate loading and unloading space for children
CIVIC/INSTITUTIONAL	
Place of worship	1 per 5 seats in main assembly area
All other civic/institutional	1 per 300 square feet of gross floor area
LODGING	
Bed and breakfast	1 per guest room
Hotel/motel	1 per guest room
RETAIL SALES, SERVICES, ENTERTAINMENT	
All other retail sales, service, entertainment	1 per 300 square feet customer floor area
Day care center	1 per employee + 1 per 15 children
GENERAL BUSINESS	
Self-storage, indoor	Aisles suitable for loading and unloading + 1 per employee on the largest shift
All other general business	1 per 300 square feet of gross floor area
VEHICLE ACCOMMODATIONS	
All vehicle accommodations	1 per 300 square feet customer floor area
INDUSTRIAL	
All industrial uses	1 per 1,000 square feet gross floor area OR 1 per employee on the largest shift, whichever is less

NOTE: Where a calculation of required parking results in a fraction of a parking space, the required number shall be rounded up to the nearest whole number.

IV. *Credit for On-Street Parking.* Where on-street parking exists adjacent to a property, on-street parking spaces may be counted toward the required parking on a one-to-one basis, but may not be reserved for the exclusive use of the adjacent property.

V. *Stacking Areas*. Adequate space must be provided on-site for the stacking and queuing of vehicles. Stacking space may not interfere with the public use of streets or sidewalks.

A. A bank or pharmacy with a drive-through facility must provide at least four (4) stacking spaces per drive-through lane.

B. A restaurant with drive-through facilities must provide at least six (6) stacking spaces per drive-through lane.

VI. *Joint Parking Allowed.* The Director may approve joint or shared parking for uses with different operating hours or with different peak business hours subject to the following conditions:

A. All shared or joint parking shall be located within 600 feet of any uses utilizing the parking.

B. Shared or joint parking shall be eligible for the parking reduction as stated in Sec. 27: II.

Sec. 28: NON-CONFORMING LOTS, USES OF LAND, AND STRUCTURES AND PREMISES

I. *Intent*. Within the districts established by this ordinance or amendments that may later be adopted there exist:

- Lots
- Structures
- Uses of land and structures

which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. Any expansion or extension of a non-conforming use shall require the granting of a special exception by the Zoning Board of Adjustment. It is further the intent of this ordinance that non-con forming structures and properties shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district, except as herein provided by this section.

Non-conforming uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently.

II. *Non-conforming Lots of Record*. In any district in which detached dwellings are permitted, a detached dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, not-withstanding limitations imposed by other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements

for area or width, or both, that are generally applicable in the district, provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Adjustment.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part or the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this ordinance.

III. *Non-conforming Structures.* Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provision:

A. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

IV. *Non-conforming Uses of Structures or of Structures and Premises in Combination.* If lawful use involving individual structures, or of structure and premises in combination, exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

B. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the non-conforming use may not thereafter be resumed.

C. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months, the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

D. Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than fifty (50) percent of the replacement cost at time of destruction.

Sec. 29: SUPPLEMENTARY DISTRICT REGULATIONS

I. *Fences, Walls, and Hedges.* Notwithstanding other provisions of this ordinance, fences and walls may be permitted in any required yard, or along the edge of any yard, provided that no fence or wall along the sides or front edge of any front yard shall be over two and one-half feet in height, except for a public utility or electric substation where a taller fence is required.

II. *Exceptions to Height Regulations*. The height limitations contained in the District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilations, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

III. *Parking and Storage of Certain Vehicles.*

A. *Major Recreational Equipment*. For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, buses and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be parked or stored on any lot in a residential district except behind the nearest portion of a building to the street, provided however that such equipment may be parked anywhere on residential premises for a period not to exceed 24 hours during loading or unloading. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.

B. Automotive vehicles or trailers of any kind or type without current license plates or which are inoperable or otherwise disabled for a period of thirty (30) consecutive days shall not be parked or stored on any residentially zoned property (whether occupied as a residence or not) or property used for residential purposes in a nonresidential zoned district other than in a completely enclosed buildings. For the purpose of this subsection, a vehicle shall be deemed inoperable or otherwise disabled if it is unable to operate on the streets and roadways of a city in the State of Alabama in full compliance with the various provisions of the Code of Alabama, 1975 and/or The Code of the City of Anniston, Alabama, 1981, as the same may from time to time be amended.

IV. *Parking of Large Vehicles in Residential Districts*. For the purposes of this section, a residential district includes Urban Neighborhood and Suburban Neighborhood Districts. The following provisions apply to all vehicles with the exception of emergency and/or utility vehicles.

A. No person shall park or leave a vehicle standing on the street or within 25 feet of the front lot line of a house in a residential district, any motor vehicle, commercial or otherwise, that exceeds 22 feet in length.

B. No person shall park any truck, semi-trailer, or truck tractor having a rated capacity of 26,001 gross vehicle weight (GVW) or more, or a school bus, on the street or in the driveway except for the purposes of loading or unloading.

C. No person shall park any commercial vehicle or motor truck that is not a passenger vehicle on the street in a residential district, even if the vehicle is less than 22 feet in length, between the hours of 6:00 p.m. and 6:00 a.m.

D. No person shall park on the street, in a driveway, within 25 feet of the front lot line of a house in a residential district any non-motorized vehicle attached or connected to a motor vehicle, which together exceed 22 feet in length measured from the front of the motor vehicle to the rear of the non-motorized vehicle.

E. Notwithstanding the other provisions of this section, a vehicle may be parked in a residential district on a street immediately abutting the lot upon which a resident resides, in a drive way, within 25 feet of the front lot line of the house, for the purpose of convenient departure from or the return to the lot in connection with a planned outing commencing or ending the same day of such departure or return, including any loading or unloading of persons or personal effects, or for the preparation of the vehicle incidental to such departure or return. Such parking shall in no event extend beyond two (2) consecutive days, or more than three (3) days during any seven (7) day period.

F. In a designated residential historic district any recreational vehicle, travel trailer, motor home, watercraft (whether mounted on a trailer or unmounted), or utility trailer, except for loading and unloading activities, shall be parked or stored:
   1. Within a vented garage or within a carport that is sight screened from abutting properties by solid board fencing or sight obscuring landscaping at least six (6) feet in height, or
   2. Within eight (8) feet of the side lot line or in the rear yard if sight screened from abutting properties by solid board fencing or sight obscuring landscaping at least six (6) feet in height.

G. It is not a violation of this section if, in the judgment of the Planning Director, a vehicle is sufficiently screened so as not to be visible to the adjoining property on either side of the house where the vehicle is parked.

H. Notwithstanding any provision of this section to the contrary, the parking of any vehicle on a street remains subject to regulation of parking established pursuant to the Code of Alabama, 1975, and/or the Code of the City of Anniston, Alabama, 1981 and other lawful zoning and traffic regulations. The same may from time to time be amended.

V. *Structures to have Access.* Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access.

VI. *Development on Corner Lot in Residential Districts.* On any comer lot adjoining in the rear of another lot which is in a residential district, no part of any structure shall be nearer the side street lot line than the least depth of any front yard required for a dwelling on such adjoining lot along such side street.

VII. *Erection of More than One Principal Structure on a Lot.* Only one principal structure is permitted per lot in the following districts: UN1, UN2, SN1, SN2, SE, NO.

VIII. *Accessory Structures.*

A. No accessory structure shall be erected in any required front or side yard.

B. Accessory structures shall be located a minimum of five (5) feet from any property line and ten (10) feet from any other structure on the lot.

C. Accessory structures shall not be used as a separate dwelling unit.

VII. *Utility Stations and Substations.* For all zones in which they are permitted in the City of Anniston the construction and maintenance of public or privately owned utility stations or substations shall comply with the following regulations:

A. All electrical power substations shall be enclosed within a chain link, wooden privacy, masonry, or similar fence or be so designed to be inaccessible to unauthorized persons. Electrical power substations in all zones except manufacturing shall be enclosed by a planting screen with a minimum height of eight (8) feet and of sufficient depth and density to screen the structure from view. Setback requirements for buildings shall apply to power substations and shall be measured from the fencing enclosure except that setbacks along property lines adjacent to streets and alleys shall not be less than fifteen (15) feet regardless of other setback requirements and that such enclosures shall not be constructed closer than ten (10) feet to adjoining properties. Distribution lines may be run underground from any orientation.

B. Public or privately owned utility stations other than electrical power substations shall be enclosed by a planting screen of such height, depth, and density to screen the structure from view. Fencing shall be required where such structures present hazards to animals or people. Structures extending above the ground in excess of two (2) feet shall comply with the same regulations as required for power sustations.

C. Should the public utility company not be able to comply with the above regulations, it may submit a proposed site plan of the desired installation to the City Planning Commission for approval and recommendation to the City of Anniston. The site plan shall include the following:

1. Site of physical plant including height of structure, length and width including that of fencing;
2. Setbacks;
3. Means of access;
4. Landscaping;
5. Streets and alleys;
6. Any proposed lighting indicating screening of same should it be necessary to protect adjacent property owners from glare; and
7. Other features pertaining to the particular installation.

Sec. 30: MOBILE HOME PARKS

I. *Intent and Purpose.* The following district regulations are designed to encourage the development of mobile home parks in a manner that will provide a quality living environment for the residents. The regulations will insure ample provision of open space and flexibility in lay-out to enhance the development of these parks with respect to flood zones, steep slopes and other topographical features. Mobile homes and mobile home parks are only permitted as a special exception in the Suburban Edge district.

II. *Procedure for Mobile Home Development.* A Master Plan showing the exact manner in which the entire tract will be improved and used will be presented to the Planning Commission for review and approval of the subdivision and the Zoning Board of Adjustment for review and approval of the use. When reviewing the proposed park for approval as a special exception, the Zoning Board of Adjustment shall consider whether the following criteria are met:

A. *Minimum Parcel of Land*. Not less than ten (10) contiguous acres. A mobile home park shall not be occupied until a minimum of 25 percent of its lots have been developed together with facilities in accordance with all applicable requirements of this ordinance and with city, county, or state laws, and must meet all published State of Alabama health regulations.

B. *Minimum Lot Size*. Not less than 50 feet wide by 90 feet long for each mobile home.

C. *Minimum Separation*. Minimum twenty (20) feet side-to-side clearance, and 20 feet end-to-end clearance for each mobile home.

D. *Minimum Setback*. Minimum setback of twenty (20) feet from any internal driveway and buffer strip.

E. *Buffer Strip.* Each mobile home park shall have and construct a buffer strip between the right-of-way line of adjacent public roadways and adjacent property lines of at least 30 feet. The buffer area shall be landscaped with trees and other suitable landscape materials sufficient to screen the mobile home park from view from adjacent properties and public roadways. No mobile home lot shall extend into any required buffer strip.

F. *Parking*. Each mobile home lot shall be provided with 2 paved spaces, with pavement material which is equal to or greater than the stability qualities of local residential roadways. Parking shall be prohibited along interior driveways.

G. *Interior Driveways*. All interior driveways shall have a paved surface of not less than 20 feet in width. The pavement shall be of a material which is equal to or greater than the stability qualities of local residential roadways.

H. *Walkways*. Concrete or asphalt walkways of not less than 4 feet wide and 4 inches thick shall be provided from the mobile home spaces to service buildings and to facilitate safe and convenient pedestrian traffic throughout the park.

I. *Water and Sewage*. Each mobile home space shall be provided with and each mobile home shall be connected to a sanitary sewerage and water supply system approved by the Calhoun County Health Department.

J. *Wiring.* All utility wiring shall be installed underground.

K. *Lighting.* Lighting shall be provided to illuminate streets, driveways, walks, and parking areas for safe movement of vehicles and pedestrians. All wiring shall be underground. All street intersections shall be lighted.

L. *Recreational Area.* A minimum of ten (10) percent of the gross acreage shall be set aside for the recreational use by residents of the mobile home park. The recreational space shall be located on land suitable for park development. No portion of the required recreational area shall be within the required buffer strip.

M. *Refuse Disposal.* Each mobile home lot shall be provided with at least 2 garbage cans of a minimum 20 gallon capacity. In addition, dumpster containers of sufficient size shall be provided within the mobile home park to enable disposal of waste from mobile home lots. Size and quantity of dumpsters shall be determined by the Public Works Department of the City of Anniston.

Sec. 31: REGULATIONS FOR TELECOMMUNICATION FACILITIES AND STRUCTURES

I. *Antennas.*

A. *Wall Mounted Antennas.*

1. Wall mounted antennas shall not extend above the parapet (or wall line) of the building or extend more than four (4) feet horizontally from the face of the building without prior approval of the Zoning Board of Adjustment.
2. Antenna equipment and the supporting structure shall be painted to match the color of the building or structure or the building background against which they are most commonly seen as well as architecturally compatible with the building.
3. Whip antennas are not allowed on a wall mounted antenna structure.
4. Wall mounted antennas shall be located not lower than thirty (30) feet from the ground level of the wall on which the antenna is located.
5. The total area for wall mounted antennas and supporting structures combined shall not exceed a total of 100 square feet on each exterior wall of the building. The total area shall be the sum of the areas of all antennas and support structures located on that wall.
6. The antenna area shall be determined as the area of each individual antenna face and the visible portion of the supporting structure as viewed looking directly at the wall.
7. A maximum of three (3) carriers may locate antennas on one building wall. For each additional carrier, a separate conditional use permit must be obtained.
8. No permit to install a wall mounted antenna shall be issued unless the owner of the building grants written permission to install the antenna.
9. Wall mounted antennas may not be installed on a building wall or walls facing a public street, or on a wall or walls constituting a building's front or main entrance without the approval of the Zoning Board of Adjustment.

B. *Roof Mounted Antennas.*

1. Roof mounted antennas shall be enclosed by a structure that creates a visual screen. The screening structure and antenna mounting structures shall not extend more than eight (8) feet above the existing roofline.
2. The maximum height of a roof mounted antenna is equal to the distance the antenna is set back from the exterior wall.
3. Roof mounted antennas shall not be located on a building that exceeds the maximum height limit of the zoning district.
4. The total area for roof mounted antennas and support structures combined shall not exceed 200 square feet. The total area shall be the sum of the areas of all antennas and support structures located on the roof.
5. No permit to install a roof-mounted antenna shall be issued unless the owner of the building grants written permission to install the antenna.

C. *Monopole Towers.*

1. The maximum allowable height for a monopole tower with a single antenna is 90 feet. The maximum allowable height for a monopole tower with two or more antennas co-located on it is 180 feet.
2. Monopole towers shall only be located in the rear yard of a lot.
3. Monopole towers may be permitted conditionally in landscaped areas, buffer zones, or parking lots. (Vertical structures are preferential to these areas such as light poles, billboards, etc.)
4. The restrictions contained herein shall not apply, however, to monopole towers used in

connection with the transmission, distribution, and/or operation of electric utilities.

D. *Satellite Dishes.*

1. Satellite dishes exceeding three (3) feet in diameter shall be considered structures and shall be installed in accordance with all applicable provisions of this Ordinance, the International Building Code, and any other relevant regulations. No satellite dish shall exceed twelve (12) feet in diameter and eighteen (18) feet in height, as measured from the ground to the highest projection of the supporting structure.
2. No satellite dish shall be placed forward of the rear plane of the principal structure, and, if not wall-mounted, shall be set back from all property lines a distance equal to its height.
3. Where the satellite is not mounted on a building, the supporting structure holding the antenna shall not elevate the lower edge of the antenna dish more than 18 inches above the elevation of the eaves of the roof of the principal structure. Where mounted on a building, the combined height of the building and the satellite dish shall not exceed the maximum permitted building height.

II. *Permitting Requirements.*

A. *Building Permit Required.* No communication tower or other facility shall be constructed unless:

1. A building permit is obtained.
2. All facilities and operations are in compliance with section B 1606 of the Southern International Building Code and the Electronic Industries Associations RS 222 Code as well as other applicable city, state and federal laws and/or regulations.
3. Certification is received from an Alabama Licensed Professional Engineer that the design of the facility meets all applicable standards for the facility, including but not limited to: electrical safety, material and design integrity, natural hazards, safety (e.g., wind, thunderstorms, tornadoes, etc.).
4. An inventory of existing tower facilities is submitted to the Planning Director.
5. A list of adjoining property owners is submitted (only if it meets conditional requirements).

B. *Interference with Other Communications.* No permit shall be approved if the operation will interfere with emergency or airport communications or commercial, private, and governmental communications.

III. *Exemptions to the Ordinance.*

A. Pre-existing towers may be exempted from the ordinance provided ever that a written request for exemption must be submitted to the Planning Director within 120 days of passage of this ordinance. The Planning Commission shall consider each such request and shall respond within 120 days of the receipt of such request. Failure to respond within the time specified shall be deemed to be approval of the request for exemption.

B. Installation of antennas or satellite dishes for residential television or radio reception shall not require a permit if installed in a location not easily visible from a public right-of-way. Generally satellite dishes affixed to the side (if not on a corner lot) or rear of a residence or in the side (if not on a corner lot) or rear yard will not require a permit. Satellite dishes installed in a manner so as to be easily visible from a public right-of-way due to necessity for a clear signal require a special exception from the Board of Adjustment. The Board of Adjustment shall grant such special exceptions based on clear evidence demonstrating that the satellite dish cannot be

installed in a manner hidden from a public right-of-way.

IV. *Permit Approvals.*

A. Permit requests for telecommunications structures which meet all minimum provisions of the ordinance and which allow for co-location of multiple antennas may be approved by the Planning Director.

B. Request for telecommunication structures which do not meet the minimum provisions of the ordinance or which do not provide for co-location will be reviewed by the Planning Commission and forwarded with recommendation to the City Council for final approval.

V. *Proposed Telecommunications Facilities by Zoning Districts.*

A. *Residential Districts.* For the purposes of this section, Urban and Suburban Neighborhood Districts (UN1, UN2, SN1, SN2) and the Suburban Edge (SE) District are considered residential districts.
1. Monopole towers are prefereable to other tower structures.
2. Co-location is strongly encouraged to minimize the number of towers in these districts.
3. Open space areas are preferable.
4. Color blending and/or camouflage screening shall be strongly encouraged (for aesthetic reasons).
5. Heightened landscaping and fencing requirements may be imposed (for aesthetic and safety reasons, respectively).

B. *Other Districts.*
1. Antennas and satellite dishes are preferably located on the building roof top, side walls, or nearby vertical structures (billboards, light poles, etc.); whichever is deemed the least obtrusive and most safe.
2. Guy towers and self-supporting lattice towers shall only be pennitted conditionally.
3. Monopoles are strongly encouraged.
4. Co-location is strongly encouraged.
5. Color blending and/or camouflage screening shall be strongly encouraged.
6. Vertical structure attachments are strongly encouraged.

C. *Permitted Uses.*

	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
TELECOMMUNICATIONS TYPE														
Antennas (omnidirectional, directional, and microwave)	-	P	P	-	-	P	P	-	-	-	P	P	P	-
Monopole communication towers	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Guyed wire communication towers	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Self-supporting lattice communication towers	-	-	-	-	-	P	-	-	-	-	P	P	-	-
Satellite dishes (under three feet in diameter)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Satellite dishes (over three feet in diameter)	-	-	-	-	-	P	-	-	-	P	P	P	P	-
Switch boxes	P	P	P	P	P	P	P	P	P	P	P	P	P	P

P	Permitted
C	Conditional
L	Limited
S	Special Exception Required
-	Not Permitted

D. *Permitted Use Requirements.* The following uses may be approved by the Planning Director:
   1. Installing an antenna on an existing structure other than a communication tower (such as a building, sign, light pole, water tower, or other free standing nonresidential structure) that is fifty (50) feet in height or greater, so long as such addition does not add more than twenty (20) feet of height of the existing structure.
   2. Installing an antenna on an existing structure other than a communication tower (such as a building, sign, light pole, water tower, or other free standing nonresidential structure) that is less than fifty (50) feet In height, so long as such addition does not add more than twenty (20) feet to the height of said existing communication tower.

E. *Conditional Use Requirements.* All uses listed as conditional (C) in the above use table require approval by the Board of Adjustment. The conditional use standards shall apply as follows:
   1. The height and mass of the proposed structure shall be compatible with existing buildings and utility structures in the surrounding area.
   2. Proximity to existing communication towers within 1000 meters.
   3. Impact of use on adjacent or nearby properties.
   4. Surrounding topography.
   5. Color blending and camouflage screening shall be provided.
   6. Impact on Mure development in the area shall be considered.
   7. No conditional use application shall be considered unless the following information is provided by applicant:
      a. List of adjoining property owners.
      b. The applicant's (and property owner's) name, address, and telephone number.
   8. A written statement from the owner of the property where the facility is proposed to be located, stating that the owner has reviewed the plans for the proposed facility, understands the type of facility that is being installed and obligations the owner is undertaking, and granting permission for the applicant to install and maintain the facility.

VI. Nothing in this section shall be construed to conflict with Section 6409(a) of the Federal Communications Commission Report and Order of 2014, which states that a local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. The term "eligible facilities request" means any request or modification of an existing wireless tower or base station that involves collocation of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment.

Nothing in this subsection shall be construed to relieve the FCC from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

Substantial change occurs when the proposed eligible facilities request:

A. Increases the height more than:
   1. Ten (10) percent or one additional antenna array not more than twenty (20) feet higher

for towers on private property, or

2. Ten (10) percent or ten (10) feet (whichever is greater) for towers in the public rights-of-way and all base stations; or

B. Increases the width more than:
   1. Twenty (20) feet or the tower width at the level of the appurtenance (whichever is greater) for towers on private property, or
   2. Six (6) feet for towers in the public rights-of-way and all base stations; or

C. Involves any excavation outside either:
   1. The lease or license area on private property, or
   2. The proximity to the ground-mounted equipment in the ROW; or

D. Defeats the existing concealment elements of the tower or base station; or

E. Violates a prior condition of approval that does not conflict with the FCC's standards for a substantial change.

Sec. 32: DEFINITIONS

Accessory Use or Structure. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Assisted Care Nursing Facility. A permanent building or group of buildings (not to include mobile homes and trailers) in which room, board, meals, laundry, and limited assistance with activities of daily living are provided for not less than twenty-four (24) hours in any week to a maximum of two (2) ambulatory adults per room. Non-ambulatory tenants shall not remain at the facility longer than thirty (30) days. The following shall specifically not be considered to be functions of an assisted care nursing facility:

a) Drug or alcohol recovery programs;
b) Temporary shelter for abused persons;
c) Persons with progressive neuropsychiatric disease of aging which is characterized by the inexorable loss of cognitive function as well as affective and behavioral disturbances will only be accommodated per state guidelines regarding such care.

Alteration and Altered. The word "alteration" shall include any of the following:

a) Any addition to the height or depth of a building or structure.
b) Any change in the location of any of the exterior walls of a building or structure.
c) Any increase in the interior accommodations of a building or structure.

In addition to the foregoing, a building or structure shall be classified as altered when it is repaired, renovated, remodeled, or rebuilt at a cost in excess of fifty percent (50%) of its value prior to the commencement of such repairs, renovation, remodeling or rebuilding.

Alley. A public or private way less in width than a street, designed for the special accommodation of the property it reaches, and not intended for general travel.

Artisanal. A business that makes high-quality or distinctive products in small quantities, usually by hand or using traditional methods.

Automobile Filling Station/Service Station. Any place of business having pumps and storage tanks at which fuels or oils for the use of motor vehicles are dispensed, sold or offered for sale at retail and where minor repairs, services and inspections may be carried on and rendered incidental to sale of such fuels and oils.

Bar/Tavern. An establishment which serves beer, wine, and/or liquor for on-premise consumption as its primary function. No person under the age of 19 shall be admitted on the premises of a bar/tavern.

Bed and Breakfast. A residential structure continuously occupied by the owner or operator thereof consisting of not more than six sleeping rooms and breakfast for hire to any occupant for not more than fourteen consecutive days with the following characteristics: Only the breakfast meal may prepared for the guests by the proprietor and no other meals are provided by the proprietor. The rented rooms do not contain cooking facilities and do not constitute separate dwelling units. Due to the desirability of a historical Bed and Breakfast Inn by the community and the many historical and cultural advantages it brings to a community, in addition to providing sleeping rooms and breakfast for hire, special events, limited to weddings, receptions, luncheons, dinner parties and business meetings, may be held at a Bed and Breakfast.

Brewery. Any premises licensed by the city to engage in the manufacture of only malt or brewed alcoholic beverages as well as engaging in the receiving, storage, or warehousing only of malt or brewed beverages within the city for transshipment inside and outside the state.

Brewpub. Any premises upon which malt or brewed alcoholic beverages are actively and continuously manufactured or brewed, in quantities no greater than ten thousand (10,000) barrels per year, for consumption on the premises where manufactured, or for sale to any designated wholesaler licensee for resale to retail licensees.

Buildable Area. The portion of a lot remaining after required yards and/or setbacks have been provided.

Building. Any structure having a foundation and roof supported by columns or by walls, including trailers and similar structures whether stationary or moving.

> *Building, Main*. The main building shall, be considered as the principal structure on a lot, and an attached garage, carport, porte-cochere, porch or part thereof shall be considered as a part of the main building and shall be subject to the set-back and side yard requirements for the district in which it is located.

Cigar Bar. A licensed establishment in which the primary activity is the sale, manufacture or promotion of cigars or cigar accessories and in which sales of other products is merely incidental. Cigar bars are subject to the regulations in Ordinance No. 15-O-16.

Club. An establishment formed by any entity for the purposes of health, fraternity, recreation, etc.

Conditional Use. Any use that requires additional approval beyond administrative, such as uses permitted in the MI district, which all require approval from the Planning Commission. Conditional uses other than those in special districts shall require approval from the Zoning Board of Adjustment.

Day Care. A place for the day care of children or adults not remaining overnight.

> *Home Day Care*. A residence that is also used as a place for the day care of not more than five (5) children not remaining overnight. The home day care must be incidental to the primary use as a residence.

Development. The term "development" shall include new construction and substantial redevelopment of a structure or property. Substantial redevelopment includes the replacement or reconstruction of over 50 percent of the structure or property.

Dwelling. A house or other building used primarily as an abode for one or two families except that the word "dwelling" shall not include boarding or rooming houses, tents, hotels or other structures designed or used primarily for transient residence.

Dwelling Unit. One room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Family. One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five persons.

Firing Range (indoor). A facility used as a range for target practice indoors which shall be limited to hand guns and hunting rifles, and shall not include automatic weapons. Such use shall be subject to meeting the standards of the National Rifle Association, OSHA, and EPA relating to ventilation, fencing, lead recovery, buffering, and interior finishing.

Firing Range (outdoor). A facility used as a range for target practice outdoors which shall be limited to hand guns and hunting rifles, and shall not include automatic weapons. Such use shall be subject to meeting the standards of the National Rifle Association, OSHA, and EPA relating to fencing, lead recovery, buffering, and interior finishing.

Flag. Any cloth or fabric banner that represents or identifies either a governmental entity or institution.

Group Home. A small, residential facility located within a community and designed to serve children or adults with chronic disabilities. These homes shall have five (5) or fewer occupants, unless the occupants are related by blood or marriage, and are staffed 24 hours a day by trained caregivers.

Height. The vertical distance measured from the finished ground surface at the center of the front wall of the building to the highest point of the roof if a flat or pitched roof, and deck line of a mansard roof.

Home Occupation. A routine accessory and customary non-residential use conducted within or administered from a portion of a dwelling or its permitted accessory building that:

a) Is conducted solely by a permanent resident of the dwelling;
b) Meets the definition, standards and limitations of a general home occupation and light home occupation within the following definitions;
c) Only include uses that are clearly incidental and secondary to the principal residential use;
d) Does not include any retail or wholesale sales on the premises (other than over the phone, through the mail, or online) nor any industrial use (other than custom crafts and sewing).

Hospital. An institution devoted primarily to the diagnosis, treatment or care of the sick or injured.

Hotel/Motel. Any building or portion thereof which contains at least (10) guest rooms intended for occupancy by individuals for compensation.

Junk/Auto Wrecking Yard. An area where used or cast off materials are stored, purchased or offered for sale either on or off the premises.

Loading Area. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot. For purposes of this ordinance, a lot is a parcel of land of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street, or on an improved private street, and may consist of:

a) A single lot of record;
b) A portion of a lot of record
c) A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record;
d) A parcel of land provided that in no case of division or combination shall any residential lot or parcel be created which does not meet the requirements of this ordinance or the Subdivision Regulations of the City of Anniston.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under Yards in this section.

Medical/Dental Clinic. A facility operated for the primary purpose of providing health services in more than one medical or dental specialty to the public, and including related facilities such as laboratories and other service facilities operated in connection with the clinic.

Mobile Home. A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities, and the like. A travel trailer is not to be considered as a mobile home. A mobile home is only permitted within a designated mobile home park.

Mobile Home Park. Any tract of land privately or publicly owned or operated upon which two (2) or more house trailers, used for living, eating or sleeping quarters, are intended to be located; such establishment being open and designated to the public as places where temporary residential or trailer parking accommodations are available, whether operated for or without compensation by whatsoever name or title they are colloquially or commercially termed.

Package/Liquor Store. A business which provides retail sales of alcoholic beverages for off-premise consumption.

Parking Garage/Structure. A building or portion thereof designed or used exclusively for the parking of motor vehicles.

Parking Lot (Surface). A lot or lots used exclusively for the purpose of parking motor vehicles.

Parking Space. An all-weather surfaced area consisting of concrete or asphalt or other material that has an area that is adequate for temporary storage and necessary access and maneuvering room for one automobile and connected with a street or alley by an all-weather surf ace driveway which affords ingress and egress for an automobile without requiring another automobile to be moved. For single-family dwellings, required off-street parking spaces can be located on a driveway. It is the intent of this Ordinance that all required parking spaces be all-weather surfaced and individual spaces be clearly marked or striped.

Personal Care Home. Homes for the aged, intermediate institutions, and related institutions, whose primary purpose is to furnish room, board, personal care, and other non-medical services, for not less than 24 hours in any week to six or more individuals not related by blood or marriage to the owner and/or administrator. In these facilities, there might available temporarily and incidentally the same type of limited medical attention as an individual would receive if he were living in his own home. This definition also includes homes or centers for rehabilitation for substance or other abuse. Personal care homes have six (6) or more occupants plus staff.

Personal Service. Beauty and barber shops, salons, alterations, and the like. The Zoning Officer may make a determination if a use qualifies as a personal service establishment.

Professional Services Office. Any office that houses professional services such as (but not limited to) law, real estate, accounting, etc. A doctor, dentist, or other medical office where patients are seen and treated is classified as a medical or dental clinic rather than a professional services office.

Public Utilities. The utilities necessary to the health and welfare of the community such as water distribution, sewage disposal, telephone service, gas distribution, electrical service, cable television service and transportation and which utilities are publicly or privately owned and operated.

Public Building. Those buildings or uses in which the business of the city, county, state and federal government

may be conducted, including libraries, museums, schools, police and fire houses and structures connected with water supply and sewage disposal, and excluding the sale of alcoholic beverages.

Semi-Public Building. Those buildings or uses developed by public or private capital which may be restricted to a group such as churches, country clubs, and private schools.

Recreational Vehicle. A vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Included are travel trailers, camping trailers, truck campers, and motor homes.

Recreational Vehicle Park. Any establishment or premises conforming to this chapter and other applicable regulations which is designed, arranged, or used for the temporary placement of recreational vehicles. Permanent sanitary facilities adequate for the number of recreational vehicle spaces available shall be provided. No recreational vehicle shall be occupied by a person or family for a period exceeding two (2) weeks. A recreational vehicle park is subject to the same landscaping requirements as a surface parking lot as a primary use (see Sec. 22: Permitted Use Table Footnote 13).

Rehabilitation Home. A certified rehabilitation home (certified by the Alabama Department of Mental Health) for substance abuse residents and resident staff, who live together as a single housekeeping unit, with no more than five (5) occupants not related by blood or marriage, in a temporary environment wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Restaurant with Bar. A restaurant which may serve beer, wine, and/or liquor. Persons of any age may be permitted in a restaurant with bar. Over fifty (50) percent of receipts must be derived from food sales.

Restaurant without Bar. A restaurant which does not serve alcohol of any sort.

Self-Service Storage Facility. One or more buildings in a fenced or otherwise secured enclosure containing varying sizes of individual, lockable cubicles not exceeding three hundred (300) square feet in floor area each, and used for the dead storage of a customer's goods or wares only. No cubicle shall be used as a dwelling or for conducting a business of any kind.

Shopping Center. A commercial development built on a tract of land in single ownership or control, and including at least four (4) retail or service establishments.

Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing which directs attention to a product, service, place, activity, institution, business or solicitation, or communicates information of any kind to the public.

Abandoned Sign. Any sign which is located on property which becomes vacant or any sign which pertains to a use or activity which no longer applies shall be deemed to have been abandoned. Any sign meeting this description for a period of six (6) months shall be deemed abandoned.

Banner. Any sign made of lightweight fabric, cloth, canvas, plastic sheeting, nylon or any other flexible material, with no enclosing framework and which is not rigidly and permanently attached to a building or the ground through a permanent support structure.

Building/Wall Sign. A sign displayed upon or attached to any part of the exterior of a building, including walls, doors, parapets, and marquees. Canopy signs, awning signs, projecting signs, and signs suspended

from buildings are considered types of building signs.

Commercial Sign. When describing the content of a sign, a sign advertising, identifying, directing attention to, or otherwise relating to commerce and to property, goods or services for sale, lease, exchange or any other transaction where value is given or received by any party to the transaction.

Digital Sign. Any sign that runs digital signage content.

Freestanding Sign. Any sign permanently supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Internally Illuminated Sign. Any sign in which the illumination elements are within the sign cabinet itself, as opposed to a sign in which the illumination elements are external to the sign.

Inflatable Sign. A balloon or other gas-filled membrane, whether lighter or heavier-than-air, displaying or holding up advertising matter, or used to attract attention to an event or commercial enterprise. Untethered lighter-than-air balloons and other lighter-than-air devices not tethered to the earth which drift with air currents or are self-propelled are not included.

Ingress/Egress Signs. Signs that provide information to safely identify vehicular entrances and exits of businesses. Such signs may not display a business name or logo. Such signs are limited to six square feet.

On-Site Sign. A sign, other than a residential sign, relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs may include freestanding signs, and other sign types, but do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising industry business (billboards).

Open Letter Sign. A sign consisting of a logo or symbol, individual letters or connected lettering mounted on a building in a raceway or similar mounting or on the surface of an integral architectural element, which is a part of the building. Individual letters may be illuminated. The display area of an open letter sign shall not exceed the maximum permitted area for building signs on the property.

Outdoor Advertising Sign (billboard). An outdoor advertising device which contains at any time a commercial message that directs attention to a business, commodity, service or entertainment conducted, advertising products, services, goods sold or offered, that are not available on the zone lot on which the sign is located.

Political Sign. Any temporary sign bearing a noncommercial message related to an election, a candidate, a public event, or a public issue.

Portable Sign. Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs made as A-frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for commercial messages; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business and any sign which is clearly designed to be relocated in its entirety, and easily and without significant expense.

Projecting Sign. Any sign affixed to a building or wall that extends more than eighteen inches and is approximately perpendicular to the wall or building to which it is attached.

Reader Board. A sign that is designed or used so that characters, letters, or symbols can be manually changed or rearranged without altering the surface of the sign.

Real Estate Sign. Sign used to offer for sale, lease or rent the land or buildings upon which the sign is located.

Roof Sign. Any sign erected and constructed wholly on and over the roof of a building and supported by the roof structure.

Sign Area. The area of a wall mounted sign shall be computed as the area of the wall covered by the various components that make up the sign. In the case of irregular shapes (such as individual letters) the area shall be computed by placing a rectangle around each individual character and computing the area of each such rectangle. The area of the sign shall be the sum total of the areas of all such rectangles.

Special Events Center. A building used primarily for entertainment purposes such as weddings, receptions and banquets. The facility shall not be used for the operation of a night club.

Special Exception. A specific, permitted land use that is allowed only when clearly defined criteria and conditions contained in the ordinance are met. A special exception is granted by the Zoning Board of Adjustment.

Structure. Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, and signs.

Temporary Festival/Special Event. A fair, carnival. or other temporary event, usually lasting two (2) weeks or fewer.

Tobacco Shop. A retail establishment that primarily sells tobacco products, but an electronic cigarette or vape shop is also included in this definition.

Transit/Utilities Corridor. On the Zoning Map, this corridor is designated for future purposes of transportation, surface and multimodal as well as expansion for public utility needs.

Variance. A relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and a not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary or undue hardship. Variances shall not be used to allow a use expressly not permitted in a particular zone in this ordinance.

Wholesale trade. An establishment that sells goods in large quantities to be retailed by others.

Yard. An open space extending outward from the closest point of any building or structure to a lot line, street line, or the edge of any environmental area as noted below. All yard dimensions shall be measured horizontally, in a straight line and at right angles to either a straight street line, lot line, or the façade of a building or structure, or perpendicular to the point of tangent of curved lines and facades. The minimum yard requirements shall be provided in contiguous areas located outside of floodways, wetlands, wetland buffer area, easements, stormwater detention basins, related watercourses and slopes exceeding fifteen percent (15%).

Sec. 33: ADMINISTRATION AND ENFORCEMENT OF BUILDING PERMITS

I. *Administration and Enforcement.* The Planning Director of the City of Anniston shall administer and enforce this ordinance. He or she may be provided with the assistance of such other persons as the City Manager may direct.

If the Planning Director shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

II. *Building Permits Required.* No building or other structure shall be erected, moved, added to, structurally altered, renovated, or remodeled without a permit issued by the City. All permits shall be issued for development in accordance with this ordinance, unless written order is received from the Zoning Board of Adjustment in the form of an administrative review, special exception, or variance as provided by this ordinance.

III. *Application for Building Permits.* All applications for building permits shall be accompanied by plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed uses of the building and land; the number of dwelling units the building is designed to accommodate; and such other matters as may be necessary to determine conformance with, and provide for, the enforcement of this ordinance.

One copy of the plans shall be returned to the applicant by the Planning Director, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The original copy of the plans, similarly marked, shall be retained by the Planning Director.

If the proposed excavation, construction, moving or alteration and use as set forth in the application are in conformity with the provisions of this ordinance, the Planning Director of the City shall issue a building permit accordingly. If an application for a building permit is not approved, the Planning Director shall state in writing on the application the cause for such disapproval. Issuance of a building permit shall, in no case, be construed as waiving any provision of this ordinance.

IV. *Expiration of Building Permit.* If the work described in any building permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be cancelled by the Planning Director, and written notice thereof shall be given to the persons affected.

If the work described in any building permit has not been substantially completed within two years of the date of issuance thereof, said permit shall expire and be canceled by the Planning Director, and written notice thereof shall be given to the persons affected, together with notice that further work described in the canceled permit shall not proceed unless and until a new building permit has been obtained.

V. *Construction and Use to Be as Provided in Applications, Plans, and Permits.* Building permits issued on the basis of plans and applications approved by the Planning Director authorize only the use, arrangement, and construction set forth in such approved plans and applications, and any other use, arrangement or construction at variance with that authorized shall be deemed in violation of this ordinance, and punishable as provided by Section hereof.

Sec. 34: ZONING BOARD OF ADJUSTMENT - ESTABLISHMENT AND PROCEDURES

I. *Establishment.* A Board of Adjustment is hereby established. The appointment, procedure, powers and action of said Board of Adjustment shall be governed and controlled by Section 11-52-80, Code of Alabama 1975. The Board shall consist of five (5)members, appointed by the City Council for a period of three (3) years, except that in the first instance one (1) member shall be appointed for a term of three (3) years, two (2) for a term of two (2) years and two (2) for a term of one (1) year. The Board is an appeal board for variances, special exceptions, and ordinance interpretations.

II. *Appeals from the Board of Adjustment.* Any person or persons or any board, taxpayer, department, or bureau of the City aggrieved by any decision of tne Board of Adjustment may seek review by a court of record of such decision, in the manner provided by the laws of the State and particularly by Section 11-52-81, Code of Alabama 1975.

III. *Duties of Administrative Official, Board of Adjustment, City Council, and Courts on Matters of Appeal.* It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Planning Director and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Planning Director. The Board of Adjustment hears, only, requests for variances and special exceptions and determines whether there has been an error in any decision made by the Planning Director while enforcing the ordinance. The recourse from the decision of the Board of Adjustment shall be to the courts as provided by law and particularly by Section 11-52-81, Code of Alabama 1975.

It is further the intent of this ordinance that the duties of the City Council in connection with this ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this ordinance. Under this ordinance the City Council shall have only the duties (1) of considering and adopting or rejecting proposed amendments of the repeal if this ordinance, as provided by law, and (2) of establishing a schedule of fees and charges as stated in Sec.34: IV below.

IV. *Schedule of Fees, Charges, and Expenses.* The City Council shall establish a schedule of fees, charges and expenses and a collection procedure for building permits, appeals and other matters pertaining to this ordinance. The schedule of fees shall be posted in the office of Planning and Development Services, and may be altered or amended only by the City Council. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Sec. 35: SPECIAL EXCEPTIONS

The Board of Adjustment shall give careful consideration to the warrants and criteria set forth in this Ordinance in judging applications for Special Exceptions. Special Exceptions may be granted as a conditional use within any zoned district provided 1) the site for the proposed use is uniquely suited to the requested use, 2) there will be no detrimental or adverse effects on adjacent uses, and 3) such use does not violate other sections of the City's Zoning Ordinance. The Board shall consider such factors as, but not limited to, site access, visibility, noise, effects on adjacent uses and shape and topography of the land. In granting a Special Exception, the Board may attach such reasonable conditions and safeguards as it may deem necessary in order to promote public health, safety, and general welfare.

Recommendation for a Special Exception by the Board of Adjustment shall require six (6) affirmative votes.

Sec. 36: AMENDMENTS

I. *General Procedure.* This ordinance may not be amended, supplemented, changed, modified or repealed unless there has been a substantial change in conditions in the City of Anniston upon which the regulations and the number, area and boundaries for districts established by this ordinance were based. If there has been substantial change in conditions, then the regulations and the number, area and boundaries for districts established by this ordinance may be amended, supplemented, changed, modified, or repealed by the City Council of the City of Anniston at the recommendation of the Planning Commission. The Planning Commission of the City of Anniston, upon its own initiative, may hold public hearings, public notice of which shall be given for the consideration of any proposed amendment to the provisions of this ordinance or the Official Zoning Map of the City of Anniston and report its recommendations to the City Council of the City of Anniston.

II. *Amendment Application.* An amendment to the zoning district boundaries or regulations as they pertain to a piece of property may be initiated by the City Council, the Planning Commission, or by petition of one or more owners or authorized agents of such owner or owners of property to be affected by such change.

When a rezoning request is made by a petition of the property owner or authorized agent of such owner the following procedure shall be followed:

A. A minimum of ten (10) days prior to a regularly scheduled Planning Commission meeting, an application shall be filed with the Secretary of Planning and Development Services in the City of Anniston. The application shall include, as a minimum, the following information:

1. A fee to be established by the Anniston City Council to defray the cost of processing the application.
2. The applicant's name, address and interest in the application, and the name, address and interest of every person, firm or corporation represented by the applicant in the application.
3. The name of the owner or owners of the entire land area to be included within the proposed district, if a district line change is requested.
4. The names and addresses of all owners of property abutting the property proposed for rezoning, to be obtained from the Calhoun County Tax Assessors Office.
5. If the proposed amendment would require a change in a zoning district line, the applicant shall submit a map, drawn to scale, indicating: the dimension and exact location of the site to be considered for rezoning; location of all public right-of-ways; and the approximate location of all proposed structures.
6. If the proposed amendment would require a change in a zoning district line, the applicant shall submit a written statement indicating: reason for the rezoning request; availability of required utilities; a legal description of the proposed rezoning site; and explanation of the substantial changes which have occurred to warrant changes in the district boundary lines.
7. If the proposed amendment would require a change in a zoning district line, the applicant shall submit a written time schedule for beginning and completion of the proposed development planned by the applicant.

B. Following the submission of a completed application which would require a district line change, the City of Anniston shall post signs on the subject property a minimum of ten (10) days prior to the next regularly scheduled meeting of the Planning Commission at which the request for an

amendment is to be considered. The signs shall be provided by the City of Anniston.

C. If the proposed amendment would require a change in the zoning regulations, the applicant shall submit a written statement including: a clear statement of the specific rezoning requested; reasons for the rezoning; the adions to be taken by the applicant if the rezoning requested is approved; and an explanation of the substantial changes which have occurred to warrant changes in the zoning regulations.

D. The Planning Commission shall schedule a hearing on the application at the first regularly scheduled meeting after the application requirements are met.

E. The failure of the Commission to act on any zoning application within 60 days from the time of official submission to the Commission shall constitute approval. If additional information is needed, the Commission shall render a decision not more than 30 days after the second regularly scheduled meeting. Upon the denial of an application reasons shall be established which must be in writing and must be based on evidence in a written record.

F. The applicant, or an authorized representative of the applicant, shall be present at the Planning Commission hearing, or hearings prepared to orally summarize their request and answer questions presented by the Planning Commission. If the applicant, or authorized representative of the applicant, fail to appear before the Planning Commission at the hearing in which their application is considered, this failure to appear shall result in the denial of the application based on the lack of sufficient information upon which to render an opinion.

G. No proposed zoning change shall be approved by the Planning Commission except upon one (1) plus the majority votes of the Planning Commission members present approving said proposed change. Upon receipt of the approval of the Planning Commission as to a proposed zoning change, the Planning Director shall notify the City Council of all recommendations of the City of Anniston Planning Commission for amendments to the City of Anniston Zoning Ordinance and Zoning map by placement of a copy of the proposed ordinance (or a complete synopsis), thereof, on the routine agenda of the next City Council meeting, provided such notice shall not be construed to prevent the prior publication of the public notices required in accordance with law for consideration of the ordinance.

H. In the event that a proposed rezoning amendment fails to receive one (1) plus the majority of votes of the Planning Commission, the applicant may request the City Council to review the rezoning request and take appropriate action thereon.

I. When the City Council denies a re-zoning request, the City Council and the Planning Commission shall not reconsider an application for the same re-zoning request for a period of one year.

Sec. 37: COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint stating fully the causes and basis thereof shall be filed with the Planning Director. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this ordinance.

Sec. 38: PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall be unlawful. Any person who violates any provision of this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $500 or imprisoned for not more than 180 days, or both, in the discretion of the court trying the case; and in addition shall pay all costs in the case.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 39: SEVERABILITY CLAUSE

The provisions of this ordinance are severable. If any provision, section, paragraph, sentence, or part thereof or the application to any persons shall be held unconstitutional or invalid, such holding shall not affect or impair the remainder of this ordinance or the remaining persons to whom it applies, it being the legislative intent to enact each provision, section, paragraph, sentence, and part thereof and the application thereof, separately from each other.

Sec. 40: REPEAL OF CONFLICTING ORDINANCE - EFFECTIVE DATE

All ordinances or parts of ordinances in conflict with this Zoning Ordinance, or inconsistent with the provisions hereof, are hereby repealed to the extent necessary to give this ordinance full force and effect, provided, however, that nothing contained in this Section 38 shall be construed to relieve any person from any liability, offense, penalty or punishment committed or incurred under such ordinances before the effective date of this ordinance. This Ordinance upon its adoption and publication as required by law shall become effective at 12:01 a.m. on the 1st day of October, 2016.

ORDINANCE NUMBER 16-O- 10

AN ORDINANCE TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ANNISTON, ALABAMA; TO REGULATE WITHIN SUCH DISTRICTS THE USE OF REAL PROPERTY CONTAINED THEREIN, INCLUDING, THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE USE OF BUILDINGS, STRUCTURES AND LAND; TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

PASSED and **ADOPTED** this 18th day of July, 2016.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

absent
David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk