



CITY OF LEEDS  
ZONING  
ORDINANCE

#2015-06-06

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**APPENDICES**

**ADMINISTRATIVE FORMS AND APPLICATIONS**

**ORDINANCE NO. DRAFT**

AN ORDINANCE, IN PURSUANCE OF THE AUTHORITY GRANTED BY VOLUME 10, TITLE 11, CHAPTER 52, CODE OF ALABAMA, 1975, AS AMENDED AND SUPPLANTED BY THE CORPORATE LIMITS OF THE CITY OF LEEDS, ALABAMA: TO REGULATE WITHIN SUCH DISTRICTS THE: HEIGHT; NUMBER OF STORIES; 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 REPEAL ALL EXISTING ZONING ORDINANCES AND PENALTIES FOR THE VIOLATION THEREOF.

THE GENERAL PUBLIC WELFARE REQUIRING IT, be it ordained by the City Council of the City of Leeds, Alabama, as follows:

**ARTICLE I**

**SHORT TITLE**

This Ordinance shall be known as the Zoning Ordinance of the City of Leeds, Alabama and the map herein referred to shall be identified by the title Zoning Map of the City of Leeds, Alabama. It shall further be identified by the signature of the Mayor of the City of Leeds and attested to by the City Clerk. The Zoning Map of the City of Leeds, Alabama, is hereby adopted and made a part of this Ordinance. This map is filed with the City Clerk of Leeds at the time the introduction of this Ordinance and will remain on file in the office of said clerk. Upon the adoption of this Ordinance, the said map shall show, by endorsement thereon, the date of such adoption.

**ARTICLE II****PURPOSE AND INTENT****§ 1.00**        **Generally**

The zoning regulations and districts as herein established have been in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote the health and welfare of citizens; to provide for light and air; to prevent the overcrowding of land; to regulate signs; to avoid undue concentrations of population; to facilitate the adequate provision of transportation; water, sewers, schools, parks, public buildings, and other public improvements. These regulations have also been formulated with reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses and with an emphasis on conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

It is the specific intent of this ordinance to provide for a reasonable approach to zoning matters and enforcement should always be undertaken with a view as to problem resolution in the least punitive manner consistent with what is in the best interest of the City of Leeds and its citizenry.

**ARTICLE III****ADMINISTRATION AND REVIEW PROCEDURES****§ 1.00 Enforcing Officer**

The provisions of this Ordinance shall be administered and enforced by the Building Inspector of the City. He or she may be provided with the assistance of such other person or persons, as the City Council deems appropriate. The Building Inspector, or the duly authorized representative, shall in relation to this Ordinance:

- A. Review all building permit applications with regard to conformance with all applicable provisions of this Ordinance and perform required inspections to insure such conformance,
- B. Issue all building permits and maintain records thereof.
- C. Issue all Certificates of Occupancy and maintain records thereof.
- D. Issue and renew, where applicable, all temporary use permits and maintain records thereof,
- E. Maintain current zoning maps and records of amendments thereto; and,
- F. Have the right to enter into any premises at any reasonable time for the purpose of making inspections of land, structures and buildings necessary to carry out the enforcement of this Ordinance. If the Building Inspector finds that any of the provisions of this Ordinance are being violated, he or she shall proceed to notify, in writing, the person or persons responsible for such violations, indicating the nature of the violation(s) and ordering the appropriate action necessary to rectify it. He or she shall order the discontinuance of the illegal use of land, buildings or structures; removal of all the illegal buildings or structures or any illegal work being done; or shall take any other action authorized by this Ordinance to insure compliance with, or to prevent violation of its provisions.

**§ 2.00 Zoning Approval Required**

It shall be unlawful; to commence earthwork or the construction of any building or other structure, including accessory structures, or signs, to store building materials or erect temporary field offices; or to commence the moving, alteration, or repair of any structure, including accessory structures, until the Building Inspector of the City has issued a zoning approval for such work, including a statement that the plans, specifications and intended uses of such building or structure conforms with the provisions of this Ordinance in all respects. The application for a zoning approval shall be filed with the Building Inspector on forms provided by the City for that purpose. A zoning approval fee shall be collected for all zoning approvals for which a building permit is not required as per the City of Leeds Fee Schedule.

**§ 2.01 Plot Plan**

- A. It shall be unlawful for the Building Inspector to approve any plans or issue zoning approval/building permits for any excavation or construction until he or she has inspected such plans in detail and found them in conformity with this Ordinance. To this end, the Building Inspector shall require that every application for a zoning approval be accompanied by a plot plan drawn to scale, dimensioned, and showing the following in sufficient detail to enable the Building Inspector to ascertain whether or not the proposed development is in conformance with the provisions of this Ordinance:

1. The actual shape, proportion and dimensions of the lot to be built upon,
2. The shape, size and location of all buildings or other structures to be erected, altered or moved and of any building (s) or other structures already on the lot, both above and below existing grade.
3. The existing and intended use of all buildings or other structures,
4. The setback and side lines of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determining conformance with the provisions of this Ordinance; and,
5. Every applicant for the use of land, under and by virtue of the provisions of this Ordinance, shall include therein a plan showing the location of necessary fire hydrants with adequate water flow. In addition thereto, the applicant shall submit to the City a written agreement between the applicant and the appropriate water authority specifying that the applicant shall assume the responsibility of purchasing and arranging the installation of such fire hydrants as required by the Leeds Fire Department. The applicant shall also agree to pay the annual rental thereof and other charges that may be levied by the water authority for a period of two (2) years from the date of their installation. Such agreement shall be submitted to the Building Inspector for his or her review and the Leeds Fire Department's review and approval and shall be in full force and effect at the time of the issuance of any building permit provided for hereunder. In addition, where applicable, the applicant shall provide the Building Inspector with copies of all deed restrictions and/or covenants, which pertain to the subject property.

## **2.02 Site Plan Review**

- A. New construction and substantial site development expansion of all planned Residential Developments, Townhomes, Garden Homes, Planned Residential Developments, Planned Unit Developments, five (5) or more Multifamily Dwellings, Manufactured (Mobile) Home Parks, Manufactured (Mobile) Home Subdivisions, Institutional Uses, Commercial Uses and Industrial Uses shall require the submission and approval of a site plan prepared by a professional engineer or professional Land Surveyor who is licensed in the State of Alabama.
- B. Cover Sheet With:
  1. Name and address of the development; name, address and signature of the owner; name address, and signature of the engineer,
  2. The vicinity map,
  3. Zoning and existing and proposed land use of the site,
  4. Date, scale, north arrow and name of all streets,
- C. Site layout, including property dimensions, rights-of-way, easements, location and dimensions of all buildings (existing and proposed), set-backs, driveway access, off-street parking and loading, circulation, screening, buffer yards and landscaping.
- D. Drainage, paving, grading and excavation, topography, erosion and sedimentation, storm-water detention and floodplain management controls.
- E. Public and private utilities, including sewage disposal system and water system.
- F. Fire lanes and hydrants. [See Section 2.01, A-5]

**2.03 Zoning Approval Application**

If, after the review, it is found that the proposed construction, excavation, moving and/or other alteration (as set forth in the application) is in conformity with the provisions of this Ordinance, the Building Inspector of the City shall issue a Zoning Approval accordingly.

**2.04 Denial of Zoning Approval**

The applicant, upon notification by the Building Inspector of a Zoning Approval denial, may make application to the Chairman of the Zoning Board of Adjustment and request a hearing before that body.

**2.05 Zoning Certificate of Occupancy**

No activity or use regulated by this ordinance, including but not limited to land or building(s) or other structure(s) or parts thereof erected, moved or altered in its use shall be used or occupied until the Building Inspector of the City shall have issued a Certificate of Occupancy. Within seven (7) business days after the owner (or his agent) has notified the Building Inspector of the City that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Inspector of the City to make a final inspection thereof and issue a Zoning Certificate of Occupancy, if the building or premises or part thereof is found to conform with the provisions of this Ordinance; or if such Certificate is refused, to notify the owner, in writing, stating the cause for such refusal. Appeals from the decision of the Building Inspector shall be heard by the Zoning Board of Adjustment.

**2.06 Expiration of Zoning Approval**

Any permit, under which no construction work has been performed within six (6) months or which has not been completed within one (1) year from the original date of issuance, shall expire by limitation, but shall, upon reapplication, be renewable. This is subject however, to the provisions of all Ordinances in force at the time of said application for renewal.

**2.07 Unlawful Structure**

A. Any uses of land, or dwellings or construction or alteration of buildings or structures erected, altered, razed or converted in violation of any of the provisions of this Ordinance are hereby declared to be a nuisance per se. The Building Inspector is lawfully authorized to apply to a court of equity to abate the nuisance created by such unlawful use of a building, structure or land. Whenever the Building Inspector has declared a structure to be in violation of any applicable provisions of this Ordinance, the owner or occupant shall, within seventy-two (72) hours from receipt of notification, from the Building Inspector to vacate such premises, accomplish such vacation of said structure or premises which shall not again be used or occupied until such structure or premises has been adapted to conform to all provisions of this Ordinance. Service of notification shall be as follows:

1. By delivery to the owner personally or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion; or,

2. By depositing the notice in the United States Post Office addressed to the owner at his or her last known address with postage prepaid thereon; or,
3. By posting and keeping posted twenty-four (24) hours, a copy of the notice in a conspicuous place on the premises to be repaired.

#### **2.08 Penalties**

Any person, firm, corporation or other organization which violates any provisions of this Ordinance shall be fined, upon conviction, a fee as described in the City of Leeds Fee Schedule. Each day such violation continues shall constitute a separate offense. The conviction of a violation and imposition of any fine shall not constitute an exemption from compliance with all applicable provisions of this Ordinance.

#### **2.09 Remedies**

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or, if any building, structure or land is used in violation of this Ordinance, the Building Inspector of the City or any other appropriate authority or any adjacent or neighboring property owner within five hundred (500) feet who would be damaged or caused hardship by such violation, in addition to other remedies, may:

1. Institute an injunction,
2. Institute a mandamus,
3. Take other appropriate action or proceedings to stay or prevent occupancy of such buildings, structure or land.

#### **2.10 Interpretation of District Boundaries**

- A. The Zoning Board of Adjustment shall make an interpretation of the “Leeds Zoning Map” upon request of any person. Where uncertainty exists as to the boundaries of any zone district shown on said map, the following rules shall apply:
  1. Where boundaries are indicated as approximately following street and alley lines or land lot lines, such lines shall be construed to be such boundaries.
  2. In un-subdivided property or tracts where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on such maps.
  3. Where boundaries are approximately parallel to public right-of-way lines, such boundaries shall be construed as being parallel thereto.

#### **2.11 Interpretation of Uses**

This Ordinance recognizes the limitations of the district use listings given the infinite variations of essentially similar uses. Therefore, the Building Inspector is empowered to make interpretations so as to classify any questioned use within a listed use of most similar impact and characteristics. However, in no case shall the Building Inspector interpret a use as falling in one listed use when the use in question is more similar in impact and characteristics to another listed use. Any



appeals related to the Building Inspector's use interpretation might be filed with the Zoning Board of Adjustment.

### **2.12 Unclassified Uses**

- A. In the event the Building Inspector finds a new or unusual use that cannot appropriately fit a listed use in any district, the following procedures shall be used to determine the most proper district:
1. If compatible with the existing zoning district intent, the unclassified use shall be permitted by Special Exception upon the approval and subject to the conditions set forth by the Zoning Board of Adjustment.
  2. If the unclassified use is deemed to be incompatible with the intent of the existing zone district by the Building Inspector, he shall then consult with the Planning Commission in order to: 1) draft an appropriate zone district(s) for the use.
  3. Following the steps contained in number "A" above, the Planning Commission shall hold a public hearing to initiate an amendment to the Ordinance to include a specific definition for the unclassified use and a listing of zone(s) the use would be permitted in, including any specific conditions or criteria required.
  4. Following the public hearing by the Planning Commission, the Planning Commission shall submit its recommendation(s) to the City Council for final action. (All public hearing notification and publication requirements required by law shall be met with respect to the public hearings held by both the Planning Commission and the City Council).
  5. Following final action by the City Council, said amendments shall be incorporated into the Zoning Ordinance.

## **§ 3.00 Planning Commission**

### **3.01 Appointment**

Any proposal for a zoning ordinance or for an amendment to the existing zoning ordinance must begin with the planning commission. Such commission shall be created and shall function as provided by the Code of Alabama, 1975, § 11-522 through 11-52-1001 as such may be amended; and, it shall have the powers granted herein.

## **§ 4.00 Zoning Board of Adjustment**

### **4.01 Appointment**

A Zoning Board of Adjustment is hereby established. Such board shall be appointed as provided by the Code of Alabama, 1975, § 11-52-80 or as such may be amended; and, it shall have all the powers granted herein.

## **§ 5.00 Variances**

The Zoning Board of Adjustment has the authority to authorize, upon appeal, in specific cases, such variances from the terms of this Ordinance as will not be contrary to the public interest,

where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. [An unnecessary hardship refers to a hardship, which is NOT self-created.]

#### **5.01 Justification**

- A. Variances to the terms of this Chapter may be granted in individual cases upon a finding by the Zoning Board of Adjustment that the variance will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. Another essential factor is that the spirit of the Ordinance shall be observed and substantial justice done. More specifically, the Board shall determine that ALL of the following criteria have been satisfied:
1. Variances should be permitted only under peculiar and exceptional circumstances.
  2. A hardship alone is not sufficient. Alabama statutes require the verification of unnecessary hardship (not self-created and not involving the design or other limitations of the land itself).
  3. Mere financial loss of any kind, which might be common to all of the property owners in a district, is NOT an unnecessary hardship.
  4. When a hardship is self-inflicted or self-created, there is no basis for claim that a variance should be granted.
  5. Variances should be granted sparingly and the spirit of this Chapter, in harmony with the spirit of State Law, should be carefully preserved to the end and the structure of this section would not disintegrate and fall apart by constant erosion at the hands of the Zoning Board of Adjustment.

#### **5.02 Application For A Variance**

- A. An application for a variance shall be filed with the Chairman of the Zoning Board of Adjustment at least fifteen (15) days prior to the scheduled hearing date before the Zoning Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the property owner on a form made available by the Building Inspector and shall include the following:
1. Name, signature and address of the property owner and agent of the property owner, if any.
  2. Address of the property under consideration.
  3. Existing zoning and present land use of the property under consideration.
  4. Justification for a variance in accordance with ALL of the criteria cited in Section 4.0, Subsection 4.3.
  5. A vicinity map showing the exact location of the property.
  6. A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout with the variance noted or highlighted.

7. The names and addresses of adjacent property owners, as well as those property owners within five hundred (500) feet of the subject property as shown on the most recent records of the county's Tax Assessors Office.
8. A fee, as indicated in the city fee schedule, is required from the applicant or agent at the time the application for a variance is made.

### **5.03 Notice Required**

- A. At least fifteen (15) days prior to the scheduled Zoning Board of Adjustment hearing, the City Inspection Services Department shall cause to be posted a two sided, portable 18" X 24" (minimum) sign on or near the property in question. Such sign shall contain the following information:
  1. City of Leeds;
  2. Board of Zoning Adjustments;
  3. Case Number; and
  4. Please call (Insert City Number) for more information
- B. In addition, Notice must be transmitted by the applicant to adjoining property owners, according to records of the County Tax Assessor, by certified mail, return receipt. The applicant must provide to the City at least 10 days prior to the meeting date, a copy of the certified mail receipt.

### **5.04 Action on Appeals**

In exercising the above mentioned powers, the Zoning Board of Adjustment may, as long as such action is in conformity with the terms of his Ordinance, reverse, affirm (wholly or partly) or modify the order, requirement, decision or determination as to what should be made; and, to that end, it shall have powers of the administrative official from whom the appeal is taken. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to affect any variation in the application of this Ordinance. [Code of Alabama, 1975, § 11-52-80 or as such may be amended]

### **5.05 Appeals – How Taken**

- A. Appeals to the Zoning Board of Adjustment may be taken by any person aggrieved of by any officer, department, board or bureau of the City affected by any decision of the administrative official. Such appeals shall be taken within a reasonable time, not to exceed thirty

(30) days or such lesser period as may be provided by the rules of the Board, by filing with the Building Inspector and with the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof. The administrative official shall forthwith transmit to the Board all papers, documents, etc. that constitute the appeal.

- B. The Zoning Board of Adjustment shall fix a reasonable time for hearing of the appeal, give public notice thereof as well as due notice to the parties with the interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

#### **5.06 Stay of Proceedings**

An appeal stays all proceedings in furtherance of the action appealed, unless the Building Inspector certifies to the Zoning Board of Adjustment, after the notice of appeal is filed by him or her, that by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life and property. In such a case, the proceedings shall not be stayed, other than by a restraining order, which may be granted by the Zoning Board of Adjustment or by a court of record on application, on notice to the Building Inspector from whom the appeal is taken and on due cause shown.

#### **5.07 Appeals From The Action Of The Board**

Any party aggrieved by any final judgment of the Zoning Board of Adjustment may appeal therefrom to the Circuit Court or court of like jurisdiction as provided by the Code of Alabama, 1975, § 11-52-80 or as the same may be amended, within fifteen (15) days from the date of the board hearing.

#### **§ 6.00 Special Exception Uses**

In certain cases, certain land uses are identified for special zoning treatment. The nature of these uses is such that, when properly regulated, they are appropriate in several zone districts. In order to bring about the proper integration of uses into the City's land use pattern, a special set of criteria or standards may be provided for each use listed in the Special Exception Use category. Review of these standards will tend to maintain compatibility with adjoining land uses and it is intended that the Zoning Board of Adjustment will review all such proposals for the types of uses in compliance with the appropriate provisions before approval is granted and appropriate permits are issued. [See Article VIII.]

### **6.01 Special Exception Procedures**

A. All uses listed as permitted by special exception shall require the submission of an application to the Zoning Board of Adjustment. An application for a special exception use shall be filed with the Building Inspector at least twenty-one (21) days ahead of the scheduled hearing date before the Zoning Board of Adjustment. An application shall be filed by the property owner or the authorized agent of the property owner on a form made available by the Building Inspector. Such form shall be completed by the applicant or agent and include the following:

1. The name, address and signature of the property owner and agent of the property owner, if any
2. The address of the property under consideration
3. The existing zoning and land use of the property under consideration
4. The proposed use by Special Exception
5. A Vicinity map showing the location of the property
6. A plot plan, drawn to scale and dimensioned, showing the property boundaries and the proposed layout.
7. In addition, the applicant or agent must, at the time of application, provide the Building Inspector with the names and addresses of adjacent property owners, as shown on the most recent records of the County Tax Assessor's Office.
8. An administrative fee, as prescribed in the City Fee Schedule, is required from the applicant or agent at the time the application is made.

### **6.02 Public Notice**

A. At least fifteen (15) days prior to the scheduled Zoning Board of Adjustment public hearing, the applicant shall give written notice of the proposal to all adjacent property owners. Such notice shall be deemed given when deposited in the United States Mail in the form of certified mail, addressed to those property owners at their addresses as submitted by the applicant at the time application is made. A copy of the certified mailing receipt shall be provided to the City prior to the public hearing. Such notice shall contain the following:

1. The name of the applicant
2. The location of the property
3. The proposed use by Special Exception
4. The time, date and location of the Zoning Board of Adjustment Public Hearing.

using a template provided by the City.

### **7.00 Amendments to the Zoning Ordinance or the Zoning Map**

The regulations and the number, area and boundaries of districts established by this Ordinance may be amended, supplemented, changed, modified or repealed by the City Council of the City of Leeds; but no amendment shall be considered unless it is first submitted to the Leeds Planning Commission for its review and recommendation. This body may, on its own initiative, propose changes and hold public hearings (public notice of which shall be posted) for the consideration or any proposed amendments to the provisions of this Ordinance or to the official Zoning Map of The City of Leeds, Alabama.

**7.01 Authority to Amend**

Whenever the public warrants, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable vote of a majority of the members, may amend the regulations of zoning district boundaries herein established, in accordance with the Code of Alabama, 1975, § 11-52-78 or as same may be amended.

**7.02 Authorized Petitioners**

A petition for amendment of this Ordinance or the Zoning District Boundaries may be initiated by the City Council, the Planning Commission, or by the property owner or agent of such property owner.

**7.03 Petition for Amendment**

- A. A petition for amendment, when initiated by the property owner or by an authorized agent of the property owner, shall meet the application requirements of this section.
- B. The application for rezoning shall be made on a form available from the Building Inspector and shall be filed with the Building Inspector at least twenty-one (21) days prior to the Planning Commission Hearing. The applicant shall provide the following information and materials:
  - 1. The name, signature and address of the property owner and agent of the property owner, if any
  - 2. The address and legal description of the property under consideration, accompanied by a copy of the applicable tax maps clearly identifying the property subject to the rezoning request.
  - 3. The present and proposed zoning and land use of the property under consideration
  - 4. The reason for the rezoning request
  - 5. The availability of required utilities and methods of storm water drainage and traffic control
  - 6. A vicinity map, drawn to scale, showing the size and location of the subject property
  - 7. A site plan, drawn to scale and dimensioned, showing the property boundaries, public rights-of-way, and the proposed use and development layout
  - 8. The names and addresses of all of the adjacent property owners, as shown on the most recent records of the County Tax Assessor's Office.
  - 9. An administrative fee as prescribed by the City Fee Schedule.

**§8.00 City Council Action on Amendments****8.01 Notification and Adoption Requirements**

- A. At the time and place scheduled for the public hearing of the proposed amendment, the City Council shall hear the presentation of the applicant, review the recommendation of the Planning Commission and hear any arguments in opposition to and/or support of the proposal by the general public.

- B. After such hearing, the City Council may adopt the Ordinance as reported by the Planning Commission or in such amended form as it deems best.
- C. After the Ordinance is adopted by the City Council, it must again be published in the same manner as all municipal ordinances, subject to the provisions of Section 11-45-8 of the Code of Alabama.

**§ 9.00            Limitations on Rezoning Requests**

Should the City Council reject a rezoning amendment proposal by a property owner, the same kind of rezoning of the same tract of land will not be considered by the Planning Commission until a period of six (6) months has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearing held by the Planning Commission, but prior to the public hearing held by the City Council, shall also require a six (6) month time period before another application may be submitted.

**ARTICLE IV****DEFINITIONS****§ 1.00 Purpose of Definitions**

For the purpose of this Zoning Ordinance, certain terms used in the Ordinance shall have the meanings defined by this Article. In the event a term is not listed in this Article or is not defined elsewhere in this Ordinance, the conventional meaning of the term shall apply.

**1.01 Interpretation**

The Leeds Building Inspector is authorized to make a final determination of the meaning of any term used in this Ordinance. In the case of any dispute, an appeal of the Building Inspector's determination may be filed with the Zoning Board of Adjustment.

**1.02 Word Usage**

In the interpretation of this Zoning Ordinance, the provisions and rules of this section shall be observed and applied, except when the context clearly requires otherwise.

- A. Words used or defined in one tense or form shall include other tenses and derivative forms.
- B. Words in the singular number shall include the plural number and words in the plural number shall include the singular number.
- C. The masculine gender shall include the feminine and the feminine gender shall include the masculine.
- D. The word "Shall" is mandatory and the word "May" is permissive.
- E. The word "Person" includes an individual, firm corporation, association, organization, partnership, trust, or company.

**§ 2.00 Words and Phrases Defined**

The following general terms, when referred to in this Ordinance, shall have the meanings defined by this section:

**ABANDONED MOTOR VEHICLE** – Any motor vehicle which is partially dismantled, inoperative, (see inoperative motor vehicle definition), wrecked or junked which is left at any place on a street or highway within the City limits for a period of at least seventy-two (72) consecutive hours.

**ABUT** – To physically touch or border upon or to share a common border with or be separated from the common border by an easement.

**ACCESS** – A way or means of approach to provide physical entrance to a property.



**ACCESS BOUNDARY** – That portion of the parking area that consists of a travel lane bounded on either side by an area that is not part of the parking area.

**ACCESSORY STRUCTURE** – A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use. All buildings are considered structures but not all structures are buildings.

**ACRE** – A measure of land containing 43,560 square feet or area.

**ADDITION** – A structure added to the original structure at some time after completion of or after a Certificate of Occupancy has been issued for the original structure.

**ADJACENT** – To physically touch or border upon or to share a common border with or be separated from the common border by an easement.

**ADJOIN** – To physically touch or border upon or to share a common border with or be separated from the common border by an easement.

**AIRPORT** – A place where commercial aircraft can land and takeoff. Such use may include: terminals, hangars, fueling and repair facilities, passenger accommodations and other integrally related facilities.

**ALLEY** – A service way providing a secondary means of access to abutting property and not intended for general traffic circulation.

**ALTERATION** – Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change to doors or windows, or any enlargement to a building or a structure, whether structure from one location to another.

**ANIMAL HOSPITAL** – A place where small household pets are given medical treatment, which may include surgical treatment, and where the short-term boarding of pets within an enclosed building may be provided.

**ANIMAL SHELTER** - A non-profit or public organization providing shelter for domestic animals.

**ANTENNA** – An exterior apparatus designed to transmit and/or receive electromagnetic waves.

**ANTENNA SUPPORT STRUCTURE** – Any structure on which radio antennas and cabling can be attached. Typically this includes steel towers with guy-wires (guy towers); wooden, steel or concrete single poles (monopoles); self-supporting steel towers with three or four “leg” (towers); rooftops or existing buildings or structures such as elevated water storage tanks.

**ANTENNA, ACCESSORY** – An antenna which is accessory to the primary use of the premises, and which may include: parabolic antennae, amateur radio towers and other transmitters and receivers that are secondary to the primary use of the premises.

ANTENNA, COMMERCIAL – An antenna, which is not accessory to the primary use of the premises, but is either an integral part of the primary use, such as television and radio broadcast antennae and parabolic antennae for the receipt of signals for commercial distribution; or a separate business from the primary use, such as telecommunications antennae.

APARTMENT – Three (3) or more attached, multi-family dwelling units within a building of three stories or less.

APPLICANT – A person submitting an application for a permit, development of property, a variance, a special exception use or rezoning of property.

BAKERY – A business, which bakes goods primarily for wholesale trade, which may also include storage and distribution facilities.

BAKERY, MAJOR – An establishment which bakes goods primarily for wholesale and/or retail sale which may also include storage and distribution facilities.

BAKERY, MINOR – An establishment which bakes goods for on-premises retail sale only.

BAKERY, RETAIL – A business which bakes goods for on-premises retail sale only.

BANK – A business engaged in providing banking or financial services to the general public, such as: banks, savings and loan institutions, credit unions, finance companies and similar uses.

BASEMENT – A portion of a building located wholly or partially underground, having one-half (1/2) or more of its floor-to-ceiling height below the average grade of the adjoining ground.

BED AND BREAKFAST INN - A house, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the Inn shall live on the premises or in adjacent premises.

BEDROOM – A room designed, marketed or otherwise intended to function primarily for sleeping.

BERM – A grass covered or landscape mound of earth with a slope of one-third (1/3) degrees or greater on both sides of the mound used to screen activities or uses.

BINGO FACILITY – A location, which has been inspected and approved by the City used for the purpose of playing bingo games pursuant to a permit issued under Ordinance No. 2009-09-01.

BLOCK – A tract or parcel of land entirely surrounded by public streets other than alleys.

BOARDER – An individual, other than a member of a family, occupying the dwelling unit or part thereof, which, for compensation, is furnished sleeping accommodations and is furnished meals and other services as a part of consideration.

BOARD OF ZONING ADJUSTMENT – The Zoning Board of Adjustment of the City of Leeds, Alabama.

**BOARDING HOUSE** – A dwelling for the residency of two (2) or more boarders on a long-term basis (at least month-to-month). Each unit intended to be rented does not constitute a dwelling unit as defined in this Ordinance

**BR** – Bedroom or guest accommodations.

**BROADCAST STUDIO** – Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms, including: film and sound recording, radio stations, television studios or telegraphic service offices.

**BUFFER** – A strip of land that is retained in an undeveloped state for the purpose of providing a means of screening or separating incompatible land uses, promoting visual harmony, reducing noise, diverting emissions, reducing the effects of adjacent lighting and enhancing the natural environment. Buffers may consist of existing or planted trees, shrubs or other forms of vegetation, fences, walls or earth berm(s).

**BUILDING** – A structure designed and intended to be used as a place of occupancy, storage or shelter.

**BUILDING LINE** – A line generally parallel to the street right-of-way line at a distance equal to the depth of the front yard required for the zoning district in which the lot is located.

**BUILDING SETBACK LINE** – A line generally parallel to the street right-of-way line at a distance equal to the depth of the front yard required for the zoning district in which the lot is located.

**BUILDING SETBACK, FRONT** – The shortest distance from the building to the front lot line, measured perpendicular to the front lot line.

**BUILDING SETBACK, REAR** – The shortest distance from the building to the rear lot line, measured perpendicular to the rear lot line.

**BUILDING SETBACK, SIDE** – The shortest distance from the building to the side lot line, measured perpendicular to the side lot line.

**BUILDING SPACING** – The minimum distance between buildings, measured from the outermost projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices and eaves.

**BUILDING, FRONT** – The exterior wall of a building which faces the designated front lot line of a lot.

**BUILDING, HEIGHTS** – The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

**BUILDING, PRINCIPAL** – See principal building.

**BUILDING, PUBLIC** – Any building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county, or municipal, without reference to ownership of the building or of the realty upon which it is situated, A building belonging to or used by the public for the transaction of public business or quasi-public business.

**BUSINESS OFFICE** - A place where the administrative affairs of a business or a profession are conducted, such as: a law firm, accounting or bookkeeping firm; real estate agency; insurance agency; financial planner; architect; consulting services; physician or dentist; secretarial service; engineer; the administrative staff of a business or industry; and, similar uses.

**BUSINESS SUPPORT SERVICE** – A place of business which supplies support services primarily to business or professional offices or services, such as: photocopying; office equipment; supplies and services; cleaning services; computer and office equipment and repair and/or service; and similar establishments.

**CAMPGROUND** – A group of buildings or structures, on a site of ten (10) acres or more, (planned as a whole) for seasonal recreation or vacation uses, including: tent campsites, travel trailer or recreational vehicle sites; vacation cottages, recreational facilities, eating facilities, (such as picnic tables and/or outdoor grills) and bathrooms, which may include a facility which provides for the sale of personal items and gifts.

**CAR WASH** – A commercial establishment engaged in washing or cleaning of automobiles and light vehicles. Such a facility may be automated or may employ the services of individuals to perform such services manually.

**CARPORT** – A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three (3) sides.

**CELLULAR SITE** – A parcel of land or building (leased or purchased) on which is located one or more transmitter/receiver stations for wireless communication systems, including accessory facilities for equipment storage and operations. In cases involving vacant land, or low lying existing antennas are usually required.

**CEMETERY** – Human burial grounds.

**CEMETERY, PET** – Burial grounds for domestic animals which were pets.

**CITY** – Shall mean the City of Leeds, Alabama.

**CITY COUNCIL** – Shall mean the City Council of the City of Leeds, Alabama.

**CIVIC CENTER** – A building, structure, or other facility used for and providing: religious, fraternal, educational, social and/or recreational programs and activities generally open to the public and designed to accommodate and serve significant segments of the community.

**CLINIC** – A facility providing medical, psychiatric or surgical services for sick or injured persons exclusively on an out-patient basis.

**CLUB** – A group of people organized for a common purpose to pursue common goals, interests, and activities and usually characterized by: certain membership qualifications, payment of fees/dues, regular meetings, a constitution of set of bylaws.

**COMMERCIAL PARKING** – Parking of motor vehicles on a temporary basis within a commercially operated, off-street parking lot or garage.

**COMMERCIAL SCHOOL** – A private, gainful business providing instructional services in: the arts, business, crafts, trades or professions.

**COMMUNICATIONS TOWER** – A free-standing structure constructed or erected for the sole purpose of supporting a commercial antenna.

**COMMUNITY CENTER** – A building, structure, or other facility used for and providing: religious, fraternal, educational, social and/or recreational programs and activities generally open to the public and designed to accommodate and serve significant segments of the community.

**CONDOMINIUM** – An enclosed space consisting of one or more rooms occupying all or part of a floor in a building or one or more floors or stories regardless of whether it is designed for residence, office, the operation of any industry or business, or any other type of independent use and shall include such accessory spaces and areas as may be described in the declaration, such as garage space, storage space, balcony, terrace or patio.

**CONSTRUCTION SERVICE** – A place of business engaged in construction activities and incidental storage, as well as wholesaling of building materials such as a building contractor, trade contractor or wholesale building supply store. This shall not include a home improvement center, which also sells material at retail.

**CONTIGUOUS** – To physically touch or border upon or to share a common border with or be separated from the common border by an easement.

**CONVENIENCE STORE** – A one-story, retail establishment, with less than two thousand (2,000) square feet of gross floor area, that is primarily designed to sell food, beverages and other household goods and products to customers who purchase only a relatively few items at a time (in contrast to a supermarket). Such establishment may also engage in the incidental sale of vehicle fuel, oil and accessories; but, it shall not engage in either major or minor vehicle repair activities, as defined in this Ordinance.

**COUNCIL** – Shall mean the City Council of the City of Leeds, Alabama.

**COUNTRY CLUB** – Land or buildings containing recreational facilities and a club house for private club members and their guests.

**CUL-DE-SAC** – A dead-end street terminated by a vehicular turnaround.

**DAY CARE CENTER** – A licensed facility, other than a residence, providing day care on a regular basis to more than six (6) children, elderly, handicapped or infirm persons.

DAY CARE HOME – A licensed service, operated from a dwelling by the resident, providing day care on a regular basis to six (6) or less children, elderly or infirm persons.

DENSITY – The minimum required lot area per dwelling unit or the maximum number of dwelling units allowed by this Ordinance per site area.

DEVELOPMENT – The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, alteration, relocation, or enlargement of a structure; any mining, dredging, fitting, grading, paving, excavation, drilling, or disturbance of land; and any use or extension of the use of the land.

DISTRIBUTION – Warehousing, wholesaling and distribution refers to the use of land and structures for the purpose of storing materials with the intent to sell and/or distribute such materials. These facilities may be distribution centers, wholesale operations, open air storage facilities, etc. The premises may be used to store both perishable and nonperishable items (with adequate facilities to prevent pollution, toxicity, health and sanitary hazards and general nuisance); trucks, trailers, and other transportation devices and equipment; construction equipment and devices; and, other bulk storage materials, in the open, such as: sand, gravel, bricks, cinder blocks, timber, clay, steel (columns, girders, trusses, plates, sheets, pipes, etc.) water and sanitary sewer supplies, fixtures, etc., should be done in a manner to prevent accidents. Materials, such as: sand, gravel, clay, etc. should be well contained to prevent any form of their displacement that may occur due to rain, storms and other phenomena, resulting in the jeopardizing of any neighboring land uses, wetlands, parks, floodplains, environmentally sensitive areas, surface water supplies, sewage disposal systems, etc.

DOMICILIARY CARE FACILITY – Licensed homes for the aged, intermediate institutions and related institutions (not otherwise defined in this ordinance) the primary purpose of which is to furnish room, board, laundry, personal care and other non-medical services (regardless of what it may be named or called) for not less than twenty-four (24) hours in any week, to individuals not related by blood or marriage to the owner or administrator. This kind of care implies sheltered protection and a supervised environment for persons, who, because of age or disability, are incapable of living independently in their own homes or in a commercial room and board situation, yet who do not require the medical and nursing services provided by a nursing home. In these facilities, there might be available, temporarily and incidentally, the same type of limited medical attention that an individual would receive if living at home.

DU – Dwelling unit.

DUPLEX – Two (2) attached, single-family dwelling units.

DWELLING – Any building or portion thereof which is designed, intended, or used for human occupancy.

DWELLING UNIT – A building or portion thereof, providing separate, complete and independent, living facilities for one or more persons comprising a household, including permanent provisions for sleeping, cooking and sanitation.

DWELLING UNIT, ATTACHED – Three (3) or more dwelling units adjoining one another by a common wall, roof or floor, such as a townhouse or apartment.

DWELLING UNIT, DETACHED – A dwelling designed for and occupied by not more than one (1) family and having no roof, wall or floor in common with any other dwelling unit, such as a single-family residence, manufactured home, modular home, patio home or garden home.

DWELLING UNIT, MULTI-FAMILY – A building containing two (2) or more dwelling units on a commonly shared lot, such as a duplex or apartment.

DWELLING, SEMI-DETACHED – Two (2) dwelling units adjoining one another by a common wall, roof or floor, such as a duplex or twin townhouses.

DWELLING, SINGLE FAMILY – A dwelling unit on an individual lot, such as a single-family residence, garden home, patio home, manufactured home, townhouse or modular home.

EASEMENT – Authorization by a property owner of the use of a designated part of his property by another for a specified purpose.

EMPLOYEE – The maximum number of persons employed at the facility regardless of the time period during which this occurs or whether the persons are full-time employees. The major shift may be a particular day of the week; or, it may be a lunch or dinner period in the case of a restaurant.

ENTERTAINMENT, INDOOR – A commercial establishment providing spectator entertainment within an enclosed building, including: movie theaters, playhouses, etc.

ENTERTAINMENT, OUTDOOR – A commercial establishment providing spectator entertainment in open, partially-enclosed or screened facilities, including sports arenas, racing tracks, drive-in theaters, amusement parks, and similar activities.

ERECT - To: build, construct, attach, hang, place, mount, suspend or affix and it shall include the painting of wall signs upon the exterior wall surface of buildings or other structure.

EQUIPMENT RENTAL, MAJOR – A place of business engaged in the sale or rental of: heavy trucks (over one ton); construction equipment tractors and farm implements; and similar equipment including the storage, maintenance, and servicing of such vehicles and equipment.

EQUIPMENT RENTAL, MINOR – A commercial establishment engaged in the sale or rental of: automobiles, light trucks, travel trailers, recreational vehicles, boats and motorcycles. (This includes the incidental: parking storage, maintenance, servicing, and repair of such vehicles). All servicing and repair work shall be performed within an enclosed building, with the exception of the washing and waxing or such vehicles.

EQUIPMENT SALES, MAJOR – A place of business engaged in the sale or rental of: heavy trucks (over one ton); construction equipment tractors and farm implements; and similar equipment including the storage, maintenance, and servicing of such vehicles and equipment.

EQUIPMENT SALES, MINOR – A commercial establishment engaged in the sale or rental of: automobiles, light trucks, travel trailers, recreational vehicles, boats and motorcycles. (This includes the incidental: parking storage, maintenance, servicing, and repair of such vehicles). All servicing and repair work shall be performed within an enclosed building, with the exception of the washing and waxing or such vehicles.

FAMILY – One (1) or more persons living together as a single housekeeping unit.

FARM – A parcel of land, consisting of at least five (5) acres of land, in one (1) ownership, used for the production, keeping or maintenance, for sale or lease, of plants and animals useful to man, including the following activities:

- Forage and Sod Farms
- Livestock, such as beef cattle, swine, sheep, goats, or any similar livestock; including the breeding and raising of such animals but not including commercial meat processing operations; this shall not be construed to include the slaughter and processing of animals grown on the premises for personal consumption.
- Poultry, including egg production, but not including commercial poultry processing operations
- Nursery operations involving the raising of plants, shrubs and trees for sale and transplantation, including greenhouses and the incidental sale of items customarily associated with the operation of a nursery.
- Bees and apiary installations and products:
- Fisheries, excluding commercial fish processing operations;
- Fruit and vegetables of all kinds, including the growing and harvesting of such fruit and vegetables, but excluding commercial food processing operations.
- Temporary sawmills and chippers (used in connection with timber cutting operations) Subject to the requirements set forth in the Supplemental Regulations, Article VII, Article VII, § 10.00 (11)
- Barns and other accessory structures associated with farming and livestock Subject to Supplemental Regulations, § 10.00 (D).
- Blacksmith operations
- A booth or stall (farm stand) Subject to the requirements of the Supplemental Regulations, Article VII, § 10.00 (C).
- Kennels
- Residences as listed in the A-1 Agriculture District, subject to the conditions set forth therein.

FARM SUPPORT BUSINESS – A commercial establishment engaged in the sale of farm support goods, equipment and services, including the following activities:

- The sale of feed, grains, fertilizers, pesticides, trees, seeds, plants, and similar goods:
- The provision of warehousing and storage facilities for raw farm products; and
- The provisions of veterinary services to farm animals. FOWL – Chickens, turkeys, ducks, geese, quail, guineas, etc.



FENCE – An artificially constructed barrier of any material or combination of materials, or vegetation which is planted or retained as a means to enclose or screen areas of land or land uses.

FINANCIAL INSTITUTION – A business engaged in providing banking or financial services to the general public, such as: banks, savings and loan institutions, credit unions, finance companies and similar uses.

FLEX BUILDING – Any building, which is designed to allow its occupants flexibility of alternative uses of the space within such building, which may include office, industrial, research and development and showroom space.

FLOOR AREA, GROSS – The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

FLOOR AREA, GROSS LEASE-ABLE (GLA) – The total floor area of a building designed for both tenant occupancy and exclusive use, but does not include shared or common areas among tenants.

FLOOR AREA, LIVABLE – The area of the first floor plus the area of the floors next above, and the area under a sloping roof having a minimum ceiling height of six (6) feet. Garage floor area, basements, decks, porches, patios, terrace and carport floor area are not included as livable floor area.

FUNERAL HOME – A building (or part thereof) used for human funeral services. Such building may contain space and facilities for:

- A. The embalming and the performance of other services used in preparation of the dead for burial.
- B. The performance of autopsies and other surgical procedures.
- C. The storage of caskets, funeral urns, and other funeral supplies.
- D. Space for storage of funeral vehicles is allowed, but funeral homes shall not include facilities for cremation.

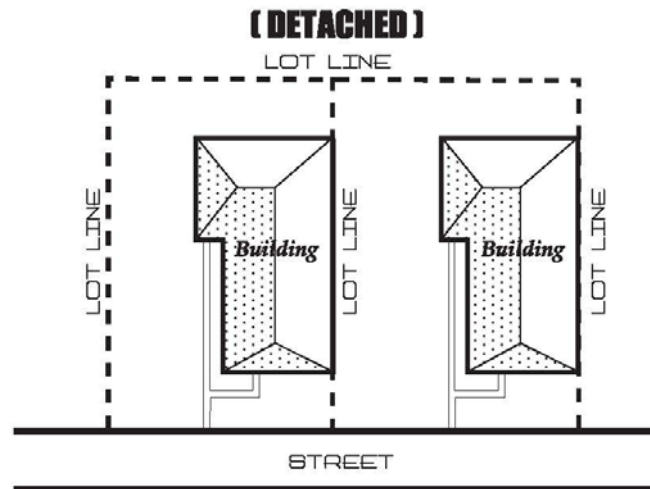
When a funeral home is permitted, a funeral chapel shall also be permitted as an incidental use.

GARAGE SALE – The sale of personal belongings, by an individual, in his or her residence, property or premises. [See Article VII, Supplemental Regulations, § 8.00 A & B, Garage or Yard Sales]

GARAGE, REPAIR – Any place of business engaged in major vehicle repair activities as defined in this Ordinance. Such establishments may also engage in minor vehicle repair activities and in the sale of vehicle fuel. All major vehicle repair work shall be performed entirely within an enclosed building. No such building or premises shall be used for the parking of vehicles which are offered for sale, nor shall any abandoned or inoperative motor vehicles be permanently stored on the premises.

**GARDEN CENTER** – Retail sale of plants, trees, shrubs and the like for ornamental purposes conducted from a building, greenhouse, outdoor display area or stand, including incidental sales of items customarily associated with such sales activities (containers, fertilizers, ornaments, mulch, potting soil, small gardening tools and equipment, and seeds.

**GARDEN HOME** – A detached, single-family dwelling designed on a small lot with one (1) zero lot line on one side. (See typical illustration below)



**GASOLINE SERVICE STATION** – A commercial establishment providing fuel, lubricants, parts and accessories for vehicles, which may also engage in the incidental sale of food items and beverages. Minor vehicle repair activities (as defined in this section) may also be performed. However, neither the principal building nor the premises shall be used for the parking of motor vehicles offered for sale, nor such building or premises shall be used for the permanent storage of inoperable or abandoned motor vehicles. All gasoline storage tanks shall be underground and in full compliance with Alabama Department of Environmental Management (ADEM) requirements as well as all other applicable laws and requirements.

**GENERAL RETAIL, ENCLOSED** – Retail sales of goods and services, not otherwise defined in this section, including, but not limited to, food sales, department stores, clothing stores, home furnishings, appliance stores, automobile parts and supply stores, video rental, gift shops, florist shops, hardware stores, jewelry stores, variety stores, sporting goods stores, antique shops, auction houses, and similar retail activities.

**GENERAL RETAIL, UNENCLOSED** – The retail sales of goods and services not otherwise defined in this section, conducted partially or fully outside the principal building, including, but not limited to: sidewalk sales, flea markets, outdoor food service and similar activities.

**GLA** – Gross leasable floor area. The total floor area of a building designed for both tenant occupancy and exclusive use. The GLA includes both owned and leased areas, but does not include shared or common areas among tenants. Where the total floor area of a building is occupied or where a building has no shared or common area, it is the gross floor area measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

**GOLF COURSE** – Public or private land and buildings associated with a golf course, including a country club.

**GROCERY STORE** – A retail establishment which usually contains in excess of 2,000 square feet in which the following items are normally sold: a wide range of food items, beverages, household supplies, personal care items, etc. Such facility may also contain sections offering for sale such items as flowers and plants, magazines, deli and/or minor bakery, but shall not engage in any form of vehicle repair or maintenance of the sale of vehicle fuel.

**GROUP CARE HOME** – A dwelling shared by handicapped persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care and education and work toward enabling the resident to live as independently as possible in order that he or she may participate in community activities, and, at the same time, work to reach his or her maximum development potential. (See Code of Alabama, 1975, § 11-52-75, Regulation as to housing of mentally retarded or mentally ill persons in multi-family zone, as amended).

**HALFWAY HOUSE** – A licensed home for inmates on release from more restrictive custodial confinement or an initial place in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation and counseling are provided to guide residents back into society, enabling them to live independently.

**HOBBY FARM** – A two (2) acre or larger tract of land used for the keeping or maintenance of farm animals personally useful to the occupants of the dwelling on the same tract.

**HOME IMPROVEMENT CENTER** – A place of business providing building, yard and garden supplies, yard maintenance equipment, paint, wallpaper, plumbing supplies, building supplies, home improvement publications and information, appliances; tools and similar products either at retail or wholesale.

**HOME OCCUPATION** – A business, profession, occupation or trade which is conducted for personal gain or support and is located entirely within the living area of the dwelling, as an incidental activity of the residents of that dwelling. Such an activity shall not alter the exterior of the dwelling or the property or affect the residential character of the neighborhood in which it is located.

**HOSPITAL** – An establishment which provides health services primarily for inpatient medical or surgical care of the sick and injured, including accessory facilities such as: laboratories, pharmacies, out-patient clinics, training facilities, gift shops, coffee shops, cafeterias and staff offices.

**HOTEL**: A building or part thereof occupied as the more or less temporary abiding place of individuals in which the rooms are usually occupied singularly for hire and in which rooms no provision for cooking is made and in which building there is usually a kitchen and public dining room for the accommodation of the occupants and guest. Guest shall not stay at the facility for more than 21 days.

**IMPROVEMENT** – Any man-made immovable item which becomes a part of, placed upon or affixed to real estate.

**INDUSTRY, HEAVY** – All meat and poultry processing facilities; slaughterhouses; the storage of manufacturing, disposal or destruction of: flammable, explosive or toxic materials, or other materials generally considered to be hazardous.

**INDUSTRY, LIGHT** – A use engaged in the manufacturing, predominately from previously prepared materials, finished products or parts, including fabrication, assembling, treatment and packing of such products; and the incidental storage, sale and distribution of such products. This use excludes the basic industrial process.

**INOPERATIVE MOTOR VEHICLE** – A motor vehicle which cannot be driven upon the public streets for reasons including, but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair or incapable of being moved from one location to another under its own power.

**JUNK YARD** – A lot, structure or part thereof, used primarily for: the collecting, storage and sale of waste paper, rags, scrap metal or other discarded materials; the collecting, dismantling, storage and salvaging of machinery or motor vehicles not in running condition, or for sale of parts thereof.

**KENNEL** – Any lot or premises on which four or more dogs or cats over four months of age are kept.

**LAND USE DISTRICT** – An area of land within a PCD designated as PR-1, PR-2, PC or PI, as further defined in Article VI, Subsections 18.04 through 18.07 herein.

**LIGHT, INDIRECT** - One reflecting light from a separate outside source aimed toward it, including silhouettes on a background or reflected light.

**LIGHT, DIRECT** - One emitting light from a source within or affixed to the sign face and beaming outward from it.

**LIGHT, INTERMITTENT** - Any flashing traveling light, including arrangements that spell messages, simulate motion or form various symbols or images.

**LIQUOR LOUNGE** – A licensed establishment engaged in the preparation, sale of serving of liquor for consumption on the premises. This shall include, but not be limited to, the following terms: taverns, bars, cocktail lounges, nightclubs and similar uses where liquor consumption is a primary or incidental activity on the premises of the establishment. Not included in this definition are establishments which sell alcoholic beverages for off-premise consumption only, such a package store, State Alcoholic Beverage Store, supermarkets, convenience stores, etc.

**LIVABLE FLOOR AREA** – any floor area within a dwelling usable for any combination of sleeping, eating, cooking, recreation or working purposes.

**LIVESTOCK** – Cows, horses, goats, sheep, swine, ponies, etc.

**LIVESTOCK SALES** – The sale of animal livestock within an enclosed yard or structure, including: Livestock markets, horse or cattle auctions and similar activities.

**LOADING AREA** – That area used to satisfy the requirements of this Ordinance for truck loading and unloading.

**LOADING SPACE** – An off-street space or berth used for the unloading or loading of commercial vehicles.

**LOCATION** - Any lot premises, building, structure, wall or place whatsoever upon which a sign is located.

**LOT** – A parcel of land in one (1) ownership, used or set aside and available for use as the site of one (1) or more buildings and accessory structures or for any other permitted purpose.

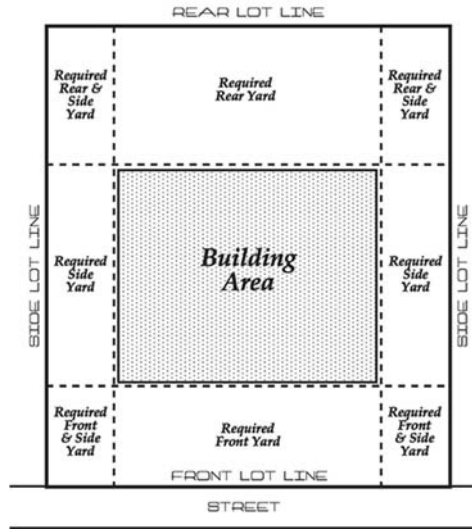
**LOT AREA** - The minimum area contained within the property of the individual parcels of land shown on the subdivision plat or survey. Lot area excludes any area within an existing or future street right-of-way or any area devoted to common open space.

**LOT FRONTAGE** – The lot width measured at the street line. When a lot has more than one (1) street line, lot width shall be measured and the minimum lot width shall be measured and the minimum lot width required by this Ordinance shall be provided at each such line.

**LOT LINE** – A line bounding a lot which divides one (1) lot from another or from a street or from any other public or private place.

**LOT LINE, FRONT** – The lot line the principal structure parallels shall be considered the front yard of the lot. In cases where structures face two (2) streets, the lot line that has the least frontage shall be deemed to be the front yard. Where lot lines are approximately the same, the owner shall specify which shall be considered the front yard. (See illustration under Lot Line – Rear for example)

**LOT LINE, REAR** – That lot line which is parallel to and most distant from the front line or the lot. In the case of an irregular or triangular lot, a line ten feet (10') in length, entirely within the lot, parallel to and at the maximum distance from the front lot line shall be considered to be the rear lot line.



LOT LINE, SIDE – Any lot line other than a front lot line or a rear lot line.

LOT OF RECORD – Any legally recorded lot, which, at the time of its recording, complied with all applicable laws, ordinances and regulations.

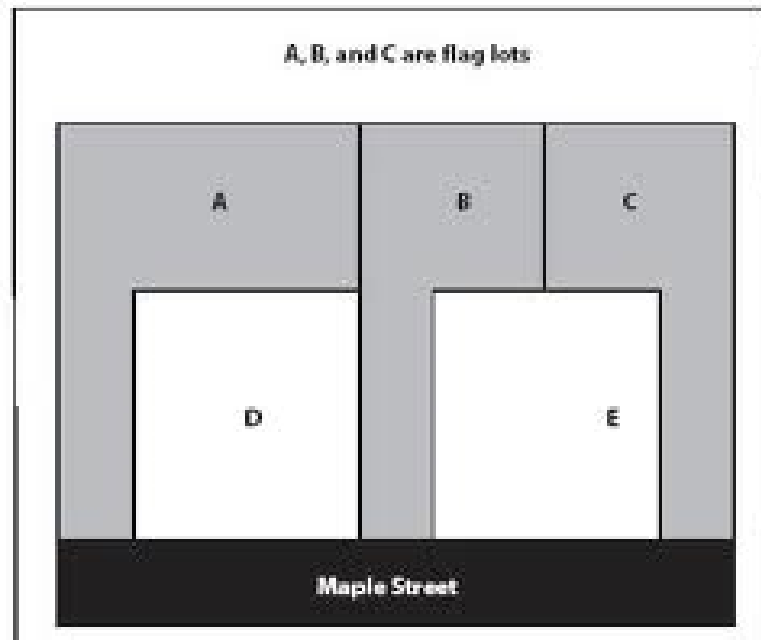
LOT OF RECORD, NON-CONFORMING – Any legally recorded lot, which, at the time of its recording complied with all applicable laws, ordinances and regulations, but as the result of the adoption of this ordinance, may possess less area and width than required for the district in which it is located.

LOT SITE - The minimum area contained within the property of the individual parcels of land shown on the subdivision plat or survey. Lot area excludes any area within an existing or future street right-of-way or any area devoted to common open space.

LOT, CORNER – A lot abutting two (2) or more streets at their intersections.

LOT, DOUBLE FRONTAGE OR THROUGH – A lot having frontage on two (2) or more streets, but not at their intersections.

LOT, FLAG – A parcel of land which does not have the required minimum lot width at the building line but has direct access to a public street through a narrow strip of land which is part of the same lot. The lot lines of the narrow portion of the lot (the flag pole) are parallel or nearly parallel. These provisions are intended for tracts with limited frontage that would limit the number of lots with the required width, but the tract would have sufficient area to the rear for one (1) or two (2) additional lots. (See illustration below for examples of various types of lots defined herein, including flag lot).



**LOT, INTERIOR** – A lot other than a corner lot (See Flag Lot Illustration)

**LOT, REVERSE FRONTAGE** – A double frontage lot having a rear yard on a major street and a front yard and access to a local or marginal access street.

**LOUNGE** – A business engaged in the sale or serving of alcoholic beverages for consumption on the premises. This shall include, but not be limited to: taverns, bars, cocktail lounges, nightclubs and similar uses where the sale of alcoholic beverages is the primary source of business revenue on the premises.

**LUMBER YARD** – The sale of lumber or other building supplies which are stored or displayed outside of a building.

**MOBILE HOME**- A structure, transportable in one or more sections which is eight (8) or more in width and is thirty-two (32) body feet or more in length, and which is built on a permanent chassis and is designed to be used as a dwelling with, or without, permanent foundation, when connected to the required utilities and includes plumbing, heating, HVAC and electrical systems contained therein.

**MOTEL** -A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking for, each rental unit.

**OPEN AIR MARKET** – A business including the sales or display of retail merchandise or services outside of a permanent structure.

**PREMISES** - A lot or tract of land upon which a sign is located or is to be located.

**PRINCIPAL BUILDING** - A building in which the principal use of a particular zone is conducted. Zone lots with multiple principal uses may have multiple principal buildings; but storage buildings, garages and other buildings, which are clearly accessory in nature, shall not be considered principal buildings.

**RETAIL** – The provision of services or the sale of goods and merchandise at retail prices to the general public at large, for personal or household use or consumption.

**SALVAGE YARD** – A lot, structure or part thereof, used primarily for: the collecting, storage and sale of waste paper, rags, scrap metal or other discarded materials; the collecting, dismantling, storage and salvaging of machinery or motor vehicles not in running condition, or for sale of parts thereof.

**SANITARY LANDFILL** – A state approved site for solid waste disposal employing an engineering method of waste disposal that minimizes environmental hazards. This operation shall employ processes of spreading, compacting to the smallest volume possible, and applying cover material over all exposed waste at the end of each operating day. NOTE: A sanitary landfill should not be confused with a dump, which is illegal in any location. Solid waste at a dump is disposed of without being compacted and covered with little or no environmental considerations considered. A sanitary landfill presents fewer health, and aesthetic problems and has the potential of being reclaimed for other uses later. The disposal of hazardous or radioactive waste material is not permitted in a sanitary landfill.

**SATELLITE DISH ANTENNA** – An accessory structure designed to receive television broadcasts relayed by microwave signals from earth orbiting communication satellites.

**SCHOOL** – A public or non-profit school.

**SCREEN** – To visually shield or obscure one abutting or nearby structure or use from another by means of opaque fencing, walls, earth berm, or densely planted vegetation.

**SEASONAL SALES** – Unless otherwise specified in this Ordinance, the seasonal sale of farm produce, firewood, Christmas trees and similar items shall be conducted either from motor vehicles or premises. Such items shall not be sold from permanent structures/locations. The use of structures or buildings in conjunction with said activity shall be temporary, as specified by the City. Such sales shall be subject to the City's conditions at the time a business license is issued. The terms SEASONAL SALES shall not be confused with OPEN AIR MARKET, defined in this Ordinance.

**SELF-STORAGE FACILITY** – A building or group of buildings consisting of individual storage units leased to customers for the storage of personal property.

**SELF STORAGE FACILITY, LIMITED ACCESS** – A self-service storage facility with limited access points from the exterior of the building to interior halls that provide the only access to individual storage units.

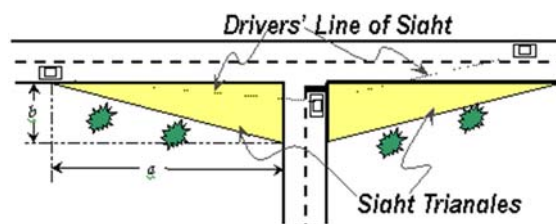
**SELF STORAGE FACILITY, MULTI ACCESS** – A self-service storage facility with access points from the exterior of the building to individual storage units.



SF – Square feet.

SHOPPING CENTER – A group of commercial establishments located on a lot planned and developed in a unified manner and designed with shared parking and driveway facilities, all under a common ownership or management authority. The premises shall not be used for the parking of vehicles offered for sale.

SIGHT TRIANGLE – A triangular shaped portion of land established at street or driveway intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. (See typical illustration below)



SIGN, ANIMATED - Any sign that uses movement or change in lighting to depict a special effect or scheme.

SIGN, BANNER - Any sign of light-weight fabric or similar material that is temporarily mounted to a pole or off a building by a permanent frame or one (1) or more edges, except national flags, state and municipal flags or official flags of any institution or business. See temporary sign.

SIGN, BENCH - Any sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

SIGN, BILLBOARD - A non-point of sale sign which directs attention to a business, commodity, service or activity sold or offered for sale at a location other than the premises upon which the said billboard is located. See Outdoors Advertising Sign.

SIGN, BULLETION BOARD - A sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the name of individuals connected with it and general information or announcements of events or activities occurring at the institution or similar messages.

SIGN, CHANGEABLE COPY (Electronic) - A sign board that is designed so that the characters, letters or illustrations can be electronically changed or arranged without permanently altering the face or the surface of the sign.

SIGN, CHANGEABLE COPY (Manual). A sign that is designed so that characters, letters or illustrations can be manually changed or arranged without permanently altering the face or surface of the sign.

SIGN, CONSTRUCTION - A sign that bears the name or names of the principal contractors, architects and lending institutions responsible for the construction on the site where the sign is placed, together with other information included thereon.

SIGN, DIRECTORY - A sign upon which the name and location of the occupants or the use of a building is provided.

SIGN, FREE STANDING SIGN - Any sign supported by structures or supports that are placed on or anchored in the ground. These signs are independent from any building or other structure.

SIGN, GROUND - Any sign which is supported by structures or supports in or upon the ground and is independent of supports from any building. Also qualifies as a freestanding sign.

SIGN, ILLUMINATED - A sign lighted by or exposed to artificial lighting from a source light on or inside the sign face or directed towards the sign.

SIGN, MARQUEE - Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

SIGN, NON-CONFORMING - Any sign that does not conform to the requirements of this Ordinance.

SIGN, OFF-PREMISE - A sign that directs attention to a business, commodity, service, entertainment or activity conducted, sold or offered for sale at a location other than the premises upon which the sign is located.

SIGN, ON-PREMISE - A sign which advertises only goods, services, facilities, events or attractions that are available on the premises or identifies the owner or the occupant or one that directs traffic on the premises.

SIGN, OUTDOOR ADVERTISING - A billboard, mini-billboard or any other permanent sign which directs the attention of the general public to a business, service, product or activity not conducted, offered or sold as a major portion of business upon the premises where such sign is located.

SIGN, PERMENANT - A sign which is originally designed, constructed or modified to be permanently affixed to a building, structure or to the ground

SIGN, PERMENANT, PORTABLE - A sign which otherwise meets the definition of a "portable sign" but has been permanently affixed to a building structure or to the ground.

PERSON - Any person, firm, partnership, association, corporation or organization, singular or plural, of any kind.

SIGN, PORTABLE - Any sign which is not permanently fixed 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 converted to "A" or "T" frames, menu and sandwich board

signs, balloons used as signs, umbrellas used for advertising and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the day to day operation of a business.

**SIGN, PROJECTION** - Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6") beyond the surface of such building or wall.

**SIGN, ROOF** - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.

**SIGN, ROOF – INTREGAL** - Any sign erected or constructed as an integral and essential part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and no part of the sign is separated from the rest of the roof by a space of more than six inches (6").

**SIGN** - A name, identification, image, description, display or illustration which is affixed to, painted on or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business and which is visible from any street, right-of-way, sidewalk alley, park or other public property. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of a sign. All signs shall reflect a professional quality of workmanship, including all artwork, lettering, ornamentation, etc.

**SIGN, AREA** - The area of a sign, measured as follows: The area of any geometric/non-geometric shape, which forms the sign that encompasses the extreme limits of each and every sign face, including all advertising surfaces, background, framing and ornamentation, excluding structural members that do not form an integral part of the display or pole covers which contain no advertising copy. The area of all such sign faces shall be totaled and then divided by two (2) to determine the total sign area. All other signs shall be measured as the area within a single rectangle, which encompasses all letters, words, symbols or other graphic elements, plus any background area, which does not appear as a continuous portion of the building surface.

**SIGN FACE** - The surface or surfaces used for the display of a sign message as seen from only one direction.

**SIGNABLE WALL AREA** -The area within a rectangle, which encompasses a continuous portion of a building façade, unbroken by windows, doors or major architectural interruptions of the building surface. For signs located completely within a gable, sign able wall area may be triangular in shape.

**SIGN, SNIPE**- A sign of any material that is attached in any way to a utility pole, tree or any object located on a public right-of-way.

**SIGN, TEMPORARY PORTABLE** - A portable sign which has not been permanently affixed to the ground or to a building in accordance with local building codes, for which a special permit is required.

**SIGN, TEMPORARY** - Any sign not originally designed, constructed or intended to permanently be affixed to any building, structure or the ground. All temporary signs shall be removed by the party/parties responsible for them; and, where stipulated, such signs shall be removed within the specified time period.

**SIGN, TEMPORARY CONSTRUCTION** - A temporary sign advertising the sale of property in an approved subdivision within the City.

**SIGN, WALL** - Any sign painted on or attached to and erected parallel to the face of or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface.

**SIGN, WINDOW** - Any sign, picture, symbol or combination thereof, designed to accommodate information about an activity, business, commodity, product, service, event or sale that is placed inside a window or upon the window pane of glass and is visible from the exterior of the building.

**SINGLE-FAMILY RESIDENCE** – A detached, single-family dwelling constructed on-site and in accordance with the requirements of the current International Code Council Residential Building Code.

**SITE** – A parcel or parcels of land intended to have one (1) or more buildings or intended to be subdivided into one (1) or more lots.

**SITE AREA** – A minimum land area required to qualify for a particular use or development. Site area is taken from an actual site survey and excludes:

- Land within an existing or future street right-of-way, or utility right-of-way easement;
- Land which is not contiguous or is cut off by a major barrier;
- Land which is part of a previously-approved development, and
- Land, which is zoned for another use.

**SPACING OF SIGNS** - The distance, between signs, measured from points directly opposite to the signs along the nearest edge of the pavement or roadway, of the main thoroughfare or traveled way of the street or thoroughfare to which said signs are directed.

**SPECIAL EXCEPTION USE** – A use, which is permitted subject to special exception, is a use that would not generally be appropriate without restriction (s) throughout the zoning district; but which, if controlled as to number, area, location or relation to the neighborhood, would not be detrimental to public health. This use is permitted, subject to a Special Exception Use Permit being granted by the Leeds Zoning Board of Adjustment and further subject to appropriate permits being issued in accordance with the provisions of this Ordinance.

**SPECIAL EVENT** - A temporary outdoors use on private property that extends beyond the normal uses and standards allowed by the zoning ordinance of the city. "Special Event" includes, but is not limited to, art shows, pumpkin and Christmas tree sales, haunted houses, carnivals (major and minor), special auto sales, grand openings, festivals, and bazaars.

**STABLE, PRIVATE** – An accessory building in which horses or ponies are kept for private use and not for commercial purposes including: boarding, riding, hire or sale.

**STABLE, PUBLIC** – A business where horses or ponies are kept for commercial use, including, without limitation, boarding and riding lessons for a fee. The definition shall also include the term “riding school” where patrons purchase riding lessons.

**STACKING SPACE** – An off-street space for the temporary stacking of vehicles with an aisle intended to serve as a drive-in window, take-out food window, dry cleaning/laundry pick-up or similar type activity station.

**STORY** – That portion of a building included between the upper surface of a floor and upper surface of the floor or ceiling next above. A mezzanine (a low ceiling story between two main stories of a building) or partial floor shall be counted as a story if the vertical distance from the floor next below to the floor or ceiling next above is twenty-four feet (24') or more. A basement shall be counted as a story if it is used as a livable area (in the case of dwellings) or is used by the principal use (in the case of other uses).

**STREET** – any vehicular way, which has been dedicated to the public use, including all land within the right-of-way.

**STRUCTURE** – Anything constructed or erected with a fixed location on the ground or attached to anything having a fixed location on the ground. All buildings are structures, but not all structures are buildings.

**STUDIO** – A place of work for an artist, photographer, or craftsman, including instruction, display, production and retail sales of materials produced on the premises.

**SUBDIVISION** – The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other divisions for the purpose, whether immediate or future, of sale or building development. Such term includes re-subdivision of land, and when appropriate to the context, relates to the process of subdivision or to the land or territory subdivided. [See also, City of Leeds, Subdivision Regulations.]

**SUPERMARKET** – A retail establishment which usually contains in excess of 2,000 square feet in which the following items are normally sold: a wide range of food items, beverages, household supplies, personal care items, etc. Such facility may also contain sections offering for sale such items as flowers and plants, magazines, deli and/or minor bakery, but shall not engage in any form of vehicle repair or maintenance or the sale of vehicle fuel.

**SURFACE MINING** – Any activity constituting all or part of a process for the removal of minerals, ores or other solid matter for sale or for processing or for consumption in the regular operation of a business. (Subject to all State and Local Regulations pertaining to surface mining).

**SWALE** – A grassed area with gradual slopes, which transports storm water.

**TATTOO FACILITY** – A business in which the following is performed: (1) placing of an indelible mark upon the body of another individual by the insertion of a pigment in or under the skin; (2)

placing an indelible design upon the body of another individual by production of scars (branding); and (3) performing body piercing or the perforation of hum tissue other than the ear for a non-medical purpose.

**TERRACE** – A leveled, landscaped or surface area on a lot directly adjacent to or close to a principal building and not covered by a permanent roof.

**TOWN CENTER** – A mixed used center featuring multi-story buildings with a vertical mix of uses, on-street parking, minimal building setbacks, pedestrian circulation and off-street parking to the rear of side of the buildings. All town Center areas shall constitute part of the land use districts within the PCD and shall be shown as Town Center on the PCD District map.

**TOWNHOUSE** – Townhouse means a form of ground-related housing, in which individual dwelling units are attached along at least one (1) common wall to at least one (1) other dwelling unit, with no more than six (6) units attached together. Each of these units occupies interior space from the ground to the roof and has direct access to private open space.

**TRANSMISSION TOWER, COMMERCIAL** – See Article VII, Special Exception Uses, Section 13.00.

**TRANSMISSION TOWER, NON-COMMERCIAL** – A non-commercial structure which may be situated in commercial or non-commercial areas and may include amateur radio towers, ham operations, private receivers, etc.

**TRAVEL TRAILER** – A structure that is intended to be transported over the streets, either driven as a motor vehicle or attached to or hauled by a motor vehicle; and, it is designed for temporary recreational use as sleeping quarters but does not meet the defined criteria of a Manufactured (Mobile) Home.

**TREE CUTTING, COMMERCIAL** – Any individual, group, corporation, business or company engaged in the cutting of trees or timber for profit or financial gain. Such groups are usually required to be bonded and licensed to carry on this type of activity.

**TRUCK STOP** – A commercial establishment which may contain a restaurant (standard) or a delicatessen; gift shop, provisions for the incidental sale of gasoline, including diesel fuel; designated areas for the temporary parking of large/rigs. Including overnight parking; and, the sale of vehicle equipment, motor oil and other vehicle accessories. Such a facility may also engage in minor vehicle repair activities, as defined in this Ordinance; however, such facility or premise shall not be used for the permanent storage of the types of equipment mentioned above. There shall be no display of vehicles or equipment offered for sale or the storage of inoperable or abandoned vehicles. All gasoline storage tanks shall be in complete compliance with Alabama Department of Environmental Management requirements as well as all local regulations.

**TRUCK TERMINAL** – The land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair and maintenance of trucks associated with the terminal.

URBAN BARNYARD FACILITY - A facility for the keeping of fowl and rabbits in an urban environment.

USE – The activity or function that actually takes place or is intended to take place on a lot or site.

VARIANCE – A relaxation or waiver of the terms of this Ordinance (other than use, provisions) as will not be contrary to the public interest where, owing to special conditions, literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. However, in all cases the spirit of this Ordinance shall be observed and substantial justice done, as determined by the Zoning Board of Adjustment.

VEHICLE CLEANING – A commercial establishment, which engages in exterior and interior cleaning of motor vehicles (washing interior shampoo of carpets, mats, and other interior parts of the vehicle. Such establishment may also engage in detailing work on motor vehicles such as striping, molding, etc., as well as waxing and buffing of such vehicles.

VEHICLE DETAILING – A commercial establishment, which engages in exterior and interior cleaning of motor vehicles (washing interior shampoo of carpets, mats, and other interior parts of the vehicle. Such establishment may also engage in detailing work on motor vehicles such as striping, molding, etc., as well as waxing and buffing of such vehicles.

VEHICLE RENTAL, MAJOR – A place of business engaged in the sale or rental of: heavy trucks (over one ton); construction equipment tractors and farm implements; and similar equipment including the storage, maintenance, and servicing of such vehicles and equipment.

VEHICLE RENTAL, MINOR – A commercial establishment engaged in the sale or rental of: automobiles, light trucks, travel trailers, recreational vehicles, boats and motorcycles. (This includes the incidental: parking storage, maintenance, servicing, and repair of such vehicles). All servicing and repair work shall be performed within an enclosed building, with the exception of the washing and waxing of such vehicles.

VEHICLE REPAIR, MAJOR – A place of business engaged in the repair and maintenance of vehicles, including painting, body work, rebuilding or vehicle engines or transmissions, upholstery work, fabrication of parts and similar activities, all of which shall be performed entirely within an enclosed building. No such building or premises shall be used for the parking of vehicles, which are offered for sale, nor shall any abandoned or inoperative motor vehicles be permanently stored on the premises.

VEHICLE REPAIR, MINOR – A place of business engaged in sales, installation and servicing of mechanical equipment and parts, including: audio equipment and electrical work, lubrication, tune-ups, wheel alignment, tire balancing, brake and muffler work, battery charging and/or replacement and similar activities. No such building or premises shall be used for the parking of vehicles, which are offered for sale, nor shall any abandoned or inoperative motor vehicles be permanently stored on the premises.

VEHICLE SALES, MAJOR – A place of business engaged in the sale or rental of: heavy trucks (over one ton); construction equipment tractors and farm implements; and similar equipment including the storage, maintenance, and servicing of such vehicles and equipment.

**VEHICLE SALES, MINOR** – A commercial establishment engaged in the sale or rental of: automobiles, light trucks, travel trailers, recreational vehicles, boats and motorcycles. (This includes the incidental: parking storage, maintenance, servicing, and repair of such vehicles). All servicing and repair work shall be performed within an enclosed building, with the exception of the washing and waxing or such vehicles.

**WAREHOUSING** – Warehousing, wholesaling and distribution refers to the use of land and structures for the purpose of storing materials with the intent to sell and/or distribute such materials. These facilities may be distribution centers, wholesale operations, open-air storage facilities, etc. The premises may be used to store both perishable and nonperishable items (with adequate facilities to prevent pollution, toxicity, health and sanitary hazards and general nuisance); trucks, trailers, and other transportation devices and equipment; construction equipment and devices; and, other bulk storage materials, in the open, such as: sand, gravel, bricks, cinder blocks, timber, clay, steel (columns, girders, trusses, plates, sheets, pipes, etc.) water and sanitary sewer supplies, fixtures, etc., should be done in a manner to prevent accidents. Materials, such as: sand, gravel, clay, etc. should be well contained to prevent any form of their displacement that may occur due to rain, storms and other phenomena, resulting in the jeopardizing of any neighboring land uses, wetlands, parks, floodplains, environmentally sensitive areas, surface water supplies, sewage disposal systems, etc.

**WHOLESALE** – Warehousing, wholesaling and distribution refers to the use of land and structures for the purpose of storing materials with the intent to sell and/or distribute such materials. These facilities may be distribution centers, wholesale operations, open-air storage facilities, etc. The premises may be used to store both perishable and nonperishable items (with adequate facilities to prevent pollution, toxicity, health and sanitary hazards and general nuisance); trucks, trailers, and other transportation devices and equipment; construction equipment and devices; and, other bulk storage materials, in the open, such as: sand, gravel, bricks, cinder blocks, timber, clay, steel (columns, girders, trusses, plates, sheets, pipes, etc.) water and sanitary sewer supplies, fixtures, etc., should be done in a manner to prevent accidents. Materials, such as: sand, gravel, clay, etc. should be well contained to prevent any form of their displacement that may occur due to rain, storms and other phenomena, resulting in the jeopardizing of any neighboring land uses, wetlands, parks, floodplains, environmentally sensitive areas, surface water supplies, sewage disposal systems, etc.

**WRECKER SERVICE YARD** – A lot or parcel of land used for the outside placement and/or storage of vehicles awaiting final disposition. Disabled vehicles may not be placed or stored on the premises unless the property is properly zoned and all pertinent licenses maintained. Vehicles shall not be stored on the premises for a time period to exceed one hundred and twenty (120) days. This definition shall not be applicable to junk yards or salvage yards as defined in this Ordinance.

**YARD** – A minimum open area, unobstructed from the ground up, extending along a lot line and inward to the structure. The yard shall be measured as the shortest distance between the structure and the lot line.

**YARD SALE** – The sale of personal belongings, by an individual, in his or her residence, property or premises. [See Article VII, Supplemental Regulations, § 9.00 A & B, Garage or Yard Sales]



YARD, FRONT – A yard extending along the full width of the front lot line between side lot lines and from the front lot line to the front building line in depth.

YARD, SIDE – A yard lying between the main building and the side lot line extending from the required front yard to the required rear yard.

YARD, REAR – A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. (See typical illustrations of yards below).

**[END OF DEFINITIONS]**

**ARTICLE V****GENERAL REGULATIONS****§ 1.00 General Use Regulations**

The following general regulations pertain to the administration of, enforcement of and compliance with this Ordinance.

**§ 2.00 Application of this Ordinance**

No structure shall be constructed, erected, placed or maintained and no land use commenced or continued in the City of Leeds except as specifically or by necessary implication, authorized by the City.

**§ 3.00 Except as Otherwise Provided for in this Ordinance**

- A. No land may be used except for a purpose permitted in this district of its location.
- B. No building shall be: erected, converted, enlarged, reconstructed, moved or structurally altered; and, it shall adhere to the use permitted in the district in which it is located.
- C. No building shall be: erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the area and height limits of the district in which the building is located.
- D. The minimum building line, number of parking spaces, open spaces, including lot area per family, required by this Ordinance for each and every building existing at the time of passage of this Ordinance or for any building hereafter erected, shall not be encroached upon or considered as a required building or open space for any other building, nor shall any lot area be reduced below the requirements of this Ordinance.
- E. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main
- F. Buildings or structures hereafter constructed in the City of Leeds shall conform to all applicable provisions of the American National Standard for Buildings and Facilities for Physically Disabled and/or Handicapped. [Note: It should be noted that certain types of buildings are exempt from these requirements.]

**§ 4.00 Joint Occupancy**

No structure shall be erected, structurally altered for or used as, a single-family or two-family dwelling simultaneously with any other use.

**§ 5.00 Public Utilities**

Utility structures including, but not limited to: poles, wires, cross arms, transformers attached to poles, guy wires, insulators, conduits and other facilities necessary for the transmission or distribution of electric power or to provide cable television, telephone or telegraph service and pipe lines, vents, valves, hydrants, regulators, meters, and other facilities necessary for the transmission or distribution of gas, oil, water and other utilities may be constructed, erected, repaired, maintained or replaced within any district of the City of Leeds. This is not to be

construed to include the erection or construction of buildings. [See District regulations for public utility facilities and services.]

## **§ 6.00 Non-Conforming Uses**

Within the districts established by this Ordinance or amendments that may later be adopted, there exists: lots, structures, uses of land and structures, and characteristics of use which were lawful before the Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further the intent of this Ordinance that non-conformities shall not be enlarged upon, expanded, nor used as grounds for adding other structures or uses prohibited elsewhere in the same district in which the non-conforming use is located.

### **6.01 Non-conforming Lots of Record**

- A. Where a lot of record existed at the time of the effective date of this Ordinance, having less area or width than herein required for the district in which it is located, the following shall apply:
1. Said lot may none-the-less be used as a building site provided the yard space and other requirements conform as closely as possible to the requirements of the district in which it is located. This, in the opinion of the Zoning Board of Adjustment.
  2. The provision, in 1, shall not apply when two or more lots exist together, with contiguous frontage in single ownership at the time of passage of this Ordinance or any time thereafter. Such land shall be considered to be an undivided parcel for the purpose of this Ordinance and shall not be used or sold in a manner which creates lot area or width below the requirements stated in this Ordinance.

## **§ 7.00 Continuance**

A lawful non-conforming use existing at the effective date of adoption of this Ordinance may be continued, except as hereafter provided; even though, such use does not conform with the provisions of this Ordinance subject to the conditions outlines in § 6.00

## **§ 8.00 Restoration to Safe Condition**

Nothing in this Ordinance shall prevent the restoration of any building or structure to a safe or sanitary condition when required by the proper authorities.

## **§ 9.00 Restoration after Damages**

No non-conforming building or structure which has been damaged by fire or act of God or other causes to the extent of more than fifty percent (50%) of its current replacement value, it may be rebuilt or restored and used as before the damage, provided that such building or restoration is completed within twelve (12) months of the date of such damage.

**§ 10.00 Abandonment or Discontinued Use**

A non-conforming use that has been abandoned or the use discontinued for a continuous period of one (1) year shall not be re-established and any future use shall be in conformity with all applicable provisions of this Ordinance.

**§ 11.00 Annexed Property**

See Article VII, § 20.00, MR Municipal Reserve District for annexation procedures.

**§ 12.00 Change in Use**

A non-conforming use shall not be changed to another non-conforming use.

**§ 13.00 Abandoned Right-Of-Way**

Whenever any street, alley or other public way is vacated or abandoned by an official action of the City of Leeds, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of the same and all the area included therein shall then be subject to all appropriate regulations of the extended district.

**§ 14.00 Reduction in Lot Area Prohibited**

No lot shall be reduced in area so that yards and other open spaces total less than the minimum area required under this Ordinance (See subsection 6.1.)

**§ 15.00 Structures Conforming to District Regulations but no other Regulations**

A structure or building conforming to the use regulations of a district, but not conforming to other provisions of this Ordinance, may be enlarged or altered, provided that such enlargement or alteration conforms to the provisions of this Ordinance. For instance, a house in a residential district with three bedrooms can have alterations made to it by way of adding a bedroom and a bathroom, provided it still conforms to other requirements of this Ordinance such as setbacks, building height, etc.

**§ 16.00 Buildings to be Moved**

Any building or structure that is to be moved to any location within the city limits of the City of Leeds shall be considered for the purpose of this Ordinance to be a new building under construction, and as such, shall conform to all applicable provisions of this Ordinance.

**§ 17.00 General Requirements**

The following sections shall be applicable to all the zoned districts in the City of Leeds:

**17.01 Buffer Requirements**

- A. The Buffer requirements shall conform to the values indicated in the Buffer Matrix.
- B. The Planning Commission reserves the right to require additional buffer supplements, over and above the prescribed buffer widths as shown on the Buffer Matrix. The elements of pollution; air; noise; etc.; nuisances; contiguity of grossly incompatible land uses; and other factors may justify the requirement for additional buffer requirements.
- C. Plans for large buffer areas between incompatible uses, shall be represented in scaled drawings, indicating: contours, areas with planted material, berms (natural and artificial), etc. Impervious surfaces shall be reduced to an absolute minimum and all water runoff and drainage facilities shall be adequately shown on these drawings.
- D. In large commercial and industrial areas, parking areas/lots may be used as a part of a barrier, only in the fulfillment of the distance requirements provided in the Buffer Matrix. Other significant factors, such as: air pollution, noise reduction, drainage and surface runoff, etc. occurring due to a large number of vehicles, large impervious surface areas, the nature of an operation, etc. shall be adequately accounted for through the use of trees, shrubs, berms, drainage systems and other appropriate improvements.

**17.02 Additional Regulations (When Applicable)**

- A. The following additional regulations shall apply to all the districts, unless otherwise stipulated:
  - 1. Administrative and Review Procedures, Article III
  - 2. Definitions, Article IV
  - 3. General Regulations, Article V
  - 4. Supplemental Regulations, Article VII
  - 5. Special Exception Uses, Article VIII
  - 6. Off-Street Parking and Loading Regulations, Article IX
  - 7. Sign Regulations, Article X

**17.03 Public Buildings**

All public buildings shall have a front yard setback of fifty feet (50'). In all other residential districts, where permitted, public buildings shall have: a rear yard of thirty-five feet (35'), a side yard of thirty-five feet (35'), a maximum height of forty-five feet (45').

**ARTICLE VI****ESTABLISHMENT OF DISTRICTS**

In order to carry out the intent and purpose of this Ordinance, the City of Leeds is hereby divided into the following districts or zones. The location, boundaries and area of which are, and shall be, as shown and depicted on the official zoning map. The said districts or zones are to be as follows:

A-1	Agricultural District
E-1	Single-Family Residential Estate District
E-2	Single-Family Residential Estate District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Multiple-Family Residential District
R-3-T	Townhouse Residential District
R-5	Garden Home Residential District
R-6	Patio Home Residential District
PUD	Planned Unit Development District
RMHP	Residential Manufactured Home Park District
RMHS	Residential Manufactured Subdivision District
O-1	Office Building District
B-2	General Business District
B-3	Tourist Commercial District
1-1	Light Industrial District
1-2	Heavy Industrial District
MR	Municipal Reserve District

The boundaries of the above named districts are hereby established as shown on the Zoning Map of the City of Leeds, Alabama. Any questions concerning the exact location of district boundary lines shall be decided by the City of Leeds, Alabama, Zoning Board of Adjustment, as outlined in Article III, Administration and Review Procedures, subsection 2.10

At the current time, the Code of Alabama, 1975, § 11-52-75 requires that all Group Care Homes are located in the Multifamily District(s) only; however, with regard to future Federal and State Regulations, any future amendments made to the Fair Housing Act, with regard to Group Care Homes; and, changes in the Americans with Disabilities Act shall be duly incorporated, by way of amendments, in this Ordinance.

Other amendments to the Code of Alabama, in regard to planning and zoning issues, shall also be included in this zoning ordinance by way of amendments made to it.

**§ 1.00 A-1 Agricultural District****1.01 Intent**

This district consists primarily of land where agricultural activities may occur within the City. The intent of A-1 District is to preserve these areas in agriculture, forestry, rural residential and other limited yet compatible land uses.

**1.02 Uses Permitted**

The following uses shall be permitted in the A-1 Agricultural District. Similar uses to those listed below may also be permitted subject to Article III, Administration and Review Procedures, section 2.11, Interpretation of Uses and section 2.12. Unclassified Uses.

**A. Agricultural Uses**

1. Customary accessory structures and buildings associated with farming and related agricultural activities subject to Article VII section 6.00, except that the side and rear shall be at least 50 feet.
2. Farms, as defined in section 2.01 of Article IV, and subject to section 10.00 of Article VII, except no temporary sawmills or chippers or booths or farm stands shall be allowed and the minimum lot size required in paragraph 12. Of section 10.00 Article VII shall be three (3) acres.
3. Stables, Private
4. Hobby Farms, as defined in section 2.01 of Article IV and subject to Section 2.00 of Article VIII.

**B Residential Uses**

1. Detached Single-Family Residences as defined in section 2.02 of Article IV, subject to the provisions of section 1.04 herein.
2. Non-Commercial Greenhouses and Gardens.
3. Private Swimming Pools, subject to Article VII, section 11.00.
4. Private Tennis Courts, subject to Article VIII, section 11.00
5. Residential Accessory Structures and Buildings, subject to Article VII, section 6.00.
6. Satellite Dish Antennas, subject to Article VI, section 7.00.

**C Institutional Uses**

1. Clubs
2. Country Clubs
3. Parks
4. Places of Worship
5. Public Buildings
6. Public Utility Services
7. Schools

## D Commercial Uses

1. Studios

## E Temporary Uses

1. Garage Sales or Yard Sales subject to Article VII, §9.0

**1.03 Special Exception Uses**

The following uses may be permitted subject to approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, sections 1.00, 1.01 and 1.02.

## A. Agricultural Uses

1. Farm Support Business
2. Livestock Sales
3. Stables, Commercial
4. Animal Hospitals

## B. Institutional Uses

1. Animal Shelters
2. Cemeteries, subject to Article VIII, section 8.00
3. Public Utility Facilities

## C. Commercial Uses

1. Day Care Homes
2. Home Occupations, subject to Article VIII, section 9.00
3. Special Events

**1.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Size: 3.0 Acres\*

Minimum Lot Width at the Building Line: 150 Feet\*\*

Minimum Yard Setbacks:           Front: 75 Feet\*\*\*  
  Rear: 75 Feet\*\*\*  
  Side: 50 Feet (on each side) \*\*\*

Maximum Height of Structures: 35 feet or 2 ½ stories



Minimum Livable Floor Space Area in Square Feet: \*\*\*\*

One story: 2000 square feet

Two or more stories: 1600 sq. feet on first floor and minimum total of 2000 sq. feet

\*For all parcels of record that were less than 3.0 acres on May 15, 2006, as recorded in the Probate Court of the county in which the property is located, the minimum lot size shall be the parcel size. After May 15, 2006, a larger parcel may only be divided into less than 3.0 acre lots when such division is not considered to be a subdivision pursuant to Alabama law such as the testate conveyance of more than one part of a parcel of land to issue for homestead purposes.

\*\* The minimum lot width at the building line for those lots less than 3.0 acres may be reduced by the Planning Commission to a minimum of 85 feet. In determining the appropriate lot width at the building line, the Planning Commission shall consider the size, shape, dimensions, and other relevant factors of the lot being considered.

\*\*\* The minimum yard setbacks for those lots less than 3.0 acres may be reduced by the Planning Commission to a minimum of 40 feet front se back, 45 feet rear set back, and 15 feet of the lot being considered.

\*\*\*\* Provide that if a single-family residence in existence on May 15, 2006 is destroyed by fire or natural disaster, another single-family residence of the same size or larger may be rebuilt in the same location.

#### **1.05 Public Buildings**

All public buildings shall have a front yard setback of fifty feet (50'). In all other residential districts, where permitted, public buildings shall have: a rear yard of thirty-five feet (35'), a side yard of thirty-five feet (35'), a maximum height of forty-five feet (45'), a maximum building area of fifty percent (50%) of the lot.

#### **1.06 Buffer Requirements:**

As described in the Buffer Matrix and in § 1.5 of this Section. The Planning Commission or the Zoning Board of Adjustment may require additional buffer supplements.

#### **1.07 Additional Regulations (When Applicable)**

See subsection 1.02 of this Article; and, in Article III, Definitions.

A. Fowl and Livestock shall conform with the following provisions:

1. Horses, cows, sheep goats, and swine shall be housed not less than one hundred and fifty feet (150') from any use permitted in any residential or business zone district, other than the owner's residence, with at least 15,000 square feet of lot area for each animal.
  2. Fowl, rabbits and other small animals shall be housed not less than one hundred feet (100') from any use permitted in any residential or business zone, other than the residence of the owner, with a maximum of twenty (40) such fowl or animals for every seven thousands (43,560) square feet.
- B
1. Administrative and Review Procedures, Article III.
  2. Definitions, Article IV.
  3. General Regulations, Article V.
  4. Supplemental Regulations, Article VII.
  5. Special Exception Uses, Article VIII.
  6. Off-Street Parking and Loading Regulations, Article IX.
  7. Sign Regulations, Article X.

**[END A-1, AGRICULTURE DISTRICT]**

**§ 2.00 E-1 Single Family Residential Estate District****2.01 Intent**

To provide exclusive areas for low density detached single-family residences, along with selected institutional and commercial uses that are integrally related to residential neighborhoods.

**2.02 Uses Permitted**

The following uses shall be permitted in the E-1 Residential Estate District. Similar uses to those listed below may also be permitted subject to Article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses and subsection 2.12, unclassified use.

**A. Agricultural Uses**

1. Non-commercial Greenhouses and Gardens

**B. Residential Uses**

1. Detached Single-Family Residences
2. Accessory Structures and Buildings, subject to Article VII § 6.00.
3. Private Swimming Pools, subject to Article VII, § 11.00.
4. Private Tennis Courts, subject to Article VIII, § 11.00.
5. Satellite Dish

**C. Institutional Uses**

1. Public Utility Services

**D. Temporary Uses**

1. Garage Sales or Yard Sales, subject to Article VII, § 9.0/

**2.03 Special Exception Uses:**

The following uses may be permitted, subject to the approval of the Zoning Board of Adjustment and further subject to the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Agricultural Uses**

1. Commercial Greenhouses and Gardens

**B. Institutional Uses.**

1. Community Centers/Civic Center
2. Country Clubs
3. Parks
4. Places Of Worship
5. Public Buildings, subject to subsection 1.06 of this section.
6. Public Utility Facilities
7. Schools

C. Commercial Uses

1. Day Care Homes
2. Home Occupations, subject to Article VIII, § 9.0.

**2.04 Area and Dimensional Regulations:**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required.

Minimum Lot Area:	1.0 Acre
Minimum Lot Width At Building Line:	150 Feet
Minimum Yard Setbacks:	
Front:	75 Feet
Rear:	75 Feet
Side:	25 Feet*
*Total Both Sides	50 Feet
Maximum Height of Structures:	35 Feet or 2 ½ Stories
Minimum Floor Area In Square Feet:	2,500

Corner Lots: Setbacks shall be the same on streets, roads and highways.

**2.05 Public Buildings**

As described in Article VI, subsection 1.06

**2.06 Buffer Requirements**

As described in the Buffer Matrix and in subsection 1.05.of this Article.

**2.07 Additional Regulations (When Applicable)**

**[END OF E-1, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT]**

**§ 3.00 E-2 Single Family Residential Estate District****3.01 Intent**

To provide exclusive areas for low density detached single-family residences, along with selected institutional and commercial uses that are integrally related to residential neighborhoods.

**3.02 Uses Permitted**

The following uses shall be permitted in the E-2 Single Family Estate Residential District. Similar uses to those listed below may also be permitted subject to Article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses and subsection 2.12, Unclassified Uses.

**A. Agricultural Uses**

1. Non-Commercial Greenhouses and Gardens

**B. Residential Uses**

1. Detaches Single-Family Residences
2. Accessory Buildings and Structures, subject to Article VII, § 6.00.
3. Private Swimming Pools, subject to Article VII, § 11.00.

**C. Institutional Uses**

1. Public Utility Services

**D. Temporary Uses**

1. Garage Sales or Yard Sales, subject to Article VII, § 9.00.

**3.03 Special Exception Uses**

The following uses may be permitted, subject to the approval of the Zoning Board of Adjustment and further subject to the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Institutional Uses**

1. Community Centers/Civic Center
2. Country Clubs
3. Parks
4. Places of Worship
5. Public Buildings, subject to subsection 1.06 of this Article.

- 6. Public Utility Facility
- 7. Schools

B. Commercial Uses

- 1. Day Care Homes
- 2. Home Occupations, subject to Article VIII, § 9.00.

C. Agriculture

None

**3.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: ½ Acre

Minimum Lot Width  
At Building Line: 120 Feet

Minimum Yard Setbacks:

Front	50 Feet
Rear:	50 Feet
Side:	15 Feet*
*Total Both Sides:	30 Feet

Maximum Height of  
Structures: 35 Feet or 2 ½ Stories

Minimum Livable Floor Area in Square Feet:	One Story - 1,500
	Two Story - 1,200
	Second Story – 300
	Total - 1,500

Corner Lots: Setbacks shall be the same on streets, roads, or highways

**3.05 Public Buildings**

As described in subsection 1.06 of this Article.

**3.06 Buffer Requirements**

As described in the Buffer Matrix and in subsection 1.5 of this Article.

**3.07 Additional Regulations (When Applicable)**

**[END OF E-2, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT]**



**§ 4.00 R-1 Single Family Residential District****4.01 Intent**

To provide areas for medium density, detached, single family residences, along with selected institutional and commercial uses that are integrally related to residential neighborhoods.

**4.02 Uses Permitted**

The following uses shall be permitted in the R-1 single-family residential district. Similar uses to those listed below may also be permitted subject to article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses and subsection 2.12, Unclassified Uses.

## A. Agricultural Uses

1. Non-Commercial Greenhouse and Gardens

## B. Residential Uses

1. Detached Single – Family Residences
2. Accessory Structures and Buildings, subject to Article VII, §6.00.
3. Private Swimming Pools, subject to Article VII, § 11.00.

## C. Institutional Uses

1. Public Utility Services

## D. Temporary Uses

1. Garage Sales, subject to Article VII, § 9.00.

## E. Commercial Uses

1. Home Occupations, subject to Article VIII, § 9.00.

**4.03 Special Exception Uses.**

The following uses may be permitted subject to the approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.02 and 1.02.

## A. Agriculture

None

## B. Institutional Uses

1. Clubs
2. Community Centers/Civic Center
3. Country Clubs
4. Parks
5. Places of Worship
6. Public Buildings, subject to subsection 1.06 of this Article.
7. Public Utility Facilities
8. Schools

C. Commercial Uses

2. Day Care Homes
3. Bed and Breakfast Inns, subject to Article VIII, § 14.00.

#### **4.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 15,000 Square Feet

Minimum Lot Width at Building Line: 100 Feet

Minimum Yards:

Front:	35 Feet
Rear:	40 Feet
Side:	15 Feet*
*Total Both Sides:	30 Feet

Maximum Height of Structures: 35 Feet or 2 ½ Stories

Minimum Livable Floor Area in Square Feet: 1,400

Corner Lots: Setbacks shall be the same on streets, roads and highways.

#### **4.05 Buffer Requirements**

As described in the Buffer Matrix and in subsection 1.5 of this Article.

#### **4.06 Additional Regulations (When Applicable)**

As described in subsection 1.08, (B) of this Article.

**[END OF R-1, SINGLE FAMILY RESIDENTIAL DISTRICT]**

**§ 5.00 R-2 Single Family Residential District****5.01 Intent**

To provide areas suitable for medium density single-family residence along with selected institutional and commercial uses that are integrally related to residential neighborhoods.

**5.02 Uses Permitted**

The following uses shall be permitted in the R-2 Single Family Residential District. Similar uses to those listed below may be permitted subject to Article VIII Administration and Review Procedures, subsection 2.11, Interpretation of uses and subsection 2.12, Unclassified Uses.

**A. Agricultural Uses**

1. Non-Commercial Greenhouses and Gardens

**B. Residential Uses**

1. Detached Single – Family Residences
2. Accessory Structures and Buildings, subject to Article VII, § 6/00.
3. Private Swimming Pools, subject to Article VII, § 11.00.

**C Institutional Uses**

1. Public Utility Services

**D Temporary Uses.**

1. Garage Sales, subject to Article VII, § 9.00.

**F. Commercial Uses**

1. Home Occupations, subject to Article VIII, § 9.00.

**5.03 Special Exception Uses**

The following uses may also be permitted subject to approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Agriculture**

None

**B. Institutional Uses**

1. Clubs
2. Community Centers/Civic Center
3. Country Clubs
4. Parks
5. Places of Worship
6. Public Buildings
7. Public Utility Facilities
8. Schools

C. Commercial Uses

1. Day Care Homes
2. Bed and Breakfast Inns, subject to Article VIII, § 14.00

**5.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Width at Building Line:	85 Feet
Minimum Lot Area per Family	10,500 Square Feet
Minimum Yards:	
Front:	30 Feet
Rear:	35 Feet
Side:	10 Feet*
*Total both sides: 20 Feet	
Maximum Height of Structures:	35 Feet or 2 ½ Stories
Minimum Livable Floor Area Per Square Feet:	1,200

Corner Lots: Setbacks shall the same on streets, roads and highways.

**5.05 Public Buildings**

As described in subsection 1.06 of this Article.

**5.06 Buffer Requirements**

As described in the Buffer Matrix and in subsection 1.5 of this Article.

**5.07 Additional Regulations. (When Applicable)**

As described in subsection 1.08 (B) of this Article.

**[END OF R-2, SINGLE FAMILY RESIDENTIAL DISTRICT]**

**6.00 R-3 Multi-Family Residential District****6.01 Intent**

To provide areas suitable for the development of single-family residences, duplexes and multi-family dwellings, along with selected institutional and commercial uses which are integrally related to the residential neighborhood.

**6.02 Uses Permitted**

The following uses shall be permitted in the R-3 Multi-Family Residential District. Similar uses may also be permitted subject to Article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses, and subsection 2.1.2, Unclassified Uses.

**A. Agriculture Uses**

1. Non-Commercial Greenhouses and Gardens

**B. Residential Uses**

1. Detached Single-Family Residences
2. Duplexes
3. Multi-Family Dwellings (Apartments)
4. Accessory Structures and Buildings, subject to Article VIII, § 6.00
5. Private Swimming Pools, subject to Article VII, § 11.00.

**C. Institutional Uses**

1. Group Care Homes
2. Public Utility Services

**6.03 Special Exception Uses**

The following uses may also be permitted subject to the approval of the Zoning Board of Adjustment and the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Institutional Uses**

1. Community Centers/Civic Centers
2. Country Clubs
3. Places of Worship
4. Public Buildings
5. Public Utility Facilities
6. Schools
7. Nursing Care Facility

**B. Commercial Uses**

1. Boarding House
2. Day Care Center
3. Clinic
4. Home Occupations, subject to Article VIII, § 9.00.

**6.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

**Minimum Lot Area:	10,000 Square Feet for Multi-Family Units 7,500 Square Feet for Detached Single-Family Units
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Minimum Livable Floor Area:	One bedroom Multi-Family Unit, 735 Square Feet Two bedroom Multi-Family Unit, 1,008 Square Feet Three bedroom Multi-Family Unit, 1,386 Square Feet Duplexes (two family units) 2,200 Square Feet
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Minimum Yards:

Front:	35 Feet
Rear:	35 Feet
Side:	10 Feet*
*Total Both Sides.	

Maximum Height	35 Feet
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Corner Lots: Setbacks shall be the same on both streets and highways. In case sanitary sewers are not available to serve the proposed development, the minimum lot size (square footage) required by the County Health Department shall be met.

**6.05 Buffer Requirements**

As described in the Buffer Matrix and in subsection 1.05 of this Article 6.06.

**6.06 Additional Regulation Where Applicably**

As described in subsection 1.08 of this Article.

**[END OF R-3, MULTI-FAMILY DISTRICT]**

**§7.00 R-3-T Townhouse Residential District**

**7.01 Intent**

To provide areas suitable for Townhouse Residential Dwellings

**7.02 Uses Permitted**

Due to the unique nature of the townhouse development and small lot sizes, no other use other than townhouse dwellings is permitted.

**7.03 Area and Dimensional Regulations**

Minimum Lot width at Building Line: 20 Feet

Dwelling Units Per Gross Tract Acre: 7 DU

\*Minimum Yards:

Front:	25 Feet**
Rear:	30 Feet
Side:	0 Feet

Maximum Height of Structures: 35 Feet or 1 ½ Stories

\*\* Thirty (30) feet if front parking is provided.

Minimum Livable Floor Area In Square Feet: 1,200 Total

Corner Lots: Setbacks shall be the same on streets, roads or highways.

Note: A site development plan is required for a Townhouse Development as described in Article III, subsection 2.01.

**7.04 Buffer Requirements**

As described in the Buffet Matrix and in subsection 1.05 of this Article.

**7.05 Additional Regulations (When Applicable)**

As described in subsection 1.08 (B) of this Article.

**[END R-3-T, TOWNHOUSE RESIDENTIAL DISTRICT]**



**§8.00 R-5 Garden Home Residential District****8.01 Intent**

To provide areas suitable for the development of residential garden homes along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

**8.02 Uses Permitted**

The following uses shall be permitted in the R-5 Garden Home District:

**A. Agricultural Uses**

1. Non-Commercial Greenhouses and Gardens

**B. Residential Uses**

1. Residential Garden Homes
2. Accessory Structures and Buildings, subject to Article VII, § 6.00.

**C. Institutional Uses**

1. Home Instruction
2. Public Utility Services

**D. Temporary Uses**

1. Garage of Yard Sales, subject to Article VII, § 9.00.

**8.03 Special Exception Uses**

The following uses may be permitted subject to approval of the Zoning Board of Adjustment and the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Commercial Uses**

1. Home Occupations, subject to Article VIII, § 9.00.

**8.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Width at The Building Line:	60 Feet
--	---------

Minimum Lot Area: 6,000 Square Feet

Minimum Yards:

Front	20 Feet
Rear:	30 Feet
Side:	5 Feet

Maximum Height 38 Feet or 2 ½ Stories

Minimum Livable Floor

Area in Square Feet:	One Story – 1,200 Total
	One and One-Half Story – 800 First Floor
	Second Floor – 400 for total of 1,200
	Two Story – First Floor – 700
	Two Story – Second Floor – 700 for total of 1,400

Corner Lots: Setbacks shall be the same on streets, roads, or highways.

Note: A Site Development Plan is required for all garden home developments as per Article subsection 2.02.

**8.05 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article. 8.06

**8.06 Additional Regulations**

1. No fence shall be permitted forward of the front building face of the house, other fences shall not exceed seven (7) feet in height.
2. No two homes constructed in this district shall be closer to one another than fifteen (15) feet.
3. All utilities shall be placed underground.
4. There shall be two (2) paved parking spaces provided for each dwelling, the depth of which shall be measured from the back of the curb. Twenty percent (20%) of the parking shall be dedicated to landscaping. There shall be no off-street parking along existing interior streets.
5. Customary accessory buildings or structures, one (1) per lot, shall not exceed two hundred (200) square feet.

**[END OF R-5, GARDEN HOME RESIDENTIAL DISTRICT]**

**§9.00 R-6 Patio Home Residential District**

**9.01 Intent**

To provide areas suitable for Patio Homes along with accessory structures customarily associated with such development.

**9.02 Uses Permitted**

A. Residential Uses

1. Patio Homes
2. Accessory Structures and Buildings provided they are located in the rear yard only.

B Institutional Uses

1. Public Utility Service

**9.03 Special Exception Uses**

The following uses may be permitted subject to approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02

A. Commercial Uses

1. Home Occupations, subject to Article VIII, §9.00.

B. Temporary Uses

1. Garage or Yard Sales, subject to Article VII, §9.00

**9.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Width at The Building Line:	40 Feet
Minimum Lot Area:	4,000 Square Feet
Minimum Yards:	
Front:	20 Feet
Rear:	20 Feet
Side:	10 Feet*

\*Total for both sides, twenty (20) feet.

Maximum Height of Structures: 35 Feet or 2 ½ Stories

Minimum Livable Floor Space Area  
In Square Feet: 1,100 Total

Corner Lots: Setbacks shall be the same on streets, roads, and highways.

A Site Development Plan is required for each Patio Home Development as outlined in Article A subsection 2.02.

#### **9.05 Buffer Requirements**

As described in the Buffer Matrix and in subsection 7.05 of this Article.

#### **9.06 Additional Regulations**

1. To permit zero feet (0') lot line development, one side yard may be reduced to zero feet, provided a five foot (5') easement of maintenance is reserved on the adjoining lot and buildings are separated by at least ten feet (10') and the adjoining lot is reserved for a patio home.
2. No homes constructed in this District shall be connected.
3. The required ten foot side yard shall be kept perpetually free of permanent obstructions, accessory structures, walls and fences without gates.
4. Privacy fences or walls may be placed on or along any lot lines provided that such fences or walls are not constructed in a manner so as to block any local lot drainage and provide gates or other openings are provided that will not restrict access for fire protection. An eight-foot maximum height limit will be permitted for privacy fences or walls located on or along any required side or rear yard.
5. Each Patio Home shall have on its own lot one (1) yard not less than five hundred and twenty-five (525) square feet, reasonably secluded from view of streets or neighboring property.
6. The exterior walls of the Patio Home, or any accessory structures located on the zero foot side yard setback shall not project over the property line. Roof overhangs may penetrate maintenance and drainage easement of the adjacent lot a maximum of thirty (30) inches, provided the roof shall be so designed that water runoff shall be restricted to the drainage easement area.
7. No windows, doors or other openings shall be permitted on the zero foot sideline of any Patio Home unit.
8. A perpetual drainage easement shall be provided between homes in this District and shall be approved by the City Engineer. Walls and fences may be located on or along this easement provided gates or other openings are provided which will not block local drainage and maintenance.
9. Any subdivision developed in an R-6 District shall be on a tract of land not less than 5 acres of land.
10. A foundation survey shall be required to insure against encroachment.

**[END OF R-6, PATIO HOME RESIDENTIAL DISTRICT]**

**§10.00 RMHP Residential Manufactured (Mobile) Home Park District**

**10.01 Intent**

To provide areas for Manufactured/Mobile Home Park Developments, free from other uses which are incompatible with the character and intent of this district.

**10.02 Uses Permitted**

A. Residential Uses

1. Manufactured (Mobile) Home Parks
2. Residential accessory structures and buildings, subject to park policy.
3. Home Occupation, Home Instruction and Day Care Homes, all subject to established park policy concerning such uses.

B. Institutional Uses

1. Management Office
2. Recreational Facilities designed to serve the residents of the parks along with their guests.

C. Commercial Uses

1. Retail convenience sales for residents of the park and their guests.
2. Service facilities, such as Laundromat, household storage buildings, refuse collection areas, and similar common service facilities designed and intended to serve only the residents of the park and their guests.

**10.03 Site Standards**

A Site Plan shall be prepared and submitted for each manufactured/mobile home park:

- A. The minimum site area shall be ten (10) contiguous acres, with access to a public street and fronts upon a dedicated street of not less than fifty feet (50’).
- B. Each manufactured home lot shall have a minimum area of five thousand (5,000) square feet and a minimum width of fifty feet (50’) at the front lot line.
- C. Each manufactured/mobile home lot shall be set back a minimum of thirty-five feet (35’) from any park boundary line and ten (10) feet from any other lot line.
- D. Minimum Yard Setbacks:

Front:	25 Feet*
Rear:	10 Feet
Side:	10 Feet

- Road not dedicated – 50 feet from the centerline.

- E. No manufactured/mobile home may be located closer than twenty feet (20') from another, on an adjacent lot.
- F. The maximum density shall be six (6) manufactured/mobile homes per gross tract acre. (If not served by public water and sewer, a lower density may be required by the County Health Department).
- G. All the street lighting within the development shall be installed and maintained by the developer or the property owners.
- H. The location of all fire hydrants shall be coordinated with the City of Leeds Fire Department and City Engineer.
- I. All manufactured/mobile home park developments shall be provided with open/recreational space(s) measuring a minimum area of one hundred (100) square feet per manufactured/mobile home. Such spaces shall be consolidated into usable recreational areas.
- J. Garage or Yard Sales may be permitted, subject to manufactured/mobile home park policy. If no such policy exists, then such shall be subject to the provisions of Article VII, § 9.00.

#### **10.04 Installation**

All manufactured/mobile homes shall be installed according to all the requirements of federal, state or local codes: and, these shall be completely skirted, with a weather resistant material, within thirty (30) days from the date the home is moved into the park. Such weather resistant material(s), as chosen by the owner or contractor. Should be painted or coated with some kind of outdoor water resistant paint or primer. The choice of color should be one, or more, that blends with the color(s) or the color-scheme of the Manufactured/Mobile home. Any loud or severely contrasting color should be avoided to eliminate the possibility of creating an eye sore. The earth tones and neutral colors are often good choices that lend harmony. All skirting shall be adequately vented.

#### **10.05 Storage Facilities, Accessory Uses and Structures**

A maximum of one hundred (100) square feet of storage area shall be provided for each space. Alternatively, park management may provide common storage lockers at an equivalent capacity. The permitted accessory structures on manufactured/mobile home spaces shall include all accessory structures permitted on the lots of single-family residences, except for private below ground swimming pools and satellite dish antennas. Any accessory use shall not be permitted closer than five feet (5') from the rear and side boundaries of each space. Carports may be permitted in the front yard but shall not be permitted within (5') of the front building line. Carports shall not be permitted within five feet (5') of the rear and side boundaries of each space and twenty-five feet (25') from the front lot lines; and, in the case of a corner lot, twenty-five feet (25') from the lot lines adjacent to a street.

#### **10.06 Off-Street Parking and Streets**

Two-way private, paved streets (maintained by the park management) shall be constructed to provide access to all manufactured/mobile home spaces, within the park. These streets shall be in conformance with the street standards of the City of Leeds. No

manufactured/mobile home shall have its own access to a public street. All dead-end streets shall have turnarounds in conformance with the City's street standards. Each manufactured/mobile home shall have two (2) paved, off-street parking spaces. The location of all driveways shall be shown on the required Site Plan and approved by the City of Leeds Planning Commission.

**10.07 Service Facilities**

Common recreational facilities and Laundromats shall be provided for the use of the residents and their guests only. All garbage/refuse collection facilities, with demarcated collection points, shall be the responsibility of park management.

**10.08 Buffer Requirements**

The proposed development shall be designed, based upon a layout plan with architectural elements and appropriate landscaping. An adequate buffer, as described in the Buffer Matrix, landscaped and up-kept by the park management shall be maintained around the entire park. This buffer strip shall have no buildings or structures, of any kind, erected or maintained on it. (Refer to subsection 1.05 of this Article and Article VII, Supplemental Regulations, § 13.00.

**10.09 Signs**

All signs shall conform to the provisions of Article X.

**10.10 Landscaping**

All the yards shall be permanently landscaped and maintained with ground cover, trees and shrubs.

**10.11 Patios**

Each manufactured/mobile home should be provided with a deck or patio at least two hundred (200) square feet.

**10.12 Fences**

Fences shall be in accordance with the provisions of Article VII, § 4.00.

**[END OF RMHP, RESIDENTIAL MANUFACTURE HOME PARK DISTRICT]**



**§11.00 RMHS Residential Manufactured (MOBILE) Home Subdivisions District****11.01 Intent**

To develop Manufactured (Mobile) Home Subdivisions, free from other uses that are incompatible with the character and intent of this district.

**11.02 Uses Permitted**

The following uses are permitted:

**A. Residential Uses**

1. Detached Single Family occupied Manufactured/Mobile Homes located on individually owned lots.
2. Customary Accessory Buildings and Structures permitted in other detached single-family residential districts subject to the same requirements.
3. Non-Commercial Greenhouse and Gardens

**B. Commercial Uses**

1. Home Occupations, subject to Article VIII, § 9.00.

**C. Temporary Uses**

1. Garage or Yard Sales, subject to Article VII, § 9.00. The proposed development shall be designed, based upon a layout plan with architectural elements and appropriate landscaping. An adequate buffer as described in the Buffer Matrix, landscaped and up-kept by the park management.

**11.03 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 7,500 Square Feet [15,000 Square Feet if Septic tank and field lines are required]

Minimum Lot Width: 50 Feet from the Building Line

Minimum Yards:

Front:	35 Feet*
Rear:	35 Feet
Side:	10 Feet

\*Road not dedicated – 60 feet (60') from the centerline.

Corner Lots: Setbacks shall be the same on both streets and roads.

**11.04 Manufactured (Mobile) Home Standards**

- A. The minimum floor area shall be five hundred (500) square feet.
- B. Two (2) off-street parking spaces shall be provided for each home. All streets and parking spaces shall conform to the standards established in the City of Leeds Subdivision Regulations.
- C. All homes shall be installed according to all requirements of federal, state or local codes. These shall be adequately vented and completely skirted, with weather resistant material, within thirty (30) days from the date the home is moved on a lot.

**11.05 Procedure for Plat Approval**

The layout plans for all manufactured/mobile home subdivisions shall reflect the seal of an Alabama Registered Professional Engineer or Land Surveyor and submitted to the City of Leeds Planning Commission for review and approval of construction. This site plan shall include the following:

- A. Area and dimensions of the overall site.
- B. Number of lots, including the dimensions and layout of all lots.
- C. Assessment of drainage conditions by an Alabama Registered Professional Engineer.
- D. Location, size and proposed layout of all utilities.
- E. Street plan, including all off-street parking.
- F. Assessment of traffic conditions, including any proposed measures needed to rectify problems where they exist.
- G. Location and type of all street lighting.
- H. Location of all fire hydrants.

**11.06 Additional Regulations**

- A. All manufactured/mobile homes shall be individually owned.
- B. The subdivision shall be in full compliance with all the applicable provisions of the Leeds Subdivision Regulations.
- C. All access points shall be controlled through the review of the site plans submitted to the City of Leeds Planning Commission on each manufactured/mobile home subdivision plat.
- D. The subdivision shall be served by water, sanitary sewer and adequate drainage facilities; and such plans shall be submitted to the City Building Inspector, the City Engineer and the Planning Commission for review.
- E. The need for buffers shall be determined during the site plan review process and the type and width of buffers shall be determined on an individual basis by the Planning Commission.

**11.07 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article.

**[END OF RMHS, RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT]**

**§12.00 0-1 Office Building District****12.01 Intent**

To provide areas suitable for office and professional buildings, along with selected commercial and institutional uses which are deemed to be compatible with the professional office environment.

**12.02 Uses Permitted**

The following uses shall be permitted in the 0-1 Office Building District. Similar uses to those listed below may also be permitted subject to Article III, Administration and Review Procedures, subsections 2.11 Interpretation of Uses and subsection 2.12, Unclassified Uses.

**A. Commercial Uses**

1. Banks or Financial Services
2. Business of Professional Offices \*
3. Business Support Service
4. Commercial Parking
5. Commercial Schools
6. Personal Services

Office buildings exceeding 2,500 square feet in area may use up to ten percent (10%) of such space for commercial and personal service oriented activities.

**B. Institutional Uses.**

1. Public Utility Service

**12.03 Special Exception Uses**

The following uses may also be permitted subject to the approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Commercial Uses**

1. Broadcast Studios
2. Clinics
3. Day Care Centers
4. Funeral Homes
5. Nursing Care facilities, subject to Article VIII, § 5.00.
6. Restaurants, Fast Food, subject to Article VIII, §5.00.
7. Restaurants, Standard
8. Studios
9. Special Events

B. Institutional Uses

1. Public Buildings
2. Public Utility Facilities
3. Places of Worship
4. Parks
5. Schools

**12.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be observed:

Minimum Lot Size:                      None specified; although lots shall be of adequate width and size to accommodate the proposed use along with adequate parking, buffers (where required) and any service and storage areas.

Minimum Yards:

Front:	35 Feet
Rear:	35 Feet*
Side:	35 Feet**

Corner Lots: Shall have the same setbacks on both streets and roads.

\* Rear yard may be reduced to fifteen feet (15') if the adjoining property is zoned commercial or light industrial.

\*\* If the adjoining property is zoned commercial or light industrial, interior side yard setbacks may be reduced to zero feet (0'), provided that all portions of the side of the structure are enclosed with a fire proof wall of four (4) hour construction, without any openings on such wall. If the structure is not built to the side lot line, a minimum setback of at least ten feet (10') shall be maintained.

**12.05 Additional Regulations (When Applicable)**

See Section 1.08 (B) of this Article; and,

- A. Rear Yard may be reduced to fifteen (15') if the adjoining property is zoned commercial or light industrial.
- B. If the adjoining property is zoned commercial or light industrial, interior side yard setbacks may be reduced to zero feet (0'), provided that all portions of the side of the structure are enclosed with a fireproof wall of four (4) hour fire construction, without any openings on such wall. If the structure is not built to the side lot line, a minimum setback of a least ten feet (10') shall be maintained.

**12.06 Public Buildings**

Refer to subsection 1.06 of this Article.

**12.07 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article

**12.08 Additional Requirements (When Applicable)**

See Section 1.08 (B) this Article; and,

- A Each primary establishment located in the B-1 Neighborhood Business District shall have a service yard (or yards) adequate for handling waste and garbage and the unloading of vehicles. Such service yard(s) shall be paved, have access to a public street or alley, and be located on the rear or side of the primary structure.
  
- B No exterior lighting fixture, including lighting for parking areas, walkways, general illumination or any other purposes [except signs] shall exceed twenty-five feet (25') in height measured from the ground and shall be constructed and placed in such a manner so as to direct the beam of light away from any adjacent areas.

**[END 0-1, OFFICE BUILDING DISTRICT]**

**§13.00 B-2 General Business District****13.01 Intent**

To establish and preserve a retail business district convenient to the public which is suitable for a wide range of retail and service areas usually found along major streets and thoroughfares and downtown areas.

**13.02 Uses Permitted**

The following uses shall be permitted in the B-2 General Business District. Similar uses to those listed below may also be permitted subject to Article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses and subsection 2.12, Unclassified Uses.

**A Commercial Uses**

1. Bakeries, Minor
2. Banks and Financial Institutions
3. Business or Professional Offices
4. Business Support Services
5. Clinics
6. Schools, Commercial
7. Convenience Stores
8. Day Care Centers
9. Entertainment, Indoor
10. General Retail, Indoor
11. Grocery Stores/Supermarkets
12. Home Improvement Centers
13. Personal Services
14. Printing Establishments, Minor
15. Restaurants, Standard
16. Studios
17. Vehicle Repair, Minor
18. New Vehicle Sales or Rental
19. Any use permitted in District R-3, subject to the same requirements.

**B Institutional Uses**

1. Public Utility Services

**13.03 Special Exception Uses**

The following uses may also be permitted subject to the approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.02 and 1.02.

## A. Commercial Uses

1. Animal hospitals, no outside kennels or runs shall be permitted
2. Car Washes
3. Funeral Homes
4. Gasoline Service stations, subject to Article VIII, § 34.00.
5. General Retail, Unenclosed
6. Hotels or motels, including Restaurant and/or Liquor Lounge as incidental uses.
7. Liquor Lounge, free standing
8. Restaurants, Fast Food, subject to Article VIII, § 5.00.
9. Shopping Centers, subject to Article VIII, § 3.00
10. Repair Garages, See Article IV, Definitions
11. Payday Loan
12. Car Title Loan
13. Gold and Silver Brokers
14. Tattoo parlor
15. Pawn shop
16. Vape shop
17. Tobacco Shop
18. Used Automobile Sales
19. Self-Storage Facilities
20. Special Events

## B. Institutional Uses

1. Community Centers/Civic Centers
2. Hospitals
3. Parks
4. Places of Worship
5. Public Buildings
6. Public Utility Facilities
7. Schools

**13.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Minimum Lot Size: None specified, although lots shall be of adequate width and size to accommodate the proposed as well as provide adequate space with for required parking, buffers, (where required) and any service and storage areas.

Minimum Lot Width: None specified, although lots shall be of adequate width to accommodate the proposed use as well as provide adequate space for required parking, buffers (where required) storage and service yards.

Maximum Height: 65 feet or 5 Stories

Minimum Yards: None, except on the rear of a lot abutting any residential district in which case there shall be a rear yard of not less than 20 feet.

**13.05 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article.

**13.06 Additional Regulations (When Applicable) See**

Section 1.08 (B) of this Article; and,

- A. Each primary establishment located in the B-2 General Business District shall have a service yard (or yards) adequate for handling waste and garbage and the loading and unloading of vehicles. Such service yard (s) shall be paved, have access to a public street or alley, and be located on the rear or side of the primary structure.
- B. No exterior lighting fixture, including parking areas, walkways, general illumination or any other purposes [except signs], shall exceed twenty-five feet (25') in height as measured from the ground and shall be constructed and placed in such a manner so as to direct the beam of light away from any adjacent areas

**[END B-2, GENERAL BUSINESS DISTRICT]**



**§14.00 B-3 Tourist Commercial District****14.01 Intent**

This district shall contain a wide range of commercial establishments, lodging accommodations, vehicle sales/service; amusement/recreation uses and selected office/institutional uses, on sites with a high degree of visibility to the travelling public.

**14.02 Uses Permitted**

The following uses shall be permitted in the B-3 Tourist Commercial District.

Similar uses to those listed below may be permitted subject to Article III, Administration and Review Procedures, subsection 2.11, Interpretation of Uses and subsection 2.12, Unclassified Uses.

**A. Commercial Uses**

1. Entertainment, Indoor
2. Gasoline Service Stations, subject to Article VIII, § 4.00.
3. General Retail, Enclosed
4. Offices and Professional Buildings
5. Personal Services
6. Restaurants, Standard
7. Restaurants, Fast Food, subject to Article VIII, § 5.00.
8. Grocery Stores/Supermarkets
9. Convenience Stores
10. Vehicle Sales or Rental

**B. Institutional Uses**

1. Public Utility Services

**14.03 Special Exception Uses**

The following uses may also be permitted subject to the approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Commercial Uses**

1. Campgrounds
2. General Retail, Unenclosed
3. Hotels or Motels
4. Truck Stops
5. Mini-Warehouses, subject to Article VIII, §10.00.
6. Shopping Centers, subject to Article VIII, § 3.00.

- 7. Manufactured (Mobile) Home Sales
- 8. Vehicle and Equipment Sales, Major
- 9. Repair Garage, Minor and Major, See Article IV, Definitions.
- 10. Recreation
- 11. Rent-All Establishment
- 12. Special Events

B. Institutional Uses

- 1. Parks
- 2. Public Buildings, subject to subsection 1.06 (B) of this Article.
- 3. Public Utility Facilities

**14.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Size: The same as B-2, General Business District

Minimum Lot Width: The same as B-2, General Business

District Minimum Yard Setbacks;

Front:	35 Feet
Rear:	35 Feet
Side:	15 Feet

Maximum Height: 45 Feet

Corner Lots: Setbacks shall be the same on both streets and roads.

**14.05 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article.

**14.06 Additional Regulations (When Applicable)**

See Section 1.08, (B) of this Article; and,

- A. Each primary establishment located in the B-3 Tourist Commercial District shall have a service yard (or yards) adequate for handling waste and garbage and the loading and unloading of vehicles. Such service yard(s) shall be paved, have access to a public street or alley and be located on the rear or side of the primary structure.
- B. No exterior lighting fixture, including parking areas, walkways, general illumination or any other purpose (except signs), shall exceed twenty-five feet (25') in height, measured from the ground to the highest point on the lighting fixture, All light

fixtures shall be constructed and placed in a manner so as to direct the beam of light away from adjacent areas.

**[END OF B-3, TOURIST COMMERCIAL DISTRICT]**

**§15.00 I-1 Light Industrial District****15.01 Intent**

This district consists of areas where limited industrial uses are permitted. The district encourages employment centers with a large degree of environmental impact. Principal industrial activities include light manufacturing, industrial services, warehousing, wholesaling, and distribution services, as well as administrative and office facilities related to uses permitted and selected commercial uses consistent with the light industrial environment.

**15.02 Uses Permitted****A. Industrial Uses**

1. Construction Services
2. Industrial Parks, subject to Article VIII, § 12.00.
3. Industry, Light
4. Maintenance Services
5. Research Facilities
6. Truck Terminals
7. Vehicle and equipment sales, Major
8. Warehousing, wholesaling and Distribution. See Article IV, subsection 2.05, Definitions.
9. Industrial Park, subject to Article VIII,

**B. Commercial Uses**

1. Animal
2. Bakeries, Minor
3. Business Support Services
4. Business or Professional Offices
5. Farm Support Business
6. Garage, Repair
7. Gasoline Service Stations, subject to Article VIII, § 4.00
8. General Retail, Unenclosed
9. Home Improvement Centers
10. Self-Storage Facilities, subject to Article VIII, § 10.00.
11. Printing Establishment, Minor
12. Transmission Towers, (Commercial) subject to Article VIII, § 13.00.
13. Vehicle Repairs, Both Minor and Major, See Article IV, Definitions.

**C. Institutional Uses**

1. Public Utility Services

**15.03 Special Exception Uses**

The following uses may be permitted upon approval of the Zoning Board of Adjustment and further subject to appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

**A. Commercial Uses**

1. Airports, including heliports
2. Kennels
3. Special Events

**B. Institutional Uses**

1. Animal Shelters
2. Cemeteries
3. Military Installations
4. Parks
5. Pet Cemeteries
6. Public Buildings
7. Public Utility Facilities

**15.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be observed:

Minimum Lot Size: None specified, although lots shall be of adequate width and size to accommodate the proposed as well as provide adequate space with for required parking, buffers, (where required) and any service and storage areas.

Minimum Lot Width: None specified, although lots shall be of adequate width to accommodate the proposed use as well as provide adequate space for required parking, buffers (where required) storage and service yards.

**Minimum Yards:**

Front:	15 Feet
Rear:	35 Feet *
Side:	35 Feet**

Maximum Building Height: 3 Stories or 45 Feet

Corner Lots: Setbacks shall be the same on streets, roads and highways.

\* Rear Yard may be reduced to fifteen feet (if the adjoining property is zoned industrial).

\*\* If the adjoining property is zoned industrial, interior side yard setbacks may be reduced to zero feet (0'), provided that all portions of the side of the structure are enclosed with an un-pierced firewall in compliance with City Building Codes. In addition, if the structure is not built to the side lot line, a minimum setback of at least fifteen feet (15') shall be maintained.

**15.05 Buffer Requirements**

As described in the Buffer Matrix and subsection 1.05 of this Article.

**15.06 Additional Regulations (When Applicable)**

See Section 1.08 (B) of this Article, plus:

1. Any outside storage, material storage yards, etc. shall be screened to an adequate height so as to conceal the contents from public view.

**[END OF I-1, LIGHT INDUSTRIAL DISTRICT]**

**§16.00 I-2 Heavy Industrial District****16.01 Intent**

To provide areas where heavy industrial uses are permitted. This district encourages employment centers where a potentially moderate to high degree of environmental impact uses can be located, including light and heavy industrial and manufacturing activities.

**16.02 Uses Permitted**

## A. Industrial Uses

1. Bakeries, Major
2. Industrial Parks, subject to Article VIII, § 12.00.
3. Industries, Light
4. Manufacturing, General
5. Printing Establishment, Major
6. Warehousing, wholesaling, and distribution

## B. Institutional Uses

1. Public Utility Services

**16.03 Special Exception Uses**

The following uses may be permitted, subject to approval of the Zoning Board of Adjustment and further subject to the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

## A. Industrial Uses

1. Industries, Heavy
2. Recycling Plants
3. Salvage Yards
4. Sanitary Landfills
5. Special Events

## B. Commercial Uses

1. Animal Hospitals
2. Public Utility Facilities

**16.04 Area and Dimensional Regulations**

Except as may be provided for elsewhere in this Ordinance, the area and dimensional regulations listed below shall be observed:

- Minimum Lot Size: Same as the I-1, Light Industrial District
- Minimum Lot Width: Same as the I-1, Light Industrial District
- Minimum Yards:
  - Front: None specified. The Planning Commission shall determine the appropriate setback requirement during the site plan review process.
  - Rear: Same as front requirement above.
  - Side: Same as front requirement above.

Corner Lots: Setbacks shall be the same on streets, roads and highways.

**16.05 Buffer Requirements**

See § 1.00, subsection 1.05 of this Article.

**16.06 Additional Regulations (When Applicable)**

1. Any outside storage, material yards, etc. areas shall be screened to an adequate height to conceal the contents from public view.

**[END OF I-2, HEAVY INDUSTRIAL DISTRICT]**



**§ 17.00 MR Municipal Reserve District****17.01 Intent**

This district serves as an interim zone for areas annexed into the City. The MR District seeks to protect these newly annexed areas until such time as comprehensive city zoning can be applied to them.

**17.02 Zoning of Annexed Areas**

On the effective date of annexation, all newly annexed property shall be zoned MR Municipal Reserve District.

**17.03 Rezoning From the MR District**

Following the City Council's adoption of the annexation, the Planning Commission shall initiate proceedings to rezone property from the MR District to any other district contained within this Ordinance. In determining the most appropriate zone(s), the Planning Commission shall duly consider the following items, among others:

- A. The Comprehensive Plan or a study of the annexed area(s).
- B. The desires of the property owners in the area(s) subject to zoning.
- C. The purposes and considerations of zoning as contained in this Ordinance as well as the Code of Alabama, 1975, § 11-52-72 and as it may be amended.

**17.04 Permitted Uses and Development Standards**

All uses in existence at the time of annexation may lawfully continue under the provisions of the MR District. However, all proposed new uses, on property that is currently zoned MR Municipal Reserve District, shall be brought to the City Planning Commission for review and final approval. Until such time as the City zoning is assigned, all applications shall be subject to the uses permitted in the zone or zones assigned to the subject property along with all criteria and requirements.

**17.05 Action on Annexation Petitions**

All annexation Ordinances enacted by the City of Leeds shall include the provision that the property shall be temporarily zoned MR, Municipal Reserve District. A copy of the annexation Ordinance shall be made available to the City Building Inspector and the Planning Commission for action.

**17.06 Additional Regulations (When Applicable)**

As described in the Buffer Matrix.

**[END OF MR, MUNICIPAL RESERVE DISTRICT]**

**§ 18.00 Planned Community Development District (PCD)****18.01 Intent**

The intent of the Planned Community Development District (PCD) is to encourage the master planning of mixed use development for larger tracts of land and to coordinate such development as to manage the impacts of development on the provision of city services and infrastructure, to facilitate planning, design, and development of master planned communities that will preserve and protect natural resources and mitigate negative environmental effects through use of innovative development techniques that will permit flexible patterns of compatible land uses and densities, and to provide for the consideration of any land uses not otherwise specified elsewhere in the Leeds Zoning Ordinance. The PCD district encourages imaginative uses of open space, promotes higher standards in design and construction, and furthers the purposes of the Leeds City Master Plan.

Further, it is the intent of this district to:

- A. Permit flexible and imaginative design to accommodate planned associations of uses developed as integral land use units that allow for and encourage large scale master planning of commercial, light industrial, and residential uses in both exclusive use areas and town center forms of development which may incorporate a vertical mix of commercial and residential uses.
- B. Permit a variety of uses, building forms, building relationships, and architectural styles, while promoting preservation and enhancement of existing natural landscape features.
- C. Establish Specific Development Standards that may permit a variety of development types and densities offset by conservation of natural resources as well as undisturbed and developed open space, and to establish development criteria that will govern development of the PCD and may deviate from other development regulations of the City, upon the recommendation of the Planning and Zoning Commission, hereinafter referred to as “the Commission,” of the Master Development Plan and final approval by the City Council.
- D. Upon approval of the Master Development Plan by the City Council, provide the developer with reasonable assurance of ultimate approval while at the same time providing City officials with reasonable assurance that the development will be undertaken in the manner described in the approved Master Development Plan.
- E. Permit the consideration of planned land use districts consisting of Planned Detached and Attached Dwellings (PR1), Planned Multiple Dwellings (PR2), Planned Commercial (PC), and Planned Industrial (PI) allowing the land uses as set forth in this Section 19.00.

**18.02 Procedure; Application Requirements**

- A. Pre-Application. The owner(s) or the duly appointed representative(s) of a tract(s) of land Shall submit a preliminary PCD application to the Building Inspector. Within thirty (30) days after submission, the Commission shall conduct a pre-application conference, which may be at a regular or special called meeting. The intent of the pre-application conference is to provide an opportunity for the Commission and City Staff to meet with the applicant and

discuss the preliminary application and provide comments to the developer. While the conference shall be a public meeting, it shall not be a public hearing.

The Building Inspector shall notify the applicant in writing of any comments from city officials within fifteen (15) business days after the pre-application conference. No comments to the applicant by the Commission or City staff shall be considered a denial or approval of the preliminary application or part thereof.

- B. Review by the Planning Commission. The PCD application shall be reviewed as an amendment to the zoning ordinance and map as stipulated in Article III, Sections 7.00 and 8.00 of this Zoning Ordinance, except as otherwise provided herein.

After the pre-application conference, the applicant shall submit to the Building Inspector a complete PCD application in the form of a Master Development Plan and Specific Development Standards in compliance with the requirements of this Section 19.00 together with the fee as prescribed in the City Fee Schedule. The City shall determine if the application is complete within five (5) working days after receipt thereof. The City Clerk shall not schedule the public hearing before the Commission until the City determines that a complete application has been submitted.

Upon the applicant's submission to the City of a complete application, the Building Inspector shall refer the application to the Commission and shall set a public hearing within thirty (30) days thereafter at a regular or special called meeting of the Commission.

The Commission shall have sixty (60) days, from the date of its public hearing on said application, to submit a report on the application to the City Council. If the Commission fails to submit a report within said sixty (60) day period, and unless the applicant agrees in writing to an extension of said period, the Commission's report to the City Council shall be deemed to have approved the PCD application.

- C. City Council Approval. The application and the report of the Commission shall be submitted to the City Council for approval.

Approval of the PCD Application including the Master Development Plan by the City Council shall not constitute acceptance or approval of future plat submissions. Approval and adoption of the Master Development Plan by the City Council shall constitute an amendment to the City of Leeds Master Plan and zoning map. Under no circumstances shall an applicant be granted development approval before a Master Development Plan is approved.

Approval of the PCD application by the City Council shall include approval of the Specific Development Standards, which may be permitted to deviate from the Zoning Ordinance and Subdivision Regulations, and which shall govern development in the PCD. The applicable section of the Zoning Ordinance and Subdivision Regulations in effect as of the date of approval of the PCD shall apply only in those matters that the Specific Development Standards do not address. Under no circumstances shall an applicant be granted development approval before Specific Development Standards are approved.

- D. Application. The Master Development Plan and Specific Development Standards shall include the following written statements and any maps necessary to show the following information:

1. A vicinity map of appropriate scale, which shows the boundaries of the property in relation to the surrounding area.
2. A legal description of the total site subject to the proposed PCD zoning.

3. A PCD District map at an appropriate scale that shows the direction of north and the locations of the PCD land use districts.
4. An environmental features map that shows 100-year regulatory floodplains and floodways, streams and other bodies of water, other significant natural features and the topography of the property at a minimum of 10-foot intervals.
5. Planning objectives for the PCD outlining how the planned community development will accomplish objectives not otherwise attainable through the conventional zoning districts of the city.
6. A conceptual street and pedestrian circulation plan illustrating the locations of existing streets to remain and the general location of proposed collector and arterial streets.
7. Development objectives and strategies that include a conceptual open space plan for the PCD that create an open space and pedestrian circulation network and provide a conceptual plan for the location of undisturbed and open space areas.
8. Environmental Objectives, Strategies, and Performance Standards for conservation, management, alteration, and treatment of:
  - a. USGS blue-line streams and associated riparian buffers.
  - b. Slopes, including slope stability.
  - c. Flood-prone areas.
  - d. Storm water management and erosion control.
  - e. Reforestation and conservation of existing forests and wooded areas.
9. Proposed protective and/or restrictive covenants, conditions, and charters, if any.
10. A statement and any plans regarding any proposed security points for the control of access from public streets.
11. The locations of existing and proposed utilities and any provisions or plans to provide adequate utilities to serve the development including water and sewer and others.
12. A traffic study that quantifies the impact of the PCD.
13. Specific Development Standards that detail the following:

Specific Development Standards			
	Attached and Detached Dwellings	Multiple Dwellings	Commercial, Institutional & Industrial
Lot Width	x		
Floor Area	x	x	
Buffers		x	x
Building Height		x	x
Landscaping		x	x
Accessory Uses & Structures	x	x	x
Building Setbacks	x	x	x

Signs		X	X
Vehicular Parking	X	X	X
Tree Canopy	X	X	

- 14. A quantitative description of the proposed PCD District in its entirety that summarizes the acreage for each type of land use, the maximum number of anticipated residential dwelling units by type of dwelling, and the location of all proposed public/community facilities and other lands dedicated for public purposes, in each of the individual PCD land use districts.
- 15. A conceptual development schedule in five-year increments that projects the number of dwelling units to be constructed.

The Specific Development Standards shall reflect, to the greatest extent possible, the policies, regulations, and ordinances of the City while allowing the flexibility required to achieve the intent of the PCD.

**19.03 Development Regulations**

- A. Minimum land area for the establishment of a PCD shall be five hundred (500) contiguous acres.
- B. At least ten (10) percent of the gross acreage of the PCD shall be left as undisturbed open space, preserved in its natural state except for clearing of diseased vegetation and invasive species, and the clearing of underbrush for the installation of walkways and trails. Neither existing water surface area nor streets shall be included in the undisturbed open space calculation.  
An additional fifteen (15) percent or more of the gross acreage of the PCD shall be devoted to developed open space and shall be distributed throughout the PCD in relation to the dwelling units of the residents they are intended to serve.  
The minimum dimension of all open space areas shall be fifty (50) linear feet in order to qualify. All such undisturbed open space and developed open space may be included in the computation of density within any applicable land use district within the PCD.
- C. All off-street parking areas in excess of eight thousand (8,000) square feet shall contain landscaped islands that comprise at least ten (10) percent of the parking area and the perimeter of the parking area shall be separated from adjacent public rights-of-way by a perimeter planting of at least fifteen (15) feet in width. Required landscaped areas may be used to attain storm water infiltration if such practices meet landscaping standards of the approved Master Development Plan and Specific Development Standards.
- D. The layout of the street network and design of internal streets shall provide for connectivity, context-sensitive design and multi-modal accessibility.
- E. Low Impact Development/Green Infrastructure Storm water management practices shall be considered, among other methods for storm water management.

**18.04 Planned Detached and Attached Dwelling District (PR1)**

- A. Intent. To provide flexibility in the development of attached and detached dwellings and other uses compatible with the neighborhood.
- B. Density. Maximum overall residential gross density shall not exceed three (3.0) dwelling units per acre of the total aggregate gross area of the PR1 Districts of the PCD, although specific portions of one or more PR1 Districts may exceed this overall maximum density.
- C. Permitted Uses.
1. Attached and Detached Dwellings
  2. Golf courses
  3. Home occupations
  4. Residential information offices/sales pavilions, trailers and sales centers (including model homes)
  5. Parks, playgrounds, ball fields, swimming pools, tennis courts, equestrian areas and related uses, open spaces, passive recreation areas and similar recreation uses
  6. Neighborhood recycling collection point within a Neighborhood Convenience Retail and Service area
  7. Public and private utility service uses
  8. Accessory structures associated with any uses listed above
- D. Conditional Uses.
1. Amphitheaters
  2. Assisted and independent living facilities (together with ancillary neighborhood, retail, service and office uses customarily found in such facilities)
  3. Day care facilities
  4. Multiple dwellings
  5. Municipal/civic uses
  6. Neighborhood Convenience Retail and Service Uses, including fitness centers
  7. Places of worship
  8. Modular wastewater treatment facilities
  9. Public and private schools
  10. Community meeting centers
  11. Museums; libraries; art galleries and other similar uses
- E. Special Exception Uses
- Communications towers
  - Electric power substations

**18.05 Planned Multiple Dwelling District (PR2)**

- A. Intent. To provide areas for apartments and other uses compatible with a high-density residential environment.
- B. Density. Maximum overall residential gross density shall not exceed eight (8) dwelling units per acre of the total aggregate gross area of the PR2 Districts of the PCD,

- C. Permitted Uses
  - 1. Multiple dwellings and accessory uses
  - 2. All Permitted and Conditional Uses allowed in PR1 District
- D. Conditional Uses
  - 1. Modular wastewater treatment facilities
- E. Special Exception Uses
  - 1. Communications towers
  - 2. Electric power substations

#### **18.06 Planned Commercial District (PC)**

- A. Intent. To provide areas for mixed residential, retail commercial and service uses compatible with community and regional shopping districts.
- B. Density. The maximum percentage of impervious surfaces shall not exceed seventy-five (75) percent for each lot or parcel or each group of lots and parcels developed as a unified development site, with the exception of a Town Center, in which the maximum percentage of impervious surfaces shall not exceed ninety (90) percent. Sites with impervious surfaces in excess of eighty (80) percent may employ storm water practices at the margins that capture and infiltrate storm water.
- C. Permitted Uses (which may be mixed horizontally and/or vertically within the same physical structure).  
Retail, office, service and residential uses, including but not limited to:
  - 1. Assisted living facilities
  - 2. Auto dealerships
  - 3. Auto parts store
  - 4. Bakery, where all baked goods are sold on the premises
  - 5. Banks and other lending institutions
  - 6. Barber or beauty shops
  - 7. Commercial recreation, entertainment and amusement facilities
  - 8. Convenience stores
  - 9. Copy and business service centers
  - 10. Day care centers
  - 11. Department stores
  - 12. Domestic equipment rental
  - 13. Drug stores
  - 14. Dry cleaning outlets
  - 15. Flex Buildings
  - 16. Furniture stores
  - 17. Gasoline service stations
  - 18. Grocery stores
  - 19. Home improvement centers
  - 20. Hospitals
  - 21. Minor auto repair
  - 22. Motels or hotels
  - 23. Motion picture theatres

24. Multi-story, Attached Dwellings
  25. Multiple dwellings located above the first floor of a building
  26. Neighborhood service facilities
  27. Nursery
  28. Nursing homes
  29. Office buildings
  30. Parks, playgrounds, ball fields, swimming pools, tennis courts, open spaces, passive recreation areas and similar recreation uses
  31. Professional offices occupied by physicians, dentists, surgeons, attorneys, architects, engineers and other similar professions
  32. Private Clubs
  33. Places of worship
  34. Public and private schools
  35. Public buildings
  36. Radio and TV stations (no antennas)
  37. Recycling collection point
  38. Regional shopping malls
  39. Restaurants
  40. Retail outlet centers
  41. Schools
  42. Self-service storage facilities
  43. Shopping centers
  44. Town Centers
  45. Veterinary clinics
  46. Public utility service and accessory structures associated with any uses listed above.
  47. Other similar commercial uses that would be compatible with any uses listed above
- D. Conditional Uses
1. Modular wastewater treatment facilities
- E. Special Exception Uses
1. Electric power substations
  2. Communications towers
  3. Special Events

#### **18.07 Planned Industrial District (PI)**

- A. Intent. To provide areas for storage, distribution and light manufacturing.
- B. Density. Maximum percentage of impervious surfaces shall not exceed seventy-five (75) percent of the total gross area of the PI Districts of the PCD.
- C. Permitted Uses.
  1. Bakery
  2. Bottling plant
  3. Flex buildings



4. Contractor storage yards
  5. Dry Cleaning Plants
  6. Farm and heavy machinery and equipment sales
  7. Janitorial and maintenance service
  8. Laundry and dry cleaning plants
  9. Light industrial, fabricating, processing, assembling and manufacturing uses
  10. Major auto repair
  11. Parks, playgrounds, ball fields, swimming pools, tennis courts, open spaces, passive recreation areas and similar recreation uses
  12. Printing establishments
  13. Recycling centers
  14. Woodworking shops
  15. Warehouse/distribution facilities
  16. Water or liquid storage tanks
  17. All Permitted Uses and Conditional Uses (other than Attached or Detached Dwellings or Multiple Dwellings) allowed in the PC District.
- D. Conditional Uses
1. Modular wastewater treatment facilities
- E. Special Exception Uses.
1. Communications towers
  2. Electric power substations
  3. Wastewater treatment plants
  4. Special Events

### **18.08 Amendments**

- A. It is the intent to provide for flexibility in the development of the approved Master Development Plan, and to allow minor changes in the approved Master Development Plan without any additional approvals. Accordingly, additional approvals shall be required only for major changes as defined herein. Any changes in the approved Master Development Plan (including major changes, minor changes or any variances) requested by any party other than the developer must be approved in writing by the developer prior to any action being taken by the City.
- B. Major change. A "major change" in the approved Master Development Plan shall be defined as:
1. A change in the Conceptual Open Space Plan or a change in land use district boundaries; except minor changes necessary to align the boundaries with final locations of roads and other rights-of-way, topographic features and similar adjustments that could not be anticipated at the time of approval based upon preliminary data.
  2. Addition of adjacent property in any amount to the approved PCD.
  3. Any addition to the number of dwelling units to the approved PCD.
  4. Any change to the Specific Development Standards of the approved PCD.
- C. Whenever the developer of the PCD and the owner of the subject property shall request a major change in the approved Master Development Plan or Specific Development

Standards, the developer shall file an application for change that shall be reviewed in accordance with the provisions of Subsections 15.02.B-C.

- D. Any other changes shall be considered "minor changes" and shall not require any additional approvals, other than the plat approval that shall be obtained through the typical plat approval procedures of the City.

### **18.09 Zoning Amendments**

No amendment or modification of this Zoning Ordinance or the city's Subdivision Regulations, other than mandated by federal or state law, shall be effective as to any PCD approval issued prior to such amendment or modification, it being intended that the PCD shall continue to be developed in accordance with the zoning ordinance and subdivision regulations in effect at the time of such approval of the PCD, subject to the approved Master Development Plan or Specific Development Standards.

### **18.10 Building Permits**

- A. The City shall only issue building permits after the architectural control committee of the PCD has approved the plans and a copy of the approval is submitted to the City, as applicable.
- B. Conditional Uses. Prior to the issuance of a building permit, all uses listed as Conditional Uses in Subsections 19.04 through 19.07 herein shall require a public hearing before the Commission and approval by the City Council in accordance with the following:
  - 1. A minimum of thirty (30) days prior to the regularly scheduled Commission meeting at which the conditional use is to be considered, the applicant shall submit to the Building Inspector:
    - a. The name, address and signature of the property owner and agent of the property owner, if any;
    - b. The address of the property under consideration;
    - c. The approved PCD land use district designation and existing land use, if any, of the concerned property;
    - d. The proposed Conditional Use;
    - e. A vicinity map showing the location of the subject property;
    - f. A site plan, drawn at appropriate scale, showing the property boundaries and site layout, including property dimensions, rights-of-way, easements, existing and proposed structures and their uses, setbacks, off-street parking and loading, circulation, screening, buffers and landscaping, existing and proposed topography, property lines, parking and loading areas and points of ingress and egress;
    - g. The names and addresses of adjacent property owners as shown on the most recent records of the County's Tax Assessor's Office: and
    - h. A fee as prescribed in the City Fee Schedule.
  - 2. Notice shall be given as prescribed in Article 5, Section 5.

3. Upon receipt of the Commission's recommendation regarding the conditional use, the City Clerk shall schedule and advertise the conditional use for a public hearing before the City Council.
  4. Limit on Re-hearing. When the City Council denies a conditional use request, the Commission shall not consider the same request for a period of six (6) months.
- D. Special Exception Uses. Prior to the issuance of a building permit, all uses listed as Special Exception Uses in Subsections 19.04 through 19.07 herein shall be reviewed and approved in accordance with Article III, Section 6.00 of this Zoning Ordinance.

#### **18.11 Architectural Review Committee**

The Architectural Review Committee, if applicable, shall consist of one member of the Planning and Zoning Commission, one member of the Inspection Services staff and three public members, at least one shall be a business or property owner located in the PCD.

#### **18.12 Commitments, Conditions, or Surety**

Surety shall be posted in accordance with City of Leeds Subdivision regulations

**[END OF PCD, PLANNED COMMUNITY DEVELOPMENT DISTRICT]**

**ARTICLE VII****SUPPLEMENTAL REGULATIONS****§1.00 Area Modification for Lots of Record**

The Zoning Board of Adjustment shall approve all proposed development involving non-conforming lots of record. [See Article V, § 6.00 and subsection 6.01.]

**§2.00 General Yard Requirements**

- A. Every part of a required yard shall be open to the sky, unobstructed by any structure or part thereof and unoccupied for storage, servicing or similar uses, except as provided for herein.
- B. More than one (1) multiple dwelling, office, institutional, industrial or public buildings may be located upon a lot or tract of land, but such dwellings shall not encroach upon the front, side or rear yards required by the district regulations in which located.

**2.01 Front Yard Modifications**

- A. If forty percent (40%) or more land area of a site, on the same side of a street between two intersecting streets, is being developed or will be developed in the future, then the following rules shall apply. In the event the existence of a building or buildings, the front yard requirements of the district in concern may or may not be met. If the existing front yards of such buildings shall not be erected closer to the street than that distance established by taking the average front yard depths of the existing dwellings.
- B. Where forty percent (40%) or more of the frontage on one (1) side of a street between two (2) intersecting streets is presently developed or may hereafter be developed with buildings that do not have a front yard as described in A, the following shall apply:
  - 1. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of an existing building on both sides, the minimum front yard shall be the line drawn between the closest front corners of the adjacent buildings.
  - 2. Where a building is to be erected on a parcel of land that is within one hundred feet (100') of an existing building on one (1) side only, such building may be erected as close to the street as the existing building.
- C. Through lots shall provide the required front yard on both streets.
- D. Corner lots shall provide a front yard on each street.

**2.02 Rear Yard Modifications**

Where a lot abuts an alley, one-half (1/2) of the alley width may be considered as part of the required rear yard.

**§ 3.00 Height Modifications**

- A. Any limitation on the height shall not apply to the buildings used exclusively for storage purposes, provided such buildings do not exceed the height in feet permitted in the district in which they are located.
- B. All chimneys, cooling towers, elevators, bulkheads, fire towers, gas tanks, steeples, penthouses, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, wireless, television or radio towers or necessary mechanical appurtenances, where permitted, may be erected to any height not in conflict with existing or hereafter adopted ordinances of the City of Leeds. Where permitted, in connection with residential uses, such structures shall be limited to a height of twenty-five feet (25') above the average height of structures in that district.

**§ 4.00 Fences and Walls**

- A. No fence shall be allowed beyond the front yard setback line in any single-family residential district.
- B. The height requirements in any single-family residential zone shall be as follows:
  - 1. Fences constructed on a side or rear yard lot line or behind the required front yard, as set forth elsewhere in these regulations shall not exceed a height of six and one-half feet (6' 6") as measured from the topmost point of the fence to the ground or surface along the center line of the fence.
- C. The following types of fences are permitted in residential districts: masonry walls, ornamental (iron), woven wire (chain link), wood or other man-made materials and hedges.
- D. The following type of fences are prohibited: any fence carrying electric current, any fence that utilizes spikes, barb wire or other pointed materials in its construction capable of easily inflicting wounds to persons coming in contact with the fence.
- E. When warranted, these fence types listed as prohibited above may be permitted in the A-1 District, as well in the I-1 Light Industrial District and the I-2 Heavy Industrial District.
- F. On any corner lots, no fence of any material shall be permitted to encroach a required thirty-five foot building line setback that would hinder site distance for motorists or pedestrians. No fence, split-rail fence, hedge or any type of planting, including ornamental, shall be placed or constructed in any location that would hinder access to fire hydrants.
- G. The following exceptions should be noted relative to fences, walls and hedges:
  - 1. Fences used for guard railings, around depressed ramps, along the tops of retaining walls, along driveways and adjacent to residential sidewalks, are not to

exceed forty-two inches (43”) in height. [See illustrations of typical fence and/or wall configurations below.]

- H. For non-residential districts, all fence construction shall be subject to site plan approval, with no height or setback restrictions (s), except those deemed necessary and reasonable by the Leeds Planning Commission, unless otherwise stipulated elsewhere in this Ordinance. [See Special Exception Uses in Article VIII.]

**§5.00****Porches, Terraces, Balconies, Cornices and Eaves**

- A. Sills or ornamental features of a structure may project into any required yard no more than six inches (6”).
- B. Cornices or eaves may project into any required yard no more than twenty-four inches (24”).
- C. Terraces, unenclosed porches, underground fallout shelters or ornamental features (Which are constructed as part of a single family or two-family dwelling) may project into a required yard, provided such projections are not closer than thirty feet (30’) from the front lot line and twenty-five feet (25’) from the back lot line. The said terraces, porches, shelters and ornamental features (when constructed as part of a multi-family dwelling) may not exceed a maximum of five feet (5’) into the required side yards.
- D. In single-family and two-family residential zones, an unenclosed balcony, deck, porch or fire escape may project into a required rear yard, provided such structures are located not closer than twenty-five feet (25’) from the rear property line and ten feet (10’) from either side property lines.
- E. In multi-family residential districts, an unenclosed balcony, porch, deck or fire escape may project into a required rear yard for a distance not to exceed twelve feet (12’) and may project into a required side yard for a distance not to exceed eight feet (8’); but, in no instance, shall any property line in which a buffer is required as a means of separating incompatible land uses.

**§ 6.00****Accessory Buildings and Structures**

- A. Non-residential accessory structures and buildings, up to twelve feet (12’) in height, shall be permitted within five feet (5’) of any side or rear property line; but, such structures shall not occupy any portion of the front yard. All accessory buildings above twelve feet (12’) in height shall be set back one additional foot (1’) for each four feet (4’) in height above twelve feet (12’) up to the maximum height limitation of the district in which located.
- B. All non-residential accessory buildings and structures shall be constructed of materials that are compatible with other buildings in the district in which they are located in order to insure that the aesthetic value and appearance of the neighborhood is maintained.
- C. The residential accessory buildings, attached and detached carports and garages on residential lots, in the E-1, E-2, R-1, R-2, R-3, R-3-T, R-5, R-6, PCD, RMHP, and RMHS districts, shall meet the following requirements:

1. The maximum floor area shall be twenty-five percent (25%) of the habitable floor area of the principal building.
2. The maximum height shall not exceed the height of the principal building.
3. Such structures and additions shall be subject to the front yard requirements of the district in concern.
4. All detached accessory structures shall be constructed in the rear yard, but shall be located no closer than five feet (5') from the property line.
5. All accessory structures shall be constructed of materials that are compatible with other buildings in the district in which they are located in order to insure the aesthetic value and appearance of the neighborhood is maintained.
6. Accessory structures shall not be built prior to the construction of the primary structure. Such structures shall not be used for non-residential purposes, which are not normally incidental to residential use.
7. All electrical power service to the accessory buildings on residential lots shall originate from the main power service at the main building.
8. Attached accessory buildings and structures, such as carports and garages, may be built in the side yard but they must conform to the side setbacks for the district in which they are located.

**§7.00 Temporary Structures and Building Material Storage**

Temporary buildings may be permitted for the storage of materials connected with construction projects. Such buildings may also be permitted as temporary.

**§ 8.00 Garage or Yard Sale**

- A. Garage or yard sales, on the same lot, shall not be conducted for more than three (3) days (whether consecutive or not) during any 90-day period.
- B. All posters and/or signs, display tables, stands, racks, etc., shall be removed immediately after such sale by the person or persons conducting the garage or yard sale and such items shall be stored inside an enclosed building or screened from public view while sales are not in progress.

**§9.00 Farms**

- A. The minimum land area for a farm shall be five (5) acres.
- B. The following farming activities shall be permitted:
  1. Forage and sod crops.
  2. Grain and seed crops.
  3. Dairy animals and products.
  4. Livestock, such as: beef cattle, swine, sheep, goats, or any similar livestock; including the breeding and raising of such animals but excluding commercial meat processing operations.
  5. Poultry, including egg production but excluding commercial poultry processing operations.

6. Nursery operations involving the raising of: plants, shrubs and trees for sale and transportation, including: greenhouses and the incidental sale of items associated with a nursery operation.
  7. Bees and apiary products.
  8. Fisheries, excluding commercial fish processing operations.
  9. Fruit and vegetables of all kinds, including the growing and harvesting of such fruit and vegetables, but excluding commercial food processing operations.
  10. In the A-1 Agriculture Districts, the minimum setback of livestock barns, commercial chicken houses, (fowl) houses from adjoining property lines shall be one hundred feet (100'); from highway (road) right-of-way lines, it shall be three hundred feet (300') provided however, that no livestock barn or chicken houses shall be built closer than three hundred feet (300') to nearest then existing residence other than that of the owner. Swine (hogs) shall be housed, fed and watered not nearer than one hundred feet to any adjoining property line or within three hundred feet (300') of any street or road right-of-way. (Unless otherwise stipulated elsewhere).
  11. All temporary sawmills and chippers (used in connection with timber cutting operations) shall be set back at least two hundred feet (200') from any lot line.
  12. Non-farm related single-family residences and subdivisions are permitted, provided that the recording of lots in this district contains a minimum of one-half (1/2) acre and is in compliance with the City of Leeds Subdivision Regulations. Applicants should also be apprised of the fact that a two (2) acre minimum lot is required for a hobby farm, in case the intent is to utilize the lot for that purpose.
- C A booth or farm stall/farm stand, for the purpose of selling farm produce, grown on the same premises, shall be permitted, subject to the following:
1. The sales areas shall be set back from all lot lines so as to meet the district yard requirements.
  2. The sales areas shall not occupy any part of a required off-street parking or loading area.
- D All incidental structures and activities commonly associated with a farm may include: barns, silos, animal pens, loading and unloading platforms, chutes, or other accessory uses.

**§10.00****Private Swimming Pools**

- A. Where permitted, private swimming pools shall comply with the following requirements:
1. Permanent swimming pools, which are wholly or partially above ground level, shall be located in the rear yard of a single or two-family residential district and no closer than twenty-five feet (25') from any property line. No mechanical appurtenance shall be located within ten feet (10') of any property line.
  2. Private Swimming Pools Constructed Below Grade Level Shall Be:



- a. Located including mechanical appurtenances, no closer than ten feet (10') from any property line.
- b. Enclosed at the time of construction by a fence of not less than five feet (5') in height (measured from ground level to the highest point on the fence). All fences and gates shall be constructed of such materials so as to prevent unauthorized entry by persons or household pets. The gates shall be provided with permanent self-latching devices to be kept locked at all times when the pool is not in use.
- c. Aboveground pools shall be subject to the requirements of local codes.
- d. All exterior lighting fixtures shall be constructed to direct the beam of light below the horizontal plane of the fixture, reflecting away from any adjacent property. Said fixtures may not extend higher than twenty-five feet (25') in height.
- e. Swimming pools for multi-family and commercial uses shall meet the minimum standards deemed appropriate by the Leeds Building Inspection Department upon review of each specific proposal.

## **§ 11.00**      **Buffers**

### **11.01**   **General Requirements for Buffers/Screening**

- A. The specifications for buffers shall follow the Buffer Matrix or as deemed by the Leeds Planning Commission or as specified during the review of the site development plan. The following criteria shall also be met:
  1. If a natural barrier is specified as a buffer, such shall be a planting strip, planted to provide a visually impervious barrier uniformly dense at all heights from the ground up, which would attain a height of at least four feet (4') within one (1) full growing season.
  2. All buffers shall provide adequate plant cover (trees, shrubs, etc.)
  3. All planting strips shall have attained a minimum height of six feet (6') within three (3) full growing seasons.
- B. If man-made screening methods are specified, the following shall apply:
  1. All screening material shall be continuously maintained, present an attractive exterior appearance and be of durable construction. The party or parties required to provide the screening shall be responsible for the cost incurred in this maintenance.
  2. Unless otherwise noted, the acceptable screening materials include: wood stockade fences, masonry walls and earth berms.
  3. In the rear or the side yards, the screening walls or fences shall be a minimum of six feet (6') in height, or as modified by the Planning Commission; but, it shall not exceed three feet (3') in height within any required front yard.
  4. The location of screening shall not obstruct the visibility of any traffic circulation.
- C. The buffers shall be of sufficient width, opacity, height, and density to eliminate the adverse impact on adjacent properties.

**11.02 Modification or Waiver**

- A. The screening and planting requirements of this section shall be applied to similarly classified and situated properties but may be modified or waived altogether, in certain cases, by the Planning Commission, where a building site is subject to any of the following circumstances:
1. Where natural vegetation (trees and/or shrubs) exist on a piece of property, when application is made for a building permit, a strip of natural vegetation shall be left undisturbed until the Building Inspector has inspected such area and evaluated it with regard to the width requirements set forth in the Zoning Ordinance for that specific use and zone, as well as suitability. The Building Inspector may require the developer to retain a portion of the natural vegetation, where such, exists, as a greenbelt/buffer, rather than require a man-made planting strip or other methods of screening. All such buffers must be of sufficient in both height and density to achieve the desired purpose as a natural barrier.
  2. Where impending development of adjacent property would make these standards unreasonable or impractical.
  3. Where, after inspection by the Building Inspector, it is found that two (2) different and incompatible zone districts abut each other but are already separated by a street or alley or where the view from the adjoining district is blocked by a change in grade or other natural or man-made features.
  4. Where a greenbelt or planting strip cannot, in the professional opinion of an expert in the field, be expected to thrive due to poor soil conditions, intense shade or similar conditions.
  5. The fences, where installed, shall be constructed prior to the issuance of a certificate of occupancy.
  6. All plantings shall be permanently maintained in good growing condition by the party or parties required to provide such plantings. When necessary, such plantings shall be replaced with new growth. All fencing shall be permanently maintained in good condition and, whenever necessary, based upon the opinion of the Building Inspector, be repaired or replaced by the party or parties required to provide such fences.
  7. In special cases, where the site and/or rear yards may be inadequate to meet the requirements for the buffer strip, the Planning Commission shall determine, based upon the site plan review or other pertinent information requested, an alternative method of screening or separation.

**ARTICLE VIII****SPECIAL EXCEPTION USES****§1.00****Generally**

Certain land use activities are identified for special treatment. The nature of these is such that, when properly regulated, they are appropriate in several zone districts. In order to bring about proper integration of these uses into the City's land use pattern, a special set of criteria or standards will aid in maintaining compatibility with adjoining land uses. It is intended that the Zoning Board of Adjustment will review all proposals for special exception uses for compliance with the appropriate provisions for these special exception uses contained in this Article before approval is granted and a building permit is issued.

**1.01 Special Exception Procedures**

All uses listed as permitted by Special Exception shall require the review and approval of an application to the Zoning Board of Adjustment. An application for a special exception use shall first be filed with the Building Inspector at least twenty-one (21) days before the scheduled public hearing date by the Zoning Board of Adjustment. The application shall be filed by the property owner, or the authorized agent of the property owner, on a form made available by the Building Inspector. Such form shall be completed by the applicant, or the agent of the applicant; and, include the following information and materials:

1. The name, signature and address of the property owner and agent of property owner, if any.
2. The address of the property under consideration.
3. The existing zoning and land use of the property under consideration.
4. The proposed use by Special Exception.
5. A vicinity map showing the exact location of the property.
6. A plot plan, (where deemed applicable) drawn to scale with dimensions, showing the property boundaries and the proposed development layout.
7. A filing fee of one hundred dollars (\$100.00) is required from the applicant or the agent of the applicant at the time the application is made for a Special Exception Use. This fee is non-refundable in the event such proposal is not approved.

**1.02 Public Notice Required**

The applicant shall, at least fifteen (15) days prior to the scheduled Zoning Board of Adjustment hearing, give written notice of the proposal to all adjacent property owners, as indicated on the most current tax record as recorded in the county Tax Assessor's office. Such notice shall be deemed given when deposited in the United States Post Office, in the form of postage prepaid certified mail, return receipt, and addressed to such property owners at their addresses as submitted with the application. The applicant shall provide to the City a copy of

the certified mailing receipt at least 10 days before the hearing date. Such notice shall be using a template provided by the City and contain the following:

1. The name of the applicant.
2. The location of the subject property.
3. The proposed use by Special Exception.
4. The time, date and location of the Board of Adjustment public hearing.

**§2.00**      **Hobby Farms**

- A. The minimum lot area shall be two (2) acres.
- B. Unless otherwise provided for in this Ordinance, the keeping of farm animals and fowl (livestock and fowl) shall be limited to the following typed:
  1. Poultry.
  2. Horses, donkeys, ponies, (although the keeping of goats, sheep and swine are prohibited as a part of a hobby farm).
- C. The use shall be subject to the following setback and area requirements:
  1. Farm animals shall be housed not less than two hundred feet (200') from and adjacent lot not zoned A-1.
  2. Offensive animal odors shall not be detectable at the property line.
  3. At least one (1) acre of lot area shall be required for each small livestock animal. A maximum of twenty (20) poultry for every 8,000 square feet of lot area shall be permitted.

**§3.00**      **Shopping Centers**

Where permitted, a shopping center shall consist of a building group that is unified:

- A. A site development plan shall be required which provides for:
  1. A minimum site depth of three hundred feet (300'), unless otherwise provided for elsewhere in this Ordinance.
  2. An integrated parking area and vehicular loading spaces as specified in Article IX.
  3. The convenient vehicular servicing or buildings, the satisfactory circulation of traffic throughout the parking areas and no undue interference with through traffic in gaining ingress and egress from the proposed site.
  4. The location, size and character of all exterior signs.
  5. A buffer strip of not less than twenty feet (20') where a shopping center abuts any residential district.
  6. Convenient and safely located pedestrian walkways.
  7. A traffic analysis indicating the estimated effect of the proposed shopping center on adjacent street traffic, including volume flows to and from the proposed facility. This analysis shall be prepared by an Alabama Registered Professional Engineer.

8. A preliminary plan or engineering report providing for the site grading, storm drainage, sanitary sewers and water supply prepared by an Alabama Registered Professional Engineer.
9. A copy of any Deed Restrictions intended for the property owners upon which the proposed shopping center is to be constructed.

**§4.00****Restaurants, Fast Food**

- A Where permitted, Fast Food Restaurants shall comply with the following:
- a. When adjacent to residential districts, a five-foot high fence, constructed of opaque material, shall be located on all the property lines of the said Fast Food Restaurant premises, not bordering on a public street. Where the Zoning Board of Adjustment deems appropriate, a buffer may be substituted, providing the desired screening effect is achieved by providing a visually impervious barrier.
  - b. The front yard and any side yard adjacent to a public street shall be provided with a ten-foot wide buffer, except where a driveway opening is necessary for ingress to and egress from the site.
  - c. A preliminary plan or engineering feasibility report, providing for the site grading, storm drainage, sanitary sewers and water supply, shall be prepared by an Alabama Registered Professional Engineer.
  - d. Fixed lighting shall be arranged in such a manner so as not to shine, reflect or glare onto surrounding properties or public streets.
  - e. Parking Lots of any Fast Food Restaurant shall be cleared of all used paper, trash, refuse and other waste materials at least once every six (6) hours prior to closing.
  - f. A Fast Food Restaurant shall not be permitted to install and maintain loud speakers or jukeboxes in a manner that allows sounds coming from them to be heard outside the restaurant building. This shall not, however, include microphones and speakers necessary for ordering food at drive-through windows.
  - g. Each Fast Food Restaurant shall be provided with a dumpster pad which shall be located in the rear of the establishment and enclosed in a manner adequate to conceal such from public view and be installed in a manner consistent with local health department regulations.

**§5.00****Hospitals**

- A. Where permitted, Hospitals shall comply with the following regulations:
1. Submission of a site development plan which provides for:
    - a. A scaled plan/engineering feasibility report with: site grading, storm, drainage, sanitary sewers and water supply, prepared by an Alabama Registered Professional Engineer.

- b. Where deemed necessary, by the Zoning Board of Adjustment, a traffic analysis indicating the estimated traffic flows to and from the hospital prepared by an Alabama Registered Professional Engineer.

**§6.00**      **Nursing Care Facilities**

- A. Where permitted, a Nursing Care Facility shall comply with the following requirements:
  1. Submission of a site development plan which provides for:
    - a. A preliminary plan or engineering feasibility report providing for: the site grading, storm drainage, sanitary sewers and water supply, prepared by an Alabama Registered Professional Engineer.
    - b. Where deemed necessary by the Zoning Board of Adjustment, a traffic analysis indicating the estimated traffic flows to and from the nursing care facility prepared by an Alabama Registered Professional Engineer.

**§7.00**      **Cemeteries**

- A. Where permitted, Cemeteries shall comply with the following requirements:
  1. A site development plan that depicts: the boundaries of the cemetery, existing zoning, and adjacent land uses, topography, drainage, and buffers.
    - a. No part of a cemetery shall be located closer than two hundred feet (200') from any residential zone district in the City, nor closer than five hundred feet (500') from any hospital or nursing care facility.
    - b. A six-foot high protective wall or fence shall be constructed on all property lines, except at points of ingress and egress. A cemetery shall be exempt from any required buffering or screening along public rights-of-way. The facility shall have installed gates with locks at points of ingress and egress.
    - c. No gravesite shall be located closer than one hundred and fifty feet (150') from a water line or underground water supply.
    - d. Mausoleums, crematoriums or any other buildings or structures accessory/incidental to a cemetery shall not be closer than two hundred feet (200') from any property line.

**§8.00**      **Home Occupations**

- A. Where permitted, a Home Occupation shall comply with the following requirements:
  1. The Home Occupation shall be clearly incidental to residential use of the dwelling in which located and shall not change the essential character of the dwelling or adversely affect the uses permitted in the district of which it is a part. No Home Occupation shall be permitted, which might interfere with the general welfare of the surrounding residential area due to increased noise and/or pedestrian and vehicular traffic or any other condition that would constitute an objectionable use of residentially zoned property.

2. All customary Home Occupations shall be limited to an office or a business of a personal service nature.
3. A Home Occupation shall be confined to twenty-five percent (25%) of the principal dwelling, and no outside storage shall be used in connection with it. No additional buildings or structures may be constructed in connection with the Home Occupation.
4. The employment shall be limited to the members of the family residing in the dwelling.
5. No display of products shall be visible from the street and only articles made on the premises may be sold.
6. Instruction of music, art, dancing and similar activities shall be limited to two (2) students at a time and any noise created by the activity shall not be detectable outside the premises.
7. The activity carried on as a Home Occupation shall be limited to the hours of 7:00 A.M. and 8:00 P.M.
8. The Building Inspector of the City of Leeds and a representative of the Public Safety Department of the City shall be permitted to make an inspection, upon receipt of the initial application; and, in addition, make annual inspections at license renewal time or at any time, upon reasonable request, to enter and inspect the premises covered for safety and compliance purposes.
9. The Building Inspector and/or the representative of the Public Safety Department shall file, with the Zoning Board of Adjustment, a written inspection report of any inspection to determine whether the licensee is in compliance. If the licensee is found not to be in compliance, areas of non-compliance shall be set out.
10. In the event of the death or relocation of a Home Occupation licensee, the existing license shall automatically terminate. However, if a surviving spouse or adult child, residing at the same residence at the time of this event desires to continue the Home Occupation, the license would remain in effect, providing everything set forth in this Ordinance.

#### **§9.00 Self-Storage Facilities**

- A. Where permitted, Self-Storage Facilities shall comply with the following requirements:
  1. No outdoor storage shall be permitted on the site.
  2. No storage of volatile, toxic, illegal or explosive materials shall be permitted, either inside the structure(s) or on the premises.
  3. The facility or site shall not be used for any wholesale or retail sales operation or activity; however, this shall not include incidental retail activity (sale of boxes, packing material, etc.) by management or periodic sales by the management on the premises to dispose of items which have been abandoned and/or for which the lease time has expired.
  4. A minimum lot size of one (1) acre shall be required for a Mini-Warehouse development and such facility shall be limited to one (1) story height.
  5. A screen fencing shall be installed around the perimeter of the development. The said fencing shall be a minimum of eight feet (8') in height. The points of

- ingress and egress to the facility shall be provided with gates that shall be locked when the facility is not open for business.
6. All outdoor lighting shall be shielded to direct light and glare onto the Mini-Warehouse premises and may be of sufficient intensity to discourage vandalism and theft. The said lighting shall be deflected, shaded, and focused away from all adjoining properties.
  7. The manager shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval and all the applicable provisions.
- B. A site development plan is required, which provides for:
1. A preliminary plan or engineering feasibility report which addresses the site grading, storm drainage, water run-off, the availability of utilities and the identification of areas which will require buffers. A twelve-foot buffer shall be provided along all property lines abutting any residential zone district within the City.

**§10.00****Private Tennis Courts**

- A. Where permitted, private tennis courts shall comply with the following requirements:
1. All tennis Courts constructed in single-family or two-family residential districts shall comply with the following standards:
    - a. The tennis court shall be located in the rear yard
    - b. The tennis court shall not be located any closer than twenty-five feet (25') from any property line and residential structure.
    - c. All the fences shall meet the requirements of Article VII, §4.00.
    - d. The tennis courts for multi-family and commercial uses shall meet the standards deemed appropriate by the Zoning Board of Adjustment during the review of each specific proposal, including but not limited to the required buffers.
    - e. If lighted, all exterior lighting fixtures shall be constructed in a manner so as to direct the beam of light toward the facility itself and away from any adjacent areas. The said fixtures shall not exceed twenty-five feet (25') in height.

**§11.00****Industrial Parks**

- A. Where permitted, Industrial Parks shall comply with the following requirements:
1. An Industrial Park shall, for the purpose of this Ordinance, include all land ten (10) acres or more in size, subdivided and platted into two (2) or more parcels and used or intended to be used for predominately industrial or commercial purposes of an industrial character.
  2. A site development plan shall be required for each Industrial Park which provides for the following:



- a. An access to an Industrial Park shall be by way of a dedicated street.
- b. All streets or roadways within an Industrial Park shall have a minimum right-of-way width of seventy feet (70’), and shall conform to the City of Leeds standards for commercial streets or as otherwise approved by the Zoning Board of Adjustment.
- c. All off-street parking and loading shall be provided in accordance with the provisions of Article IX.
- d. The outdoor storage in an Industrial Park shall be permitted only when accessory to a permitted principal use and only when storage areas are suitably screened by either landscaping or fences or walls and. The Zoning Board of Adjustment shall approve plans before a building permit shall be issued for their construction.
- e. A buffer area, not less than fifty feet (50’) in width, shall be provided along all the property lines of an Industrial Park which abuts any residential zone district.
- f. A cul-de-sac street shall not be permitted in Industrial Parks; however, dead-end street are permitted, when not more than five hundred feet (500’) in length, as measured from the terminal point of the dead-end street to the closest intersection. Such a terminal point is to be provided with a paved vehicle turnaround area having a minimum right-of-way radius of seventy feet (70’).
- g. All street lighting shall be provided and maintained by property owners. The City of Leeds shall not install or maintain street lights within industrial parks
- h. The vehicular approach to an Industrial Park site from a public street or highway shall have a minimum radius, so designed, such that uncontrolled left hand turns from the street or highway shall be eliminated or reduced either by a frontage roadway or other suitable means deemed adequate by the Zoning Board of Adjustment and the Leeds Street Department Superintendent.
- i. A traffic study shall be conducted, by persons qualified in this field for the purpose of determining points or ingress and egress, speed limits acceleration and deceleration, etc., and be provided to the City Engineer for concurrence.
- j. Where points of ingress and egress to Industrial Parks from public streets or highways, having speed limits in excess of thirty (30) miles per hour, are located, there shall be provided, on a public thoroughfare, acceleration and deceleration lanes, the length of which shall be determined by the following:

Speed (Miles Per Hour)	30 40 50 55
Distance in Feet	100 200 300 350

- k. A report of subsurface soil conditions shall be provided to the City Engineer, Superintendent of Streets and Zoning Board of Adjustment by an Alabama Registered Professional Engineer.
- l. A preliminary plan or engineering feasibility report, prepared by an Alabama Registered Professional Engineer, shall be submitted to the City Engineer and

- the Zoning Board of Adjustment. This plan/report shall provide for the site grading, storm drainage, sanitary sewerage and water supply.
- m. A copy of any Deed Restrictions shall be provided to the Planning Commission.

**§12.00 Transmission Towers (Commercial)**

**A. PURPOSE**

The purpose of these guidelines is to establish minimum considerations and criteria for the review of communication towers. It is the Zoning Board of Adjustment's express intent that the construction of new towers be an option of last resort; to the greatest extent feasible, location of antennae on existing towers, and other suitable structures should first be sought. These guidelines are designed to ensure the compatibility of towers with and avoid adverse impacts to nearby properties and discourage the proliferation of towers throughout the City of Leeds.

**B. DEFINITIONS**

**12.01 Applicability.**

All communication towers are subject to these guidelines.

**12.02 Objectives.**

The proposed locations and design of all communications towers shall duly consider the following public health, safety, and general welfare objectives:

1. **Structural Safety.** The proposed tower will comply with wind loading and other structural standards contained in applicable building and technical codes so as not to endanger the health and safety of residents, employees or travelers in the event of structural failure of the tower due to extreme weather conditions or other acts of God.
2. **View Protection.** The proposed tower facility will be designed to minimize adverse visual impacts to surrounding properties and the public right-of-way, given the topography of the proposed site and surrounding area.
3. **Land Use Compatibility.** The proposed tower facility will be compatible with the surrounding land uses, given the character of the use and development of the location.
4. **Design Harmony.** The proposed tower facility will be designed in harmony with the natural setting and the surrounding development pattern as well as to the highest industry standards.
5. **Existing Communications Services.** The proposed tower facility will comply with FCC and other applicable agency standards so as not to interfere with existing communications services to the area.

6. Health Effects. The proposed tower will comply with all applicable federal, state, county and city health standards so as not to cause detrimental health effects to persons in the surrounding area.

### **12.03      Development Criteria**

The City of Leeds Building Inspector and City Engineer shall review all communications towers requesting permits for compliance with the applicable standards and criteria listed below. For communication towers that are subject to site review by the Zoning Board of Adjustment, any of these criteria may be waived or adjusted by this Body if the circumstances of a particular case so warrant. In any event, these criteria are considered the minimum necessary to protect the public health, safety, and general welfare. The Zoning Board of Adjustment may also impose higher standards if it deems them to be necessary to further the objectives of these guidelines.

#### **1.   Setbacks.**

- A. Where permitted, the distance between the base of the tower, including guys, accessory facilities, and property lines abutting urban residential districts, public parks and roads must equal twenty percent (20%) of the tower height, property lines adjacent to other uses (e.g. agriculture, industrial), shall require a setback equal to the rear yard setback established for the underlying zone.
- B. When located within or adjacent to a residential district or dwelling, the minimum standard setback from all adjoining residential property boundaries shall be fifty feet (50').
- C. The Site Review by the Zoning Board of Adjustment may reduce the standard setbacks in exceptional cases where a hardship would result due to unusual conditions on the site or other impracticalities. However, the Zoning Board of Adjustment shall not reduce the setbacks to the detriment of affected residential properties.

#### **2.   Appearance.**

- A. Towers shall maintain a galvanized steel or concrete finish so as to reduce the visibility of the structure, unless other standards are required by the Federal Aviation Administration (FAA).
- B. The design of the tower shall be of a type that has the least visual impact on the surrounding area.
- C. The design of the tower compound shall, to the greatest extent possible, maximize use of building materials, colors, textures, screening, and landscaping that effectively blend the tower facilities within the surrounding natural setting and built environment.
- D. Where communications towers are deemed appropriate for a given location, the type of tower shall be restricted to monopoles in or within 1,000 feet of residential areas and areas of special aesthetic concerns such as commercial revitalization areas, historic districts and scenic corridors.

### 3. Lighting

Towers shall not be artificially lighted unless required by the FAA or other authority for safety purposes. Where required, the Zoning Board of Adjustment shall review the available lighting alternatives and approve that design that would cause the least disturbance to the surrounding views. “Dual lighting” (red at night/strobe during day) shall be preferred unless restricted by the FAA. Security lighting may be permitted in accordance with 13.03,5. (Security Devices) below.

### 4. Landscaping.

- A. A landscaped buffer shall effectively screen the view of the tower compound from adjacent public ways and residential properties.
- B. The standard buffer shall consist of a minimum eight feet (8') wide landscaped strip outside the dark vinyl coated steel security fencing of the perimeter of the compound. The buffer strip shall be planted with an attractive combination of trees, shrubs, vines, and/or ground covers that can achieve the full height of the fence at maturity and enhances the outward appearance of the security fence. For sites within 1,000 feet of a residence, the Site Review by the Zoning Board of Adjustment may impose increased buffer standards to include a decay-resistant, solid wood fence, earth berms and brick or masonry walls in addition to the security fencing. All fencing and landscaping shall be maintained by the lessor/owner.
- C. In isolated non-residential areas, alternative-landscaping methods may be accepted, such as the use of earth-toned colored, vinyl-coated steel security fencing in combination with four feet of evergreen trees, shrubs, vines, and/or other plantings.
- D. In certain locations where the visual impact of the tower would be minimal, such as remote, agricultural or rural locations or developed heavy industrial areas, the landscaping requirement may be reduced or waived by the Zoning Board of Adjustment.
- E. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, such as towers located on large, wooded lots, preservation of substantial natural growth around the property perimeter may be a sufficient buffer.
- F. Cellular facilities utilizing underground vaults in lieu of above ground switching gear buildings shall be exempted from any buffer requirements.

### 5. Security Devices.

The facility shall be fully secured. A minimum eight feet (8') high, dark vinyl coated steel; chain link fence shall be installed around the entire perimeter of the compound (measured to the top of the fence or barbed wire, if applicable). Security fencing shall require screening in accordance with 4-E above. Other security measures shall include locks and alarms. Approved barbed or razor wire and lighting of the compound shall be permitted, if deemed necessary to fully secure the tower compound.

### 6. Access.

Driveways and parking shall be provided to assure the operator's access to the facility for maintenance or emergency services. In some cases, parking/access may be from an adjoining alley, public street, or off-street parking area.

**7. Co-Location**

No new tower shall be established if space were structurally, technically and economically available on an existing tower that would serve the area that the new tower would serve. Documentation that reasonable efforts have been made by the applicant to achieve co-location shall be submitted in accordance with 4-F. Towers shall be designed to maximize shared use to the greatest extent possible, given the structural and technical limitations of the type of tower proposed. In any event, co-location shall be encouraged. If feasible, each tower shall, at a minimum, be designed for double its intended use for all transmitting and receiving antennae other than microwave dish antennae.

**8. Removal of Obsolete Towers**

Any tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the Building Inspector with a copy of the notice of the FCC of intent to cease operations, which shall be given ninety (90) days from the date of ceasing operations to remove the obsolete tower and accessory structures. In the case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operation.

**12.04 Application.**

Any application submitted for approval shall submit the following items, in addition to any other required items, to show compliance with these review standards.

1. Statement of Impact on Health, Safety and Welfare. A brief written statement shall address conformance with the health, safety and welfare objectives of these guidelines.
2. Site Plan. A scaled site plan shall show the location and dimensions of all improvements, including setbacks, drives, parking, fencing, landscaping, and other information necessary to determine compliance with the development criteria of these guidelines.
3. Rendering. A rendering of the tower, accessory facilities, and compound shall depict colors, materials, and treatment. If lighting or other FAA requirements for tower color is proposed, evidenced of such requirement shall be submitted.
4. Justification for a New Tower. A proposal for a new tower shall be documented by the applicant that the planned equipment for a proposed tower cannot be accommodated on an existing tower within the proposed service area. The applicant shall submit a written affidavit showing what attempts have been made to share an existing tower or that no such tower exists.
5. Certification of Shared Use Design. A qualified engineer, registered in the State of Alabama, shall certify that the proposed towers structural design can accommodate a

minimum of two (2) shared users, in accordance with 13.03, (7), Development Criteria.

6. As Built Survey. A qualified professional engineer, registered in the State of Alabama, shall certify that the proposed cellular site was built in accordance with the submitted site plan including the installation of any required buffer strip.
7. Total anticipated capacity of the structure, including the number and types of antennas that can be accommodated.
8. Mitigation measures for ice and other hazard falling debris, including setbacks and de-icing equipment.
9. Where applicable, adequate parking shall be provided, along with buffers where such tower abuts any residential zone district. Such towers shall be prohibited in any residential zone district of the City of Leeds, Alabama.

#### **§13.00 Bed and Breakfast Establishments**

- A. Where permitted, such establishments shall comply with the following requirements:
  1. Activities related to bed and breakfast establishments shall be conducted in a building originally designed as a detached single-family residence.
  2. Breakfast shall be served only to persons who have lodging in the inn and shall be the only meal served.
  3. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
  4. The exterior appearance of the structure shall not be altered from its single-family character.
  5. A maximum of five (5) bedrooms shall be made available for rent. A bed and breakfast home having more than five (5) bedrooms for rent may be approved by the Zoning Board of Adjustment if the home is designated as a historic landmark. If designated as a historic landmark, any interior modification shall be described in the application and shall not be injurious to the historic character of the structure, woodwork, stairways, fireplaces: windows and doors, cornices, moldings, chair rails or light fixtures.
  6. No exterior alterations, other than those necessary to ensure the safety of the structure and its occupants, shall be made to any building for the purpose of providing a bed and breakfast.
  7. One stationary sign (ground mounted or wall mounted) is permitted per establishment. This sign shall not exceed eight (8) square feet in sign area and six feet (6') in height. Such sign shall not be illuminated in any manner. If a ground sign is utilized, it shall be subject to the setback requirements set forth for such signs in residential areas of the sign section of Article X.

#### **§14.00 Tree Cutting (Commercial)**

Any proposal to conduct commercial woodcutting operation in Leeds shall meet the following requirements:

- A. The wood cutting firm or company shall submit a written summary of their intentions and plans to the Leeds Tree Commission. This summary shall contain the following:
1. The name and owner of the firm, company, corporation or business as well as the address of the operations headquarters.
  2. The location at which the tree cutting activity is to take place and the name and address of the owner of the subject property
  3. The approximate number of trees to be cut and/or the acreage involved in the operation.
  4. The slope of the area involved and location of any adjacent streams or other bodies of water that could be adversely affected by land disturbance and tree removal thereby increasing the volume of surface water runoff and other environmental issues.
  5. If the purpose of the tree cutting is for the development of farmland, pastureland, or building purposes, then no reforestation plan shall be required. However, any time there is any clear cutting of timber within the City of Leeds, Alabama, where the wood is simply harvested for sale and the property will be put to no other use, a reforestation plan must be submitted to the Leeds Tree Commission at the time application is made.
- B. The comments of the Leeds Tree Commission shall be forwarded to the Zoning Board of Adjustment for review. The applicant shall complete and submit an application to the City for a Special Exception Use. The applicant shall also provide the above information to the Zoning Board of Adjustment, which shall hold a public hearing consistent with the notification requirements cited for other Special Exception Uses in this Section. The issuance of a permit for commercial wood cutting activity shall only be granted on condition of approval by the Zoning Board of Adjustment.

#### **§15.00 Special Event**

A temporary outdoor use on private property that extends beyond the normal uses and standards allowed by the zoning ordinance of the city. "Special Event" includes, but is not limited to, art shows, pumpkin and Christmas tree sales, haunted houses, carnivals (major and minor), special auto sales, grand openings, festivals, and bazaars.

#### **§16.00 Urban Barnyard Facility**

A facility for the keeping of fowl and rabbits in an urban environment subject to the following conditions:

1. Housing and feeding shall be at least 75 feet from the nearest residence under separate ownership;
2. Female fowl only;
3. Lot must contain a minimum of open lot area measuring 15,000 square feet;
4. Have absorbent ground cover that is serviced as needed

**ARTICLE IX**

**OFF-STREET PARKING AND LOADING REQUIREMENTS**

**§1.00 Purpose of Off-Street Parking and Loading Requirements**

The purpose of this Article is to reduce traffic congestion on public streets by making provisions for minimum, off-street, parking and loading standards. It is intended to ensure safe and convenient access, to and from each site; ensure safe and efficient traffic circulation; and, encourage aesthetic and functional design proposals.

**1.01 Required Off-Street Parking Spaces**

- A. Unless otherwise provided for, all uses shall conform to the minimum parking requirements outlined below. In situations where the required number of parking spaces is not readily determinable by the table shown below, the Building Inspector is authorized to determine the parking space requirements using the table as a guide.

**Table IX .01**

	<b>Agricultural Uses</b>	<b>Required Parking Spaces</b>
1.	Farms	2 per every 3 employees
2.	Farm Stands	1 per 100 sf of display area

**Table IX.02**

	<b>Residential Uses</b>	<b>Required Parking Spaces</b>
1.	Single-Family Residences	2 per DU
2.	Garden Homes	2 per DU
3.	Townhomes	2 per DU
4.	Manufactured Homes	2 per DU
5.	Duplexes	2 per DU
6.	Multi-Family Dousing	1 ½ per DU
7.	Elderly Residential Development	1 per DU

**Table IX.03**

	<b>Industrial Uses</b>	<b>Required Parking Spaces</b>
1.	Distribution Services	2 per every 3 employees, 3 1 per company vehicles but not less than 1 per 500 sf of GLA
2.	General Manufacturing	2 per every 3 employees; 1 per company vehicle but not less



		than 1 per 1,000 sq ft of GLA
<b>3.</b>	Industries	Same as General Manufacturing
<b>4.</b>	Research Laboratories	Same as General Manufacturing
<b>5.</b>	Similar uses	Same as General Manufacturing
<b>6.</b>	Warehouses	2 for every 3 vehicles; 1 per company vehicle but not less than 1 per 500 sf of GLA
<b>7.</b>	Wholesale Businesses	Same as for Warehouses

**Table IX.04**

	<b>Institutional Uses</b>	<b>Required parking Spaces</b>
<b>1.</b>	Boarding Houses	1 per BR
<b>2.</b>	Clubs	1 per 100 sf (non-storage and non-service floor area)
<b>3.</b>	Community Centers	1 per 300 sf GLA
<b>4.</b>	Country Clubs	1 per 3 persons (Maximum Occupancy)
<b>5.</b>	Day Care Centers	1 per employee and 1 for every 8 occupants (Maximum Occupancy)
<b>6.</b>	Hospitals	1 for every 2 beds; 1 ½ for every emergency bed; plus 1 per employee
<b>7.</b>	Nursing Care	1 per 2 persons (Maximum Occupancy); 1 per employee
<b>8.</b>	Domiciliary Care	1 per 2 person (Maximum Occupancy); 1 per employee
<b>9.</b>	Rehabilitation Facilities	1 per 2 persons (Maximum Occupancy); 1 per employee
<b>10.</b>	Group Care Facilities	1 per 2 persons (Maximum Occupancy); 1 per employee
<b>11.</b>	Places of Worship	1 per 3 persons (maximum Occupancy)
<b>12.</b>	Post Offices	1 per 300 sf of GLA; 1 per employee
<b>13.</b>	Public Assembly Areas	1 per 3 persons (Maximum Occupancy)
<b>14.</b>	Public Facilities	1 per 300 sf of GLA
<b>15.</b>	Colleges and Universities	1 for every 3 students (Maximum Enrollment); 2 for every 3 employees
<b>16.</b>	Elementary and Junior High Schools	1 for every 8 students (Maximum Enrollment); 2 for every 3 employees
<b>17.</b>	Vocational and High Schools	1 for every 6 students (Maximum

		Enrollment); 2 for every 3 employees
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**Table IX.05**

<b>1.</b>	Appliance Stores	1 per 400 sf of GLA
<b>2.</b>	Banks	1 per 150 sf of GLA and 34 stacking spaces per drive-in window
<b>3.</b>	Bed and Breakfast	1 per guest bedroom; 1 per employee
<b>4.</b>	Billiard rooms/pool halls	2 per table
<b>5.</b>	Barber/Beauty Shops	1 per 100 sf of GLA
<b>6.</b>	Bowling Alleys	4 per alley
<b>7.</b>	Farm Support Business	2 for every 3 employees and 1 for every company vehicle
<b>8.</b>	Home Improvement Centers	1 per 400 sf of GLA
<b>9.</b>	Car Washes	2 for every 3 employees and 1 for every 3 company vehicles
<b>10.</b>	Clinics	6 per practitioner
<b>11.</b>	Commercial Schools	1 for every 3 students (Maximum Occupancy) and 2 for every 3 employees.
<b>12.</b>	Convenience Stores	1 per 125 sf GLA
<b>13.</b>	Funeral Homes	1 for every chapel seat (Maximum Occupancy); 1 per company vehicle; 2 for every 3 employees
<b>14.</b>	Furniture Stores	1 per 500 sf of GLA
<b>15.</b>	Gasoline Service Stations	2 per service bay; 1 per company vehicle; 2 stacking spaces per island
<b>16.</b>	General Retail Business	1 per 200 sf of GLA
<b>17.</b>	Hotels and Motels	1 per room; 2 for every 3 employees
<b>18.</b>	Laundromats/Dry-Cleaners	1 per machine or 1 per 200 sf of GLA (whichever is greater)
<b>19.</b>	Mini-Warehouses	1 per every 15 units
<b>20.</b>	Motor Vehicle Sales	1 per 200 sf of sales area, 1 per service bay, 1 per 2,500 sf of outdoor display area.
<b>21.</b>	Motor Vehicle Service	1 per 200 sf of sales area; 1 per service bay
<b>22.</b>	Offices – Professional/Businesses	1 per 200 sf of GLA
<b>23.</b>	Outdoor Recreation:	

	Golf Courses Carpet Golf Golf Driving Ranges Other	5 per hole 2 per tee 1 per tee 1 for every 3 person
24.	Open Air Markets	1 per 100 sf of display space
25.	Restaurants	1 per 100 sf of GLA; 1 per delivery vehicle; 4 stacking spaces per drive-in window
26.	Shopping Centers with Restaurants and/or Theatres	11 per 2,000 sf of GLA add 1 per 100 sf of GLA , 1 for every 3 persons (Maximum Occupancy)
27.	Stables	1 for every 3 persons (Maximum Occupancy); 2 for every 3 employees
28.	Tourist Homes	1 per guest bedroom; 1 per employee

**1.02 Off-Street Parking Design Requirements**

A. The following are minimum parking space dimensions:

1. Each parking space, a rectangle, shall measure nine feet (9') in width and nineteen feet (19') in length, except as provided in 2 and 3 below.
2. In large parking areas, twenty (20) parking spaces or more, up to twenty percent (20%) of the parking spaces may be reserved for compact cars. Such rectangular spaces shall measure a minimum of eight feet (8') in width and sixteen feet (16') in length and be conspicuously marked for compact cars only.
3. All rectangular parking spaces, parallel to streets, shall measure nine feet (9') in width and twenty-two feet (22') in length.
4. A stacking space shall contain a minimum rectangular area of ten feet (10') in width and twenty feet (20') in length and be separated from parking aisles and spaces.
5. All handicapped parking spaces shall conform to the provisions of the Standard Building Code, 1994, Chapter 11, and as such may be amended with regard to accessibility for the physically disabled and/or handicapped.
6. All off-street parking spaces, at an angle of forty-five degrees to the curb of the street, forming a rhomboid, shall measure thirteen feet (sides parallel to the curb) by twenty-four feet (24') (sides at an angle to the curb). The width of such spaces, the perpendicular distance between the sides at an angle to the curb, shall measure nine feet (9').
7. All off-street parking spaces, at an angle of sixty degrees to the curb of the street, forming a rhomboid, shall measure ten feet (sides parallel to the curb). The width of such spaces, the perpendicular distance between the sides at an angle to the curb, shall measure nine feet (9').

- B. The parking areas shall be designed to discourage and prevent vehicles from backing onto public streets/roads. The parking areas that serve one (1) or two (2) dwelling units, that do not abut an arterial street or road, are exempt from this requirement.
- C. All parking areas, when adjoining a street right-of-way between adjoining lots, shall be physically separated from the right-of-way.
- D. The lighting fixtures used to illuminate parking areas shall not direct lights on adjoining streets or properties.
- E. The parking areas for all the subdivisions and developments shall have adequate provisions to allow sanitation, emergency and other public service vehicles to safely serve them. The construction standards for these parking areas must assure the support and maneuverability of all public service vehicles. Where necessary, fire lanes may be required by NFPA or City of Leeds Fire Codes.
- F. All parking areas shall be paved with dust-free materials (asphalt or concrete).
- G. All parking spaces, except those serving one-or two dwelling units, shall be demarcated with painted lines or other acceptable visual markings.
- H. All parking areas shall be maintained in good condition, free of potholes, weeds, trash, refuse, etc. The maintenance responsibilities shall be those of the owner/lessor or the renter/lessee, as may be the case.
- I. The drainage in parking areas shall direct storm water back into the site from adjacent properties toward adequate drainage channels. All large parking areas of twenty (20) spaces or more shall provide on-site storm water detention to retard the sudden discharge of high volumes of storm water into the public drainage system. The quantity and rate of run-off after development shall not exceed the quantity and rate of run-off before development, based on a twenty-five (25) year storm frequency. The drainage plans shall be subject to approval of both the Leeds Planning Commission and the City Engineer.

### **1.03 Location of Required Parking**

- A. All required parking spaces shall be located on the same lot as the use served by the parking, except as provided below.
  - 1. The required parking within planned residential developments may be provided in common parking areas.
  - 2. If the number of required parking spaces cannot reasonably be provided on the same lot as the served use, satellite parking may be provided on an adjacent lot. The satellite parking spaces shall be located within four hundred feet (400') of the nearest public entrance to the building housing the principal use, if the use is not housed within a building, satellite parking spaces shall be located four hundred feet (400') of the lot. A satellite parking exception requires written legal documentation, that the user of such satellite spaces has the right to them.
  - 3. A joint parking area may contain required parking spaces for more than one (1) use, provided the combined number of spaces complies with the parking for all uses. If, however, the concerned parties wish to utilize the same spaces at different times, these spaces may be credited to each separate use. The applicant for a combined use facility must present documentation of a combined parking agreement, and, if sharing the same spaces, a time schedule for allocation of such spaces must be documented.

**1.04 Parking Prohibitions**

- A. The keeping of an inoperative motor vehicle in a residential district shall be within a fully enclosed building or structure or be completely screened or shielded from public view. No inoperative motor vehicle shall be parked on any public street.
- B. No vehicle exceeding 10,000 pounds gross weight and no boats, trailers, recreational vehicles, campers and similar vehicles or equipment, regardless of weight, shall be kept within a residential district, unless such vehicle is parked behind the front building line.
- C. The use of off-street parking in all residential districts for non-residential purposes is prohibited, with exceptions to social gatherings, functions, celebrations, etc., that do not last more than twenty-four (24) hours.
- D. The use of any required parking space for the storage of any motor vehicle for sale for any purpose other than the parking of a motor vehicle for employees or visitors is prohibited.

**1.05 Access Controls**

- A. The proposed access points within the City shall be reviewed by the Building Inspector, Street Department and City Engineer; and, it shall be approved by the Leeds Planning Commission. The proposed location, width, drainage structure, traffic conditions, site distances and resurfacing shall be addressed in the request for approval.
- B. The entrances shall be held to a minimum and be located at points affording maximum sight distances, minimum grades and maximum separation. For highway service uses along major streets, combined or shared driveways, entrances and marginal access streets may be needed.
- C. The maximum number of entrances shall be as follows:

	<b>Street Frontage Width</b>	<b>Maximum Entrances</b>
<b>1.</b>	Less than 125 Feet	One (1)
<b>2.</b>	126 to 300 Feet	Two (2)
<b>3.</b>	201 to 500 Feet	Three (3)
<b>4.</b>	501 to 1,000 Feet	Four (4)
<b>5.</b>	Above 1,000 Feet	Five (5)

- D. The property, which has frontage on two (2) or more streets, may be allowed entrances on each street in accordance with the above criteria.
- E. The distance between openings shall be one hundred and twenty-five feet (125'), except for single-family detached lots.
- F. The entrances shall be located so that the curb openings are a minimum of five feet (5') from the nearest edge of a street drainage inlet and fifty feet (50') from the corner radius.
- G. Turning lanes or the widening of pavement at entrances may be required in some cases, as deemed necessary by the City Engineer.
- H. Each parking area on a lot shall be physically separated from an adjoining street right-of-way by a curb or equivalent barrier to control vehicular access to and from the lot. Such barrier shall be located at or along the front lot line, unless suitable

barriers are located within the street right-of-way. Except from permitted access ways, such barriers shall be contiguous.

**1.06 Required Off-Street Loading Spaces**

- A. Any use with a gross leasable area (GLA) of 6,000 square feet or more, which requires deliveries and shipments, must provide off-street loading spaces in accordance with the following table. In those situations where the required number of loading spaces is not readily determinable by the table, the Building Inspector is authorized to determine the loading space requirement, using the table as a guide.

	<b>GLA of Building</b>	<b>Number of Loading Spaces</b>
<b>1.</b>	6,000 – 24,999	One (1)
<b>2.</b>	25,000 – 79,999	Two (2)
<b>3.</b>	80,000 – 127,999	Three (3)
<b>4.</b>	128,000 – 198,999	Four (4)
<b>5.</b>	199,000 – 255,999	Five (5)
<b>6.</b>	256,000 – 319,999	Six (6)
<b>7.</b>	320,000 – 391,999	Seven (7)
<b>8.</b>	Each Additional 72,000 of sf	One (1)

Every possible assembly use, auditorium, convention hall, exhibition hall, stadium office building, funeral home, multi-family apartment buildings of twenty (20) or more units, restaurants and hotels of 30,000 square feet or more shall provide off-street loading spaces, as follows:

	<b>GLA of Building</b>	<b>Number of Loading Spaces</b>
<b>1.</b>	6,000-29,999	One (1)
<b>2.</b>	30,000- 44,999	Two (2)
<b>3.</b>	45,000 – 119,999	Three (3)
<b>4.</b>	120,000 – 197,999	Four (4)
<b>5.</b>	198,000 – 290,999	Five (5)
<b>6.</b>	291,000 – 389,999	Six (6)
<b>7.</b>	390,000 – 488,999	Seven (7)
<b>8.</b>	489,000 – 587,999	Eight (8)
<b>9.</b>	588,000 – 689,999	Nine (9)
<b>10</b>	Each additional 105,000	One (1)

**1.07 Off-Street Loading design Standards**

- A. Each loading space shall have a minimum rectangular area of twelve feet (12’) in width and fifty-five feet (55’) in length, exclusive of driver and maneuvering space. Each space shall allow vertical clearance of fourteen feet (14’).
- B. No loading space shall be located within the front yard or within five feet (5’) of any property line.
- C. No loading space shall be used to meet the parking space requirement, interfere with the on-site circulation of traffic or allow a truck to extend into any right-of-way or over any property line.

- D. All lighting fixtures used to illuminate loading areas shall not direct light onto adjacent properties.
- E. All required loading spaces shall be located on the same lot as the principal use served by the spaces, unless a satellite or joint use loading facility is secured with equivalent satellite or joint parking facilities, as provided in subsection 1.04, Location of Required Parking.

**1.08 Change in Parking and Loading Requirements**

- A. Whenever there is an alteration of a structure, an expansion of a use or a change in use, which increases the parking and loading requirements, the use shall conform with the off-street parking and loading standards of this Ordinance to the furthest practicable extent.

**ARTICLE X  
SIGN REGULATIONS**

**§1.00**      **Purpose and Intent**

The purpose of these sign regulations is to encourage the effective use of signs as a means of communication in the City of Leeds, to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effects of signs on nearby public and private property, and, to enable the fair and consistent enforcement of these regulations.

**§2.00**      **Prohibited Signs**

Except as provided for exempt signs, the following signs are prohibited throughout the City of Leeds, Alabama.

- (1) Any sign erected or maintained at any location where by reason of its position, illumination, shape, symbol, color, form or character may obstruct, impair, obscure, interfere with the view of, or may be confused with any authorized traffic sign, signal or device, or interfere with, misled, confuse or disrupt traffic safety or flow.
- (2) Any sign incorporating any noisy mechanical device (whistles, horns, sirens, or any other noisy audible devices) or emitting smoke or steam;
- (3) Any sign of any type or support thereof placed, extending, or projecting on a public right-of-way or located or projecting beyond a property line, unless expressly authorized.
- (4) Any flashing, revolving, moving, reflecting, or animated sign, beacons, streamers, pennants, or propellers, electronic reader boards, illuminated tubing, or strings of lights; revolving, moving, reflecting or otherwise.
- (5) Any sign located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private drives.
- (6) Any sign with illegal, obscene, or prurient words, scenes, or graphics.
- (7) Any sign painted on or attached to a utility pole, rock, tree, telephone booth (except telephone information may be displayed), automated bank teller (except telephone information may be displayed), bench, or the like.
- (8) Any circular or throwaway flyer attached to vehicles or mounted on any object outdoors.
- (9) Any sign that blocks a fire escape, door, window, parking or loading aisle or space.
- (10) Any unsafe sign.
- (11) Freestanding signs; searchlight stands; hot air or gas-filled balloons, or umbrellas used for advertising; and similar signs.
- (12) Guy wire and similar insubstantial supports of a projecting object.
- (13) A sign display on a vehicle parked primarily for the purpose of advertising a business, product or service.
- (14) Illuminated tubing or strings of light that outline property lines, sales areas, rooflines, building lines, and similar areas. Illumination of architectural features of a building, such as doors, windows, and similar features shall not be prohibited.



(15) Any unlawful sign.

**§ 3.00****Portable Signs**

Policy Statement:

In order to comply with the provisions of the Southern Building Code Congress International Sections 3108 & 1707, no portable sign shall be allowed except as follows:

- A) Permanent Portable Sign: As defined in Section 2.0 (Shall be subject to the fee as prescribed in the City Fee schedule) Such permit(s) shall be renewed on or before January 1<sup>st</sup> of each year
- B) Temporary Portable Sign: As defined in Section 2.0, (MM), shall be subject to an annual fee as prescribed in the city fee schedule which shall not be valid beyond December 31 of the year in which it was issued. A temporary Portable Sign must receive an erection permit each time it is moved to a new location. There will be no charge for the erection permit. The erection permit shall not be valid for a period in excess of 90 days each calendar year per person.

**§ 4.00****General Regulations Applying to All Signs.**

In any zoning district within the City of Leeds, the following regulations shall apply:

- A. No sign shall be erected or maintained at any location where, by reason of its position, working, illumination, shape, symbol, color, form or character, it may obstruct, impair, obscure, or interfere with the view. Such signs shall be designed and located in such a manner that would prevent them from being mistaken for any authorized traffic sign, signal, or device. They shall not interfere with, mislead, confuse or disrupt traffic flow or traffic safety.
- B. Signs incorporating any noisy device (whistles, horns, noise makers, sirens, or any other noisy audible devices) are expressly prohibited within the City of Leeds.
- C. No sign of any type or foundation or support thereof shall be placed in a public street or its right-of-way.
- D. No sign with flashing, traveling or animated illumination shall be permitted in any zone district within the City, with the exception of permanent signs located in commercial districts providing public service information such as, but not limited to: time, date, temperature, news or weather.
- E. No illuminated sign, other than a permanent subdivision sign, shall be permitted within fifty feet (50') of any residential zone district of the City.
- F. The area around all signs shall be kept clean and free of trash and all vegetation, unless such area is a part of the landscaping associated with the sign. In case of which, such shall be well maintained. In addition, it shall be the responsibility of the sign owner/lessor or property owner to maintain all signs in a safe and proper operating manner at all times.
- G. No person shall park any vehicle or trailer on a public street or public parking area for the sole purpose of advertising.
- H. Snipe signs shall not be permitted in any zone district, except as may be authorized by the City.

- I. No permanent freestanding pole mounted ground sign of any type shall be permitted within thirty-five feet (35) of the intersection of the pavement edge lines to two (2) public roads, unless the same is mounted at a height of at least ten feet (10') from the ground level at the base of the sign and upon poles or other means of support which
- J. No sign shall occupy any portion of a parking space or aisle.
- K. All signs shall conform to City Building Codes and/or common engineering practices, which provides a comprehensive set of construction standards for signs. These specifications include wind loads, seismic loads, acceptable supports, allowable stresses and electrical wiring and other components.
- L. Professional signs for Home Occupations, where permitted, shall not exceed three (3) square feet in area. Such sign may be either a wall mounted or ground sign. In the case of ground signs, none shall be located any closer than twenty feet (20') from the street right-of-way.
- M. All signs located along primary or interstate highways shall meet all the regulations of the Alabama Department of Transportation, and shall require a permit from ADOT before a permit is issued by the City.

**§ 5.00****Exempt Signs, Permit Exemptions.**

- A. Except as may be otherwise provided for elsewhere in this Ordinance, the following signs are exempt from sign permit requirements and the provisions of this Ordinance, subject, to meeting all the applicable regulations, codes and any City policies concerning such signs.
  - 1. Permanent or temporary signs required to be posted by law.
  - 2. Permanent or temporary WARNING and NO TRESPASSING signs (snipe) signs shall not be allowed.
  - 3. Permanent or temporary signs established by, or by order of, any government agency or official body.
  - 4. Signs indicating the location of bus stops, taxi stands and similar transportation facilities.
  - 5. Signs providing information concerning the location or use of accessory off-street parking facilities and/or loading facilities.
  - 6. Permanent or temporary signs required for the control of vehicular or pedestrian traffic.
  - 7. Temporary holiday signs, banners, displays and decorations.
  - 8. Routine sign maintenance and repair, including changeable copy signs.
  - 9. Decorative flags and bunting for citywide celebrations, conventions and commemorations when authorized by the City for a specified time period.
  - 10. One (1) construction sign per street frontage, located on the property, shall be allowed where building is actually in progress under a current building permit. This shall be a ground sign not to exceed thirty-two (32) square feet in area, be non-illuminated and may include the names of persons and firms performing such services, labor or supplying materials to the premises. Such sign must be removed before a Certificate of Occupancy is issued.

11. Flags, banners or insignias of a governmental, religious, charitable or fraternal organization.
12. Integral, decorative or architectural features of buildings, except letters, trademarks, or moving parts.
13. Directory signs located inside the buildings they serve.
14. Signs not exceeding three (3) square feet in area and bearing only property numbers, post office box numbers or names of the occupants of the premises to which the sign pertains.
15. Window signs located in commercial zone districts, advertising activities, services, goods or products available within the building, with a total area of twenty percent (20%) or less of the window glass surface area.
16. A permit shall be obtained by the responsible individual(s) or party/parties, from the City of Leeds, to post all political campaign posters, signs, etc. provided that they do not create traffic hazards as a result of poor or improper placement. The said individual(s) or party/parties shall remove all such signs, posters, etc. within seventy-two (72) hours of the end of the general or run-off election or political event to which they pertain. Such signs shall not be illuminated in any manner whatsoever. [Snipe signs shall not be allowed]
17. A permit shall be required, from the City of Leeds, to post signs, which advertise yard sale or garage sales. Such signs shall not be located in a manner, which would obstruct or otherwise interfere with motorist's vision. These signs shall not exceed four (4) square feet in sign area and shall not be illuminated in any manner. (Snipe signs shall not be allowed).
18. Temporary, non-illuminated signs, located in residential and agricultural districts, not to exceed four (4) square feet in sign area, pertaining to agricultural products raised on the premises. (Snipe signs shall not be allowed).
19. Temporary, non-illuminated real estate signs, which are used to offer for sale, lease, or rent of property upon which such signs is located. (Snipe signs shall not be allowed).

**§ 6.00 Outdoor Advertising Signs Regulations.**

Outdoor Advertising Sign shall not be permitted in the City of Leeds, except upon approval of the Board of Zoning Adjustment and subject to the requirements set forth below:

1. Outdoor Advertising Signs located on interstates, which are under State, and Federal authority shall be required to meet their regulations pertaining to sign placement.
2. Outdoor Advertising Signs shall be erected no closer than one thousand (1,000) feet to another legally erected outdoor advertising sign, as measured along the same side of the street or highway.
3. Outdoor Advertising Signs on opposite side of the street or highway shall be no closer than five hundred (500) feet to one another.
4. Outdoor Advertising Signs may not be located within three hundred (300) feet of any residential district as measured along the frontage of the same side of the street or highway to which the sign is to be viewed.
5. Existing Outdoor Advertising Signs must comply with these regulations when removed, modified or replaced.

6. All signs shall be maintained at the level of appearance originally held at the time of erection.
7. Wattage for Outdoor Advertising Sign shall not exceed four hundred (400) watts per bulb.
8. Application/permit fee will be assessed for each outdoor advertising sign in accordance with these regulations.
9. Displays shall not include live, animated or pictorial displays, or any material depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".
10. An annual permit fee, as described in the City of Leeds fee schedule, shall be required for each Outdoor Advertising Sign structure. Such fees shall be paid by January 31<sup>st</sup> of each year; and no additional permits for any sign structure for which there are any outstanding annual fees pending.
11. The Board of Zoning Adjustments shall not permit billboards outside of an area along and within one thousand (1000) feet of the Interstate 20 corridor.

#### **§ 8.00 Signs Located in Residential Districts.**

The following types of signs are permitted in Residential Zone Districts of the City of Leeds, subject to specified requirements, unless otherwise provided for elsewhere in this Ordinance. See § 3.00 Regulations Pertaining to Signs and § 6.00, Exempt Signs, Permit Exemptions.

- A. For detached or attached single-family, two-family and multi-family dwelling districts, nameplates, not to exceed three (3) square feet in area shall be permitted for each dwelling unit. Such nameplates shall indicate the name and address of the premises, the occupants thereof and announcements only. (The indirect illumination of nameplates is permissible).
- B. Professional signs for Home Occupations, where permitted, shall not exceed three (3) square feet in area. These may be mounted on walls or placed upon the ground; such shall not be illuminated in any manner. Such signs shall be of neutral colors or earth tones. Ground mounted signs shall not be located closer than twenty feet (20') from any street right-of-way.
- C. Temporary, not-illuminated ground signs advertising yard sales, garage sales or the sale of personal property shall not exceed four (4) square feet in area and shall not be located closer than twenty feet (20') from any street right-of-way.
- D. Permanent subdivision identification signs shall be ground mounted, with an area not to exceed forty-eight (48) square feet. These may include a masonry wall, landscaping and other similar materials or features, designed and intended to form a display for subdivision or neighborhood identification. If illuminated, such signs shall utilize indirect illumination only. The principal entrance to the subdivision and the main street leading to the subdivision shall each adorn one (1) such sign. These shall not be located closer than fifteen feet (15') from intersection of the subdivision entrance.
- E. Temporary subdivision identification signs shall be ground mounted with an area not to exceed thirty-two (32) square feet. If illuminated, such signs shall utilize indirect illumination only. The principal entrance to the subdivision and the main street leading to the subdivision may each have one (1) such sign. Temporary signs shall be located no closer than fifteen feet (15') from the property line of the street to which

it is directed and shall not be used concurrently with the permanent subdivision sign referred to in D above.

- F. For multi-family and group dwellings, identification signs shall not exceed nine (9) square feet in sign area. Such signs shall indicate the name and address of the premises and the name of the management only. No sign shall be flushed with the principal building. Any lighted sign shall have indirect illumination only.
- G. Permanent places of worship, schools, or other public building bulletin boards or identification signs, including manually-operated, changeable copy signs shall not exceed thirty-two (32) square feet in area. These may be illuminated or non-illuminated and shall be located no closer than fifteen feet from a street right-of-way.
- H. Signs permitted in planned residential districts shall be determined during the site plan review process.

NOTE: Billboards and signs containing animated, traveling or flashing lights are prohibited in all residential zone districts of the City of Leeds.

**§ 9.00 Signs Permitted in the B-2 General Business District.**

Permanent free-standing, on premise, pole-mounted or ground sign shall be permitted, limited to one (1) such sign per street frontage of a street or lot, regardless of the number of businesses located on the lot. The following may be included:

- A. A permanent, on premise, free-standing, pole-mounted sign, illuminated or non-illuminated, shall not exceed thirty-five (35) square feet of sign area, plus 1.2 square feet of sign area per 1,000 square feet of lot area, but in no event shall such sign exceed 48 square feet. Such sign shall not exceed a height of twenty feet (20') from the ground level to the highest point on the sign. It shall have a minimum clearance of ten feet (10) from the ground level to the lowest point on the sign and shall be located no closer than five feet (5') from the edge of the property line. No sign shall be located on any public right-of-way.
- B. A permanent, on premise, ground sign, either illuminated or non-illuminated, may include a masonry wall, landscaping and similar and similar features or materials. Such sign shall not exceed fifty (50) square feet in sign area and fifteen feet (15') in height measured from the ground level to the highest point on the sign. It shall be located no closer than five feet (5') from the property line. No sign shall be located in any public right-of-way.
- C. In addition to either A or B mentioned above, attached, permanent, on premise signs, illuminated or non-illuminated, shall be permitted to one (1) business, per street frontage; and, the following may be included:
  - 1. A wall or fascia sign, either illuminated or non-illuminated shall be limited to one (1) per street frontage, provided no other signs for such establishment are located more than thirty-six inches (36") from the face of the building upon which it is mounted. It shall not exceed sixteen (16) square feet in sign area and shall have a minimum clearance of ten feet (10') from the lowest point on the

sign to the ground level or sidewalk on which it stands. Such signs shall not project into any public right-of-way. [See Illustration of sign type below].

2. A Projecting Sign either illuminated or non-illuminated, shall be attached to the wall of the establishment it serves, provided no other signs for such establishment as located on the same building wall; and, such sign shall not project outward more than thirty-six inches (36") from the face of the building upon which it is mounted. It shall not exceed sixteen (16) square feet in area and shall have a minimum clearance of ten feet (10') from the lowest point on the sign to the ground level or sidewalk on which it stands.
3. A roof sign, illuminated or non-illuminated, limited to one (1) per street frontage, per establishment, shall be located within a selected sign able area. A sign able area, for a roof sign, shall not extend beyond the dimensions of a mansard roof, penthouse, or, an architectural roof element on which it is located. See definition of Sign able Area in the definition section of this Article. The vertical dimensions of a sign able wall area shall not exceed sign feet (6') in height. The size of such signs shall not exceed forty percent (40%) of the sign able wall area.

NOTE: Billboards shall not be permitted in the B-2 General Business District.

#### **§ 10.00 Signs Located in Shopping Centers and Office Parks**

1. There shall be an architectural harmony and unity of signs within a shopping center of unified business center on a property including an office park. The sign type, color scheme, size and method of illumination (if illuminated), shall be coordinated and compatible with the architecture of the center.
2. Either a permanent, freestanding pole mounted or ground sign, illuminated or non-illuminated, shall be permitted to identify a shopping center. In addition, wall or fascia signs for each establishment within the center shall be permitted, with all signs subject to the height, dimensional requirements and restrictions of Section 9.0 A and B for permanent, freestanding, pole mounted or ground signs.
3. Billboards shall not be permitted O-1 Office Building District.
4. Canopies, Marquees, or fixed awnings, subject to the provisions of the City Building Code.

#### **§ 11.00 Signs Permitted in the I-1 Light Industrial District and the I-2 Heavy Industrial Districts.**

Permanent, free-standing, on premise, pole-mounted or ground signs shall be permitted, limited to one (1) such sign per street frontage of a street or lot, regardless of the number of businesses located on the lot. The following may be included:

- A. A permanent, on premise, free-standing, pole-mounted sign, illuminated or non-illuminated, shall not exceed thirty-five (35) square feet in sign area plus 1.2 square feet of sign area per 1,000 square feet of lot area, but in no event shall such sign exceed forty-eight (48) square feet in sign area, Such sign shall not exceed a height of thirty feet (30') from the ground level to the highest point on the sign. It shall have a minimum clearance of ten feet (10') from the ground level to the lowest point on the

sign and shall not be located any closer than fifteen feet (15') from the edge of the property line. No sign shall be located on any public right-of-way. [See illustration of sign type in 9.0 A of the B-2 General Business District]

- B. A permanent, on premise, ground sign, either illuminated or non-illuminated may include a masonry wall, landscaping and similar features and materials. Such sign shall not exceed fifty (50) square feet in sign area and fifteen feet (15') in height measured from the ground level to the highest point on the sign. Such sign shall not be located any closer than fifteen feet (15') from the property line. No sign shall be located on any public right-of-way.
- C. In addition to either A or B mentioned above, attached, permanent, on premise signs, illuminated or not-illuminated, shall be limited to one (1) per business, per street frontage, and the following may be included:
  - 1. A Wall or Fascia sign either illuminated or non-illuminated, shall be attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall. Such signs shall not extend above the roof line or project more than twelve inches (12") outward from the building upon which it is mounted. Wall signs, which identify the rear entrance of the principal building, may be permitted, provided it is non-illuminated and does not exceed ten (10) square feet in sign area. [See illustration of sign type in C.1 of the B-2 General Business District]
  - 2. A Projecting Sign either illuminated or non-illuminated, shall be attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall; and, it shall not project outward more than thirty-six inches (36") from the face of the building upon which it is mounted. It shall not exceed sixteen (15) square feet in sign area and shall have a minimum clearance of ten feet (10') from the lowest point on the sign to the ground level or sidewalk on which it stands. (See illustration of sign type C. (2) of the B-2 General Business District]
- D. Billboards shall not be permitted in the I-1 and I-2 Industrial Districts.

**§ 12.00 Signs Permitted in the A-1 Agricultural District.**

The following signs shall be permitted in the A-1 Agricultural District:

- A. Those types of signs permitted in the Residential Districts as listed in §8.00 of this Article.
- B. Signs customarily incidental to uses permitted in the Agricultural District.

NOTE: Also, see § 6.00, of this Article, Exempt Signs, Permit Exemptions and § 5.00, Regulations Pertaining to All Signs.

**§13.00 Construction and Maintenance of Signs.**

All signs shall comply with the following construction and maintenance requirements and regulations:

- A. All signs shall conform to the City of Leeds Building and other construction codes. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials and electrical wiring and components.
- B. All signs and all components thereof, including structural supports, shall be kept in a state of good repair.
- C. The areas surrounding the base of any freestanding sign shall be kept clean of trash, debris and undergrowth.
- D. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs or other vegetation within any right-of-way or on any area where landscaping is required under City regulations, unless express written authorization is obtained from the agency having jurisdiction over the said right(s)-of-way.

**§14.00**            **Required Permits, Fees and Inspections.**

- A. Permits Required:
  1. Except where this Article explicitly exempts a sign, all signs erected shall require a sign permit issued by the City Building Inspector and fee as indicated in the fee schedule.
  2. Whether a sign is exempt or not, an electrical permit shall be required for all illuminated signs.
  3. All Outdoor Advertising Sign to be located within six hundred and sixty feet (660') of the nearest edge of the right-of-way of a highway on the Interstate or National Highway System – Urban and Rural Routes, shall file an application for a permit with the State of Alabama Highway Department as required by the Highway Beautification Act – Outdoor Advertising.
- B. Application Forms:
  1. Each application for a sign permit shall include the following:
    - a. The name, signature and address of the property owner or the authorized agent of the property owner and that of the sign contractor.
    - b. The address of the property owner where the sign is to be located.
    - c. The lot area, sign district, zoning district and principal land use(s) on the lot where the sign is to be erected.
    - d. A complete description of the sign(s) to be erected, including, but not limited to, the number, type, method of illumination (if illuminated), size, height, etc.
    - e. A scaled drawing of the sign and a plot plan showing the location of each sign on the lot.

All other details, sufficient for the Building Inspector to determine compliance with the requirements of this Article, which may include a building elevation, survey or other drawings or any documentation deemed satisfactory by the City of Leeds to assess a permit for the sign.

**§15.00**            **Issuance Denial.**

When a permit is denied by the Building Inspector, he or she shall serve a written notice to the concerned applicant explaining in detail the reason or reasons why such denial



was issued. A copy of the said statement shall be made as an attachment to the permit application.

**§ 16.00 Appeals of Permit Denial**

An appeal, concerning the denial of a permit, may be taken to the Zoning Board of Adjustment by the concerned applicant.

**§17.00 Permit Fees.**

Applications for permits shall be filed with the City Building Inspector, together with a permit fee, as specified by the Building Inspector, for each sign, in accordance with this Ordinance. The building permit fees shall be determined by the City in the same manner as the fees for building permits. Off-Premises Advertising signs shall be subject to annual permit fee as designated in the City-Fee Schedule.

**§ 18.00 Inspection of Signs.**

The person erecting, altering, relocating, enlarging or converting any sign shall notify the Building Inspector of the completion of such work for which permits were required and issued. See § 6.00, of this Article, Exempt Signs, Permit Exemptions.

**§ 19.00 Unlawful Signs.**

Every sign in the City of Leeds shall be maintained in good structural condition at all times. The Building Inspector may inspect and shall have the authority to order the painting; repair, alteration, movement or removal of signs, which are dilapidated or abandoned, or which constitute a physical hazard to public safety. Any repair, painting, alteration, relocation or removal shall be at the sign owner's expense. See § 19.00 and § 2.00 of this Article below.

**§ 20.00 Confiscation of Signs Located on Public Right-Of-Way.**

Any sign installed, erected or placed on a public right-of-way, except in conformance with the requirements of this Ordinance, shall be forfeited to the public and subject to confiscation following proper written notification of such violation to the property owner and/or sign owner. In addition to the other remedies provided for under this Article, the City of Leeds shall have the right to recover from the owner or person placing the sign, the full cost of removal and disposal.

**§ 21.00 Abandoned Signs.**

Except as may otherwise be provided for in this Article, any sign that is located on property which becomes vacant and is occupied for a time period of four (4) months or more or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business, temporarily suspended because of a change in ownership or management, shall not be deemed abandoned unless the property remains vacant for a period of nine (9) months

or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.

**§22.00**      **Misleading Signs.**

All signs, for business and other commercial or industrial establishments that are no longer in operation, shall be removed within ninety (90) days of the disuse of such establishment. The removal of such misleading signs shall be the responsibility of the owner of that sign.

**§ 23.00**      **Notification.**

All notices mailed by the Building Inspector shall be sent by Certified Mail. Any time period, provided in this Section, shall be deemed to commence of the date of the receipt of the certified mail. The notice shall be mailed to the owner of the property, on which the sign is located, as shown on the latest available tax records and maps, as well as the occupant, which the sign serves. Any person or persons with an interest in the sign or the property may appeal the determination of the Building Inspector. The Building Inspector's order of the removal of the sign or the measures necessary to bring the sign into compliance with the provisions of this Ordinance may be appealed with the City of Zoning Board of Adjustment in writing. This application must be filed within thirty (30) days of the date the Building Inspector's notice for the removal of a sign/sign(s) was mailed.

**§ 24.00**      **Removal of Sign.**

The Building Inspector shall order the removal of any sign that endangers public safety. Signs that are abandoned, dangerous, materially inadequate, electrically or structurally defective; signs for which not permits have been approved and issued; failure to renew permit, etc. shall be cited for violations. The Building Inspector shall issue a detailed description of the violation or violations and advise that these be corrected within a period of thirty (30) days. Failure on the part of the party or parties notified of such violations to rectify all the cited violations shall result in the removal of the sign(s) in accordance with the provisions of this Ordinance. Any sign installed or placed within the City, except in conformance with the requirements of this Ordinance, shall be forfeited to the public, and shall be subject to confiscation. In addition to other remedies provided under this Article, the City shall have the right to recover, from the owner or person placing such a sign, the full cost of removal and disposal as described in §20.00 above.

**§ 25.00**      **Annual Inspection.**

The Building Inspector shall inspect annually, or at such other times as he deems necessary, each sign or other advertising structure regulated by this chapter for the purpose of ascertaining whether the same is secure or insecure, and whether it is in need of removal or repair.

**§ 26.00**      **Right of Entry**

Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the Building Inspector has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which renders such building, structure, premises, electrical, gas, mechanical or plumbing systems unsafe, dangerous or hazardous, the Building Inspector shall have the authority to enter such building, structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Inspector by this code. If such building or premises are occupied, the Building Inspector shall first present proper credentials and request entry. If such building, structure, or premises are unoccupied, the Building Inspector shall first make a reasonable effort to locate the owner or other persons having charge or control of such and request entry. If entry is refused, the Building Inspector shall have recourse to every remedy provided by law to secure entry.

When the Building Inspector shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant or any other person or persons having charge, care or control of any building, structure, or premises shall fail or neglect, after proper request is made as herein provided to promptly permit entry therein by the owner of Building Inspector for the purpose of inspection and examination pursuant to this Ordinance.

**ARTICLE XI**

**LEGAL STATUS PROVISIONS**

**§ 1.00 Interpretation of Uses**

In their interpretation of an application, the provisions of this Ordinance shall be considered minimum requirements adopted for the promotion of the public health, safety, morals, conveniences, order, prosperity and general welfare of the City and its residents. Where other Ordinances or regulations, which may be adopted hereafter, impose greater restrictions than those specified herein, compliance with such other ordinances or regulations is mandatory. This Ordinance shall not lower the restriction of plats, deeds, or private contracts, if such are greater than the provisions of this Ordinance.

**§ 2.00 Savings Clause**

If any section, clause, provision or position of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other article, section, clause, provision or portion of this Ordinance that is not in and of itself invalid or unconstitutional.

**§ 3.00 Repeal of Existing Ordinances**

All zoning ordinances heretofore adopted by the City of Leeds are hereby repealed; provided, however, that nothing in this Ordinance shall be construed to modify or in any manner permit, extend or enlarge any non-conforming property or improvement at the time of adoption of this Ordinance, but such non-conforming use shall continue to be subject to all restrictions and limitations existing at the time of adoption of this Ordinance related to such non-conforming use. No non-conforming use, existing at the time of adoption of this Ordinance, shall be enlarged, extended, or expanded, unless such use is changed to a use, which will conform to the regulations of the district in which such property is located.

**§ 4.00 Effective Date**

This Ordinance shall become effective immediately upon its adoption, approval and publication, as provided for by law.

ADOPTED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Honorable David Miller, Mayor  
City of Leeds, Alabama

ATTEST: \_\_\_\_\_  
Kevin Fouts, City Clerk

APPENDIX

