

ORDINANCE NO 665-22

AN ORDINANCE TO AMEND THE SUMMERDALE ZONING ORDINANCE ADDING DEFINITION FOR PROFESSIONAL OR PROFESSIONAL OFFICE AND SERVICES OR SERVICE PROVIDER TO ARTICLE III, AMEND SECTION 608 BCOZ BUSINESS CORRIDOR OVERLAY ZONE AND ARTICLE IV, SECTION 403 CHECKLIST NUMBER 17.

THE TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA finds as follows:

1. A proposed amendment to the Summerdale Zoning Ordinance to rezone specific parcel of land was considered by the Summerdale Planning Commission.
2. The Planning Commission has recommended to the Town Council the subject properties be rezoned.
3. The Town Council has received the recommendation of the Planning Commission and held a public hearing on that same after giving notice as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA, AS FOLLOWS:

SECTION I. Article III, include Professional or Professional Office and Service or Service Provider definition to read as follows:

Professional or Professional Office. A building where professionally qualified persons and their staff primarily provide services to clients or patients and shall include a service office, a support office, a clinic, a medical office, the offices of a lawyer, an architect, an engineer, an accountant, a planner or a surveyor, or persons engaged in similar occupations. The business shall hold a "professional" type businesses license with the Town of Summerdale".

Service or Service provider. A business or entity that provides an activity or the performance of a task with a commercial purpose. This task is directed to help a business or an individual in subjects such as consulting, accounting, transportation, cleaning, hospitality, traveling or maintenance, among others. The business shall hold a "service" type license with the Town of Summerdale.

Section II. Section 608. BCOZ Business Corridor Zone to be added as follows:

Section 608. BCOZ Business Corridor Overlay Zone In recognition of the unique characteristics of State Highway 59, and the Baldwin Beach Express this overlay zone is created, extending 300ft from the rights-of-way. Both State Highway 59 and the Baldwin Beach Express are high-speed principle arterials, the Business Corridor Overlay Zone is created to restrict non-retail-based business and to promote retail-based businesses along these corridors fronting Hwy 59 and the Baldwin Beach Express. Non-retail-based businesses are prohibited on all parcels with frontage on Hwy 59 and the Baldwin Beach Express within the overlay areas; this excludes professional offices and service providers. This overlay zone is intended to modify certain requirements so as to sustain retail business activity along the Hwy 59 corridor. Requirements concerning landscaping, signs, and fencing have also been modified and apply exclusively to those businesses that front on State Highway 59 and the Baldwin Beach Express. All of these requirements are enumerated under Section 1004, Landscaping, Signs, and Fencing, ARTICLE X, EXCEPTIONS AND MODIFICATIONS. The Business Corridor Overlay Zone is shown on the current Zoning Map.

Section III. Section 403-1 Architectural Restrictions

The following architectural restrictions shall apply to all buildings constructed or renovated on parcels having frontage on Hwy 59 or the Baldwin Beach Express.

No Buildings shall be constructed or renovated with metal sided walls closer than 300 feet from the right-of-way within the Business Corridor Overlay Zone (BCOZ). If any portion of a building falls within the BCOZ the entire building shall be subject to the restrictions of the BCOZ. All buildings within this overlay zone shall meet the following conditions:

1. All buildings in the BCOZ shall have an approved architectural façade on all elevations.

a. Acceptable materials for the external elevations of buildings or facades include stucco, brick, scored or split face block, wood shingles, wood lap or board and batten siding and fiber cement lap siding. It is recommended that large walls be broken up through the use of architectural features or embellishments such as color bands, cornice work, wainscot, protrusions, recessed windows or entries. Alternative materials other than listed above must be approved through the Site Plan approval process.

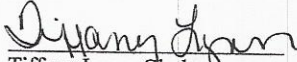
Section IV. That all other Articles and Sections thereof said Zoning Ordinance remain in full force as originally adopted or subsequently duly amended.

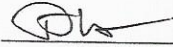
SECTION V. That this Ordinance shall become effective following the posting as required by law.

FURTHER, it is recommended that the Zoning Ordinance be amended so that the Table of Contents reflects any changes to the zoning text.

ADOPTED AND APPROVED THIS 13th day of June, 2022.

Attest:


Tiffany Lynn, Clerk



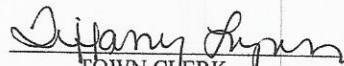
David Wilson, Mayor

CERTIFICATION

I, Tiffany Lynn, Town Clerk of the Town of Summerdale, do hereby certify that the foregoing is a true, correct and exact copy of the Ordinance adopted at a regular Town Council meeting held on the 13th day of June, 2022, the original of which is on file and of record in the Ordinance Book of the Town Council in my custody.

The foregoing Ordinance was published by posting copies thereof at four public places within the corporate limits of the Town of Summerdale, to-wit Town Hall, Police Department, Summerdale Library, Summerdale Post Office, and said copies remain so posted for a period of time and in the manner as required by law and all in strict conformity to the statutes made and provided relating thereto.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF THE TOWN OF SUMMERDALE, ALABAMA, ON THIS 16th DAY OF JUNE, 2022.


TOWN CLERK