

City of Springville, AL
Zoning Ordinance
Ordinance # 2011-12

Adopted by City Council November 21, 2011

With Incorporated Amendments:

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Ordinance #2021-05: Adopted April 5, 2021

Ordinance #2021-06: Adopted April 5, 2021

Ordinance #2021-11: Adopted August 16, 2021

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ZONING ORDINANCE
 CITY of SPRINGVILLE
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ORDINANCE NUMBER 2011-12

ZONING ORDINANCE FOR THE CITY OF SPRINGVILLE, ALABAMA

AN ORDINANCE, PURSUANT TO THE AUTHORITY GRANTED BY TITLE 11, CHAPTER 52, *CODE OF ALABAMA* 1975, AS AMENDED, TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE CORPORATE LIMITS OF SPRINGVILLE, ALABAMA, TO REGULATE WITHIN SUCH DISTRICTS THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS AND OTHER OPEN SPACES. THE DENSITY OF POPULATION AND THE USE OF BUILDINGS, STRUCTURES, AND LAND, TO SUPERSEDE ALL EXISTING ZONING ORDINANCES AND TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

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

ARTICLE I

SHORT TITLE

I-1.1. This Ordinance shall be known as the "Zoning Ordinance of the City of Springville, Alabama". The map herein referred to and identified by the title "Zoning Map" and all explanatory matter thereon are hereby adopted and made a part of this Ordinance. Such map shall be maintained in the custody of the City Clerk for the City of Springville, Alabama.

I-1.2. A new zoning map will be adopted to reflect the changes within this Zoning Ordinance, as they relate to the previous Zoning Ordinance (S-90-04-03). See Appendix A at end of this document.

ARTICLE II

PURPOSE

II-1.1. The Zoning regulations and districts as herein established have been made 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 health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to regulate signs; to avoid undue concentrations of population; and to facilitate the adequate provision of transportation, water, sanitary waste disposal, schools, parks, and other public improvements. The regulations have also been made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

ARTICLE III

SECTION 1

GENERAL REGULATIONS

III-1.1. General Use Regulations. The following general regulations pertain to the administration, enforcement of, and compliance with this Ordinance.

III-1.2. Application of This Ordinance. No structure shall be constructed, erected, placed or maintained; no land use commenced or continued within the City of Springville, except as specifically or by necessary implications, authorized by the City.

III-1.3. General Prohibitions. Except as otherwise provided in this Ordinance:

1.3.1. No land or structure may be used except for a purpose permitted in the district in which it is located.

1.3.2. No building shall be erected, converted, enlarged, reconstructed, moved, or structurally altered except in conformity with the use regulations, area regulations and height limit of the district in which the building is located. The zoning classification of the lot shall be determined prior to the issuance of any building permit.

1.3.3. The minimum building line, parking spaces, open spaces, including minimum lot area required by this Ordinance for each and every building existing at the time of the 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. Notwithstanding the above, binding agreements for joint use of parking areas shall be permitted as described in Article IX-3.

1.3.4. Every residential building in a single-family residential district 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 building on one lot. Accessory structures shall not be used for residential nor business uses. Sanitary facilities shall not be permitted in accessory structures without approval of the Zoning Board of Adjustments.

1.3.5. In any zoning district, other than a single-family residential district, more than one main building shall be permitted on one lot provided said buildings and lot are under common ownership.

III-1.4. Joint Occupancy. No structure shall be erected, structurally altered for, or used as a dwelling simultaneously with any other use, except as individually approved by the Board of Zoning Adjustment.

III-1.5. 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 telecommunications service; and pipe lines, vents, valves, hydrants, regulators, meters, lift stations, pumping stations and other facilities necessary for the transmission or distribution of gas, oil, water or other utilities may be constructed, erected, repaired, maintained or replaced within any district within the City subject to the provisions and/or conditions contained in other applicable city Ordinances. This is not to be construed to include the erection or construction of buildings, towers tanks or electric substations or gas or water pumping or regulator stations. Electric substations, telecommunication switching stations, water treatment, sewage treatment, gas or water pumping, storage or regulator stations are special exception uses in all zoning districts of the City.

1.5.1. 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 telecommunications service; and pipe lines, vents, valves, hydrants, regulators, meters and other facilities

necessary for the transmission or distribution of gas, oil, water or other utilities may be constructed, erected, repaired, maintained or replaced within any district within the City subject to the provisions and/or conditions contained in other applicable city ordinances. This is not to be construed to include the erection or construction of buildings, towers or electric substations or gas or water pumping or regulator stations. Electric substations and gas or water pumping or regulator stations are special exception uses in all zoning districts of the City.

III-1.6. Zoning of Abandoned Right-of-Way. Whenever any street, alley or other public way is vacated or abandoned by official action of the City of Springville, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of same and all area included therein shall then be subject to all appropriate regulations to the extended district.

III-1.7. Zoning Requirements for Moving Buildings. Any building or structure which is to be moved to any location within the City Limits of Springville, shall be considered for the purpose of this Ordinance to be a new building under construction, and as such shall conform to the applicable provisions of this Ordinance.

III-1.8. Access Requirements. No primary structure shall be erected on a lot which does not abut on at least one (1) improved street for at least twenty-five feet (25') or that does not have sufficiently recorded access to an improved street.

III-1.9. Corner Visibility. No fence, wall, shrubbery, sign, marquee, or other obstruction to vision between the heights of three feet (3') and ten feet (10') above street level shall be permitted within the sight triangle of the intersection of the right-of-way lines of two streets or railroads or of a street and a railroad right-of-way line. Accessory structures on a corner lot shall be set back not less than the minimum front yard depth required on the side street.

III-1.10. Future Street Lines. Any lot existing at the time of adoption of this Ordinance or at the time this Ordinance is hereafter amended, which may be reduced in area by the widening of an existing public street to a future street line or by a future proposed street as indicated on a duly adopted "Master Plan" as it may from time to time be amended, shall show sufficient area for the minimum required yards, the minimum required lot area, the minimum required lot width and the maximum building area to be measured by considering the future street line or lines as the lot line of such lot.

III-1.11. Abatement of Noise, Lighting, Smoke, Gas, Vibration, Fumes, Dust, Fire, Radio Interference, Explosion, Hazard or Nuisance. The Building Official may require any use, conforming or non-conforming, which results in unreasonable noise, lighting, smoke, gas, vibration, fumes, dust, fire, radio interference, or explosion hazard or nuisance to surrounding property to be modified or changed to abate such hazard to health, comfort, and convenience.

III-1.12. Annexed Property. When property is annexed into the City of Springville, the property will remain un-zoned until such time the City Council takes action to approve a rezoning petition. All uses in existence at the time of annexation may lawfully continue. As soon as practical, the City of Springville shall begin zoning procedures so that the property may be assigned a classification by taking into account the comprehensive plan of the City and the desires of the property owners so as to be compatible with uses of adjacent property owners. The zoning procedures will be conducted pursuant to and in accordance with the provisions of Article X of this Ordinance and state law.

ARTICLE III

SECTION 2

NON-CONFORMING USES

III-2.1. Non-Conforming Uses. Within the districts established by this Ordinance or amendments that may be later adopted, there exist 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 amendment.

2.1.1. On non-conforming lots or structures 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 amendment, and where there is not a question of a non-conforming use, relief may be sought from the Board of Zoning Adjustment on dimensional considerations. However, no non-conforming setback may be further reduced, but the existing non-conforming setback may be extended along the same plane.

2.1.2. It is the intent of this Ordinance to permit non-conforming uses of land 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 amendment, to continue until they are removed, but not to their survival. It is further the intent of this Ordinance that non-conforming uses of land shall not be enlarged upon, expanded, transferred, nor used as grounds for adding other structures or uses prohibited elsewhere in the same district.

III-2.2. Non-Conforming Lots of Record. Where a lot of record at the time of the effective date of this Ordinance had less area or less width than herein required for the district in which it is located, said lot may be used as a building site provided the yard space and other requirements conform as closely as possible to the regulations found in the applicable district as determined by the Board of Zoning Adjustment. However, this provision shall not apply when two (2) or more such lots exist with continuous 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 dimensions or area below the requirements stated in this Ordinance.

III-2.3. Continuance. A lawful non-conforming use existing at the time of the effective date of this Ordinance may be continued, except as hereafter provided, although such use does not conform to the provisions of this Ordinance.

III-2.4. Change in Use. A non-conforming use shall not be changed to another non-conforming use.

III-2.5. Restoration after Damages. A non-conforming building or structure which has been damaged by fire or other causes to the extent of more than 50 percent of its current replacement value at the time of such damage shall not be rebuilt or restored, except in conformity with the provisions of this Ordinance. If a non-conforming building is damaged less than 50 percent of its current replacement value it may be rebuilt or restored and used as before the damage, provided that such rebuilding or restoration is completed within 12 months of the date of such damage. Moreover, all debris from the damaged structure shall be removed within 90 days from the date of such destruction.

III-2.6. Restoration to Safe Condition. Nothing in this Ordinance shall prevent the restoration of any non-conforming building or structure to a safe or sanitary condition when required by the appropriate authorities.

III-2.7. Abandonment. A non-conforming use which has been discontinued, abandoned, or vacated for a continuous period of six (6) months shall not be re-established and any future use shall be in conformity with the provisions of this Ordinance.

III-2.8. 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.

END of ARTICLE III

**ARTICLE IV
ADMINISTRATION**

**ARTICLE IV
SECTION 1**

ENFORCING OFFICER

IV-1.1 General. The provisions of this Ordinance shall be administered and enforced by the Building Official of the Inspections Department or the Zoning Department of the City of Springville. He or she may be provided with the assistance of such other person or persons as the City Council may direct. The Building Official, or the duly authorized representative, shall in relation to this Ordinance:

1. Review all building permit applications and proposed plans and perform inspections for compliance with all applicable provisions of City Ordinances and adopted codes.
2. Issue all building permits and maintain records thereof.
3. Issue all certificate of occupancy and maintain records thereof.
4. Issue and renew where applicable all temporary use permits and maintain records thereof.
5. Have the right to enter upon any premises at any reasonable time for the purpose of making inspections of land or structures necessary to carry out the enforcement of City Ordinances and adopted codes. If the Building Official shall find that any of the provisions of these Ordinances or codes are being violated, he shall proceed to notify in writing the persons responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done and shall take any other action authorized by City Ordinances to bring the use into compliance with or to prevent violation of their provisions.

IV-1.2. Violations. The Building Official, or the duly authorized representative, is expressly authorized upon a finding of a violation of this Ordinance, and after proper notification outlined in subsection (E) above, to institute any appropriate action to put an end to such violation including and up to the filing of a complaint on behalf of the City in the municipal court of the City. For any and every violation of this Ordinance and for each and every day that such violation continues, said violation(s) shall be punishable as a misdemeanor by a fine not to exceed five hundred dollars (\$500), or by imprisonment for not more than ten (10) days, or by both such fine and imprisonment.

IV-1.3. Actions. The above criminal proceeding in no manner shall limit the right of the City to bring a Civil Action to prevent, restrain or abate any unlawful activity and/or a violation of this Ordinance.

**ARTICLE IV
SECTION 2**

BUILDING PERMIT REQUIRED

IV-2.1. General. A building permit is required for any and all construction and related activities within the City of Springville, Alabama. It shall be unlawful to engage in any of the following prior to the issuance of a building permit by the Inspections Department:

1. Commence earthwork;
2. Commence construction of any building or other structure, including accessory structures or signs.
3. Store building materials or erect temporary field offices,
4. Commence the moving, alteration or repair of any structure (excluding minor repairs which do not change the character or value of the structure).

ARTICLE IV

SECTION 3

APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMITS

IV-3.1. Application for Permit. Each permit application shall be completed in full and submitted on the appropriate City of Springville forms. The application for a building permit for the use of land, excavation, construction, moving or alteration shall be accompanied by the appropriate fee, a site development plan or plat drawn to scale, and showing the following in sufficient detail to enable the Building Official of the City to ascertain whether the proposed excavation, construction, use of land, moving or alteration is in conformity with the Ordinance. In addition the permit application must include the following:

1. Certificate of approval of sanitary waste disposal facilities issued by the appropriate administrative agencies.
2. Any permits, certificates or approvals which may be required by Federal, State, County, or local law or regulation. (Such as a storm water permit, etc.)
3. The location, size, and dimensions of the site.
4. The use, location, size, and height of all existing and proposed structures on the site.
5. The location and number of parking spaces.
6. All easements and rights-of-way.
7. The setback and side lines of buildings on adjoining lot, and other information concerning the lot or adjacent lot as may be required to determine conformance with the provisions of this Ordinance.
8. The location and dimensions of all exterior graphic displays.
9. The location, dimensions, area, and character of all required buffers and green belts.
10. Landscape plan.
11. A certification of the current zoning of the lot for which the permit is to be issued.

IV-3.2. Approval. Upon receipt of all documentation and information as specified above, the Building Official shall have a reasonable time for review and approval of said application.

ARTICLE IV

SECTION 4

CERTIFICATE OF OCCUPANCY

IV-4.1. Issuance. Within three (3) days after the owner or his agent has notified the Inspections Department of the City that a building or premises or part thereof is ready for occupancy or use, the Building Official should conduct a final inspection, and issue a certificate of occupancy if the building or premises or part thereof is found to conform with the provisions of City Ordinances and adopted Codes. If such certificate is refused the Official shall provide the owner or his agent with written reasons for said refusal.

IV-4.2. Administration. One copy of the signed certificate of occupancy, a signed statement by the owner or his agent regarding the intended use of the premises, and a signed refusal, if any, shall be maintained in the office of the Building Official. Appeals from the Building Official shall be heard by the Board of Zoning Adjustment.

ARTICLE IV
SECTION 5

INTERPRETATION OF DISTRICT BOUNDARIES

IV-5.1. Where uncertainty exists as to the boundaries of any district shown on the Zoning Map the following rules shall apply:

5.1.1. Where boundaries are indicated as approximately following street and alley lines or land lot lines, such lines shall be construed to be such boundaries.

5.1.2. In unsubdivided lot or tracts where a district boundary divides a lot, the location of such boundaries, unless same are indicated by dimensions, shall be determined by the use of the scale appearing on such maps.

5.1.3. Where boundaries are approximately parallel to public right-of-way lines, such boundaries shall be construed as being parallel thereto.

ARTICLE IV
SECTION 6

INTERPRETATION OF USES

IV-6.1. Interpretation. This Ordinance recognizes the limitations of the district use listings, given the infinite variations of essentially similar uses. Therefore, the Building Official is empowered to make interpretations so as to classify any questioned use within a listed use of most similar impact and characteristics. Appeal of the Building Official's use interpretation may be filed with the Board of Zoning Adjustment.

ARTICLE IV
SECTION 7

UNCLASSIFIED USES

IV-7.1. Procedures. In the event the Building Official finds a new or unusual use that cannot appropriately fit a listed use in any district; the following procedures shall be followed:

7.1.1. If compatible with the existing zoning district intent, the unclassified use may be permitted by special exception upon approval and subject to the conditions set by the Board of Zoning Adjustment.

7.1.2. If the unclassified use would not be compatible with the existing zoning district intent, the Building Official shall determine the most appropriate district classification and require the lot in question to be rezoned. In addition, the unclassified use may be permitted in the new district by special exception if granted approval by the Board of Zoning Adjustment.

7.1.3. Following the final action on the unclassified use, the Planning and Zoning Board shall initiate an amendment to this Ordinance to list the newly permitted use into the most appropriate district or districts.

ARTICLE IV
SECTION 8

EXPIRATION OF BUILDING PERMIT

IV-8.1. Expiration of Permit. Any building permit under which construction work has not commenced within six months from the date of issuance, or where work authorized by such permit is suspended or abandoned for a period of six months after the time the work is commenced, shall expire by limitation. Upon reapplication to the Building Official, a building permit which has expired by limitation may be renewable, subject to the provisions of all Ordinances in force at the time of said renewal. In no event shall any permit be renewed more than one time.

ARTICLE IV
SECTION 9

UNLAWFUL STRUCTURE

IV-9.1. Structures in Violation. Any uses of land or dwellings, construction or alteration of buildings or structures including tents, trailers, coaches or uses 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 Official may petition the applicable court to abate the nuisance created by such unlawful use or structure. Whenever the Building Official has declared a structure to be nonconforming with the requirements contained in this Ordinance, the owner or occupant may be required to vacate such structure or premises until such structure or premises has been adapted to conform with the provisions of this Ordinance.

ARTICLE IV
SECTION 10
PENALTIES

IV-10.1. Penalties. It shall be unlawful to erect, construct, reconstruct, alter, maintain, use or occupy any land in violation of any regulation in, or of any provision of, this Ordinance, or any amendment thereof. Any person, firm, corporation, or entity violating this Ordinance shall be guilty of a misdemeanor, punishable as provided in state and local law. Each and every day during which said violation continues shall be deemed a separate offense. Provided, however, that prior to any criminal prosecution the Building Official or his agent shall give a written notice of citation to the person, firm, corporation, or entity violating any provision of this Ordinance stating the violation and notifying the person, firm, corporation, or entity to cease and desist such violation immediately. The continuance of a violation and the imposition of any fine shall not constitute an exemption from compliance with the provisions of this Ordinance.

ARTICLE IV
SECTION 11
REMEDIES

IV-11.1. Remedies. If any building or other structure is erected, constructed, reconstructed, altered, repaired,

converted, or maintained, or any building or structure, and is used in violation of this Ordinance, the Building Official of the City, other appropriate authority, or any adjacent or neighboring lot owner who would be damaged or caused hardship by such violation, may initiate injunction, mandamus, or other appropriate action or proceeding to stay or prevent said unlawful violation, to correct or abate violations or to prevent occupancy of such building, structure or land. The availability of said remedies will not limit any other legal remedies available to the party.

ARTICLE IV

SECTION 12

BOARD OF ZONING ADJUSTMENT

IV-12.1. Appointment. A Board of Adjustment is hereby established. Such Board shall be appointed as provided by State law, and shall have all powers granted therein.

IV-12.2. Procedure. The Board of Adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this Ordinance. Meetings shall be held at the call of the chairman, or in his absence, the acting chairman, and at such other times as the Board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Board and shall be a public record.

IV-12.3. Powers and Duties. The Board of Zoning Adjustment shall have the powers and duties as provided in State law to decide requests for administrative review, special exception uses, and variances that will not be detriment to the public good or impair the purposes and intent of this Ordinance.

IV-12.4. Administrative Review. The Board of Zoning Adjustment may hear and decide appeals upon written application and payment of an application fee where it is alleged there is error in any order, requirement, decision, or determination made by the Building Official or other duly authorized official (Administrative Official) in the enforcement of this Ordinance or any amendment thereto.

IV-12.5. Appeals-How Taken. Appeals to the Board of Adjustment may be taken by any persons aggrieved or by any officer, department, or board of the municipal affected by any decision of the administrative official. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Administrative Official and with the Board of Adjustment a notice of appeal specifying the grounds thereof.

The 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 in interest, and decide the same within a reasonable time. The owner must personally attend the hearing or may choose to be represented by his agent or attorney.

IV-12.6. Stay of Proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building Official from whom the appeal is taken certifies to the Board of Adjustment that, a stay would, in his opinion, cause imminent peril to life and property. In such cases, the proceedings shall not be stayed other than by a restraining order issued by the Board of Adjustment or by an appropriate court on application with notice to the Building Official from whom the appeal is taken and on due cause shown.

IV-12.7. Special Exceptions. The Board of Zoning Adjustment may hear and decide special exceptions as specifically

authorized by this Ordinance, to determine whether special exceptions should be granted, and to grant special exceptions, to impose such conditions and safeguards as are appropriate under this Ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this Ordinance. A special exception shall not be granted by the Board of Adjustment unless and until:

1. A written application for a special exception is submitted indicating the section of this Ordinance under which the special exception is sought and stating the grounds on which it is requested, along with an application fee.
2. A public hearing has been held, notice of which has been provided by first class mail to the owner of the lot for which special exception is sought (or his agent) and to the owners of all adjoining property, at least five days prior to the public hearing. The owner must personally attend the hearing or may choose to be represented by his agent or attorney.
3. The Board of Adjustment has made a finding that it is empowered under the section of this Ordinance described in the application to grant the special exception, and that the granting of the special exception will not adversely affect the public interest.
4. In granting any special exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this Ordinance and punishable as prescribed in this Ordinance. The Board of Adjustment may prescribe a time limit within which the action for which the special exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit shall void the special exception.

IV-12.8. Variances. The Board of Zoning Adjustment may authorize upon appeal in specific cases such variance 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, and so that the spirit of the Ordinance shall be observed and substantial justice done.

12.8.1. A variance from the terms of this Ordinance shall not be granted by the Board of Adjustment unless and until a written application for a variance plus an application fee is submitted demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same district;
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;
3. That the special conditions and circumstances do not result from the actions of the applicant;
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
5. That relief, if granted, would not cause substantial detriment to the public good or impair the purposes

and intent of this Ordinance; and

6. That the variance is not a request to permit a use of land, buildings, or structures which is not permitted by right or by special exception in this district involved.

12.8.2. A hearing on the variance application will be held after proper notice is provided. Notice of public hearing shall be given by first class mail to the owner of the lot for which the variance is sought or to his agent, and to the owners of all adjoining property, at least five days prior to the public hearing. The owner must personally attend the hearing or may choose to be represented by his agent or attorney.

12.8.3. The Board of Adjustment may only grant a variance after making a specific finding that the requirements of this Section regarding a written application have been met by the applicant for a variance and the application fee paid, that the reasons set forth in the application justify the granting of the variance, that the variance is the minimum variance that will make possible the reasonable use of the land, building or structures, and that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

12.8.4. In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this Ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance and punishable as prescribed in this Ordinance.

12.8.5. Variances should be permitted only under peculiar and exceptional circumstances; keeping in mind hardship alone is not sufficient. Demonstration of unnecessary hardship is required and financial loss of a kind which might be common to all of the lot owners in similar situations is not grounds for a variance. Under no circumstances shall the Board of Adjustment grant a variance to permit a use not generally or by any special exception permitted in the district except as provided for in Article IV, Section 6 Interpretation of Uses, and in Article IV, Section 7 Unclassified Uses.

IV-12.9. Board Action on Applications. In exercising the above mentioned powers, the Board of Adjustment may, so long as such action is in conformity with the terms of this Ordinance, reverse, or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made, and to that end shall have powers of the Building Official or 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 any such Building Official/Administrative Official or to decide in favor of the applicant on any special exception or Variance.

ARTICLE IV

SECTION 13

APPEALS FROM ACTION OF THE BOARD

IV-13.1. Appeal Pursuant to State Law. Any party aggrieved by any final judgment or decision of the Board of Zoning Adjustment, may appeal pursuant to State law.

ARTICLE IV

SECTION 14

LIMITATION ON REQUESTS TO THE BOARD OF ZONING ADJUSTMENT

IV-14.1. Limitation on Requests. If the application is denied by the Board of Zoning Adjustment, a second appeal, special exception, or variance request of the same kind on the same tract or parcel of land will not be considered until a period of one (1) year has elapsed from the date of such action by the Board. However, the Board of Zoning Adjustment may adjust this time period, if in the opinion of a majority of the Board, an unusual situation or circumstance exists which would warrant another hearing or that conditions in the area have changed, or that the request has changed. Each time the application is made, the required administration fee must be paid, and no sum or any part of the fee will be refunded for failure to approve such proposal.

END of ARTICLE IV

ARTICLE V
DEFINITIONS

ARTICLE V
SECTION 1
GENERAL

V-1.1. General. For the purposes of this Ordinance, certain words and terms are defined as herein indicated and shall apply to all parts of this Ordinance. Unless specifically defined herein, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

V-1.2. Usage. All words used or defined in one tense or form shall include other tenses and derivative forms; all words in the singular number shall include the plural number, and all words in the plural number shall include the singular number unless the natural construction of the wording indicates otherwise; the words "used for" shall include the meaning "designed for;" the word "structure" shall include the word "building;" the word "lot" shall include the words "plot" and "tract;" the word "shall" is mandatory and the word "may" is permissive. The word "person" includes an individual, firm, association, organization, partnership, trust, company or corporation.

ARTICLE V
SECTION 2
INTERPRETATION

V-2.1. Interpretation. The Building Official 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 Official's determination may be filed with the Board of Zoning Adjustment.

ARTICLE V
SECTION 3
DEFINITIONS

V-3.1. Definitions.

ABUT, ADJACENT, ADJOIN OR CONTIGUOUS - To physically touch or border upon or to share a common border with or be separated from the common border by an easement, right-of-way, railroad, or body of water.

ACCESS - A way or means of approach to provide physical entrance to a lot.

ACCESSORY BUILDING - A subordinate building detached from a principal building on the same lot and that is used incidentally to the principal building.

ACCESSORY STRUCTURE - An improvement detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use. All buildings are structures, but all structures are not buildings.

ACCESSORY USE - A use which is normally incidental, subordinate to and related exclusively to the principal use of the premise.

ACRE - A measure of land containing 43,560 square feet of area.

ADULT ESTABLISHMENTS:

ADULT ENTERTAINMENT ESTABLISHMENT - An enclosed building used for adult entertainment, amusement, or recreational facility, adult mini-motion picture theater, adult motion picture theater or any combination thereof; or a nightclub, bar, or restaurant or similar establishment which features live performances by topless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on "specified sexual activities" or the exposure of "specified anatomical areas" for observation of patrons.

ADULT RETAIL ESTABLISHMENT - An enclosed building having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, cassette or video tapes and films, computer games, digital video discs, or any other medium which are distinguished or characterized by their emphasis on matter depicting describing or relating to "specified sexual activities" or "specified anatomical areas" as defined in this section, or an establishment which sells or displays other adult oriented materials or merchandise or sexual aids, or an establishment with a segment or section devoted to the sale or display of such materials or merchandise.

ADULT THEATER - An enclosed building used for presenting motion pictures, films, digital presentations, theatrical productions or material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" as defined in this section, for observation by patrons. Such establishment may also include the sale and/or rental of books, magazines, video cassettes, video games and digital video discs and other forms of visual productions, for any form of consideration.

ADULT AMUSEMENT FACILITY - Any establishment, business, operation or premises wherein there is located one or more devices which depict specified sexual activities or the exposure of specified anatomical areas or legal devices which may be used for gambling, including but not limited to gaming tables, roulette wheels, dice, slot machines, video poker machines, video lottery terminals, mechanical or electronic devices or machines which dispense or otherwise reward a person with money, property, gift certificate, check, or anything of value other than the right to replay such device.

MASSAGE PARLORS - An enclosed building used for the primary purpose of providing body rubdowns, back rubs, baths and massages wherein staff of said establishment may provide the foregoing services to patrons.

SPECIFIED ANATOMICAL AREAS - (1) Less than completely and opaquely covered human genitals, pubic regions, buttocks, and female breast below a point immediately above the top of the areola; and (2) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES - (1) Human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse or sodomy; and (3) fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

AIRPORT - A place where aircraft can land and take off. Such use may include terminals, hangers, refueling, and

repair facilities.

ALLEY - A public or private service way providing a secondary means of access to abutting lot and not intended for general traffic circulation.

ALTERATION, GENERAL - Any addition to the height, width, or depth of a building or structure or any change in the location of any of the exterior walls of a structure; any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, or girders, or of any interior partitions, as well as any change in the location of doors or windows.

ALTERATION, SUBSTANTIAL - A building or structure shall be classified as substantially altered when it is repaired, renovated, remodeled, improved, expanded, or rebuilt at a cost in excess of fifty percent (50%) of its value prior to the commencement of such work, or of its value prior to any damage sustained to said building or structure making the work necessary.

ANIMAL HOSPITAL - A place where small household pets are given medical or surgical treatment and short term boarding of pets within an enclosed building may be provided.

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

APARTMENT - See Dwelling, Apartment.

APPEAL (ADMINISTRATIVE REVIEW) - A request for a review by the Board of Zoning Adjustment of a decision made by the building official and/or zoning administrator where it is alleged there is an error in any order, requirement, decision, or determination made by the administrative official in the enforcement of this Ordinance.

ASSISTED LIVING FACILITY - A licensed facility in which room, board, meals, laundry, and assistance with personal care and other non-medical services are provided for ambulatory adults. This kind of care implies sheltered protection and a supervised environment for persons who, because of age or disabilities, are incapable of living independently in their own homes or in a business room and board situation, yet who do not require the medical and nursing services provided by a Nursing Home. In these facilities there may be available incidentally, some type of limited medical attention.

AUDIO/VIDEO RENTAL ESTABLISHMENT - A retail establishment that sells or rents video or audio merchandise for a profit to the general public at large for use, benefit or consumption.

AWNING - A shelter supported entirely from the exterior wall of a building.

BAKERY (MAJOR) - An establishment which bakes goods primarily for wholesale and/or retail markets which may include storage and distribution facilities.

BAKERY (MINOR) - An establishment which bakes goods for on-premise retail sale.

BANK OR FINANCIAL SERVICE - A business engaged in providing banking or financial services to the general public, such as a bank, savings and loan association, credit union, finance company, mortgage company, investment company, stock broker, personal financial planner, or similar businesses.

BASEMENT - A portion of a building located wholly or partially underground, having no more than seven feet (7') above grade as defined in this Ordinance for more than fifty percent (50%) of the total perimeter, nor more than twelve feet (12') above grade as defined herein at any point. If the floor-to ceiling height exceeds the criteria set out

above, the basement shall be considered a story in computing the building height.

BED AND BREAKFAST INN - See Dwelling, Bed and Breakfast Inn.

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

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

BOARDING OR ROOMING HOUSE - See Dwelling, Boarding or Rooming House.

BUFFER - A strip of land that is retained 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, restricting passage, and enhancing the natural environment, thereby providing for a compatible mix of otherwise conflicting uses. Buffers may consist of existing or planted trees, shrubs or vegetation, fences, walls or earth berms. See Article VII, Section 7.

BUILDING - A structure designed to be used as a place of occupancy, storage, or shelter.

BUILDING (ACCESSORY) - A subordinate building detached from a principal building on the same lot and that is used incidentally to the principal building.

BUILDING AREA - The portion of the lot occupied by the main building, including attached porches, porte-cocheres, garages, carports, plus accessory buildings, and other structures.

BUILDING AREA, PERCENTAGE - The numerical value obtained by dividing the gross floor area of a building or buildings plus any accessory structures by the area of the lot on which the building or buildings and accessory structures are constructed.

BUILDING FACE - The wall or walls of a building. Each building face shall include the area from exterior plane to exterior plane, and any offsets shall not be considered a separate face.

BUILDING HEIGHT - The vertical distance above the average elevation of the finished grade measured to the highest point of the building. The height of a stepped or terraced building shall be the maximum height of any segment of the building.

BUILDING LINE - A line showing the nearest distance to the lot line or lines that is permissible to build a structure either in compliance with this Ordinance or in following a plat, deed, or private contract or covenant. The outermost projection of the extreme overall dimensions of a building as staked on the ground, including all area covered by any horizontal projection or any vertical projection to the ground of overhang of walls, or of the roof or any other part of a structure which is nearest to the lot line, except that open steps, terraces, and patios may be excluded.

BUILDING (MAIN) - The principal building on a lot, including any attached porch, porte-cochere, garage, or carport, in which the principal use of the site is conducted.

BUILDING (MOBILE OR PRE-MANUFACTURED) - A building transportable in one or more sections, which is built on a permanent chassis, and designed to be used with or without a permanent foundation. See Dwelling.

BUILDING OFFICIAL - The head of the Inspections Department of the City of Springville or his designee, which may include a building inspector.

BUILDING SEPARATION OR SPACING - The minimum distance between buildings measured from the outermost

projection.

BUILDING (TEMPORARY) - A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, construction projects, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

CAMPGROUND - A group of ten or more buildings or structures on a site of ten (10) or more acres for seasonal recreational or vacation uses, including tent campsites, travel trailer or recreational vehicle sites, vacation cottages, recreational facilities, eating facilities to include picnic tables and/or outdoor grills, pavilions, bathroom facilities, and may also include a facility which provides for the sale of personal items and gifts.

CANNABIS-BASED PRODUCT - Products derived from any parts and varieties of the plant cannabis sativa intended for use and consumption or introduction of the human body, including, but not limited to edible products, beverages, topical products, ointments, oils, tinctures, and products to be smoked or vaporized. The products are only those which are legal to sell and possess pursuant to law.

CANNABIS-BASED PRODUCT STORE (OR RETAILER): A retail establishment where no less than fifty-percent (50%) of the gross revenues thereof are derived from the sale of cannabis-based products for on-or-off premise consumption and use. Other retail items may be sold for off-premise consumption as a secondary use.

CANOPY - A roofed structure supported by the building or by support - extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings or a protective shield for sidewalks or fuel pumps.

CARPORT- A roofed structure open on at least two sides and used for the storage of private or pleasure-type vehicles.

CAR WASH - A business establishment engaged in washing or cleaning of automobiles and light vehicles. Such facility may be automated or employ the services of individuals to perform such services manually or may be a self-service, coin-operated facility.

CEMETERY - Human burial grounds.

CEMETERY (PET) - Burial grounds for small domestic animals.

CLUSTER DWELLING - See Dwelling, Cluster.

COMMUNITY CENTER OR CIVIC CENTER - A building, structure, or other facility used for and providing social and/or recreational programs and activities or entertainment, generally open to the public and designed to accommodate and serve significant segments of the community.

COMMONLY ASSOCIATED - Whenever an activity, which may or may not be separately listed in the district is conducted in conjunction with a permitted use in the district as an incidental or insubstantial part of the total activity on a lot, the incidental activity shall be permitted as an accessory use if the combined uses are commonly associated with and integrally related to one another, and takes place whenever an activity, which may or may not be separately listed in the district in conjunction with a permitted use in the district as an incidental or insubstantial part of the total activity on a lot, the incidental activity shall be permitted as an accessory use if the combined uses are commonly associated with and integrally related to one another.

For the purpose of this section *commonly associated* means that the association of such combined uses takes place with sufficient frequency that there is a common community acceptance of their relatedness.

COMPREHENSIVE PLAN - The declaration of purposes, policies, and programs for the development of the jurisdiction.

CONDOMINIUM - See Dwelling, Condominium.

CONSTRUCT - Construct shall include build, erect, reconstruction, alteration, moved upon or any physical operations on the premises required for the building, principal structure, sign or accessory use. This definition shall include excavation, earthwork, fill, drainage work, utilities installations and other work as it relates to the construction or use of a building, principal structure, sign or accessory use.

CONSTRUCTION SERVICE - A place of business engaged in construction activities and incidental storage, or the wholesaling of building materials such as a building contractor, trade contractor, or wholesale building supply store. A home improvement center which sells at retail is not included in this service.

CONVENIENCE STORE - A one-story, retail store that is designed and stocked to sell primarily food, beverages, and other household goods and products to customers who purchase only a relatively few items at a time. Such an establishment may also engage in the sale of vehicle fuel, oil, and accessories.

CORNER LOT - See Lot, Corner.

COUNTRY CLUB - Land and buildings containing recreational facilities and club house for private club members and their guests.

COVENANT - A written agreement between two or more parties for the performance of some action. When used in relation to property or real estate, it is generally an agreement executed between the buyer and seller of such real estate, and should be enforced by private landowners, and not the municipality, unless the proposed use violates the zoning Ordinance. This term shall also include deed restrictions.

COVERED MALL BUILDING - A single building enclosing a number of tenants and occupants, such as retail stores, drinking and dining establishments, entertainment and amusement facilities, passenger transportation terminals, offices, and other similar uses wherein two or more tenants have a main entrance into one or more malls.

For the purpose of this Ordinance, Anchor Buildings (See below) shall not be considered as a part of the Covered Mall Building.

The Covered Mall Building shall include Open Mall Buildings as defined below:

1. **Mall:** A roofed or covered common pedestrian area within the Covered Mall Building that serves as access for two or more tenants and not to exceed three levels open to each other. The Mall shall include Open Malls as defined below:
 2. **Open Mall:** An uncovered common pedestrian way serving a number of tenants, and not exceeding three levels.
 3. **Open Mall Building:** Several structures housing a number of tenants and occupants, such as retail stores, drinking and dining establishments, entertainment and amusement facilities, passenger transportation terminals, offices, and other similar uses wherein two or more tenants have a main entrance into one or more Open Malls.
For the purpose of this Ordinance, Anchor Buildings (See below) shall not be considered as a part of the Open Mall Building.
4. **Anchor Building:** An exterior perimeter building having direct access to a Covered Mall Building but having required means of egress independent of the Mall.

Hazardous Uses (see definition) shall not be permitted in Covered Mall Buildings.

CRAFT OR HOBBY SHOP - A business establishment which sells or offers for sale materials and/or supplies related to

art, flower arranging, ceramics, needlepoint, woodcraft, related books and instructional materials, and similar activities.
CUL-DE-SAC - A dead-end street terminated by a vehicle turn-around having a minimum right-of-way radius of fifty feet (50').

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 - See Dwelling, Day Care Home.

DENSITY - The minimum required lot area per dwelling unit or the maximum number of dwelling units per acre of 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.

DOUBLE FRONTED LOT - See Lot, Double Fronted.

DRIVEWAY - A private access road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel in which it is located.

DWELLING - Any building or portion thereof which is designed or used exclusively for residential occupancy.

DWELLING, APARTMENT - A residential building designed or used for three or more dwelling units.

DWELLING, ATTACHED - Two (2) or more dwelling units adjoining one another by a common wall, roof, or floor.

DWELLING, BED AND BREAKFAST INN - A detached single-family dwelling or portion thereof, in which short-term rooms and meals are provided for patrons. The operator of the inn shall live on the premises or in adjacent premises. See Article VIII-2 Bed and Breakfast Establishments.

DWELLING, BOARDING OR ROOMING HOUSE - A facility consisting of not more than one dwelling unit occupied by a resident family or staff which manages the facility together with one or more rooms that are intended to be rented to long-term residents (at least a month to month basis), as distinguished from rooms in a bed and breakfast inn, hotel or motel which are intended to be rented on a short term basis (daily or weekly) to transient guests. Each room does not constitute a separate dwelling unit.

DWELLING, CLUSTER - Dwelling units detached or attached, each unit of which has a separate entrance, and is designed to be owned and occupied by one family.

DWELLING, CONDOMINIUM - A building or a group of buildings in which units are owned individually, and the structure, common areas and facilities are owned by all of the owners on a proportional, undivided basis.

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

DWELLING, 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 dwelling, manufactured home, modular home, patio home or garden home.

DWELLING, DUPLEX - Two (2) attached dwelling units.

DWELLING, GARDEN HOME - A single-family detached dwelling designed on a small lot with one zero lot line on one

side. These dwellings are designed preferably on flat terrain for maximum privacy.

DWELLING, 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 with the resident, the primary goal being for the handicapped person to reach his or her maximum potential. (See *Code of Alabama*, 1975, 1-52-75.1, Regulation as to housing of mentally retarded or mentally ill persons in multi-family zones, as amended.)

DWELLING, MULTI-FAMILY - A building or portion thereof designed for occupancy by two or more families living independently of each other within the same structure. Multi-family dwellings shall include those in which individual dwelling units are intended to be rented and maintained under central ownership and management; those which are under collective ownership and management including cooperative apartments, condominiums, and the like; or townhouses in individual ownership; and all other forms of multi-family dwellings.

DWELLING, MANUFACTURED HOME (MOBILE HOME) - A structure transportable in one or more sections, which when transported, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on the site, is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. The structure meets or exceeds the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development, as evidenced by an affixed certification label in accordance with 24CFR Section 3280.8.

DWELLING, MODEL HOME - A dwelling temporarily used as a sales office for a residential development under construction, said home being used for on-site sales and not for general real estate business. This home will revert to a residential use once the development is substantially completed.

DWELLING, MODULAR HOME - A dwelling constructed on-site in accordance with applicable building codes as amended and approved. It is composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home is not a manufactured home or mobile home in that the latter is constructed in a plant in accordance with the Manufactured Home Construction and Safety Standards of the U. S. Department of Housing and Urban Development and does not meet the construction standards of applicable building codes as amended and approved.

DWELLING, SINGLE-FAMILY - A building designed exclusively for occupancy by one family and having only one dwelling unit from the ground to the roof and having independent outside access.

DWELLING, SINGLE-FAMILY DWELLING - A detached single-family dwelling constructed on-site in accordance with the applicable building code as amended and approved within the City of Springville.

DWELLING, TINY HOME/TINY HOUSE - A residential dwelling consisting of no more than four hundred (400) square feet of improved (heated/cooled) area.

DWELLING, TOWNHOUSE - A group of three (3) or more attached, single-family dwellings not exceeding three (3) stories in height within a single building of eight (8) or less units in which each single-family unit shares a common wall, and in which each single-family unit occupies its own individual lot. Each single-family unit has a separate means of egress with property lines, lot lines, and a one-hour fire-resistant rated wall or a two-hour fire-resistant rated party

wall separating such units. Each single-family unit shall extend from foundation to roof and have open space on at least two (2) sides.

DWELLING UNIT - Any portion of a building used as a separate abode for a family having its own cooking, kitchen, and bathroom facilities.

EASEMENT - That portion of land or property reserved for present or future use by a person or agency other than the legal fee owners(s) of the property. The easement shall be permitted to be for use under, on, or above said lot or lots. Surface drainage easements not within the existing right-of-way are not maintained by the City of Springville.

EARTHWORK - The breaking of ground, except common gardening and ground care.

EQUIPMENT RENTAL ESTABLISHMENT - A business establishment engaged in the rental of a wide variety of tools and equipment including but not limited to backhoes, lawn mowers, garden tillers, cement mixers, chain saws, ladders, etc. Such is usually rented on an hourly, daily or weekly basis for enumeration. All equipment and rental items must be stored entirely within an enclosed building or screened from public view by an opaque fence which is adequate in height to conceal such items from public view and all repairs must be conducted entirely within an enclosed building.

FAMILY - Any number of individuals living together as a single housekeeping unit.

FAMILY CARE HOME - A group care home serving up to ten individuals, living together as a single housekeeping unit, under the supervision of one or two resident managers. The home serves socially, physically, mentally, or developmentally impaired children or adults in a family-type living arrangement, including child care homes for orphans or abused or neglected children, and handicapped or infirm home for the mentally retarded or mentally ill. (See *Code of Alabama*, 1975, Section 11-52-75.1, Regulation as to housing of mentally retarded or mentally ill persons in multi-family zones, as amended.)

FARM - A five acre or larger tract of land where agricultural and related pursuits may occur.

FARM ANIMAL- Animals, other than household pets, kept and maintained for business production and sale and/or family food production, education, or recreation. Farm animals are identified by these categories: large animals, such as horses and cattle; medium animals, such as sheep and goats; or small animals, such as rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks and pigeons.

FARM SUPPORT BUSINESS - A business establishment engaged in the sale of farm support goods and services, including the sale of feed, grain, fertilizers, pesticides and similar goods; the provision of warehousing and storage facilities for raw farm products; and the provision of veterinary services to farm animals.

FENCE - An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

FENCE, PRIVACY - As distinguished from a boundary fence, a privacy fence is typically intended to block or screen, all or part of a property or use from the view of neighboring properties. The finished side of the fence must face to the outside, or the fence may be double faced.

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, LIVABLE - The livable area shall be the heated area of the first floor, plus the area of the floor next

above or below having a ceiling height of seven and one half feet (7 ½'); and the area under a sloping roof having a minimum height of five feet (5') and having one half of the floor area with a ceiling height of at least seven feet six inches (7'6"). Garage floor area, unfinished basements, decks, porches, patios, terraces, and carport floor area are not included as livable floor area.

FLOOR AREA, NET - The gross floor area exclusive of vents, shafts, courts, elevators, stairways, exterior walls and similar facilities.

FRONTAGE - See Lot, Frontage.

FOUNDATION BOUNDARY SURVEY - A survey prepared and certified as to its accuracy by a surveyor who is licensed by, and registered with, the State of Alabama as a surveyor, which survey shall clearly show the location of the foundation for the building or other structure, decks, porches or any appurtenance to the structure to be constructed on the site; the distance between such foundation and the boundary lines of such lot or parcel; all easements on said parcel; and the slope of the land, with arrows denoting the direction in which water will flow.

FOWL - Chickens, turkeys, ducks, geese, quail, guineas, etc.

FUNERAL HOME - A business establishment engaged in funeral and undertaking services for human burial, cremation, or placement in a mausoleum.

GARAGE, PARKING OR STORAGE - See Vehicle Garage, Parking or Storage

GARAGE, PRIVATE - See Vehicle Garage, Private.

GARAGE, REPAIR - See Vehicle Garage, Repair.

GARDEN HOME - See Dwelling, Garden Home.

GLARE - Direct or reflected light which adversely affects visibility or which extends beyond any property line(s) on which the lighting is located, and interferes with the safety or welfare of persons or property lying beyond said property.

GRADE - The average level of the finished ground surface adjacent to the exterior walls of the building or structure.

GREENBELT - A greenbelt shall consist of trees, shrubs, flowering plants, lawn or groundcover the width of which may not be included in the width or any yard which is required for the parcel. Also see Buffer, (Article VII Section 7.0.)

GARDEN CENTER OR NURSERY - 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, gardening equipment and seeds).

GROSS LEASABLE AREA (GLA) - The total floor area of a business building designed for tenant occupancy and exclusive use.

GROUP CARE HOME - See Dwelling, Group Care Home.

HALF-STORY - A half-story is a story situated within a sloping roof, the floor area of which has a minimum ceiling height of five feet (5') above the floor and in which the sloped ceiling does not exceed fifty percent (50%) of the net floor area. The minimum ceiling height of seven feet, six inches (7'-6") shall not exceed a minimum of fifty percent (50%) of the net floor area.

HAZARDOUS USES - All uses which involve the storage, sale, manufacture, processing or handling of materials which are easily ignited and likely to burn with moderate rapidity or cause smoke, including materials and/or chemicals which are highly flammable, explosive, noxious, toxic, or are otherwise inherently dangerous to humans, animals, land, crops, or property.

HELIPORT - An area used by helicopters which may include passenger and cargo facilities, maintenance and overhaul, fuel service, storage space, tie-down space, hangars and other accessory buildings, and open space.

HOBBY FARM - A three (3) acre or larger tract of land used for keeping or maintenance of farm animals as an incidental use to the primary use of the property. (See Article VIII, Section 5.0.)

HOME OCCUPATION - A business, profession, occupation, or trade conducted for gain or support, and located entirely within the living area of a dwelling as an incidental activity of the residents of that dwelling and employing only the inhabitants thereof, in which not more than twenty-five percent (25%) of the dwelling is used for said home occupation. Said home occupation shall be clearly incidental and secondary to residential occupancy, shall not involve any public display of goods, shall not create noise, produce odors, vibration, electrical interference, or traffic safety hazards or congestion, nor interfere with the health, safety, morals, convenience, and/or general welfare of the public. Moreover, such activity shall not alter the exterior of the property or affect the residential character of the neighborhood in which it is located. (See Article VIII, Section 7.0).

INDOOR ENTERTAINMENT - Any business, occupation or activity held within a building and for the purpose of entertaining groups of individuals.

KENNEL - Any one location where there exists the housing of more than 3 dogs.

LOT, CORNER - A lot which is adjacent to or abuts two (2) or more intersecting public streets or rights-of-way. Front yard setbacks shall be observed at all lot lines abutting or adjacent to public streets.

LOT, DOUBLE FRONTED - An interior lot having right-of-way frontage at both the front and rear of the lot. Front yard setbacks shall be observed at all lot lines adjacent to or abutting public streets.

LOT, FLAG - A parcel of land which does not have the required minimum lot width at the road frontage, 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 and shall have a minimum width of 25' on the public road. These provisions are intended for tracts with limited road frontage, but having sufficient area for more than one lot. These tracts would be limited in the number of lots having the required minimum width at the building line, but have sufficient width at the building line for the lot at the end of the flag pole. The building set back line on a flag lot shall be measured from the intersection of the flag pole with the main body of the lot.

LOT, FRONTAGE - The width of a lot adjacent to or abutting a public street or right-of-way measured at the front(s) lot line(s).

LOT, INTERIOR - A single lot bounded by a public street or right-of-way on one side only.

LOT LINE - A line dividing one lot from another; or from a public street; any public place; or right-of-way.

LOT LINE, FRONT - The lot line(s) adjacent to or abutting a public street or right-of-way.

LOT LINE, REAR - The lot line(s) running most parallel with the front lot line(s).

LOT LINE, SIDE - Any lot line(s) other than a front lot line or a rear lot line.

LOT OF RECORD - A lot that is a part of a subdivision, the map or plat of which has been recorded in the office of the Judge of Probate, which at the time of its recording, complied with all applicable laws

LOT WIDTH - The width of the lot at the front building setback line

MAINTENANCE SERVICE - An establishment providing building and yard maintenance services, such as janitorial services, exterminating services, landscaping services, window cleaning services, office cleaning services and similar uses.

MANUFACTURED (MOBILE) HOME - See Dwelling, Manufactured (Mobile) Home.

MANUFACTURED (MOBILE) HOME PARK- A tract of land used or designed to accommodate a manufactured (mobile) home community of multiple spaces for rent or lease. (See Article VI-30).

MANUFACTURED (MOBILE) OFFICE - A temporary, non-residential, portable, mobile, or transportable factory-built building or structure, the use of which may be the principal building or as an accessory building to an existing operation on the same lot or tract. Said structures may be allowed upon special approval by the Board of Zoning Adjustment for an individual use for a specified period of time in all zoning districts except residential districts. Temporary construction trailers used during the construction of permanent buildings may be approved by the Inspections Department.

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

MEDICAL OFFICE - A place of business offering medical services such as dental, orthodontic, chiropractic, physical therapy, optometry (including sales) and the like.

MEZZANINE - An intermediate or fractional story between the floor and ceiling or a main story occupying not more than one-third (1/3) of the floor area of such main story.

MINI-WAREHOUSE - A structure or group of structures, which may or may not be indoor and climate controlled, that is partitioned for leasing of individual storage spaces and is exclusively used for the storage of non-volatile, non-toxic and non-explosive materials. The facility shall not be used for retail or wholesale sales operations. However, such facility may be permitted to hold periodic auctions to dispose of unclaimed materials and goods that are stored and not reclaimed by the party or parties signing the lease agreement.

MODEL HOME - See Dwelling, Model Home.

MODULAR HOME - See Dwelling, Modular Home.

MOTEL OR HOTEL - A business facility offering transient lodging accommodation on a daily or weekly basis, which may include as an integral part of the facility, such additional services as restaurants, meeting rooms, banquet rooms, gift shops, and recreational facilities.

MOTOR VEHICLE - See Vehicle, Motor.

NATURAL WATERWAYS/NATURAL DRAINAGE AREA - Those areas, varying in width along streams, creeks, springs, gullies, washes, or waterways which are natural drainage channels as determined and identified by the City of Springville.

NON-CONFORMING USE - A use of any structure or land which though originally lawful does not conform with the

provisions of this Ordinance or any subsequent amendments thereto for the district in which it is located.

NURSERY SCHOOL/DAY CARE - A premises or portion thereof used for educational work or parental care of children of less than the age required for enrollment in the public school system.

NURSING HOME/NURSING CARE FACILITY - A licensed institution maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that provided in a hospital, but at a higher level than provided in a Domiciliary Care Facility or Assisted Living Facility.

OCCUPANCY APPROVAL- An inter-office form (certification) transmitted from the various departments to the Inspections Department certifying that the applicant has complied with all regulations including but not limited to land use, setbacks, zoning, parking requirements, landscape requirements, and life safety codes.

OCCUPANCY LOAD - The maximum number of persons which may be accommodated by the use as determined by its design or by fire code standards.

OFFICE - Space or room for professional, administrative, clerical, and similar uses.

OFFICE BUILDING - A building whose predominant use is for offices.

OPEN SPACE - Permanently open land areas not occupied by buildings or other habitable roofed structures. A vacant lot platted as a building site shall not be considered open space, unless a subsequent declaration is made. Open space shall include areas such as, but not limited to, open parking lots, streets, rights-of-way, areas devoted to landscaping, preservation of natural features, uncovered patios, uncovered fenced areas, and recreational areas.

OUTSIDE STORAGE - The keeping in an unenclosed or fenced area, of any goods, materials, products, merchandise or vehicles in the same place for more than seventy-two (72) hours. Outdoor storage shall not include open retail display areas such as vehicle sales, nursery product sales, and similar activities.

PARK - A public or private area of land, with or without buildings, intended for active or passive recreational uses.

PARK AND RIDE FACILITIES - Parking lots or structures located along public transit routes designed to encourage transfer from private automobile to mass transit or to encourage car pooling for purposes of commuting, or for access to recreation areas.

PARKING AISLE - The portion of a parking area consisting of lanes providing access to parking spaces.

PARKING AREA - Space which is surfaced by either bituminous pavement or concrete, used or intended to be used for parking of vehicles, with or without charge, and in which no other business is conducted.

PARKING, BUSINESS - Parking area used for the parking of motor vehicles on a temporary or contractual basis within a business operated, off-street parking lot or garage.

PARKING GARAGE, BUSINESS - A building containing parking area, other than a private garage, used for the parking of vehicles on a temporary or contractual basis, with or without a fee.

PARKING LOT - An open area, other than a street, used for the parking of vehicles, with or without fee.

PARKING SPACE - A parking area surfaced by either concrete or bituminous pavement, enclosed or unenclosed, not less than nine (9) feet wide and eighteen (18) feet long, exclusive of driveways, ramps, columns, and toll booth/work/storage areas, for the parking of one vehicle.

PARKING SPACE, STACKING - An off-street space for the temporary stacking of vehicles within an aisle intended to

serve a drive-in teller window, take-out food window, dry cleaning/laundry pick-up or similar type activity station.

PAWN SHOP - A business establishment in which products or goods are either purchased from the general public or held for a given time period for a mutually agreed-upon price and provided with a pawn ticket or receipt with the understanding that the person or persons may return to repurchase or redeem the item left within the specified time period, the pawn shop may then sell same to the general public. Such establishments may or may not engage in the practice of accepting motor vehicle titles for monetary compensation. If, however, this is the establishment's policy, no motor vehicles may be stored or displayed for sale on the premises.

PERSONAL SERVICE - A retail establishment engaged in providing services involving the care of a person, such as a barber shop, beauty shop, cosmetic studio, dry cleaning and laundry service, indoor exercise and fitness center, tanning salon, seamstress, tailor, shoe repair shop, key repair shop, travel agency, interior decorator, formal wear rental, and similar uses

PLACE of WORSHIP - Buildings arranged for religious service purposes, such as churches and synagogues, including related facilities for instruction, meetings, recreation, eating, and other integrally related activities.

PLANNED UNIT DEVELOPMENT (PUD) - A residential or business or combination development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

PLOT PLAN - A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or structures, or proposed buildings or structures, along with any easements and building setbacks, and the location of the lot in relation to abutting streets or rights-of-way, and similar information.

PORCH - a roofed open area, which may be screened, attached to and with direct access to or from a building.

PORTE-COCHERE - A driveway covering at a building entrance to protect persons entering and exiting the building from the elements, and consisting of a structural canopy which is attached to and an integral part of the building.

PREMISE - A lot, together with all buildings and structures existing thereon.

PRINCIPAL BUILDING - A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building. In a business or business complex constructed upon a single tract of land, there may be more than one principal building.

PRINTING ESTABLISHMENT (MAJOR) - An establishment which provides blueprinting, copying, printing, engraving or other reproduction services on a large scale basis for distribution.

PRINTING ESTABLISHMENT (MINOR) - An establishment which provides blueprinting, copying, printing, or other reproduction services on a small scale or walk-in basis.

PROPERTY LINE - The lot line or boundary line See Lot Line.

PUBLIC ASSEMBLY CENTER - Buildings arranged for the general assembly of the public at-large for community events including civic centers, places of worship, schools, coliseums, stadiums, and similar uses.

PUBLIC BUILDINGS - Buildings arranged for the purpose of providing public services, not otherwise listed in this section, including museums, government offices, post offices, transit stations, police stations, fire stations, emergency medical service stations, civil defense operations, and similar uses.

PUBLIC IMPROVEMENT - Any drainage ditch, storm sewer or drainage facility, sanitary sewer, water main, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation or for which the local government responsibility is established.

PUBLIC SERVICES - Uses operated by a unit of government to serve public needs, such as police (with or without a jail), fire service, ambulance service, judicial court or government offices, park and recreation facilities, and library services, and may include public utility stations or maintenance facilities.

PUBLIC UTILITY - A municipal or county department or board duly authorized to provide utility services to the public at large, including water facilities and distribution, sewerage facilities, gas distribution facilities, electric transmission and distribution facilities and cable transmission and distribution facilities, and may include telephone and telecommunications and similar facilities.

PUBLIC UTILITY FACILITY - A facility that provides public utility services to the public at large, including water and sewer facilities, gas distribution facilities, electric transmission and distribution facilities, and cable, telephone, and telecommunications facilities and/or transmission facilities.

PUBLIC UTILITY SERVICE - Essential utility services which are necessary to support development and which involve 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 telecommunications service; and pipe lines, vents, valves, hydrants, regulators, meters, lift stations, and pumping stations and other facilities necessary for the transmission or distribution of gas, oil, water or other utilities.

RECYCLING FACILITY - A facility that is not a junk yard and in which recoverable resources (such as newspapers, magazines, books and other paper products; glass; plastics; metal cans; and other products) are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production.

RECREATION, INDOOR - An establishment providing completely enclosed recreation activities. Accessory uses shall be permitted to include the preparation and serving of food and/or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, roller skating or ice skating, indoor pool, health clubs, billiards parlors, motion picture theaters, and related amusements and games of skill.

RECREATION, OUTDOOR - An area providing outdoor recreation activities, such as athletic playing fields, golf courses, swimming pools, and tennis courts; which may include buildings or structures such as restrooms, concession areas, dressing rooms, equipment storage or sale of equipment related to the use, maintenance buildings, open-air pavilions, go-carts, and batting cages.

REHABILITATION FACILITY - An institutional facility providing residential and custodial care for the rehabilitation of physically or socially impaired individuals who are recovering from accident, medical disability, or addiction to drugs or alcohol.

RENOVATION - Interior or exterior remodeling of a structural nature.

RENT-ALL ESTABLISHMENT - A business establishment engaged in the rental of a wide variety of tools and equipment including but not limited to backhoes, lawn mowers, garden tillers, cement mixers, chain saws, ladders, etc. Such items are usually rented on the hourly, daily or weekly basis. Equipment and rental items must be stored entirely within an enclosed building or screened from public view by an opaque fence which is adequate in height to conceal such items from public view and all repairs must be conducted within an enclosed building.

RENTAL ESTABLISHMENT - a business establishment engaged in the rental of a wide variety of goods, including but not limited to furnishings, appliances, audio/video equipment, and meeting, wedding, or party supplies, and which may also include tools or equipment.

RESEARCH LABORATORY - A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

RESOURCE EXTRACTION - The removal of soil, sand, clay, gravel, minerals, or similar materials for business purposes, including quarries, sand and gravel operations, gas extraction, and mining operations.

RESTAURANT, FAST FOOD - An establishment where food and drink are rapidly prepared for carry out, fast delivery, drive-thru or drive-in, walk up, or service to customers in vehicles, and may include standard sit-down consumption.

RESTAURANT, STANDARD - An establishment where food is cooked (including baked goods and small eateries), patrons dine on or off the premises, and where there is no drive up or walk up window service or service to customers in their vehicles, which may include alcohol sales as an incidental service, but derives the majority of its income from food service.

RESTAURANT, TAKE-OUT OR CATERING - An establishment where food is cooked or prepared exclusively for customer pick-up or delivery off the premise by employees.

RETAIL ESTABLISHMENT - The provision of services or the sale of goods and merchandise for a profit to the general public at large for use, benefit or consumption.

SALVAGE YARD OR JUNK YARD - A lot or structure or part thereof used primarily for the collection, storage and sale of scrap metal or discarded material or for the collection, dismantling, storage and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

SANITARY LANDFILL - A State-Approved Site for solid waste disposal employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume 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. Solid waste at a dump is disposed of without being compacted and covered. A sanitary landfill presents fewer health and aesthetic problems and has the potential of being reclaimed for other land uses later. Hazardous or radioactive waste material disposal 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 communications satellites.

SCHOOL - A public or non-profit educational facility.

SCHOOL, BUSINESS - Private, gainful business providing instructional service in general education, arts, business, crafts, trades, and professions.

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

SEMI-PUBLIC - Essentially a public use, although under private ownership or control.

SERVICE STATION - A full-service or self-service facility where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles or gas cans. Such an establishment shall be permitted to offer for sale at retail other convenience items as a clearly secondary activity, and shall be permitted also to include a freestanding automatic car wash. Such facility may include automotive repair and maintenance. See Article VIII-3.

SETBACK - The minimum required distance between the lot line and the building line.

SHOPPING CENTER - A group of business establishments located on a tract of land, planned and developed in a unified manner and design, with shared parking and driveway facilities and under a common ownership or management authority. A shopping center may also include out parcels under separate ownership which share entrances and/or parking with the shopping center.

SIDEWALK - The improved portion of a public right-of-way that is intended for use by pedestrians or other improved area designated for pedestrian use.

SIGHT TRIANGLE - A triangular area established at the intersection of two streets or a street and a driveway where clear sight distance is maintained for motorists. In the case of two intersecting streets having a total of two lanes (a single lane in each direction), the sight triangle is formed by connecting two legs extending seventy-five feet (75') from the center of an intersection along the center line of the street rights-of-way. In the case of a driveway, or other channel for vehicle entrance or exit, intersecting a street, each leg of the triangle shall be fifteen feet (15') along the street right-of-way and driveway edge. Roads with multiple lanes may require additional sight distance. This shall be determined by the Inspections Department or by a traffic survey.

SINGLE-FAMILY DWELLING - See Dwelling, Single-Family Dwelling.

SIGNS - 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 any 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 together with any and all poles, beams, columns, posts, and foundation which offer structural support, and any ornamental attachment.

SITE AREA - A minimum land area required to qualify for a particular use or development. Site area is taken from an actual survey of the subject tract and excludes land within an existing or future street right-of-way or utility right-of-way; land which is not contiguous or is cut off by a major barrier such as a street, stream or gully; land which is part of a previously-approved development; and land which is zoned for another use.

SITE PLAN - A plan which outlines the use and development of any tract of land.

SPECIAL EXCEPTION USE - A use which is permitted in a particular zoning district only by special application and approval by the Board of Zoning Adjustment on such special exception as they are authorized to rule on by the terms of this Ordinance, and which is subject to restrictions and safeguards as to number, area, character, location or relation to the neighborhood. This use is permitted further subject to appropriate permits and/or licenses being issued in accordance with the provisions of the Ordinances of the City of Springville.

SPECIALTY SHOP - A small scale retail business concentrated on a particular activity or product.

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

STORY - The portion of building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. A mezzanine 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. If the finished floor level directly above a usable or unused under-floor space is more than seven feet (7') above grade as defined herein for more than fifty percent (50%) of the total perimeter or is more than twelve feet (12') above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

STORY, HALF - A half-story is a story situated within a sloping roof, the floor area of which has a minimum ceiling height of five feet (5') above the floor and in which the sloped ceiling does not exceed fifty percent (50%) of the floor area, and the height above at least fifty percent (50%) of the floor space is seven foot, six inches (7'-6").

STREET - Any vehicular way which has been dedicated to the public use including all land within the right-of-way.

STREET, PRIVATE - A right-of-way or easement in private ownership, not dedicated or maintained as a public street, which affords the principal means of access to two or more sites.

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

STRUCTURAL ALTERATION - Any change in the supporting members of a building or structure such as bearing walls, columns, beams or girders; provided however that the application of any exterior siding to an existing building for the purpose of beautifying and modernizing shall not be considered a structural alteration. .

SUBDIVISION - The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other divisions of land for the purpose (whether immediate or future) of sale or of 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.

TELECOMMUNICATIONS FACILITY - A facility owned or operated by a public utility or a business that transmits and/or receives electromagnetic waves, digital transmissions or pulses of light, and may include antennas, microwave dishes, horns, fiber optic lines, cellular towers and other types of equipment for the transmission or receipt of such signals, and may include telecommunications towers or alternative supporting structures and uses.

THEATER - A building used primarily for the presentation of live stage productions, performances, or motion pictures, excluding adult entertainment.

TOWNHOUSE - See Dwelling, Townhouse.

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 is designed for temporary recreational use as sleeping quarters, but does not meet the definition criteria of a manufactured (Mobile) home.

TRAVEL TRAILER PARK/CAMPGROUND - A tract of land used or designed to accommodate a travel trailer or campground community of multiple spaces for short term lease.

USE - The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

VARIANCE - A relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where owing to the conditions peculiar to the specific property and not the result of the action of the applicant, a literal enforcement of the Zoning Ordinance would result in unnecessary and undue hardship. As used in this Ordinance, a variance is authorized only for height, area, and the size of a structure or the size of yards and open spaces. Establishment or expansion of a permanent use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non conformities in the zoning district or in adjoining zoning districts.

VEHICLE, MOTOR - Every vehicle which is self-propelled, but not operated upon rails.

VEHICLE AND EQUIPMENT SALES OR RENTAL, MAJOR - A place of business engaged in the sale or rental of heavy trucks, construction equipment, tractors and farm implements and equipment, including the storage, maintenance and servicing of such vehicles and equipment.

VEHICLE AND EQUIPMENT SALES OR RENTAL, MINOR - A business establishment engaged in the sale or rental of automobiles, light trucks, travel trailers, recreational vehicles, motorcycles, boats or other watercraft, including the incidental parking, storage, maintenance, servicing and repair of such vehicles. All servicing and repair work shall be preformed within an enclosed building, with the exception of the washing and waxing of such vehicles.

VEHICLE GARAGE, PARKING OR STORAGE - A building or portion thereof used exclusively for business operated parking or storing of motor vehicles on a temporary basis. Vehicles shall not be equipped, repaired, hired, or sold.

VEHICLE GARAGE, PRIVATE - An accessory building or structure designed or used for the storage of motor driven vehicles owned and used by the occupants of the building to which it is accessory.

VEHICLE GARAGE, REPAIR - A building or portion thereof, other than a private storage or parking garage, designed or used for equipping, servicing, repairing, hiring, or storing of motor-driven vehicles. Also see Vehicle Repair (Major) and Vehicle Repair (Minor) definition in this Article.

VEHICLE REPAIR (MAJOR) - A place of business engaged in the repair and maintenance of vehicles including painting, body work, rebuilding of engines or transmissions, upholstery work, fabrication of parts and similar activities in which all work is performed entirely within an enclosed building.

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, front end alignment, tire balancing, brake and muffler work, battery recharging and/or replacement, and similar activities, and in which all work is performed entirely within an enclosed building.

VIRTUAL SCHOOL – A school that teaches courses offered by an educational organization entirely or primarily through online methods as a learning platform whereby individuals can earn credits which can be counted toward graduation or advancement to the next grade.

WAREHOUSE, WHOLESALE OR STORAGE - A building or premises in which goods, merchandise or equipment are stored for eventual distribution or for short or long term storage.

WHOLESALE ESTABLISHMENT - An establishment which exclusively sells goods for resale by a retailer.

WRECKER SERVICE YARD - A lot or parcel of land used for the placement and/or outside storage of vehicles awaiting final disposition. Disabled vehicles shall 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 - An open, unoccupied space on a lot which is unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this Ordinance.

YARD, FRONT - The open space(s) located between the front building face(s) and the front lot line(s), and extending across the front of a lot between the side lot line(s).

YARD, REAR - The open space(s) located between the rear building face(s) and the rear lot line(s), and extending across the rear of a lot between the side lot lines(s).

YARD, SIDE - The open space(s) located between the building line and the side lot line(s) on the same lot with the building, and extending from the front yard to the rear yard. At corner lots one side yard shall terminate at the building line most distant from the front lot line, and one side yard shall terminate at the building line nearest the other front lot line.

ZERO LOT LINE DEVELOPMENT - Single-family dwellings arranged on individual lots which allow the structure or an appurtenance thereto to abut the set back line on one or more sides dependent upon the zoning district in which it is located. Examples are garden homes, townhomes, cluster homes or duplexes.

ZONING - The use classification assigned to a tract or parcel of land or the process of determining the use classification to be assigned to a tract or parcel of land. Land annexed into the City of Springville shall be placed into the nearest comparable City of Springville zoning district to that existing on the property prior to annexation.

END of ARTICLE V

ARTICLE VI
ESTABLISHMENT OF DISTRICTS

ARTICLE VI
SECTION 1

ZONES and DISTRICT USES

VI-1.1. Designated Uses. In order to carry out the intent and purposes of this Ordinance, the City of Springville is hereby divided into the following districts or zones, the location, boundaries and area of which are and shall be as shown and depicted upon the zoning map. Said district or zones are to be designated as follows:

	ZONE	DISTRICT	GENERAL USE DESCRIPTION
Section 2	A-1	Agriculture District	Agricultural
Section 3		Business	General Regulations for all Business Districts
Section 4		RESERVED FOR FUTURE USE	
Section 5	B-1	Local Shopping District	Local Business
Section 6	B-2	General Business District	General Business
Section 7	B-3	Downtown Business District	Tourist Business
Section 8	B-4	Residential Neighborhood Business	Business
Section 9	B-5	Business Park District	Industrial Business
Section 10	B-6	Business Adult Entertainment District	Adult Entertainment
Section 11	I	Industrial	General Regulations for all Industrial Districts
Section 12	I-1	Industrial District	Light Industrial
Section 13	I-2	Industrial District	General Industrial
Section 14	I-3	Industrial District	Heavy Industrial/Resource Extractions
Section 15	IN	Institutional District	General Regulations for all Institutional Districts
Section 16	IN-1	Institutional District	Institutional
Section 17	O	Overlay District	Underlying Use Driven
Section 18	O-H	Historical Overlay District	Historical
Section 19	O-GW	Groundwater Protection Overlay District	Groundwater/Wellhead Protection
Section 20	P	Park District	Recreation
Section 21	PUD	Planned Unit Development	Multi-Use
Section 22	Q	Qualified Zone District	Qualified Zone
Section 23	R	Residential District	General Regulations for all Residential Districts
Section 24	R-E	Residential District	Single-family - Estate
Section 25	R-1	Residential District	Single-family
Section 26	R-2	Residential District	Multi-Family
Section 27	R-3	Residential District	Single-family and Mobile Homes

Section 28	R-4	Residential District	Garden Home Residential
Section 29	R-5	Residential District	Townhouse/Cluster Home Residential
Section 30	R-6	Residential District	Mobile Home Park District

VI-1.2. Boundaries. The boundaries of the above districts are hereby established as shown on the Springville Zoning Map. Any questions concerning the exact location of district boundary lines shall be decided by the Springville Zoning Board of Adjustment, as outlined in Article IV-12.4 Administrative Review.

VI-1.3. Fair Housing Act (ADA). At the current time, the *Code of Alabama*, 1975, Section 11-52-75 requires that all Group Care Homes are to be located in the Multi-Family District(s) only; however, with regard to future Federal and state regulations, any future amendments made to the Fair Housing Act, with regards to Group Care Homes; and, changes in the *Americans with Disabilities Act* shall be duly incorporated, by way of amendments, in this Ordinance.

VI-1.4. Divided Boundary Lines. Unless otherwise shown on said Springville Zoning Map, the boundaries of districts are lot lines, the center lines of streets and alleys or such lines extended, railroad right-of-way lines, or the city limits lines as they exist.

1.4.1. In those cases where the present Zoning District boundary lines divided land which has a unity of use and ownership on *DATE, into two or more separate zoning classifications, the Building Official shall have the right and power to determine in which classification the entire parcel shall lie so as is practicable, giving consideration to:

1. The classification in which the greater part of the lot or parcel lies;
2. the nature, character and use of adjacent properties and the general neighborhood; and
3. the standard governing establishment of separate classifications as fixed in the zoning Ordinance.

VI-5.1. Multiple Uses. Unless otherwise prevented by this Ordinance, more than one permitted principal use may be combined on a lot if all of the combined uses are commonly associated with and integrally related to one another. All zoning regulations shall apply to all uses within the boundaries of the combined uses.

ARTICLE VI

SECTION 2

A-1 AGRICULTURE DISTRICT

VI-2.1. Intent. The A-1 Agriculture District consists primarily of undeveloped lands, where agricultural and related pursuits may occur within the City, and where agricultural support centers may serve outlying rural areas beyond the City. Further, the intent of the A-1 Agriculture District is to hold these lands in agricultural, forestry, outdoor recreational, rural residential and other limited, yet compatible, uses until such time as higher density development patterns may be desired and City services can be expanded to accommodate development.

VI-2.2. Uses Permitted. The uses listed in this Section shall be permitted in any A-1Agriculture District. The uses permitted shall include, but are not limited to, the following:

- Bed and Breakfast / Tourist Home
- Dwelling, Tiny Home/Tiny House
- Farms – including, but not necessarily limited to, the following farm activities:
 - ❖ Bees and Apiary products
 - ❖ Christmas Trees
 - ❖ Dairy Animals and Dairy products
 - ❖ Fisheries, excluding fish and seafood processing
 - ❖ Fruits and Vegetables of all kinds, including growing and
 - ❖ harvesting
 - ❖ Frites and Vegetables, but excluding food processing
 - ❖ Fur Animals, limited to breeding and raising
 - ❖ Grains and Seed crops
 - ❖ Kennels
 - ❖ Livestock, such as beef cattle, sheep, goats or any similar
 - ❖ livestock, including the breeding and grazing of such animals, but excluding meat processing
 - ❖ Nursery operations involving the raising of plants, shrubs
 - ❖ and trees for sale and transportation, including greenhouses
 - ❖ and incidental sales of items customarily associated with nursery operations
 - ❖ Poultry, including egg production but excluding poultry processing facilities
 - ❖ Stables
 - ❖ Timber of Forestry
- Hobby Farm subject to the provisions of Article VIII-5
- Manufactured Homes, subject to the provisions of Article VIII-9
- Public Utility Facilities

VI-2.3. Special Exception Uses. The following uses may also be permitted subject to a special exception permit being granted by the Board of Zoning Adjustments, and further subject to appropriate permits and/or licenses being issued.

- ❖ Animal Shelter
- ❖ Boarding House
- ❖ Broadcast Studio
- ❖ Cemetery
- ❖ Chert removal/borrow pit, top soil and/or other soil classifications, non-business operation, upon approval of plans, buffers, and, if required, reclamation
- ❖ Community Center
- ❖ Country club
- ❖ Day Care Home, six (6) or fewer persons
- ❖ Day Care Center
- ❖ Domiciliary Care Facility
- ❖ Emergency Care
- ❖ Family Care Home
- ❖ Farm support business
- ❖ Group Home/Family Care Home, subject to Article VIII-4.
- ❖ Home Occupation, subject to the provisions of Article VIII-7.
- ❖ Hospital
- ❖ Nursing Care
- ❖ Open Air Market
- ❖ Outdoor Recreational Facilities, including golf courses, swimming pools, tennis courts, etc.
- ❖ Park
- ❖ Place of Worship
- ❖ Public Buildings
- ❖ Public Utility Facility
- ❖ Recreational Camp, including travel trailer park campground
- ❖ Rehabilitation Facility
- ❖ School
- ❖ Shelter or facility for abused or neglected adults and/or children
- ❖ Transmission Tower, subject to City Ordinances
- ❖ Two mobile homes, single family residences, or combination thereof on one parcel.

VI-2.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size</u>		<u>Maximum Building Height</u>	
Front	Rear	Side	Area	Width	Stories	Feet
30'	20'	25'	5 acres	150'	3	35'

VI-2.5. Accessory Structures. See Article VII-6 for Accessory Structure Requirements.

Setbacks: Rear 10'

Side 8'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

VI-2.6. Corner Lots. Each lot line abutting a street, road, or highway shall be considered a front and shall observe the front setback requirement of the district as a minimum on each side having street, road or highway frontage.

VI-2.7. Undedicated Roads. Each lot abutting an undedicated road shall be set back a minimum of sixty feet (60') from center line of undedicated road.

VI-2.8. Buffer Requirements. When any permitted use or use permitted by special exception is wholly or partially adjacent to any previously established residential or business development, said use shall provide a minimum twenty-foot (20') buffer strip along those side and rear lot lines abutting such zone or zones. In other cases involving incompatible land uses, the Planning and Zoning Board may require a buffer or other suitable means of separation. Subject to the provisions of Article VII-7.

VI-2.9. Additional Requirements.

2.9.1. The minimum setback of livestock barns and business chicken (fowl) houses from adjoining property lines shall be 200 feet. These structures shall be set back from any road or highway a minimum of 300 feet, provided, however, that no livestock barn or business chicken houses shall be built closer than 300 feet to the nearest then existing dwelling other than that of the owner. Swine (hogs) may not be housed, fed or watered nearer than 300 feet from any road or road right-of-way.

2.9.2. Provisions must be made to dispose of manure and other organic wastes in such a manner as to avoid contamination of ground water or any lake or stream.

2.9.3. All equipment used in connection with business forestry operations shall be set back at least 200 feet from any lot line.

2.9.4. A booth or stall (farm stand) from which produce and farm products are sold to the general public shall be permitted subject to the following limitations:

1. Sales areas shall be set back from all lot lines so as to meet the district yard requirements.
2. Sales areas shall not occupy any part of a required off-street parking or loading area.

2.9.5. Incidental structures and activities commonly associated with a farm may include barns, silos, animal pens, loading and unloading platforms or chutes, and other accessory uses, including blacksmith operations.

2.9.6. Except for kennels, as defined by this Ordinance, the keeping of small domestic animals, small fur bearing animals, or bees for personal enjoyment or use shall not be deemed a farm and shall be permitted as an accessory use to a permitted dwelling in any district. Further, the cultivation of a garden or orchard; the raising of plants, vegetables, shrubs and the like; the keeping of a greenhouse; and similar activities for personal enjoyment or use shall not be deemed a farm and shall likewise be permitted as an accessory use to a permitted dwelling in any district.

VI-2.10. Additional Regulations.

- Article III General Regulations
- Article IV Administrative and Review Procedures

- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 3

GENERAL REGULATIONS FOR ALL BUSINESS DISTRICTS

VI-3.1. Uses Permitted. All commercial activity shall be conducted from a permanent building constructed or maintained in accordance with the current building codes adopted and amended by the City of Springville. All pre-engineered metal buildings shall meet the requirements of Article VIII, Sec. 14.1.

3.1.1 Business operations shall not be conducted from any parking lot, yard, vacant lot or storage area, and shall not be conducted in any area not zoned business. The following exceptions may be granted:

1. Temporary construction trailers used during the construction or permanent buildings as approved by Engineering and Inspection Departments.
2. Businesses operating out of temporary, portable or modular facilities, such as an office trailer, while permanent facilities are being constructed or real estate sales office while subdivision development is on-going. Approved to be granted by the Board of Zoning Adjustments, not to exceed an initial period of one year, renewable annually not to exceed a maximum of three years.
3. Temporary food facilities used for special promotions or grand openings. These shall not be used more than on consecutive month in any calendar year. Such temporary facilities shall not pose traffic or public hazard, may not infringe on any minimum required parking area, and approval of the property on which said facility is located shall be obtained in writing.
4. Festivals which last no more than three days may have temporary food stands and business facilities, as may be approved by the City Council.
5. Temporary Seasonal sales operations as approved by the Building Official and the Fire Chief. Said operations shall not pose a traffic or public hazard and may not infringe on any minimum required parking area, and approval of the property owner on which said operations are located shall be obtained in writing. Temporary seasonal sales operations shall be limited to 30 days. Any portable structures associated with operation must be removed within 72 hours of after the season event.

6. Retail outlets may utilize their own parking lots for display of their own goods. Such display of goods shall not pose a traffic or public hazard any may not infringe on any minimum required parking areas.

3.1.2 Site plans, drainage plans, parking plans, fire hydrant location and landscape plans, including outside lighting, and any required buffers shall be required for each new construction or building additions. When a change of occupancy occurs, a statement certifying that the minimum parking required for the new use is met shall be submitted.

3.1.3 All driveways shall be paved, and all parking areas shall be paved or have an approved all weather surface.

3.1.4 Residential property that has been converted to another zoning classification may continue its residential use so long as uses allowed in the new classification have not been established the uses in the new classification are established, it may not revert to residential.

3.1.6 No joint use of business property (business/residential) shall be allowed except as otherwise provided in this Ordinance. Residential uses shall be maintained separate and apart from the business use and shall have its own entrance. Provisions shall be made for the residential garbage pick-up. Parking for the residential use shall be in addition to any required business parking. Any exterior areas for use solely by the residents and their guests shall be located in the rear of the business use and shall be screened to a height of six (6") if at ground level. Any personal property commonly associated with a residential use such as, but not limited to, lawn furniture, barbeque grills, shall be maintained within the screened area. No pets, other than house pets, will be allowed. No residential use shall encroach upon any required setback, easement, alleyway, loading zone, or rear entrance to the business use may not be obstructed.

3.1.7. Fire hydrants shall be installed every 300 feet, or as otherwise directed by the Fire Chief/Fire Marshall, and a sufficient water supply to support the use of these hydrants shall be installed.

3.1.8. Any garbage/refuse service areas shall be limited to the rear or sides of the principal building or complex it serves and concealed from public view.

ARTICLE VI
SECTION 4
(RESERVED FOR FUTURE USE)

ARTICLE VI

SECTION 5

B-1 LOCAL SHOPPING DISTRICT

VI-5.1. Intent. The intent of the B-1 Local Shopping District is to provide areas within the City for retail and service establishments convenient to and compatible with nearby residential neighborhoods.

VI-5.2. Uses Permitted. Uses permitted in the B-1 Local Shopping District shall be subject to appropriate permits being issued in accordance with this Ordinance. Uses permitted in a B-1 Local Shopping District shall include, but may not be limited to, the following:

- ❖ Audio/Video Rental establishment
- ❖ Appliance, Electronics Repair
- ❖ Art Supply and/or Frame Shop
- ❖ Bank or financial institution
- ❖ Barber and Beauty Shop
- ❖ Bicycle Shop, including repairs
- ❖ Card, Gift Shop
- ❖ Clothing Shop
- ❖ Cosmetic Studio
- ❖ Covered Mall Building
- ❖ Craft or Hobby Shop
- ❖ Dance Studio
- ❖ Day Care Center
- ❖ Dry Cleaning or Laundromat
- ❖ Duplicating or Copying Service
- ❖ Florist Shop
- ❖ Health Food Store
- ❖ Indoor Entertainment
- ❖ Interior Decorating Store
- ❖ Medical Clinic
- ❖ Medical Office (includes Optician, Dentist, Orthodontist, etc)
- ❖ Offices
- ❖ Pastry Shop
- ❖ Pharmacy
- ❖ Photographic Studio
- ❖ Plant Shop and Plant Nursery
- ❖ Restaurant, standard
- ❖ Shoe Repair Shop

- ❖ Shopping Center
- ❖ Specialty Shop
- ❖ Tanning or Nail Salon
- ❖ Public Utility Service
- ❖ Similar uses may also be permitted subject to the provisions of Article IV-6 and Article IV-7.

VI-5.3 Special Exception Uses. The following uses shall be permitted in the B-1 Local Shopping District subject to a special exception use permit being granted by the Zoning Board of Adjustment and further subject to appropriate permits being issued in accordance with this Ordinance.

- Animal Hospital, with enclosed kennels and soundproofing
- Public Building
- Place of Worship
- Public Utility Facility
- Residential Uses consistent with Article VI Section 3.1.6
- Virtual School

VI-5.4. Area and Dimensional Regulations

<u>Setbacks</u>			<u>Minimum Lot Size**</u>	<u>Minimum Building Size</u>
Front	Rear	Side*	None specified	800 sq. ft.
20'	20'	10'	(See below)	

*Side yards may be reduced to 0 feet if adjoining property is zoned business, industrial or institutional. However, if the zero lot line is not used, the set back must be ten feet. Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

**The size of the lot must be adequate for the building and setbacks plus required parking, driveways, landscaping, delivery vehicles, refuse collection facilities, buffers, etc.

VI-5.5. Maximum Building Height. When a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height without being provided a variance after giving proper notice to the City's Fire Chief.

VI-5.6. Building Separation. More than one (1) business building under a single ownership may be located upon a lot or tract, but such building shall not encroach upon the front, side, or rear yards required herein for the district, and the open space between protruding portions of buildings measured at the closest point shall be not less than twenty (20) feet for one (1) story buildings, thirty (30) feet when one or both are two (2) story buildings, and an additional ten (10) feet separation for each additional story when one or both buildings exceed two stories, unless otherwise approved by the Fire Marshall. Areas shall be designated as fire lanes at the building separation to allow fire fighting access to the structures.

VI-5.7. Buffer Requirements. When any permitted use or use permitted by special exception is wholly or partially adjacent to any residential zone district, said use shall provide as a minimum a twelve foot (12') buffer strip along those side and rear lot lines adjacent to or abutting such zone(s); Subject to the provisions of Article VII-7.

5.7.1. Outdoor storage areas shall be screened to a minimum height of six feet (6).

VI-5.8 Additional Regulations.

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI

SECTION 6

B-2 GENERAL BUSINESS DISTRICT

VI-6.1. Intent. The intent of the B-2 General Business District is to provide areas within the City where a wide range of business and business uses are permitted.

VI-6.2. Uses Permitted. Uses permitted in the O-H Historical Overlay District and the B-1 Local Shopping District shall be permitted in the B-2 General Business District. Uses permitted in a B-2 General Business District shall include, but may not be limited to, the following:

- ❖ Auto, Light Truck, Boat and Motorcycle Sales
- ❖ Bakery, retail
- ❖ Car Wash
- ❖ Clothing Store
- ❖ Business Parking
- ❖ Covered Mall Building
- ❖ Department Store
- ❖ Funeral Home
- ❖ Gasoline Service Station / Convenience Store
- ❖ Grocery Store
- ❖ Hardware Store
- ❖ Home Improvement Center
- ❖ Hotel and Motel
- ❖ Indoor Sports Facility: Bowline, Health Club or Spa, Racquet Club, Skating Rink, etc.
- ❖ Jewelry Store
- ❖ Minor Vehicle Repair
- ❖ Pawn Shop
- ❖ Pet Store (no outside kennels or housing of pets)
- ❖ Print Shop, retail
- ❖ Restaurant, fast food
- ❖ Sales Showroom (retail/rental/wholesale) for Appliances, Furniture Carpet, Lighting Fixtures, Medical and Office Equipment, etc.
- ❖ Shopping Center
- ❖ Small Engine Repair
- ❖ Sporting Goods Store
- ❖ Theater (indoor only)
- ❖ Vehicle Repair Service
- ❖ Similar uses may also be permitted subject to the provisions of Article IV-6 and Article IV-7

VI-6.3. Special Exception Uses. The following uses may be permitted in the B-2 General Business District subject to a Special Exception Uses permit granted by the Board of Zoning Adjustments and further subject to appropriate permits and/or licenses being issued.

- ❖ Cemetery
- ❖ Mini-Warehouse
- ❖ Nursing Home
- ❖ Outdoor Recreation Facilities
- ❖ Pet Grooming
- ❖ Public Building
- ❖ Public Utility Facility
- ❖ Pet Crematorium
- ❖ Place of Worship
- ❖ Cannabis-based product store (or retailer)
- ❖ Virtual School

VI-6.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size**</u>	<u>Minimum Building Size</u>
Front	Rear	Side*	None specified	800 sq. ft.
20'	35'	15'	(See below)	

*Side yards may be reduced to 0 feet if adjoining property is zoned business, industrial or institutional. However, if the zero lot line is not used, the set back must be ten feet (10'). Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

**The size of the lot must be adequate for the building and setbacks plus required parking, driveways, landscaping, delivery vehicles, refuse collection facilities, buffers, etc.

VI-6.5. Building Height. When a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height without being provided a variance after giving proper notice to the City's Fire Chief.

VI-6.6. Building Separation. More than one (1) business building under a single ownership may be located upon a lot or tract, but such building shall not encroach upon the front, side or rear yards required herein for the district, and the open space between protruding portions of buildings measured at the closest point shall be not less than twenty feet (20') for one (1) story buildings, thirty feet (30') when one or both are two (2) story buildings, and an additional ten feet (10') separation for each additional story when one or both buildings exceed two stories, unless otherwise approved by the Fire Marshall. An area shall be designated as a fire lane at the building separation to allow fire fighting access to the structures.

VI-6.7. Buffer Requirements. When any permitted use or use permitted by Special Exception Uses is wholly or partially adjacent to any R District, said use shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and alongside and rear lot lines abutting such zones, and shall be subject to the provisions of Article VII-7.

6.7.1. Outdoor storage areas shall be screened to a minimum height of six feet (6').

6.7.2. Any garbage/refuse service areas shall be limited to the rear or sides of the principal building or complex it serves and concealed from public view.

VI-6.8. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI

SECTION 7

B-3 DOWNTOWN BUSINESS DISTRICT

VI-7.1. Intent. The B-3 Downtown Business District encompasses the downtown area where a wide variety of business and institutional activities are accommodated. The B-3 Downtown Business District also provides for downtown residential housing alternatives which may be attracted to the downtown core. The primary intent of the B-3 Downtown Business District is to encourage the most intensive and attractive use of the downtown core so as to preserve the Town's historical center and maintain its vitality.

VI-7.2. Uses Permitted. Uses permitted in the O-H Historical Overlay District and the B-1 Local Shopping District shall be permitted in the B-3 Downtown Business District. Uses permitted in a B-3 Downtown Business District shall include, but may not be limited to, the following:

- ❖ Apartments
- ❖ Day Care Home
- ❖ Home Instruction
- ❖ Home Occupation
- ❖ Open Air Market

VI-7.3. Uses Prohibited. Covered Mall Buildings shall not be permitted in B-3 Downtown Business District.

VI-7.4. Special Exception Uses. The following uses may be permitted in the B-3 Downtown Business District subject to a Special Exception Uses permit granted by the Board of Zoning Adjustments and further subject to appropriate permits and/or licenses being issued.

- ❖ Entertainment, Outdoor
- ❖ Gasoline Service Station
- ❖ Place of Worship
- ❖ Cannabis-based product store (or retailer)
- ❖ Residential Uses consistent with Article VI Section 3.1.6
- ❖ Virtual School

VI-7.5. Area and Dimensional Regulations. Except as provided in Article III, Supplemental District Regulations, the following dimensional standards shall be required:

7.5.1. Apartments shall be subject to the following standards:

- Minimum lot area: none
- Minimum lot width: none
- Minimum front yard: none
- Minimum side yard: none
- Minimum rear yard: none
- Maximum building height: 65 feet
- All buildings shall be set back at least 15 feet (15') from all parking areas.

- Upper story apartments within buildings where the ground floor is devoted to business and institutional uses shall be permitted

7.5.2. Townhouses shall be subject to the following standards:

- Minimum lot area (interior unit): 1,800 square feet
- Minimum lot area (end unit): 3,500 square feet
- Minimum lot width (interior unit): 18 feet
- Minimum lot width (end unit): 35 feet
- Minimum front yard: none
- Minimum side yard (end unit): 15 feet
- Minimum rear yard: 15 feet
- Maximum building height: 35 feet
- All buildings shall be set back at least 15 feet from all parking areas.

7.5.3. All other principal uses shall be subject to the following standards:

- Minimum lot area: none
- Minimum lot width: none
- Maximum front yard: none
- Minimum side yard: none
- Minimum rear yard: none
- Maximum building height: 65 feet

VI-7.6. Maximum Building Height. When a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height without being provided a variance after giving proper notice to the City's Fire Chief.

VI-7.7. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

VI-7.8. Buffer Requirements. When any permitted use or use permitted by Special Exception Uses is wholly or partially adjacent to any R District, said use shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and alongside and rear lot lines abutting such zones, and shall be subject to the provisions of Article VII-7.

ARTICLE VI

SECTION 8

B-4 RESIDENTIAL NEIGHBORHOOD BUSINESS DISTRICT

VI-8.1. Intent. The intent of the B-4 Residential Neighborhood Business District is to establish and preserve areas for business and business uses which are especially useful in close proximity to residential areas, while minimizing the possible undesirable impact of such on the neighborhoods they serve.

VI-8.2. Permitted Uses. Uses permitted in the B-4 Residential Neighborhood Business District shall be subject to appropriate permits being issued in accordance with this Ordinance. Uses permitted in a B-4 Residential Neighborhood Business District shall include, but may not be limited to, the following:

- | | |
|--|--|
| ❖ Antique Store | ❖ Electronics Store |
| ❖ Appliance Store | ❖ Fitness Center not to exceed 2,000 sq. ft. |
| ❖ Arts and Crafts Store | ❖ Florist Shop |
| ❖ Art Gallery | ❖ Garden Store |
| ❖ Bakery | ❖ Gift Shop |
| ❖ Bank or Financial Service | ❖ Ice Cream Parlor |
| ❖ Barber Shop | ❖ Interior Design Shop |
| ❖ Beauty Shop | ❖ Jewelry Store |
| ❖ Bookstore | ❖ Liquor Store |
| ❖ Bridal Shop | ❖ Neuromuscular Therapist |
| ❖ Business or Professional Office | ❖ Personal Fitness Trainer |
| ❖ Clothing Store | ❖ Pet Shop |
| ❖ Computer Store | ❖ Photography Studio |
| ❖ Dairy Store | ❖ Physical Therapist |
| ❖ Dancing Academy | ❖ Shoe Repair Shop |
| ❖ Day Care Center | ❖ Dry Goods Store, not to exceed 2,000 sq. ft. |
| ❖ Delicatessen | ❖ Sporting Goods Store |
| ❖ Drug Store | ❖ Tanning Salon |
| ❖ Dry Cleaning Establishment, laundering or
cleaning not done on premises | ❖ Travel Agent |

VI-8.3 Special Exception Uses. The following uses shall be permitted subject to a special exception use permit being granted by the Zoning Board of Adjustment and further subjection to appropriate permits being issued in accordance with this Ordinance.

- Business School
- Gasoline Service Station
- Restaurant, standard
- Temporary Uses
- Seasonal Sales
- Special Events

- Place of Worship
- Residential Uses consistent with Article VI Section 3.1.6

VI-8.4. Area and Dimensional Regulations. Except as provided in Article III, Supplemental District Regulations, the following dimensional standards shall be required.

- Minimum lot area: none
- Minimum lot width: none
- Maximum front yard: none
- Minimum side yard: none
- Minimum rear yard: none
- Maximum building height: 35 feet
- Maximum square feet: 3,000 unless noted

VI-8.5. Maximum Building Height. When a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height without being provided a variance after giving proper notice to the City's Fire Chief.

VI-8.6. Buffer Requirements. When any permitted use or use permitted by Special Exception Uses is wholly or partially adjacent to any R District, said use shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and alongside and rear lot lines abutting such zones, and shall be subject to the provisions of Article VII-7.

ARTICLE VI
SECTION 9

B-5 BUSINESS PARK DISTRICT

VI-9.1. Intent. The intent of the B-5 Business Park District is to provide areas for technologically advanced industry in a business park environment which shall include public common areas for the congregation and recreation of citizens. It is the intent of the B-5 Business Park District to encourage and promote said congregation and recreation of the citizens.

VI-9.2. Uses Permitted. Those uses permitted in the I-1 Industrial District.

VI-9.3. Special Exception Uses. The following uses may be permitted subject to a Special Exception Use permit being granted by the Board of Zoning Adjustment and further subject to appropriate permits or licenses being issued in accordance with this Ordinance.

- ❖ All "Special Exception Uses" permitted in I-1 Light Industrial District.
- ❖ Place of Worship

VI-9.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size***</u>	<u>Minimum Lot Width</u>
Front	Rear*	Side**	None specified	100 feet
50'	50'	25'	(See below)	

*Rear yard may be reduced to fifteen feet (15') if the adjoining property is zoned Industrial or Utilities.

**If the adjoining property is zoned Industrial or Utilities, interior side yard setbacks may be reduced to zero feet (0'); however, if the structure is not built to the side lot line, a minimum setback of at least ten feet (10') shall be maintained.

***None specified, although it is the intent of the Ordinance that lots be of sufficient size to accommodate the proposed use, along with adequate space for required parking, loading and unloading, buffers, storage and servicing of the building(s), including the prescribed minimum setbacks.

VI-9.5. Maximum Building Height. When a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height.

VI-9.6. Building Separation. More than one (1) business building under a single ownership may be located upon a lot or tract, but such building shall not encroach upon the front, side, or rear yards required herein for the District, and the open space between protruding portions of buildings measured at the closest point shall be not less than twenty feet (20') for one (1) story buildings, thirty feet (30') when one or both are two (2) story buildings, and an additional ten feet (10') separation for each additional story when one or both buildings exceed two (2) stories, unless otherwise approved by the Fire Marshall. An area shall be designed as a fire lane at the building separation to allow fire fighting access to the structures.

VI-9.7. Buffer Requirements. When any permitted use or use permitted by Special Exception Use is wholly or partially adjacent to any R District, said use shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and along those side and rear lot lines abutting such, and shall be subject to the provisions of Article VII-7.

9.7.1. Outdoor storage areas shall be screened to a minimum height of six feet (6').

VI-9.8. Additional Requirements. It is the intent of the Business Park District to develop property whereby technologically advanced industry exists in an area that also improves the quality of life for citizens of the community. As a result, certain regulations need apply to all such zoned districts.

9.8.1. All business located in the Business Park District must maintain the noise level associated with the business to a level which is not an intrusion on adjacent property owners or citizens recreating in the park area.

9.8.2. Businesses are prohibited from any loading or unloading of any trucks or trailers within public view. All such loading or unloading must be conducted within a structure or out of public view.

9.8.3. There shall be no deliveries or pick-ups made between the hours of 8:00 p.m. and 6:00 a.m.

VI-9.9. Additional Regulations (where applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures

- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 10

B-6 BUSINESS ADULT ENTERTAINMENT DISTRICT

VI-10.1. Intent. The intent of the B-6 Business Adult Entertainment District is to provide areas suitable for adult entertainment and similar uses.

VI-10.2. Uses Permitted. Within the B-6 Business Adult Entertainment District, a building or land shall be used only for the following purposes:

- ❖ Adult Amusement, Entertainment or Recreational Facilities
- ❖ Adult Retail Establishment
- ❖ Adult Theater
- ❖ Body Piercing, excluding ear piercing only
- ❖ Tattoo Parlor
- ❖ Massage Parlor
- ❖ Cannabis-based product store (or retailer)

VI-10.3. Supplemental requirements.

10.3.1. No adult entertainment establishment operating within this zoning district shall be permitted within fifteen hundred (1500) feet of any religious institution, school, library, and/or residential district, kindergarten or child care facility, public or private park or playground or historical district or historical designation. The distance provided herein shall be measured from zoning district/line of the facility authorized to the nearest zoning district/line of the above listed use.

10.3.2. All establishments shall be limited to one (1) sign only, not to exceed fifteen square feet (15 sq. ft.) and must be placed on the front of the establishment. Signs shall not have flashing lights or graphic displays.

10.3.3. No visible exposure to the general public of activities within the establishment (all windows and doors to be covered or blacked out).

10.3.4. Hours of operation shall be limited to 8:00 a.m. through 12:00 a.m. (Midnight).

VI-10.4. Area and Dimensional Requirements.

<u>Setbacks</u>			<u>Minimum Lot Size*</u>	<u>Minimum Building Size</u>
Front	Rear	Side	None specified	1000 sq. ft.
50'	50'	50'	(See below)	

*The size of the lot must be adequate to allow for the building, setbacks, required parking, driveways, landscaping, delivery vehicles, refuse collection facilities, and buffers, etc.

VI-10.5. Maximum Building Height. Buildings shall not exceed two (2) stories in height.

VI-10.6. Building Separation. More than one (1) business building under a single ownership may be located upon a lot or tract, but such buildings shall not encroach upon the front, side, or rear yards required herein for the district. The open space between protruding portions of buildings, measured at the closest points, shall not be less than twenty feet (20') for one (1) story buildings, and thirty feet (30') when one or more are two (2) stories in height. An area shall be designated as a fire lane at the building separation to allow fire fighting access to the structures.

VI-10.7. Buffer Requirements.

10.7.1. A fifty-foot (50') wide buffer strip adjacent to and along those side and rear lot lines abutting such zones.

10.7.2. Outdoor storage areas shall be screened to a minimum height of six feet (6').

10.7.3. Any garbage/refuse service areas shall be limited to the rear of the principal building or complex it serves and screened to a height which is adequate to conceal such facilities from public view, and covered if a sewer drain is required in the dumpster facility.

VI-10.8. Additional Regulations (when applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

**B-7 General and Inclusive Business District Article VI Section 32

ARTICLE VI

SECTION 11

GENERAL REGULATIONS FOR ALL INDUSTRIAL DISTRICTS

VI-11.1. Intent. All industrial activity shall be conducted from a permanent building constructed or maintained in accordance with the current building codes as adopted and amended by the City of Springville. Pre-engineered, metal buildings shall be permitted in an Industrial District, subject to Article VIII-14.

VI-11.2. Submittals. Site Plans, drainage plans, parking plans, fire hydrant locations, landscape plans, outside lighting, and any required buffers shall be required for each new construction or building addition. When a change of occupancy occurs, a statement shall be submitted certifying the minimum parking requirements for the new use will comply with parking requirements.

VI-11.3. Paving. All driveways shall be paved and all parking areas shall be paved or have an approved all weather surface.

VI-11.4. Fire Protection. Fire hydrants shall be installed every 300 feet, or as otherwise directed by the Fire Chief/Fire Marshall. A water supply sufficient to support the fire hydrants shall be available.

ARTICLE VI

SECTION 12

I-1 LIGHT INDUSTRIAL DISTRICT

VI-12.1. Intent. The I-1 Light Industrial District consists of areas where limited industrial uses are permitted. The district encourages employment centers with a low degree of environmental impact. Principal industrial activities include light manufacturing, industrial services, warehousing, wholesaling, and distribution services, and other limited impact activities. The I-1 Light Industrial District also allows for selected business and institutional uses which are supportive of industrial employment centers.

VI-12.2. Uses Permitted. Uses permitted in the I-1 Light Industrial District shall be subject to appropriate permits being issued in accordance with this Ordinance. Uses permitted in the I-1 Light Industrial District shall include, but may not be limited to, the following:

- ❖ Airport
- ❖ Bakery, major
- ❖ Bank
- ❖ Bottling or Distribution Plant
- ❖ Broadcast Studio
- ❖ Business or Professional Office
- ❖ Business Support Service
- ❖ Clothing, Textile or Dyeing Plant
- ❖ Cold Storage Plant
- ❖ Laundry and Dry Cleaning Plant such as a Uniform Rental Service
- ❖ Light Industrial, Fabricating, Processing, Assembling and Manufacturing uses, but expressly prohibiting uses which are in an I-2 District or I-3 District, and those uses which are especially detrimental to property or to the health and safety beyond the District by reason of emission of odor, dust, gas, fumes, smoke, noise, vibration or waste material
- ❖ Maintenance Service
- ❖ Manufacturing, light
- ❖ Military Installation
- ❖ Mini-Warehouse (subject to VI-11)
- ❖ Office or Warehouse Facility
- ❖ Business Parking
- ❖ Business School
- ❖ Construction Service
- ❖ Distribution Service
- ❖ Equipment Rental
- ❖ Farm Support Business
- ❖ Heavy Equipment Sales and Service
- ❖ Home Improvement Center
- ❖ Janitorial and Maintenance Service
- ❖ Park
- ❖ Printing Plant, major
- ❖ Public Utility Facility; Public Utility Service
- ❖ Radio or Television Transmission Towers
- ❖ Research Laboratory
- ❖ Showroom/Warehouse Facility
- ❖ Studio
- ❖ Transit Station
- ❖ Transmission Tower
- ❖ Truck or Bus Terminal
- ❖ Vehicle and Equipment Sales, major
- ❖ Vehicle Repair- major and minor
- ❖ Vehicle Sales or Rental
- ❖ Vehicle Service Station
- ❖ Warehouse, Wholesale, and Distribution (enclosed)

- ❖ Woodworking Shop, Cabinet Shop
- ❖ Wrecker Service Yard
- ❖ Similar uses may be permitted subject to

the provisions of Article IV-6 and Article IV-7.

VI-12.3. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued in accordance with this Ordinance.

- | | |
|---|-------------------------------|
| ❖ Airport, including Heliport | Industrial Employment Centers |
| ❖ Animal Hospital | ❖ Kennel |
| ❖ Animal Shelter | ❖ Livestock Sales |
| ❖ Business Uses not incompatible with industrial uses | ❖ Public Buildings |
| ❖ Industrial Parks | ❖ Temporary Uses |
| ❖ Institutional uses which are supportive of | ❖ Seasonal Sales |
| | ❖ Special Event |

VI-12.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size***</u>	<u>Minimum Lot Width</u>
Front	Rear*	Side**	None specified	100 feet
50'	50'	25'	(See below)	

*Rear yard may be reduced to fifteen feet (15') if the adjoining property is zoned Industrial or Utilities.

**If the adjoining property is zoned Industrial or Utilities, interior side yard setbacks may be reduced to zero feet (0'); however, if the structure is not built to the side lot line, a minimum setback of at least ten feet (10') shall be maintained.

***None specified, although it is the intent of the Ordinance that lots be of sufficient size to accommodate the proposed use, along with adequate space for required parking, loading and unloading, buffers, storage and servicing of the building(s), including the prescribed minimum setbacks.

VI-12.5. Maximum Building Height. Building shall not exceed a height of thirty five feet (35'), or as approved by the Planning and Zoning Board.

VI-12.6. Buffer Requirements.

12.6.1. All structures and facilities developed within the I-1 Light Industrial District shall provide a twenty-foot (20') buffer strip on all rear and side lot lines abutting any Business Zone District and a fifty-foot (50') buffer strip along all lot lines abutting any R District. See Article VII-7.

12.6.2. Outdoor storage areas shall be screened to a minimum height of six feet (6') or to a height which is adequate to conceal such storage area from public view.

12.6.3. Garbage/refuse service areas shall be limited to the rear or side of the principal building or complex it serves, screened to a height which is adequate to conceal such facilities from public view. Such facilities shall be

provided with sewer drainage system and potable water. Dumpster facilities shall be covered when a sewer drain system is required.

VI-12.7. Additional Regulations.

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 13

I-2 GENERAL INDUSTRIAL DISTRICT

VI-13.1. Intent. The intent of the I-2 General Industrial District is to provide suitable areas where general industrial uses are permitted. This district encourages employment centers where a potentially high degree of environmental impact uses can be located, including general and heavy manufacturing and industry.

VI-13.2. Uses Permitted. Uses permitted in the I-2 General Industrial District shall be subject to appropriate permits being issued in accordance with this Ordinance. Uses permitted in the I-2 General Industrial District shall include, but may not be limited to, the following:

- ❖ Any use listed under "Uses Permitted" in the I-1 Light Industrial District
- ❖ Coal Distribution Facilities
- ❖ Concrete Mixing Plant
- ❖ Distribution yards for gasoline and fuel oil tank trucks, and other vehicles, provided all bulk storage tanks are set back from adjoining lines a minimum distance of one hundred and fifty feet (150').
- ❖ Feed plant
- ❖ Heavy Industrial Fabrication, Processing, Assembling and Manufacturing, Highway Maintenance yard or buildings
- ❖ Iron and Steel Mills
- ❖ Manufacturing, general
- ❖ Meat and Poultry Processing
- ❖ Plants for processing stone, chert, gravel, clay, slag or coal.
- ❖ Public Utility Service
- ❖ Railroad Terminal Shops and Yards.
- ❖ Sawmill for the purpose of cutting, sawing, milling, drying, and processing timber (logs) into lumber for building or construction purposes.
- ❖ Vehicle and Equipment Repair, major
- ❖ Warehousing, Wholesale, and Distribution, open
- ❖ Wrecker Service Yard
- ❖ Similar uses may be permitted subject to the provisions of Article IV-6 and Article IV-7.

VI-13.3. Special Exception Uses. The following uses may be permitted subject to a special exception use permit being granted by the Board of Zoning Adjustment and further subject to appropriate permits being issued:

- ❖ All Agricultural uses permitted by Special Exception in the I-1 Light Industrial District
- ❖ All Business uses permitted by Special Exception in the I-1 Light Industrial District

- ❖ All Industrial uses permitted by Special Exception in the I-1 Light Industrial District including:
 - Resource Extraction
 - Salvage Yard
 - Sanitary Landfill
- ❖ All Institutional uses permitted by Special Exception in the I-1 Light Industrial District
- ❖ Acid Manufacture
- ❖ Airport, including Heliport
- ❖ Business uses not incompatible with Industrial uses
- ❖ Explosive Material Manufacture and Storage
- ❖ Fat, Grease, Lard or Tallow Rendering Plant
- ❖ Fertilizer Plants
- ❖ Glue Manufacture
- ❖ Incinerators
- ❖ Industrial Parks
- ❖ Paper and Pulp Manufacture or Processing Plant
- ❖ Power Plant or Reactor
- ❖ Public Utility Facility
- ❖ Recycling Plant or Recycling Collection Facility
- ❖ Salvage Yards or Junk Yards

VI-13.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size***</u>	<u>Minimum Lot Width***</u>
Front	Rear*	Side**	None specified	None specified
35'	35'	35'	(See below)	(See below)

*Rear yard may be reduced to fifteen feet (15') if the adjoining property is zoned Industrial or Utilities.

**If the adjoining property is zoned Industrial, interior side yard setbacks may be reduced to zero feet (0'); however, if the structure is not built to the side lot line, a minimum setback of at least ten feet (10') shall be maintained.

***None specified, although it is the intent of the Ordinance that lots be of sufficient size to accommodate the proposed use, along with adequate space for required parking, loading and unloading, buffers, storage and servicing of the building(s), including the prescribed minimum setbacks.

VI-13.5. Maximum Building Height. Building shall not exceed a height of thirty five feet (35'), or as approved by the Planning and Zoning Board.

VI-13.6. Buffer Requirements.

13.6.1. All buildings, structures and facilities developed within the General Industrial District I-2 shall provide a twenty foot (20') buffer strip on all rear and side lot lines abutting any Business Zone District and a fifty-foot (50') buffer strip along all lot lines abutting any R District. See Article VII-7 Buffers/Screening.

13.6.2. Outdoor storage areas shall be screened to a minimum height of six feet (6'), or to a height adequate to

conceal such storage area from public view.

13.6.3. Garbage and or refuse service/holding areas shall be limited to the rear or side of the principal building or complex it serves. Screening shall be provided to a height adequate to conceal such facilities from public view; however, such screening shall not be less than six feet (6') in height. Such facilities used for putrescible waste shall be roofed and provided with a sewage drainage system and a potable water supply located within the roofed area.

VI-13.7. Additional Regulations.

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 14

I-3 INDUSTRIAL DISTRICT – HEAVY INDUSTRIAL/RESOURCE EXTRACTION

VI-14.1. Intent. The intent of the I-3 Industrial District - Heavy Industrial/Resource Extraction is to regulate resource extraction, mining operations, and other operations having extraordinary environmental impact in selected areas and to provide safeguards for both the adjacent properties and the environment. I-3 Industrial District - Heavy Industrial/Resource Extraction is the only district in which these operations shall be permitted, with the exception of those operations licensed by the State of Alabama and/or the City of Springville actively engaged in such operations at the time of the adoption of this Ordinance. All uses under this Section require submission and approval of a development and/or reclamation plan.

VI-14.2. Uses Permitted. Uses permitted in the I-3 Industrial District – Heavy Industrial/Resource Extraction District shall be subject to appropriate permits being issued in accordance with this Ordinance. Uses permitted in the I-3 Industrial District – Heavy Industrial/Resource Extraction District shall include, but may not be limited to, all uses set forth below. In addition to all uses set forth below, the permitted user will have the right on the applicable property to erect, maintain, alter, enlarge, use and operate such structures, buildings, machinery, housing, roads, railroads, transmission lines, right-of-way, and all other facilities of every kind which are accessory, ancillary or otherwise appropriate to the conduct of the below permitted uses. Further, the right to dump spoil, tailings, and other waste and to use so much of the applicable property as may be required for such purposes and such other rights as may be incidental or accessory to the permitted uses shall be authorized by this Ordinance if otherwise properly permitted, allowed and authorized by any other applicable federal, state or local law, regulation or the like.

- ❖ Any use permitted in an I-2 General Industrial District
- ❖ Methane Gas Wells
- ❖ Resource Extraction
- ❖ Sanitary Landfill
- ❖ Timber or Lumber Operations, Swilling involving processing,
- ❖ Distilling, Manufacturing and treating of all such products.
- ❖ Toxic Material Manufacture and Storage
- ❖ Public Utility Service
- ❖ Public Utility Facility

VI-14.3. Area and Dimensional Regulations. In the above permitted uses, the area and dimensional regulations set forth in the following shall be observed.

14.3.1. No use permitted above shall be conducted within two hundred feet (200') of any property line or public road right-of-way. This two hundred feet (200') property line set back shall be maintained as a densely planted buffer or earth berm covered with vegetation, other than the means of vehicular egress and ingress which shall be gated.

14.3.2. The right to erect, maintain, alter, use and operate a structure, building, machinery, housing, road, railroad, transmission lines, right-of-way and other facilities accessory to these uses will not be permitted within two hundred feet (200') of any adjoining property line or public right-of-way, except where access roads or haulage roads join such right-of-way line and except that the City of Springville or governmental unit having jurisdiction

over such roads may permit such roads to be located.

14.3.3. Exception to the setback requirement for the adjoining property line as stated above will be made where the adjoining property is also zoned 1-3, in which case no setback from the adjoining property line will be necessary where the similarly zoned property abuts.

VI-14.4. Maximum Building Height. The building shall not exceed a height of thirty five feet (35'), or as approved by the Planning and Zoning Board.

VI-14.5. Additional Requirements. Prior to the use of the land for any use specified herein, the applicant shall submit a plan showing the location(s) of the mineral seam(s), estimated number of tons to be extracted; the location(s) of landfill cells; location of wells or of the manufacture and storage facilities; approximate time required to conduct the operation and reclaim the land; a general expression of subsequent use of the property; and any other information requested by the Building Official. In addition, all such firms, persons, corporations and other entities shall be subject to any and all State and Federal Laws pertaining to regulation of such operations. A reclamation bond shall be required in the form of an insurance bond or cash deposit equal to ten percent (10%) of the dollar amount sufficient to reclaim the land to the state delineated in the general expression of subsequent use provided prior to commencement of the operation.

VI-14.6. Additional Regulations.

- Article III General Regulations
- Article V-3 Definitions
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article IV Administrative and Review Procedures
- Article VII Supplemental Regulations
- Article XI Sign Regulations

ARTICLE VI
SECTION 15

GENERAL REGULATIONS FOR ALL INSTITUTIONAL DISTRICTS

VI-15.1. Building Requirements. All institutional activity shall be conducted from a permanent building constructed or maintained in accordance with the current building Ordinances. Pre-engineered, or metal buildings shall not be allowed in an Institutional District, unless the exterior is faced with brick, EFIS, or other acceptable sidings. Exposed metal siding shall not be allowed. The foregoing is subject to the following exceptions:

VI-15.2. Exceptions to Building Requirements. The requirements in VI-15.1 may be subject to the exceptions in Articles VI-15.2.1, 15.2.2 and 15.2.3.

15.2.1. Temporary Construction. Temporary construction trailers and/or structures may be used during the construction of permanent buildings, as approved by the Building Official.

15.2.2. Business. A business may be operated out of temporary portable or modular facilities while permanent facilities are being constructed. Said facilities shall be approved by the Board of Zoning Adjustment, and is not to exceed an initial period of one (1) year, renewable annually, not to exceed a maximum period of three (3) years.

15.2.3. Portable Classroom Facilities. Portable classroom facilities may be used when necessary to meet funding requirements, state regulations, or when otherwise necessary to meet local educational needs. Local educational

use of portable classrooms may be granted by the Board of Zoning Adjustment as a Special Exception Use for a maximum initial period of three (3) years, renewable as shall become necessary until appropriate funding or regulation permits compliance with this Ordinance. Application for portable classroom facilities shall be accompanied by the following:

1. Proof of financial hardship
2. A plan and time frame for the removal and replacement of the portable classroom facilities.
3. A plot plan showing the location of all existing permanent and portable structures, all easements, vehicular ingress and egress, and the proposed location of the new portable classroom facilities.
4. A plan and certification indicating the number of required parking spaces for the entire facility and statement of compliance. The placement of portable classroom facilities may not infringe upon any required parking spaces.

VI-15.3. Submittals. Detailed site plans, drainage plans, parking plans, fire hydrant locations, landscape plans, outside lighting, and required buffers shall be required for each new construction or building addition. When a change of occupancy occurs, a statement shall be submitted certifying the minimum parking requirements for the new use will comply with parking requirements.

VI-15.4. Paving. All driveways and parking areas shall be paved, or shall be provided with an all-weather surface approved by the Building Official.

VI-15.5. Fire Protection. Fire hydrants shall be located a maximum of every 300 feet, or as otherwise directed by the Building Official/Fire Marshall. Sufficient water supply shall be available to support the intended use of fire hydrants.

ARTICLE VI
SECTION 16

IN-1 INSTITUTIONAL DISTRICT

VI-16.1. Intent. The intent of the IN-1 Institutional District is to provide areas suitable for a select group of institutional uses and to prevent encroachment from incompatible uses.

VI-16.2. Uses Permitted. The following uses shall be permitted in any IN-1 Institutional District.

- ❖ Places of Worship
- ❖ School (Public, Private, or Parochial Elementary or High School)
- ❖ Public Utility Service

VI-16.3. Special Exception Uses. The following uses may also be permitted subject to a Special Exception Uses permit being granted by the Board of Zoning Adjustment, and further subject to appropriate permits and/or licenses being issued.

- ❖ Playground or Park
- ❖ Public Utility Facility

VI-16.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size*</u>	<u>Minimum Building size</u>
Front	Rear	Side	None specified	800 sq. ft.
50'	50'	50'	(See below)	(See below)

*The size of the lot shall be adequate to allow for buildings, structures, and setbacks, and shall include, but not limited to, required parking, driveways, landscaping, delivery vehicles, refuse collection facilities, and buffers.

VI-16.5. Maximum Building Height. Where a building is within 300 feet of a single-family residential district boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or thirty five feet (35') in height. Subsequent to submittal of appropriate documentation to the Building Official a variance to the maximum building height may be granted by the Board of Zoning Adjustment.

VI-16.6. Building Separation. More than one (1) building under a single ownership may be located upon a lot or tract, but such buildings shall not encroach upon the front, side, or rear yards required herein for the district, and the open space between protruding portions of buildings measured at the closest point shall not be less than twenty feet (20') for one (1) story buildings, thirty feet (30') when one or both buildings are two (2) stories, and an additional ten feet (10') separation for each additional story when one or both buildings exceed two stories, unless otherwise approved by the Building Official. An area shall be designated and maintained as a fire lane within the required building separation distance to provide access to the buildings and structures for fire apparatus.

VI-16.7. Buffer Requirements.

16.7.1. When any permitted use or use permitted by Special Exception Uses is wholly or partially adjacent to any R District, said use shall provide a minimum twenty-foot (20') buffer strip along side and rear lot lines abutting such zone. See Article VII-7 Buffer/Screening.

16.7.2. Outdoor storage areas shall be screened to a minimum height of six feet (6'), or to a height adequate to conceal such storage area from public view.

16.7.3. Garbage and or refuse service/holding areas shall be limited to the rear or side of the principal building or complex it serves. Screening shall be provided to a height adequate to conceal such facilities from public view; however, such screening shall not be less than six feet (6') in height.

16.7.4. Facilities used for putrescible waste shall be roofed and provided with a sewage drainage system and a potable water supply located within the roofed area.

VI-16.8. Change in Use. When land in an Institutional District is sold or leased for a use other than a permitted use under this Section, no construction, alteration or change of occupancy or use shall be permitted on said land prior to reclassification to the appropriate zoning district.

VI-16.9. Additional Regulations (when applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI

SECTION 17

O OVERLAY DISTRICT

VI-17.1. Intent. The intent of the Overlay District is establish specific protection to certain areas within the City of Springville having historical, environmental, development, or other significance; or to impose additional requirements in certain geographic areas of the City that are not applicable to all areas; for resource protection; or for the protection of lives and property. An Overlay District may be permanently established by this Ordinance or an amendment thereto; or may be temporary pending completion of a public works project; or other temporary situation. An Overlay District does not negate the requirements of the underlying district, but may create additional requirements, regulations, or documentation.

ARTICLE VI

SECTION 18

O-H HISTORICAL OVERLAY DISTRICT

VI-18.1. Intent. The intent of the O-H Historical Overlay District is to foster a strong viable downtown as a business, civic, residential, and cultural art center with its own unique identity, and to provide a mechanism to establish special land use regulations, standards, or procedures in a defined area with unique land use, site planning, building design, or environmental resource issues. Specifically:

1. Implement the City's Comprehensive Plan to achieve specific land use and design objectives.
2. Encourage rehabilitation and re-use of existing historic buildings, where feasible.

3. Enable new development in a creative manner where appropriate.
4. Accommodate mixed-use buildings with business and residential uses, and promoting development that exhibits the physical design characteristics that promotes pedestrian oriented storefront-style shopping.
5. Promotes the health and well-being of residents by encouraging physical activity and greater social interaction.

VI-18.2. Applicability of Zoning Overlay. The Historic Overlay is established to serve as an overlay to the existing zoning districts within the area defined as the Springville Historic District referenced in City of Springville Ordinance 99-008 and submitted as a map with application submitted to and approved by the National Register of Historic Places, and maintained by the United States Department of Interior. Unless specifically stated, the provisions of the base district shall apply to all development within the Historic Overlay District. In the event the regulations conflict, the applicable H-O regulations shall prevail.

The Historical Guidelines as adopted by the Historic Commission for the City of Springville, Alabama (the "Historic Commission") are applicable and enforceable as to all buildings, improvements, etc. within the portion of the Historic District defined as the Main Street Historic District, defined and adopted by the City of Springville in Ordinance # 99-008. Said Historical Guidelines are enforced by the Historic Commission and no paragraph, requirement or regulation set forth herein is intended to take precedence over or dispose of any requirement or regulation as set forth in said Historical Guidelines.

VI-18.3. Uses Permitted. In areas outside of the Main Street Historic District, defined and adopted by Ordinance # 99-008, the base district regulations apply in their entirety.

Within the Main Street Historic District, where the base district is residential in nature, all provisions of the base district shall apply in their entirety.

Within the Main Street Historic District, where the O-H district overlays a commercial district, the following uses are permitted:

Offices and professional buildings where the administrative affairs of a business or profession are conducted, including, but not limited to, the following:

- | | |
|--|----------------------------------|
| ❖ Accounting or Bookkeeping Firm | ❖ Convenience Store |
| ❖ Administrative staff of a Business or Industry | ❖ Dry Cleaning or Laundromat |
| ❖ Appliance, Electronics Repair | ❖ Duplicating or Copying Service |
| ❖ Architect | ❖ Engineer |
| ❖ Audio/Video Rental Establishment | ❖ Florist |
| ❖ Bank or Financial Service | ❖ Financial Planner |
| ❖ Bakery | ❖ Hardware Store |
| ❖ Barber Shop and Beauty Shop | ❖ Insurance Agency |
| ❖ Bicycle Shop, including repairs | ❖ Law Firm |
| ❖ Cosmetic Studio | ❖ Medical Offices |

- ❖ Optometrist, including Optical Sales
- ❖ Pastry Shop
- ❖ Personal Services
- ❖ Personnel Services
- ❖ Pharmacy
- ❖ Photographic Studio
- ❖ Physician
- ❖ Public Utility Service
- ❖ Restaurant, standard
- ❖ Secretarial Service
- ❖ Specialty Shop
- ❖ Real Estate Agency
- ❖ Travel Agency

Similar uses to those listed above may also be permitted, subject to the provisions of Article IV-6 and Article IV-7.

NOTE: Office buildings in excess of 5,000 square feet of floor space may use up to ten percent (10%) of such space for business and service establishments such as snack bars, gift or specialty shops, quick copy services, and similar uses.

VI-18.4. Special Exception Uses. The following uses shall be permitted subject to a special exception use permit being granted by the Board of Zoning Adjustments and further subject to appropriate permits and/or licenses being issued:

- ❖ Day care center
- ❖ Public building
- ❖ Place of Worship

18.4.1. Certain mixed Commercial and Residential uses shall be permitted pursuant to a Special Exception Use permit being granted by the Board of Zoning Adjustments. Said uses shall meet all applicable building code requirements and must be issued all applicable permits and Certificate of Occupancy from all applicable city and/or state agencies prior to occupancy.

- ❖ For properties where the O-H district overlays a Commercial district, mixed use units: Business with front entrance; Residential Condominiums with rear or upper-level entrance.
- ❖ Loft style condominiums located at the rear of business buildings are permitted with a Special Exception permit. Such uses shall be subject to all applicable building codes and parking requirements.

18.4.2. It is the intent of this Ordinance to allow these identified Residential Uses in such a manner, size and volume so as not to diminish the historic nature of the District. Such uses shall be secondary in nature to the base zoning; therefore the commercial use shall occupy a greater percentage of the unit than that of the residential use.

VI-18.5. Area and Dimensional Regulations. Due to the dimensional nature of the Historic Overlay District, the following standards shall apply:

- Minimum lot area: none
- Minimum lot width: none
- Minimum front yard: none
- Minimum side yard: none
- Minimum rear yard: none
- Maximum building height: 35 feet

VI-18.6. Building Height. When a building is within 300 feet of a single-family R District boundary, said building shall not exceed two (2) stories in height. No building shall exceed three (3) stories or 35 feet in height without being provided a variance after giving proper notice to the City's Fire Chief.

VI-18.7. Buffer Requirements.

18.7.1. When any use permitted or any use permitted by Special Exception in a Business District is situated wholly or partially adjacent to any R District, said use shall provide a minimum twelve-foot (12') wide buffer along all side and rear lot lines abutting such District and shall be subject to the provisions of Article VII-7.

18.7.2. Outdoor storage shall not be permitted.

18.7.3. Garbage/refuse service areas shall be limited to the rear of the principal building or complex it serves. Screening shall be provided to a height which is adequate to conceal such facilities from public view, and shall be covered when a sewer drain is required for the dumpster facility.

VI-18.8. Parking Regulations. The intent of the Historic District is to foster an environment which encourages pedestrian traffic. Lot sizes and the availability of additional areas for parking are limited. To allow businesses within the Main Street Historical District to remain viable, parking requirements shall be reduced for lots located within the O-H Historical Overlay District.

VI-18.8.1. Residential Zoning. Lots zoned as R Residential shall comply with the requirements for an R District as required in Article IX-2.1. Exceptions shall only be permitted by a variance granted by the Board of Zoning Adjustments.

VI-18.8.2. Non-Residential Zoning. Lots zoned other than R Residential shall be required to have access to a minimum of fifty percent (50%) of the required parking for Non-Residential Uses as required in Article IX-2.2. Such parking may be located on site or in designated off-site public or private parking areas. The use of off-site private parking shall be permitted upon written permission from the owner of the parking area to be used; See Article IX-1.2.2. At no time shall the use of off-site private parking prevent the off-site parking area from compliance with the parking requirements of Article IX. Exceptions shall only be permitted by a variance granted by the Board of Zoning Adjustments.

VI-18.9. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 19

O-GW GROUNDWATER/WELLHEAD PROTECTION OVERLAY DISTRICT.

VI-19.1. Intent. The intent of the O-GW Groundwater/Wellhead Protection Overlay District is to protect natural resources needed to sustain life. The O-GW District will help preserve and maintain the quality and quantity of existing and potential groundwater within the city.

VI-19.2. Applicability. The standards of the O-GW Groundwater/Wellhead Protection Overlay District shall apply to any land meeting any of the following criteria:

1. Is a potential contaminant source, identified by the Alabama Department of Environmental Management (ADEM) and is located within the City of Springville Utilities Board Wellhead Protection Area Delineation Report (Area 2 which includes the watershed of the wellhead area); or
2. Is located within the Wellhead Protection Area 1 boundary defined as a 1,000 foot radius of a Springville Utilities Board water well; or
3. Will have a private, business, or industrial well.
4. Where the boundaries delineated are in doubt or dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should properly be located.

VI-19.3. Permitted Uses. Any use permitted by right in the underlying zoning district shall be permitted in the Groundwater/Wellhead Protection Overlay District, subject to review and approval by the Utilities Board of the City of Springville.

VI-19.4. Special Exception Uses. Any use permitted by Special Exception permit in the underlying zoning district shall be permitted as a Special Exception Use in the Groundwater/Wellhead Protection Overlay District, subject to review and approval by the Utilities Board of the City of Springville.

VI-19.5. Prohibited Uses in the Conservation Overlay District. The following uses shall be prohibited in the Groundwater Conservation Overlay District:

1. The disposal of solid wastes, including the storage or disposal of hazardous wastes, except in strict compliance with ADEM requirements.
2. Excavation below the groundwater elevation defined on the Groundwater Elevation Map in the Wellhead Protection Area Delineation Report. No ditches, trenches, pumping, or other methods shall be used to artificially lower the water table to permit more excavation than could occur under natural conditions, without approval by Springville Utilities Board.
3. The use of any well for disposal of rubbish and any other use to harm, divert, or contaminate the groundwater.

VI-19.6. Approval. Any land meeting the criteria as set out or referenced above shall be approved by the Springville Utilities Board prior to submission for development approval or site approval by the City of Springville Planning and Zoning Board or the City of Springville Inspections Department.

VI-19.7. Correction Costs. Any contaminants or potential contaminants detected will be corrected by the Springville

Utilities Board in accordance with ADEM Regulations, and the cost shall be borne by the land owner.

ARTICLE VI

SECTION 20

P PARK DISTRICT

VI-20.1. Intent. The intent of the P Park District is to provide areas suitable for public parks for active and passive recreational uses; for use solely for public and civic purposes, and; general municipal undertakings of the City of Springville.

VI-20.2. Uses Permitted. Public recreation uses such as parks, playgrounds, athletic fields, golf courses, swimming pools, tennis courts, gymnasiums, walking trails, picnic facilities, pavilions, botanical areas, natural areas, and recreational facilities along with accessory structures and buildings customarily associated with such uses, and municipal buildings and facilities and those associated with municipal utilities operations. Similar uses may be permitted subject to the provisions of Article IV-6 and Article.IV-7.

VI-20.3. Special Exception Uses. None

VI-20.4. Buffer Requirements. Specific buffer requirements are not specified; however, a suitable greenbelt or other suitable buffer may be required by the Planning and Zoning Board in appropriate cases where a park facility abuts any zone district other than another P Park District, and where it is deemed that noise, lighting, traffic, hours of operation or other related factors will create a problem for adjacent areas.

VI-20.5. Additional Regulations (when applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI

SECTION 21

PUD PLANNED UNIT DEVELOPMENT DISTRICT

VI-21.1. Intent. The intent of the Planned Urban Development (PUD) is to provide a method of development which permits multiple uses to be developed on a tract of land, taking into consideration the compatibility of specific uses with the surrounding uses in accordance with an approved Master Development Plan, which is to:

21.1.1. Promote community development through planned associations of multiple zoning uses developed as integral land use units, such as: residential developments of multiple or mixed-use housing, including detached single-family dwellings, attached one- and two-family dwellings, multi-family dwellings and townhouses; office and/or industrial park or complexes, business uses, service centers, or any appropriate combination of differing zoned uses which may be planned, developed, or operated as integral land use developments;

21.1.2. Permit higher densities of land development in conjunction with provisions for functional open space and community services;

21.1.3. Combine and coordinate uses, building forms, building relationships, and architectural styles within the PUD;

21.1.4. Promote the preservation and enhancement of existing natural landscape features, their scenic qualities, ecological values, and amenities to the greatest extent possible, and utilize such features in a harmonious fashion;

21.1.5. Except a development from the conventional zoning regulations and provide for modified regulations regarding setbacks, minimum yard size, minimum greenbelts, buffers and screens, off-street parking regulations, minimum floor areas, and other regulations to achieve the intent described herein.

VI-21.2. Definitions. If any term defined in this Section contradicts or conflicts with any term defined elsewhere in this Ordinance, the definitions contained within this Section shall apply.

COMMON OPEN SPACE - Common open space includes but is not necessarily limited to and is defined as the following:

- ❖ Greenbelts
- ❖ Parks
- ❖ Lakes
- ❖ Rivers
- ❖ Developed Recreational Area (which is owned in common or private) devoid of any buildings and other physical structures, except such buildings and structures that are accessory to the developed recreational facilities.
- ❖ Areas for viewing of pleasant vistas
- ❖ Gardens
- ❖ Undisturbed Natural Areas
- ❖ Wildlife Habitats
- ❖ Walking Trails

- ❖ Common Open Spaces developed for participation in Athletic Endeavors
- ❖ Playgrounds
- ❖ Swimming Pools
- ❖ Tennis Courts and Complexes
- ❖ Common Open Spaces can be dedicated for use to the general public or may be restricted to use for a home owner's association, or business association membership or segment thereof.
- ❖ Common Open Space dedicated in fee to the City of Springville or other governmental agency to be responsible for the operation and maintenance, shall not be for the exclusive use of the development.

DENSITY, BUSINESS/INDUSTRIAL - The maximum area to be occupied by structures and the maximum area to be occupied by parking lots or other impervious area expressed as percentages of the total business/industrial area to be developed.

DENSITY, RESIDENTIAL - The maximum number of dwelling units per acre by specific type, such as single-family, garden homes, townhomes, multi-family, etc., as well as a total number of units anticipated for the entire development stated in number of units per gross acre.

DWELLING, ATTACHED FAMILY - A building so designed and arranged to provide separate sleeping, cooking and kitchen accommodations and toilet facilities for occupancy of more than one family whereby the individual living units are built for sale, in fee simple, and not for lease and including duplexes, cluster and townhomes.

DWELLING, DETACHED SINGLE-FAMILY - A detached building designed and arranged to provide sleeping, cooking, kitchen accommodations and sanitary facilities for occupancy by one family only.

DWELLING, MULTI-FAMILY - Structures designed or used for residential occupancy by more than one family, with or without common kitchen facilities or dining facilities, and which is leased in part or whole, including apartment houses, condominiums, rooming houses, boarding houses, fraternity, sorority, dormitories, or similar housing types, but not including hotels, motels, hospitals, or nursing homes.

GROSS SITE AREA - The total land area to be classified as the Planned Unit Development.

INTERIM USES - An interim use shall be any temporary use of land in any area of a PUD which has been approved as part of the PUD development plan and criteria. An interim use can be any use and mayor may not be a principal permitted use or a special exception use of the land use district in which it is located.

LAND USE DISTRICT - Delineation of land area intended for a specific use, including residential development of various types, business development, industrial development, etc.

PLANNED UNIT DEVELOPMENT - A development project comprehensively planned as a single entity via a unified site plan which permits flexibility in siting and development design, mixtures of housing types and land uses, usable open spaces and the preservation of natural features.

PLAT - Any drawing or drawings and related written material indicating the proposed manner or layout of a road, parcel, and/or subdivision to be submitted to the City of Springville for approvals and/or recording purposes.

VI-21.3. Application and Requirements for PUD.

21.3.1. Pre-application Conference. Before filing any application for a Planned Unit Development (PUD) the

prospective applicant shall submit basic site information and preliminary development plans and sketches for consideration and comments as to the relation of the proposal to general development objectives in the area, city policies and practices. In order to allow adequate review time, these materials must be submitted to the Office of the City Clerk at least ten (10) days prior to the date set for the pre-application conference.

21.3.2. Submission of Application. After the pre-application conference, the owner (or his duly appointed representative) of a tract of land shall submit a formal application to the City Clerk at least twenty-one (21) days prior to a regularly scheduled Planning and Zoning Commission meeting. An application processing fee is required at the time of filing.

21.3.3. Area/Density Requirements. Any tract of land proposed to be zoned PUD shall contain a minimum of 120 acres, except when the master development plan of an existing approved PUD is amended by the original applicant, successor, or assign, to include additional area as provided in Section 20.7.B. of this Article VI. Density of the development shall be negotiated, not to exceed 3.5 units per acre.

21.3.4. Contents of PUD Application. The PUD application submitted in accordance with this Section shall contain the following:

21.3.4.1. Name and address of the applicant.

1. If corporation, principal officers and members of the Board of Directors;
2. If partnership, general and managing partners;
3. Any material change to the above shall be submitted within 60 days.

21.3.4.2. Current zoning(s) of the property under consideration.

21.3.4.3. Names and addresses of all owners of the property.

1. If corporation, principal officers and members of the Board of Directors;
2. If partnership, general and managing partners;
3. Any material change to the above shall be submitted within 60 days.

21.3.4.4. A Master Development Plan of the PUD and any maps necessary to show the following minimum information:

1. The direction of North, exact location of the site in relation to the vicinity in which it is located, appropriate scale and topography, in not greater than 5-foot (5') contour intervals, water ways, floodplains, and forest cover.
2. The location of the various land used by PUD land use districts as listed in this Article.
3. Location of any existing streets and proposed public streets and thoroughfares, green belts, natural or man-made open spaces, schools, parks and community service areas within and adjacent to the project area.
4. Location of environmentally sensitive areas, such as wetlands, steep slopes, or mined areas.

21.3.4.5. A list of owners of all property situated in whole or in part within 500' of the property under consideration for the PUD to include the owner's name, mailing address and tax parcel identification number.

21.3.4.6. The Planning Criteria for the PUD. The planning criteria shall include the following written statements

and other matters:

1. The proposed name of the development.
2. A legal description of the total site proposed for the PUD.
3. A description of the surrounding area, including current zoning and/or land uses.
4. A statement of planning objectives to be achieved by the PUD through the particular approach proposed by the applicant. The statement should include a description of the character of the proposed development and the rationale behind the assumptions and projections made by the applicant in relation to the over-all community growth.
5. If the development is to be staged, a development schedule indicating how the staging is to proceed, and an estimated date when construction of the PUD will begin.
6. Delineation of the various land use districts within the PUD, indicating for each such area its size and composition in terms of total number of acres. In residential use districts, the total number of dwelling units and approximate percentage allocation by dwelling unit type, such as townhomes, garden homes, single-family, condominiums or duplexes..
7. A calculation of the residential density in dwelling units per gross acre including interior roadways, a calculation of the residential density showing maximum density in units per acre excluding nonresidential zone classifications, and a calculation of the net residential density excluding open space.
8. Development criteria which shall include setbacks or other location methods, minimum finished floor areas, sign criteria, loading areas, and off street parking requirements for each land use district proposed, and/or any other development criteria which the owner/developer may propose.
9. Description and use of the common open space.
10. Proposed principal ties to the surrounding area with respect to transportation, water supply, utilities, sewage disposal, and storm drainage.
11. Statement as to how common open space is to be owned, used and maintained.
12. Protective and/or restrictive covenants, homeowner or business associations and architectural review committees and their function.
13. A description of any planned street/subdivision signs, including street, traffic and informational signs. .
14. Any planned interim uses.
15. A traffic study
16. A watershed drainage study.
17. A copy of any Best Management Practices (BMP) application or certificate.
18. Other studies as may be deemed necessary by the City of Springville to determine development suitability to the particular site.
19. Landscaping criteria

20. An education impact study

VI-21.4. Common Open Space Requirements.

21.4.1. No less than ten percent (10%) of the development's gross site area shall be maintained as permanent Common Open Space. Common Open Space will be left in its natural state, except that recreational trails and facilities may be constructed. Common Open Space may include environmentally sensitive areas such as slopes in excess of twenty five (25%) and 100-year floodplains, natural or man-made bodies of water, buffers between uses, and active and passive recreational uses.

21.4.2. Common Open Space must be legally and practicably accessible to the residents and/or users of the development out of which the required Common Open Space is taken.

21.4.3. No designated Common Open Space area may be subdivided in the future, nor may it be used for any purpose other than those permitted by definition. Any rearrangement or alteration to approved Common Open Space shall not reduce the original amount of Common Open Space, in proportion to the overall development.

21.4.4. Maintenance provisions shall be provided and maintained for the upkeep of all Common Open Space areas not left in a natural state.

VI-21.5. Review Procedure.

21.5.1. The application for PUD zoning shall be reviewed and zoning approval considered in compliance with the requirements of Article X - (Amendments and Changes) of this Ordinance.

21.5.2. Approval of the PUD zoning application by the City Council shall be an approval of the master development plan and the planning criteria of the application (the "plan"). The developer of the PUD may proceed with the development of the property contingent upon subdivision approval by the Planning and Zoning Board and compliance with any permit and/or license requirements, and no further zoning approvals shall be required when developed in accordance with the approved PUD plan. Said approval shall be binding and enforceable upon the developer, his successors, or assigns.

VI-21.6. Signage, Off-Street Parking, and Loading Requirements. The development criteria submitted with the application for the PUD shall include signage, off-street parking, and loading requirements. Should the application not provide such information, the standard provisions and regulations of this Ordinance, or any other City Ordinance, shall apply.

VI-21.7. Building Permit. The developer of the PUD shall proceed with the development of the property in accordance with the plan and in accordance with subdivision approval; no further approvals shall be required except as set forth herein. Plans for the construction of improvements on any particular parcel within the PUD shall be submitted, and a building permit shall be approved or disapproved according to the procedure set forth herein and in compliance with applicable building codes.

21.7.1. Issuance of Building Permits for Principal Permitted Uses. Upon application for a building permit for the construction of improvements on any parcel within the PUD, the Building Official shall first determine that the intended use of the improvements is a "principal permitted use" within the applicable land use district of the PUD. A building permit may then be issued in accordance with the provisions of this Zoning Ordinance and in

compliance with applicable building codes.

21.7.2. Issuance of Building Permits for Special Exception Uses. Upon application for a building permit for the construction of improvements on any parcel within the PUD, if the Building Official shall first determine that the intended use of the improvements is a "special exception use" within the applicable land use district of the PUD. The Building Official shall refer said applicant and application to the Board of Zoning Adjustment. Requests for special exception uses are permitted only after review and approval by the Board of Zoning Adjustment as specified in this Ordinance, and in compliance with applicable building codes.

VI-21.8. Amendment of the Plan. It is the intent of this Section to provide for the development of the property submitted for the PUD, and to allow minor changes in the plan without additional approvals. Accordingly, additional approvals shall be required for "major changes" as defined VI-21.8.1.

21.8.1. Major Change. A "major change" in the plan shall be defined as any change in the boundaries of any land use district reflected on the master development plan, and any change in the planning criteria submitted with the master development plan. No segment, tract, lot or parcel of land within the approved PUD shall be processed for a change of land use district to another PUD land use district or to conventional zoning districts unless the total PUD is submitted along with the rezoning request. The developer of the PUD shall request a major change in the plan, by filing an application for change which shall be reviewed in accordance with the provisions of Section 20.4 of this Article VI.

21.8.2. Minor Change. Any changes to the plan other than those listed as "major changes" shall be considered "minor changes."

21.8.3 Plat Approval. Plat approval shall be obtained through the standard plat approval procedures of the City of Springville.

VI-21.9. Time Limit for Development of Plan. If no construction has begun within one year from the estimated and approved start-up date of the PUD, as contained within the original approved PUD plan application, the Planning and Zoning Board shall review the plan to assure that conditions in the area have not changed to an extent as to render previously submitted utility, drainage, traffic, and/or other studies as outdated. Development shall commence each year on 10 percent (10%) of the total PUD or on fifty (50) acres (whichever is less), and said construction should continue and be completed within a reasonable time. If development is halted after commencement of construction, or if a change in ownership occurs after commencement of construction, said PUD approval shall remain in full force and effect, and no modification or amendment to the approved plan shall be permitted except as outlined in VI-21.9 Amendment of the Plan.

VI-21.10. Effect of Changes to Zoning Ordinance. No amendment or modification of this Zoning Ordinance shall be effective as to any PUD approval issued prior to such amendment or modification, it being intended that the PUD shall continue to be developed in accordance with the Zoning Ordinance in effect at the time of such prior approval.

VI-21.11. PUD LAND USE DISTRICTS. The following PUD land use districts shall apply to all or part of a PUD:

VI-21.11.1. Planned Single-Family (PR-1).

21.11.1.1. Intent. The intent of the PR-1 District is to provide a district for the development of single-family

dwellings and to coordinate with appropriate community services, in compliance with the approved PUD plan.

21.11.1.2. Permitted Principal Uses.

- ❖ Detached Single-Family Dwellings
- ❖ Garden Homes
- ❖ Open spaces
- ❖ Accessory Structures

21.11.1.3. Special Exception Uses.

- ❖ Art Gallery
- ❖ Church
- ❖ Community Buildings
- ❖ Day Care Centers
- ❖ Home Occupations, as may be approved by the Board of Zoning Adjustment
- ❖ Library
- ❖ Museum
- ❖ Public Elementary or High School, or Parochial or Private School having a curriculum compatible to a public school, but not providing residential accommodations
- ❖ Residential Information Offices
- ❖ Recreational Facilities operated on a non-profit basis; Golf Courses; Swimming Pools; Tennis Courts; Parks, including Playgrounds, Ball Fields, and Picnic Areas.

21.11.1.4. Front Setback. Minimum front setback shall be twenty feet (20').

21.11.1.5. Building Separation Side to Side. Minimum building separation side to side shall be ten feet (10') as measured from the furthestmost building projection.

21.11.1.6. Building Separation Back to Back. Minimum building separation back to back shall be thirty feet (30') as measured from the furthestmost building projection.

21.11.1.7. Maximum Building Height. Buildings in the PR-I District shall not exceed three (3) stories in height and shall conform to the applicable building codes as adopted and amended by the City of Springville.

VI-21.11.2. Planned Attached Family (PR-2).

21.11.2.1. Intent. The intent of the PR-2 District is to provide for the development of attached family dwellings and to coordinate with appropriate community services, in compliance with the approved PUD plan.

21.11.2.2. Permitted Principal Uses.

- ❖ Cluster Homes
- ❖ Duplexes
- ❖ Townhomes
- ❖ Accessory Structures

21.11.2.3. Special Exception Uses.

- ❖ Those Special Exception Uses permitted in the PR-I District

- ❖ Assisted Living Facilities
- ❖ Nursing Homes

VI-21.11.3. Planned Multi-Family (PR-3).

21.11.3.1. Intent. The intent of the PR-3 District is to provide for the development of multi-family dwellings and to coordinate with appropriate community services, in compliance with the approved PUD plan.

21.11.3.2. Permitted Principal Uses.

- ❖ Apartments.
- ❖ Condominiums
- ❖ Customary Accessory Structures.

21.11.3.3. Special Exception Uses.

- ❖ Those Special Exception Uses permitted in the PR-2 District

21.11.3.4. Front Setback. Minimum front setback shall be twenty feet (20').

21.11.3.5. Maximum Building Height. When a building is within three hundred feet (300') of a single-family R District boundary, said building shall not exceed three (3) stories in height. When a building is more than five hundred feet (500') from an R District boundary, said building shall not exceed six (6) stories in height, unless approved as a Special Exception Use. All buildings shall conform to the applicable building codes as adopted and amended by the City of Springville.

VI-21.11.4. Planned Office (PO).

21.11.4.1. Intent. The intent of the PO District is to provide for the development of areas for coordinated employment activity, services and compatible residential uses which do not materially detract from nearby residential areas, in compliance with the approved PUD plan.

21.11.4.2. Permitted Principal Uses.

- ❖ Bank and other Lending or Financial Institution
- ❖ Office used exclusively for office purposes, wherein retail or wholesale trade or business is not conducted; wherein no merchandise or products are manufactured, stored, handled, conveyed, sold or otherwise disposed of
- ❖ Professional Office occupied by Architects, Attorneys, Dentists, Engineers, Physicians, and other similar professionals
- ❖ Public Building
- ❖ Related support business, such as, but not limited to, Restaurant, Drug Store, Barber Shop, Beauty Parlor, and like uses, provided that such related support uses are physically located inside the structures devoted to the permitted principal use set forth above

21.11.4.3. Special Exception Uses.

- ❖ Those Special Exception Uses permitted in the PR-2 District

- ❖ Combinations of Residential and Business uses within a single building, but only after the business use is established

21.11.4.4. Front Setback. Minimum front setback shall be twenty feet (20').

21.11.4.5. Maximum Building Height. When a building is within three hundred feet (300') of a single-family residential district boundary, said building shall not exceed three (3) stories in height. When a building is more than five hundred feet (500') from a residential district boundary, said building shall not exceed six (6) stories in height, unless approved as a Special Exception Use. All buildings shall conform to the applicable building code as adopted and amended by the City of Springville.

VI-21.11.5. Planned Business (PC).

21.11.5.1. Intent. The intent of the PC District is to provide for the development of retail business districts and other compatible uses, in compliance with the approved PUD plan.

21.11.5.2. Permitted Principal Uses. Those permitted principal uses permitted in the PO District plus the following:

- ❖ Appliance, Small Engine Repair
- ❖ Art Supply and/or Frame Shop
- ❖ Assisted Living Care Facility
- ❖ Audio Video Store
- ❖ Auto Dealership
- ❖ Auto Parts Store
- ❖ Bakery (minor) which bake goods for on-premise retail sale only
- ❖ Barber or Beauty Shop
- ❖ Bicycle Shop (including repairs);
- ❖ Building Material Sales, no outside storage yard
- ❖ Business and Domestic Equipment Rental and Sales
- ❖ Car Wash
- ❖ Card/Gift Shop
- ❖ Convenience Store
- ❖ Cosmetic Studio
- ❖ Craft or Hobby Shop
- ❖ Dance Studio
- ❖ Day Care Center
- ❖ Department Store
- ❖ Drug Store
- ❖ Dry Cleaning, Coin-Operated Laundromat
- ❖ Duplicating, Copying Service
- ❖ Factory Outlet Store
- ❖ Florist Shop
- ❖ Furniture Store
- ❖ Gasoline Service Establishment which may also provide Auto Repair Services such as Muffler, Tire, Battery, Brake, and Transmission Shops
- ❖ Grocery Stores
- ❖ Hardware Store
- ❖ Health Food Store
- ❖ Hospitals
- ❖ Indoor Sports Facilities (bowling, health club, spa, racquet club, skating rink, etc.)
- ❖ Interior Decorating Store
- ❖ Jewelry Store
- ❖ Motel or Hotel
- ❖ Motion Picture Theater
- ❖ Nursing Home
- ❖ Outdoor Amusement and Recreation Facility, such as Carpet Golf, Par-3 Golf, Go-carts, Batting Cages, Bumper Boats, and Water Slides.
- ❖ Photographic Studio

- ❖ Radio and TV Station (no antennas) equipment
- ❖ Restaurant ❖ Shoe Repair
- ❖ Retail Establishment, including but not limited to, ❖ Sporting Goods Store
Neighborhood Service Facility, Schools, and
Shopping Center ❖ Tanning Salon
- ❖ Sales Showroom for Appliances; Furniture; ❖ Toy Store
Carpeting; Lighting Fixtures; Medical and Office ❖ Veterinary Clinic (no outside kennels)

21.11.5.3. Special Exception Uses.

- ❖ Principal and Special Exception Uses permitted in the PO District
- ❖ Other Business, Recreation and Amusement Facilities

21.11.5.4. Front Setback. Minimum front setback shall be twenty feet (20').

21.11.5.5. Maximum Building Height. When a building is within three hundred feet (300') of a single-family R District boundary, said building shall not exceed three (3) stories in height. When a building is more than five hundred feet (500') from an R District boundary, said building shall not exceed six (6) stories in height, unless approved as a Special Exception Use. All buildings shall conform to the applicable building codes as adopted and amended by the City of Springville.

VI-21.11.6. Planned Business (PB).

21.11.6.1. Intent. The intent of the PB District is to provide for the establishment of areas compatible with office business and light industrial uses which are performed inside building with limited outside storage or operations that may be adjacent to retail districts in compliance with the approved PUD plan.

21.11.6.2. Permitted Principal Uses.

- ❖ Bulk Distribution Facility
- ❖ Janitorial and Maintenance Services.
- ❖ Light Industrial, Fabrication, Processing, Assembly, and Manufacturing
- ❖ Office/Warehouse
- ❖ Plumbing, Heating and Cooling, Electrical and other supply and service facilities
- ❖ Research Laboratory
- ❖ Warehouse, Mini-Warehouse, and Self-storage Facility
- ❖ Wood Working Shop

21.11.6.3. Special Exception Uses.

- ❖ Business and Institutional uses which support Industrial Employment Centers.

21.11.6.4. Front Setback. Minimum front setback shall be twenty feet (20').

21.11.6.5. Maximum Building Height. When a building is within three hundred feet (300') of a single-family R District boundary, said building shall not exceed three (3) stories in height. When a building is more than five hundred feet (500') from an R District boundary, said building shall not exceed six (6) stories in height, unless approved as a Special Exception Use. All buildings shall conform to the applicable building codes as

adopted and amended by the City of Springville.

ARTICLE VI

SECTION 22

Q QUALIFIED ZONE DISTRICT

VI-22.1. Intent. The intent of the "Q" Qualified District is to provide regulation of business, manufacturing, or residential uses of land and structures in order that uses and development of said land, buildings, and structures will be harmonious and compatible with, and not have an undesirable or detrimental impact on, surrounding development. The "Q" Qualified District is also intended for protection of public welfare and property values of surrounding property by securing an appropriate development in harmony with the objectives of the City of Springville Planning and Zoning Board.

VI-22.2. Change of Zone. Provision is hereby made that in consideration of a change of zone, the subject property shall be limited in such manner that it may not be utilized for all the uses permitted in a particular zone classification and/or that development of said subject property shall conform to specific standards. In such cases, the Ordinance changing the zoning classification of the property in question shall place it in a "Q" zoning classification. The "Q" shall be indicated in the rezoning Ordinance passed by the City Council and on the official zoning map by the symbol "Q" immediately before the combination of symbols designation, e.g. "Q" B-2 in addition to the case number assigned to the individual rezoning case.

VI-22.3. Uses Permitted.

- ❖ The uses permitted in "Q" shall be limited to those set out in the rezoning Ordinance passed by the City Council.
- ❖ Billboard uses are excluded from "Q" consideration.

VI-22.4. Standards That May Be Required in a "Q" Qualified District. In addition to permitted uses as set forth above, "Q" rezoning Ordinance passed by Council may impose standards on the subject property with respect to use, landscaping, buffers, ingress and egress, development plans, drainage, and environmental plans as well as other considerations that may be necessary to make the proposed development compatible with surrounding development. All applicable limitations and/or standards within "Q" shall be considered to apply permanently to the specific uses permitted or additional requirements approved in said zone once the property is developed and/or occupied under the "Q". The approved "Q" requirements shall be recorded as use restrictions on the deed.

VI-22.5. Amendments to "Q" Qualified District. In the event that more permitted uses than those set forth in "Q" rezoning Ordinance passed by the City Council are desired for the subject property, the Planning and Zoning Board will, after proper notification, hold a public hearing on the matter to determine its validity, and make a recommendation to the City Council, who shall then hold a public hearing and approve or deny the additional permitted uses.

VI-22.6. Amendments to Standards. Applications for amendments pertaining only to standards, which may be required as set forth above, need only be presented to and approved by the Planning and Zoning Board.

ARTICLE VI

SECTION 23

GENERAL REGULATIONS FOR RESIDENTIAL DISTRICTS

VI-23.1. General. The residential integrity of all residentially zoned property shall be maintained to protect property values and the residential enjoyment of property free from other uses.

23.1.1. There shall be but one main dwelling on a single-family residential lot with only one power service to the dwelling. Accessory structures shall not be used as a second or temporary dwelling on the property, nor shall a motor home or recreational vehicle be used as a temporary or permanent dwelling in a single-family or multi-family district.

23.1.2. No business or home occupation shall be operated from an accessory structure and all home occupations shall comply with the requirements as set out in Article VIII-7 Home Occupations.

23.1.3. All lawns and fences shall be regularly maintained.

23.1.4. Any structure built at a height greater than 3 stories or 35 feet (35') must be given a special permit by the Building Inspector and approved by the City's Fire Chief.

ARTICLE VI
SECTION 24

R-E SINGLE-FAMILY RESIDENTIAL DISTRICT

VI-24.1. Intent. The intent of the Single-Family Residential District (R-E) is to provide areas suitable for single-family dwellings on estate-sized lots, free from other uses which are incompatible with the character and intent of the district.

VI-24.2. Uses Permitted.

- ❖ Detached Single-Family Dwelling
- ❖ Customary Accessory Structures and Buildings
- ❖ Family Care Home, subject to Article VIII-4
- ❖ Group Home, subject to Article VIII-4
- ❖ Home Occupation, subject to Article VIII-7
- ❖ Kennel
- ❖ Public Utility Service
- ❖ Non-business Greenhouse, and Garden

VI-24.3. Uses Prohibited.

- ❖ Dwellings with a permanent metal chassis are expressly prohibited

VI-24.4. Special Exception Uses. The following uses may be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Day Care Home, subject to Article VIII-6.
- ❖ Hobby Farm, subject to Article VIII-5.
- ❖ Industrial Park, subject to Article VIII-8.
- ❖ Place of Worship

VI-24.5. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size</u>	
Front	Rear	Side*	Area	Width
60'	40'	20'	43,560 sq ft	150'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

VI-24.6. Accessory Structures. See Article VII-6 Accessory Structure Requirements.

Setbacks: Rear 10'
Side* 8'

*Except corner lots which shall observe front yard set backs on all sides abutting streets or rights-of-way.

VI-24.7. Buffer Requirements. All Special Exception Uses except day care homes, family care homes, and home occupations shall provide a minimum twelve-foot (12') wide buffer on all side and rear lot lines. See Section Article VII-7 Buffers/Screening.

VI-24.8 . Aesthetic Requirements. It is the intent of the aesthetic requirements to create consistent aesthetics

within R-E Districts. The following standards shall apply for any and all dwellings built therein:

24.8.1. All dwellings must be built in a manner such that, from the outside of the dwelling, there shall be no visible space between the ground and the lowest floor level of the dwelling.

24.8.2. Any “underpinning” or similar object used at the base of the dwelling must be made of brick, rock, stone, stucco, or other like materials.

VI-24.9 . Additional Regulations (when applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 25

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

VI-25.1. Intent. The intent of the Single-Family Residential District (R-1) is to provide areas suitable for medium-density single-family dwellings, free from other uses which are not compatible with the character and intent of the R-1 District.

VI-25.2. Uses Permitted.

- ❖ Detached Single-Family Dwelling
- ❖ Home Occupation, subject to Article VIII-7
- ❖ Customary Accessory Structures and Buildings
- ❖ Public Utility Service
- ❖ Non-business Greenhouse and Garden

VI-25.3. Uses Prohibited.

- ❖ Dwellings with a permanent metal chassis are expressly prohibited

VI-25.4. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit being granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Day Care Home, subject to Article VIII-6.
- ❖ Family Care Home, subject to Article VIII-4
- ❖ Group Home, subject to Article VIII-4
- ❖ Hobby Farm, subject to Article VIII-5.
- ❖ Industrial Park, subject to Article VIII-8.
- ❖ Place of Worship
- ❖ Kennel

VI-25.5. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size</u>	
Front	Rear	Side*	Area	Width
35'	35'	10'**	15,000 sq ft	100'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

**Total side setback to be twenty five feet (25') with a minimum of ten feet (10") on one side.

VI-25.5.1. Any lot in an R-1 District which does not meet the minimum requirements but which was created prior to April 3, 1990, in accordance with the applicable minimum area requirements for a lot in the R-1 District in effect on the date of final approval of the plat by which such lot was created, shall be considered to be in compliance with the minimum area requirements for a lot in an R-1 District. The requirements of a minimum lot area of 15,000 square feet on any lot not served by public water and sewer must still be met.

VI-25.5.2. Any parcel, other than a lot in an R-1 District which does not meet the minimum requirements, but which, prior to April 3, 1990, existed as a discrete parcel and was in compliance with the applicable minimum area requirements in effect for a parcel achieved its present area and configuration, shall be considered to be in

compliance with the minimum area requirements. The requirements of a minimum lot area of 15,000 square feet on any lot not served by public water and sewer must be met.

VI-25.5.3. All new construction and additions to structures must meet the set back requirements as any other lot.

VI-25.6 . Accessory Structures. See Article VII-6 Accessory Structure Requirements.

Setbacks: Rear 10'
Side* 8'

*Except corner lots which shall observe front yard set backs on all sides abutting streets or rights-of-way.

VI-25.7. Buffer Requirements. Special Exception Uses except day care homes, family care homes and home occupations shall provide a minimum twelve-foot (12') wide buffer on all side and rear lot lines. See Section Article VII-7 Buffers/Screening.

VI-25.8. Aesthetic Requirements. It is the intent of the aesthetic requirements to create consistent aesthetics within R-1 Districts. The following standards shall apply for any and all dwellings built therein:

25.8.1. All dwellings must be built in a manner such that, from the outside of the dwelling, there shall be no visible space between the ground and the lowest floor level of the dwelling.

25.8.2. Any "underpinning" or similar object used at the base of the dwelling must be made of brick, rock, stone, stucco, or other like materials.

VI-25.9. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 26

R-2 MULTI-FAMILY RESIDENTIAL DISTRICT

VI-26.1. Intent. The intent of the Multi-Family Residential District (R-2) is to provide areas suitable for detached single-family dwellings, duplexes and multi-family dwellings, along with selected institutional and business uses which are integrally related to the residential neighborhood.

VI-26.2. Uses Permitted.

- ❖ Apartment
- ❖ Cemetery
- ❖ Community Center
- ❖ Country Club
- ❖ Detached Single-Family Dwelling
- ❖ Day Care Home
- ❖ Duplex (Two-Family Dwelling)
- ❖ Family Care Home
- ❖ Patio Home
- ❖ Park
- ❖ Public Facility
- ❖ Public Utility Service
- ❖ School
- ❖ Townhouse

VI-26.3. Uses Prohibited.

- ❖ Dwellings with a permanent metal chassis are expressly prohibited.

VI-26.4. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit being granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Day Care Home, subject to Article VIII-6.
- ❖ Group Home/Family Care Home, subject to Article VIII-4.
- ❖ Hobby farm, subject to Article VIII-5.
- ❖ Industrial Park, subject to Article VIII-8.
- ❖ Place of Worship
- ❖ Home Occupation, subject to Article VIII-7.

VI-26.5. Area and Dimensional Regulations.

26.5.1. Apartments:

<u>Setbacks</u>			<u>Minimum Lot Size</u>	
Front	Rear	Side*	Area	Width

40' 35' 20' 8,000 sq ft 65'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

26.5.1.1. All buildings shall be set back a minimum of fifteen feet (15') from all parking areas.

26.5.1.2. Minimum separation between buildings shall be as follows:

- Front to Front: 35'
- Front to Rear: 35'
- Front to Side: 35'
- Rear to Rear: 35'
- Side to Side: 20'
- Side to Rear: 20'

26.5.1.3. A minimum lot area of 2,500 square feet shall be provided for each dwelling unit within the apartment complex.

26.5.1.4. Maximum dwelling units shall not exceed 8 units per floor.

26.5.2. Patio Homes:

<u>Setbacks</u>			<u>Minimum Lot Size</u>	
Front	Rear	Side*	Area	Width
20'	15'	8'***	6,000 sq ft	50'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

26.5.2.1. Subdivision of lots for Patio Homes shall be restricted to tracts with a minimum site area of three (3) or more acres.

26.5.2.2. A garage attached to a dwelling unit shall be permitted to share a party wall with a garage attached to an adjacent lot used for a Patio Home on either side.

26.5.2.3. All yard areas behind the front building line shall be fully enclosed by an opaque fence or wall along the side and rear lot lines to form a private yard area with a deck, porch, or patio.

26.5.2.4. Patio Homes on adjacent lots to the rear or side shall be permitted to own and maintain common party fences or walls.

26.5.2.5. All living spaces within the dwelling unit shall open onto a private yard area.

26.5.3. Townhouses:

	<u>Setbacks</u>			<u>Minimum Lot Size</u>	
	Front	Rear	Side*	Area	Width
Interior Unit:	30'	25'	N/A	2,000 sq ft	20'
End Unit:	30'	25'	20'	4,000 sq ft	40'
Other Uses:	30'	20'	10'	8,000 sq ft	65'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

26.5.3.1. All buildings shall be set back a minimum of fifteen feet (15') from all parking areas.

26.5.3.2. A maximum of 8 dwelling units shall be permitted per building.

VI-26.6. Maximum Building Height: The building shall not exceed a height of thirty five feet (35').

VI-26.7. Accessory Structures. See Article VII-6 Accessory Structure Requirements.

Setbacks: Rear 10'
Side* 8'

*Except corner lots which shall observe front yard set backs on all sides abutting streets or rights-of-way.

VI-26.8. Buffer Requirements. Special Exception Uses, except day care homes, family care homes and home occupations shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and along all side and rear lot lines. See Article VII-7 Buffers/Screening.

VI-26.9. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 27

R-3 SINGLE-FAMILY & MOBILE HOME DISTRICT

VI-27.1. Intent. The intent of the Single-Family & Mobile Home District (R-3) is to provide areas suitable for medium-density single-family dwellings, free from other uses which are not compatible with the character and intent of the District.

VI-27.2. Uses Permitted.

- ❖ Single-Family Dwelling
- ❖ Manufactured Home
- ❖ Customary Accessory Structures and Buildings
- ❖ Public Utility Service
- ❖ Home Occupation, subject to Article VIII-7

VI-27.3 Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Dwelling, Tiny Home/Tiny House
- ❖ Day Care Home, subject to Article VIII-6.
- ❖ Family Care Home, subject to Article VIII-4
- ❖ Group Home, subject to Article VIII-4
- ❖ Hobby Farm, subject to Article VIII-5.
- ❖ Industrial Park, subject to Article VIII-8.
- ❖ Place of Worship

VI-27.4. Area and Dimensional Regulations.

<u>Setbacks</u>			<u>Minimum Lot Size</u>	
Front	Rear	Side	Area	Width
40'	25'	15'	15,000 sq ft.	80'

*Corner lots shall observe front yard setbacks on all sides abutting streets or rights-of-way.

VI-27.5. Accessory Structures. See Article VII, Section 6.0 for Accessory Structure Requirements.

Setbacks: Rear 10'
Side* 8'

*Except corner lots which shall observe front yard set backs on all sides abutting streets or rights-of-way.

VI-27.6. Buffer Requirements. Special Exception Uses, except day care homes, family care homes and home occupations shall provide a minimum twelve-foot (12') wide buffer strip adjacent to and along all side and rear lot lines. See Article VII-7 Buffers/Screening.

VI-27.7. Additional Regulations (When applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures

- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 28

R-4 GARDEN HOME RESIDENTIAL DISTRICT

VI-28.1. Intent. The intent of the Garden Home Residential District (R-4) is to provide areas suitable for the exclusive development of Residential Garden Homes, free from other uses which are not compatible with the character and intent of this District. A desirable objective within this District is the clustering of dwellings to achieve maximum open space.

VI-28.2. Uses Permitted.

- ❖ Detached Single-Family Garden and Patio Home Dwellings
- ❖ Customary Accessory Buildings and Structures
- ❖ Public Utility Service
- ❖ Recreational Facilities to serve only the residents of the development

VI-28.3. Uses Prohibited.

- ❖ Dwellings with a permanent metal chassis are expressly prohibited.

VI-28.4. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and or licenses being used:

- ❖ Family Care Home, subject to Article VIII-4
- ❖ Group Home, subject to Article VIII-4
- ❖ Public Utility Facility
- ❖ Place of Worship
- ❖ Home Occupation, excluding Day Care Homes and Family Care Homes, subject to Article VIII-7

VI-28.5 . Area and Dimensional Regulations.

	<u>Setbacks</u>			<u>Minimum Lot Size</u>	
	Front	Rear	Side*	Area	Width
With Public Sewer:	20'	15'	5'	5,500 sq ft	50'
Without Public Sewer:	30'	25'	15'	15,000 sq ft	100'

*Where special exceptions are permitted to side yard setbacks the following provisions shall apply:

1. Minimum building separation between Garden Homes shall be ten feet (10').
2. Buildings in an R-4 Garden Home Residential District shall not be located less than twenty five feet (25') from any portion of any abutting Single-Family Residential District (R-E and/or R-1).
3. Corner lots shall comply with front yard setbacks on all sides abutting public streets or rights-of-way.

VI-28.6. Maximum Building Height.

With Public Sewer: One and One-Half Stories (1-1/2)

Without Public Sewer: Two (2) Stories

VI-28.7. Maximum Building Density. Seven (7) dwelling units per acre.

VI-28.8. Accessory Structures. Accessory storage buildings shall not exceed ten percent (10%) of the heated area on

the main floor of the dwelling, up to a maximum of two hundred (200) square feet. See Article VII-6 Accessory Structure Requirements.

Setbacks: Rear Yard: 10'

Side Yard: 8'

Corner lots: Same as dwelling.

VI-28.9. Buffer Requirements. A minimum twelve-foot (12') wide buffer strip shall be required adjacent to and along all side and rear lot lines. Maintenance of buffer strips shall be provided by written covenant, the adequacy of which shall be determined and approved by the Planning and Zoning Board.

VI-28.10. Additional Requirements. These Additional Requirements are specific to dwellings in an R-4 Garden Home Residential District. Where there is a conflict with requirements elsewhere in this Ordinance, these requirements shall apply.

28.10.1. All utilities shall be under-ground and located within existing public rights-of-way or easements.

28.10.2. There shall be a minimum of two (2) parking spaces per Garden Home. Garden Home parking spaces shall not be permitted on streets. Driveways shall be a minimum of twenty feet (20') from the front building face to the front lot line.

28.10.3. Fences shall not be permitted forward of the front corner of the dwelling. Fences shall not exceed a height of six feet (6').

28.10.4. Fences and/or walls, other than those provided as part of a required buffer, shall not be located within fifteen feet (15') of the perimeter lot lines of the development site.

28.10.5. Because of the zero (0) lot line allowance, easements or comparable access rights shall be included in the deed or restrictive covenants so as to permit maintenance on each dwelling. For each dwelling unit constructed along a zero (0) side lot line, an easement of five feet (5') in width shall be created on the adjoining lot extending to the rear corner of the dwelling. The purpose of this easement is to permit maintenance and repair of the portion of the structure bordering the zero (0) side yard. All maintenance easements shall be shown on the final plat, along with an indication of the lot to which each easement is assigned. No fence, patio, deck, or structure of any kind shall be placed within a maintenance easement.

28.10.6. The developer shall provide the Planning and Zoning Board for the City of Springville a copy of all restrictive subdivision covenants and, in addition thereto, any articles, agreements, or provisions relating to:

1. Governing body of property owners, if any.
2. Power conferred to governing body, if applicable.
3. Any other covenants required by the Planning and Zoning Board

VI-28.11. Additional Regulations (When applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations

- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 29

R-5 TOWNHOUSE/CLUSTER HOME RESIDENTIAL DISTRICT

VI-29.1. Intent. The intent of the R-5 Townhouse/Cluster Home Residential District is to provide areas suitable for the development of residential townhouses and cluster homes. Each townhouse unit or cluster home unit may share a common wall with another such unit on one or both sides, have individual entrances, and are placed on its own lot.

29.1.1. Garden Homes constructed in an R-5 Townhouse District prior to January 1, 2000, as allowed by the prior Ordinance, shall be deemed compliant with the provisions of this Ordinance.

VI-29.2. Uses Permitted. The following uses shall be permitted in an R-5 Townhouse/Cluster Home Residential District:

- ❖ Cluster Homes
- ❖ Townhouse Dwellings
- ❖ Public Utility Service
- ❖ Recreational Facilities to serve only the residents of the development

VI-29.3. Uses Prohibited.

- ❖ Dwellings with a permanent metal chassis are expressly prohibited.

VI-29.4. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Public Utility Facility
- ❖ Home Occupation, excluding Day Care Homes and Family Care Homes, subject to Article VIII-7
- ❖ Place of Worship

VI-29.5. Area and Dimensional Regulations.

- 29.5.1. Maximum Density: Eight (8) units per acre
- 29.5.2. Maximum Units per Development: 100
- 29.5.3. Minimum Floor Area: One Story - 1,000 sq. ft.
Two Story - 1,000 sq. ft.,
with not less than 600 sq. ft. on the first floor
- 29.5.4. Minimum Lot Width: 24 feet
- 29.5.5. Minimum Building Separation: 30 feet - side to side
- 29.5.6. Minimum Yard Requirements:

Townhouses: Front Rear Side*
25' 35' 0'

*Corner lots shall comply with front yard setbacks on all sides abutting public streets or rights-of-way.

Cluster Homes: Each cluster shall be setback a minimum of thirty feet (30') from all lot lines abutting road rights-of-way, and from any private access road.

29.5.7. Maximum number of attached units in one Townhouse/Cluster Home structure:

Townhouses:	Six (6) dwelling units per structure
Cluster Homes:	Four (4) dwelling units per structure

29.5.8. Townhouse/Cluster Home units may have multiple stories or combinations of one and two-story sections; however, in no case shall one unit be above another.

VI-29.6. Zero (0) Lot Lines

29.6.1. Zero lot-line units shall not take access from an arterial or collector road.

29.6.2. Because of the zero (0) lot line allowance, easements or comparable access rights shall be included in the deed or restrictive covenants so as to permit maintenance on each dwelling. For each dwelling unit constructed along a zero (0) side lot line, an easement of five feet (5') in width shall be created on the adjoining lot extending to the rear corner of the dwelling. The purpose of this easement is to permit maintenance and repair of the portion of the structure bordering the zero (0) side yard. All maintenance easements shall be shown on the final plat, along with an indication of the lot to which each easement is assigned. No fence, patio, deck, or structure of any kind shall be placed within a maintenance easement.

VI-29.7. Building Setback from Streets.

29.7.1. No Townhouse structure in an R-5 Townhouse/Cluster Home District shall be located closer than thirty five feet (35') to the nearest dedicated exterior street right-of-way.

29.7.2. No Townhouse structure in an R-5 Townhouse/Cluster Home District shall be located closer than twenty five feet (25') to the nearest dedicated interior street right-of-way.

29.7.3. No Cluster Home structure in an R-5 Townhouse/Cluster Home District shall be located closer than thirty feet (30') to the nearest dedicated interior street right-of-way.

VI-29.8. Buffer Requirements. A minimum twelve-foot (12) wide buffer strip shall be required on all side and rear lot lines of the Townhouse/Cluster Home development. This 12-foot buffer strip shall be in addition to minimum yard requirements. Maintenance of the buffer strip area shall be provided by written covenant, the adequacy of which shall be determined and approved by the Planning and Zoning Board for the City of Springville.

VI-29.9. Utilities. All utilities shall be under-ground and located within existing public rights-of-way or easements.

VI-29.10. Accessory/Storage Structures

28.10.1. Individual accessory buildings/structures shall not be permitted in the R-5 Townhouse/Cluster Home.

28.10.2. A storage facility or storage area not less than forty-eight (48') square feet of floor area shall be required within the garage for each Townhome or Cluster Home. The design of the storage facility/area shall compliment the design of the building.

VI-29.11. Vehicular Parking. There shall be a minimum of two (2) paved parking spaces per Townhouse/Cluster Home unit. Parking spaces shall not be permitted on streets. Driveways shall be a minimum of twenty feet (20') from the front building face to the front lot line.

VI-29.12. Special Parking.

29.12.1. Boats, trailers, campers, recreational vehicles, and similar items shall not be allowed to be parked in the areas approved to comply with the minimum off-street parking requirements forward of the front setback line.

29.12.2. A screened storage area shall be provided and maintained for parking boats, trailers, campers, recreational vehicles, and similar items.

29.12.3. A minimum of one (1) parking space shall be provided for each twenty (20) Townhouse or Cluster Home units.

29.12.4. All parking areas visible from public roads shall be screened and buffered from view using landscape berms, plantings, or other such screening methods as much as possible or practical.

VI-29.13. Fences and Walls.

29.13.1. Fences shall not be permitted forward of the front building face of a Townhouse or Cluster Home. Fences shall not exceed a height of six feet (6').

29.13.2. Fences and/or walls, other than those provided as part of a required buffer, shall not be located within fifteen feet (15') of the perimeter lot lines of the development site.

VI-29.14. Additional Requirements.

29.14.1. The developer shall provide the Planning and Zoning Board for the City of Springville a copy of all restrictive subdivision covenants and, in addition thereto, any articles, agreements, or provisions relating to:

1. Governing body of property owners, if any.
2. Power conferred to governing body, if applicable.
3. Any other covenants required by the Planning and Zoning Board

VI-29.15. Additional Regulations (When applicable).

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

ARTICLE VI
SECTION 30

R-6 MOBILE HOME PARK DISTRICT

VI-30.1. Intent. The intent of the R-6 Mobile Home Park District is to provide areas for development of Mobile Home Parks free from other uses which are not compatible with the character of an R-6 Mobile Home Park District.

VI-30.2. Uses Permitted.

- ❖ Dwelling, Tiny Home/Tiny House
- ❖ Mobile Home
- ❖ Management Office
- ❖ Manager's Residence
- ❖ Public Utility Service
- ❖ Service Facilities; such as Laundromats, Household Storage Buildings, Outdoor Storage Yards, Refuse Disposal Areas, and similar common service facilities designed and intended to serve only the residents of the Mobile Home Park
- ❖ Recreational Facilities designed and intended to serve only the residents of the Mobile Home Park
- ❖ Retail Convenience Sales for residents of the Mobile Home Park
- ❖ Residential Accessory Uses and Structures

VI-30.3. Special Exception Uses. The following uses shall be permitted subject to a Special Exception Use permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and/or licenses being issued:

- ❖ Home Occupation, subject to established park policy, and Article VIII-7
- ❖ Place of Worship

VI-30.4. Site Standards. These Site Standards are specific to sites in an R-6 Mobile Home District. Where there is a conflict with requirements elsewhere in this Ordinance, these requirements shall apply.

30.4.1. Minimum area for a Mobile Home Park: five (5) acres.

30.4.2. Maximum density for Mobile Home Park: ten (10) sites per acre.

30.4.3. Vehicular access points shall be approved through the review of plans submitted to the Planning and Zoning Board for the City of Springville.

30.4.4. Access to Mobile Home sites within the park shall not be from an arterial or collector road.

30.4.5. All Mobile Home sites shall abutt a paved roadway.

30.4.6. The entire Mobile Home Park shall be served with a permanent potable water supply and sanitary disposal facilities.

30.4.7. Service and distribution of utilities within the Mobile Home Park shall be under-ground and located within existing public rights-of-way or easements.

30.4.8. Accessory buildings and/or structures shall not be erected or maintained in required buffer strips.

30.4.9. A playground area, located within the boundaries Mobile Home Park property, shall be provided and maintained in a safe condition and usable for the originally designed intent.

30.4.10. Resident shelter, compliant with the *International Code Council ICC-500 Shelter Standard or FEMA Standard #361 Design and Construction Guidance for Guidance for Community Safe Rooms*, shall be provided for

use in inclement weather.

30.4.11. When individual storage buildings are not permitted on Mobile Home sites, a storage area of not less than four feet (4') by four feet (4') shall be provided for each Mobile Home site.

VI-30.5. Mobile Home Site, Area and Dimensional Regulations. These Site, Area, and Dimensional Regulations are specific to sites in an R-6 Mobile Home District. Where there is a conflict with requirements elsewhere in this Ordinance, these requirements shall apply.

30.5.1. The minimum Mobile Home site area shall be a minimum of 3,600 square feet.

30.5.2. The minimum yard setback shall be:

Front Yard: 30 feet

Rear Yard: 10 feet

Side Yard: 10 feet

30.5.3. Each Mobile Home site shall be provided with two (2) off-street parking spaces. Parking spaces shall be of sufficient size (length and width) to accommodate parking for two (2) full-size vehicles without obstruction of the intersecting roadway traffic.

30.5.4. All Mobile Home sites shall be available for lease or rental only.

VI-30.6. Procedure for the Plat Approval. Layout Plans of proposed Mobile Home Parks shall be prepared by a Registered Professional Architect and submitted to the Planning and Zoning Board for review and approval prior to construction.

30.6.1. The Layout Plan shall include, but not limited to the following:

1. A description of the site location.
2. Number, location, and dimensions of all Mobile Home sites.
3. The locations and width of roadways, automobile parking spaces and walkways.
4. Location and dimensions of any recreational areas that may be provided.
5. Location, size, occupancy capacity, accommodations, and access to the resident shelter.
6. Certification that the park is within range of an early warning siren notification during periods of inclement weather conditions.
7. Certification that tie-downs for Mobile Homes will be provided. Certification shall be based on accepted engineering practices.

VI-30.7. Buffer Requirements. The Mobile Home Park shall be designed and developed to be completely surrounded by a buffer strip having a width of not less than thirty five feet (35').

VI-30.8. Special Parking.

30.8.1. Boats, trailers, campers, recreational vehicles, and similar items shall not be permitted to be parked in the areas provided and approved to comply with the minimum off-street parking requirements forward of the front set back line.

30.8.2. A screened storage area shall be provided and maintained for parking boats, trailers, campers, recreational vehicles, and similar items. A minimum of one (1) parking space shall be provided for each twenty (20) Mobile Home Sites.

30.8.3. All parking areas visible from public roads shall be screened and buffered from public view using landscape berms, plantings, or other such screening methods.

VI-30.9. Additional regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article IX Off-Street Parking and Loading Requirements
- Article XI Sign Regulations

Article VI
Section 31
R-7 Annexed Non-Conforming District

VI-31.1. Intent: To provide regulations for newly annexed, previously developed residential properties and residential subdivisions, in which the property will not comply with any zoning district.

31.1.1. No property or subdivision being developed currently located inside the city limits may use R-7 zoning.

VI-31.2. Uses Permitted:

- Detached Single family dwellings – One dwelling per property

VI-31.3. Uses Prohibited:

- Any use not in effect at time of annexation without approval of the Planning and Zoning Commission.
- Dwellings with a permanent metal chassis only allowed with approval of the Planning and Zoning Commission.
- Multi-family dwellings

VI-31.4. Special Exception Uses: The following uses shall be permitted subject to a Special Exception Use Permit granted by the Board of Zoning Adjustment and further subject to appropriate permits and or licenses being used:

- Home Occupation, excluding Day care Homes and Family Care Homes, VIII-7

VI-31.5. Area and Dimensional Regulations: The lot sizes and setbacks are specific to each property and will remain as they were at the time of annexation. All requests for changes to the area and dimensional regulations must go through the Planning and Zoning Commission for approval.

VI-31.6. Maximum Building Height: The maximum building height is specific to each building and is maintained at the height of the building at the time of annexation. If building is destroyed, it must be replaced according to same specifications as they were at time of annexation.

VI-31.7. Maximum Building Density: Building density will remain the same as it was at the time of annexation. All requests for changes must go through the Planning and Zoning Commission for approval.

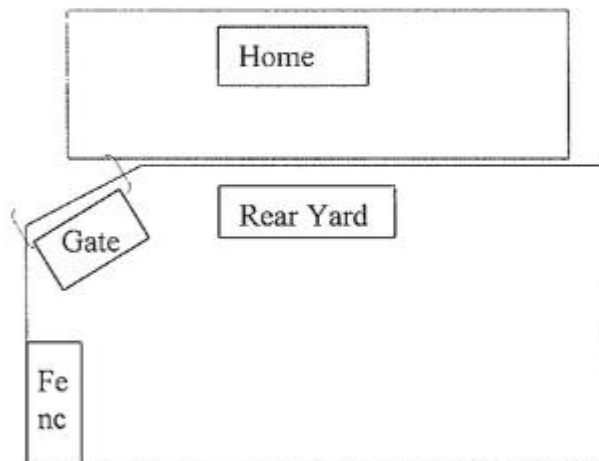
VI-31.8. Accessory Structures: Accessory Storage buildings shall not exceed ten percent (10%) of the heated area on the main floor of the dwelling, up to a maximum of 200 sq. ft.

Setbacks: Rear Yard: 10'

Side Yard: storage buildings must observe the same side setbacks of the permanent structure.

VI-31.9. Buffer Requirements: Fences shall not be permitted forward of the rear wall of the dwelling and must be constructed in a manner to allow a minimum 4ft entry gate (refer to typical drawing VI-31.9.A). Fences shall not exceed a height of 6 ft.

VI-31.9.A. Typical Drawing:



VI-31.10. Additional Regulations (when applicable)

- Article III General Regulations
- Article IV Administrative and Review Procedures
- Article V-3 Definitions
- Article VII Supplemental Regulations
- Article VIII Special Use Regulations
- Article VIII, Section 7 Home Occupations
- Article IX Off-street Parking and Loading Requirements
- Article XI Sign Regulations

Article VI

Section 32

B-7 General and Inclusive Business District

VI - 32.1. Intent. The intent of the B-7 General and Inclusive Business District is to provide areas where any use as provided in any business district within the City is allowed. The Districts are to be permissive of any use in all Business Districts as the same are defined in the Ordinance.

VI – 32.2. Uses Permitted. Within B-7 General and Inclusive Business District, a building or land shall be used only for the following purposes:

- Any and all use as is specifically allowed in any and all other Business Districts in the City.

VI – 32.3. Supplemental Requirements. Any business seeking to locate within a B-7 District must follow all supplemental requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Supplemental Requirements provided for in the Ordinance under the B-2 District Supplemental Requirements.

VI – 32.4. Area and Dimensional Requirements. Any business seeking to locate within a B-7 District must follow all Area and Dimensional Requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Area and Dimensional Requirements provided for in the Ordinance under the B-2 District Area and Dimensional Requirements.

VI – 32.5. Maximum Building Height. Any business seeking to locate within a B-7 District must follow all Maximum Building Height Requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Maximum Building Height Requirements provided for in the Ordinance under the B-2 District Maximum Building Height Requirements.

VI – 32.6. Building Separation. Any business seeking to locate within a B-7 District must follow all Building Separation Requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Building Separation Requirements provided for in the Ordinance under the B-2 District Building Separation Requirements.

VI – 32.7. Buffer Requirements. Any business seeking to locate within a B-7 District must follow all Buffer Requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Buffer Requirements provided for in the Ordinance under the B-2 District Buffer Requirements.

VI – 32.8. Additional Regulations. Any business seeking to locate within a B-7 District must follow all Additional Requirements as the same are set forth in the Ordinance relating to the zoning district which specifically allows for said business. For example, if the business is specifically allowed for in a B-2 District, said business must follow the Additional Requirements provided for in the Ordinance under the B-2 District Additional Requirements.

Article VI
Section 33
MR Municipal Reserve District

VI - 33.1. Intent. The intent of the MR Municipal Reserve District is to maintain an interim zone for newly annexed areas of the City. The MR District seeks to protect newly annexed areas prior to the time comprehensive zoning can be enacted. All property shall be zoned MR on the date of annexation.

VI - 33.2. Uses Permitted. All uses in existence at the time of annexation may lawfully continue under the provisions of the MR District. However, novel uses may not be introduced to any property zoned MR without receiving approval from the City's Board of Zoning Adjustment.

VI - 33.3. Additional Regulations. As soon as practicable following annexation, the Planning Commission shall initiate a petition to rezone property from the MR District to any other district

contained within this ordinance. In determining the most appropriate zone, the Planning Commission shall duly consider the following items, among others:

- a. Comprehensive land use studies including but not limited to the City's Comprehensive Plan;
- b. The desires of the property owners subject to the zoning;
- c. The State-mandated purposes and considerations of zoning, as set forth in Alabama Code (1975), {11-52-72, as amended.

Section 2: That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3: That this ordinance shall become effective as provided by law after passage, approval and publication.

END of ARTICLE VI

ARTICLE VII
SUPPLEMENTAL REGULATIONS

ARTICLE VII
SECTION 1

MODIFICATIONS TO DISTRICT REGULATIONS

VII-1.1. Purpose. The regulations set forth in this article supplement or modify the district regulations appearing elsewhere in this Ordinance.

ARTICLE VII
SECTION 2

USE MODIFICATIONS

VII-2.1. Building material or temporary structures for construction purposes shall not be placed or stored on any lot or parcel of land before appropriate building permits have been approved by the building official and issued by the building official. Such building materials and temporary structures shall be removed up on completion before a certificate of occupancy will be issued, or upon abandonment of the construction work.

VII-2.2. Railroad facilities including main line tracks, switching spurs, control signals, poles, and wires or similar facilities (but not yards or service facilities, or passenger or freight stations) needed for operating railroad trains may be constructed, repaired, maintained or replaced in any zoning district.

VII-2.3. With the exception of sales of used automotive vehicles, outdoor displays of used retail merchandise for sale are prohibited in any zoning district. Notwithstanding the above, yard sales (as defined and regulated by Article VIII Section 16 of the Zoning Ordinance (the "Yard Sale Provisions") are permitted subject to the Yard Sale Provisions; commercial vendors who currently display such items outdoor are grandfathered in as a non-conforming use for so long as said use continues.

ARTICLE VII
SECTION 3

SPECIAL EXEMPTION USES

VII-3.1. General. Except for the provisions of Article IV, Sections 6.0 and 7.0, no other use other than the types specified as "permitted" or "special exception uses", shall be allowed. Uses specified as "special exception uses" are exceptions and no permit shall be issued for such uses except with the written approval of the Board of Zoning Adjustment and subject to such conditions as said Board may require to preserve and protect the character of the District.

ARTICLE VII

SECTION 4

HEIGHT RESTRICTIONS

VII-4.1. In each District, each structure hereafter erected or altered shall not exceed the heights specified in the district requirements and in any district wherein maximum building height is not specified, no building shall exceed 3 stories or 35 feet without receipt of a special building height permit from the Building Inspector upon approval of the City's Fire Chief.

ARTICLE VII

SECTION 5

BUILDING LOTS, YARDS and OPEN SPACES

VII-5.1. In each District each structure hereafter erected or altered shall be provided with the yards specified, and shall be on a lot of the area and width specified herein. No open space or lot required for a building or structure shall during its life be occupied by or counted as open space for another building or structure.

ACCESSORY STRUCTURES

VII-6.1. General. Accessory structures shall comply with the requirements provided in this Section.

6.1.1. Other than on property within an Agricultural District, Accessory structures shall not be built prior to construction of the main structure.

6.1.2. Accessory Buildings shall be constructed of materials which are consistent (not aesthetically or otherwise incompatible) with the main structure located on the applicable property in order to ensure that consistency between primary structures and accessory buildings is maintained. "Consistency" shall be determined by the Zoning Director in his / her sole and absolute discretion; however, he / she may refer the matter to the Zoning Board of Adjustment and his / her determination may be appealed to the Zoning Board of Adjustment. The Zoning Director and / or the Board of Adjustments shall take into account the applicable zoning district and property when determining consistency.

VII-6.2. Residential Accessory Structures.

6.2.1. Accessory structures (which includes by definition Accessory Buildings) in residential areas shall not be used for any activity connected with any business or manufacturing use. Such accessory structures shall be erected and maintained only as accessory to the main structure or dwelling situated on the same lot or premises.

6.2.2. There shall not be more than two (2) accessory structures on any single residential lot. Any property owner desiring more than two (2) accessory structures shall be required to apply to the Zoning Board of Adjustment for a special exception use.

6.2.3. The aggregate square footage of all accessory structures shall not exceed fifty percent of the total square footage of the main structure.

6.2.4. Accessory structures in rear and side yards only, and such accessory structures shall not occupy more than fifteen percent (15%) of the required rear yard and shall not be located closer than ten feet (10') from any rear lot line nor closer than eight feet (8') from any side lot line. In the case of corner lots or double fronted lots, accessory structures shall not encroach on either front yard.

6.2.5. In a residential district, no required yard except the rear yard shall be used for the location of a free standing satellite earth station or dish television antenna, and such antenna shall be located not less than ten feet (10') from the rear and side lot lines, except that on corner lots the appropriate front yard setback for the district shall be observed on all sides abutting a street or right-of-way. These antenna/earth stations shall be neutral in color. and, to the greatest extent possible, compatible with the appearance and character of the neighborhood in which they are located. When the required placement prevents satisfactory reception, or other problems exist which are unique, such requests shall be referred to the Board of Zoning Adjustment.

VII-6.3. Non-Residential Accessory Structures. Non-residential accessory structures up to twelve feet (12') in height shall not be permitted within five feet (5') of any side or rear lot line and shall not occupy any portion of a front yard of a lot in a non-agricultural district. Accessory structures greater than twelve feet (12') in height shall be setback an additional one-foot (1') for each four feet (4') of height above twelve feet (12') in non-agricultural districts. In no case shall an accessory structure exceed the allowable height permitted for the district in which it is located.

ARTICLE VII SECTION 7

BUFFERS/SCREENING

VII-7.1. Purpose. The purpose of these regulations is to provide minimum control of Buffers and Screening within the City of Springville to promote the health, safety, and general welfare by lessening hazards to pedestrians and vehicular traffic, as well as the preservation of property values by preventing unsightly and detrimental development which will cause a blighting influence upon any zoned District within the City of Springville.

VII-7.2. Materials. Buffers and screens may be required in addition to any required setback. A buffer may consist of, but not necessarily be limited to, any of the following methods or materials:

7.2.1. A natural barrier of existing trees or a planted barrier consisting of trees or shrubs, or a combination of existing and planted trees, shrubs, and selected vegetation. Any combination of evergreen trees and other deciduous trees (hardwoods) or shrubs are acceptable as long as the visual barrier will be uniformly dense at the minimum height required, and will attain a year round, visually impervious, uniform density.

7.2.2. Nothing herein shall be construed as preventing removal of junk, debris, dead trees or limbs, abandoned structures, fences, and the like from the buffer area.

7.2.3. Unless otherwise noted, acceptable screening materials include wood stockade fences, decorative masonry walls, brick walls, and earth berms. The finished side of a fence shall be to the outside or a double faced fence may be used. Screening walls or fences shall be a minimum of six feet (6') in height (or as modified by the Planning and Zoning Board).

VII-7.3. General Requirements. The regulations provided in this Section are general in nature and shall apply to this Ordinance in its entirety, except as specifically stated and referenced elsewhere. No person, firm, partnership, association, corporation, company or organization shall erect, cause to be erected, or maintain any buffer/screening of any type in violation of the regulations provided in this Article VII.

7.3.1. Where a natural buffer/screening is specified, such barrier shall be a planting strip which provides a visually impervious barrier uniformly dense at all heights from the ground, and to a minimum height of six feet (6') throughout the entire length of the planting strip. The entire area of the buffer/screening shall be planted with trees and/or shrubs and form a year round barrier. Specifications for buffers shall be determined by the Planning and Zoning Board during its review of site development plans when not otherwise specified.

7.3.2. Where man-made buffer/screening methods and materials are specified, buffer/screening materials shall be continuously maintained, present an attractive exterior appearance, and be of durable construction.

7.3.3. Fencing, where installed, shall be constructed prior to the issuance of a Certificate of Occupancy, The finished side of a fence shall be directed toward the adjoining property or a double faced fence may be used. All fencing shall be permanently maintained in good condition and, whenever necessary, repaired or replaced by the party responsible for providing such fence.

7.3.4. Buffer/screening plantings shall be permanently maintained in good growing condition by the party or landowner required to provide such plantings and, when necessary, replaced with new plantings.

7.3.5. The location and/or placement of natural or man-made buffer/screening shall not obstruct the visibility at

traffic intersections or traffic circulation and planted or natural materials shall not exceed thirty inches (30") in height within the sight triangle.

VII-7.4. Modification or Waiver of Buffer/Screening. Buffer/screening planting requirements of this Article shall be applied equally to all similarly classified and situated properties, but may be modified or waived in certain cases where a building site is subject to any of the following circumstances, as determined by the Building Official:

7.4.1. Where natural vegetation (trees and/or shrubs) exists on a piece of property at the time application is made for a building permit, a strip of natural vegetation shall be left undisturbed until the Building Official or his designee has inspected such area and evaluated it with it with regard to the width requirements set forth in the Zoning Ordinance for that specific use and zone, as well as its suitability. The Building Official or his designee may require that the developer retain a portion of the natural vegetation as a greenbelt buffer where natural vegetation (trees and/or shrubs) already exists. Rather than require a man-made planting strip or other methods of screening, however, such greenbelt/buffer must be sufficient in both height and density to achieve the desired purpose as a natural barrier. Additional plant materials may be added to existing natural vegetation to achieve this density.

7.4.2. Where impending development of adjacent property would make these standards unreasonable or impractical.

7.4.3. Where, after inspection by the Building Official, it is found that two (2) different and incompatible zoned districts abutt 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.

7.4.4. Where a greenbelt or planting strip cannot, in the professional opinion of an expert, be expected to thrive due to soil conditions, intense shade, rock outcroppings, or similar conditions.

7.4.5. In special cases where a lot was created prior to the adoption of this Ordinance in which the side and/or rear yards are inadequate to meet the yard requirements and the for the buffer strip width requirements as set forth in each respective district, the Board of Zoning Adjustment shall determine, based on site plan review or other pertinent information requested, alternative methods of separation. The Board may in appropriate cases, require some form of natural or man-made screening be provided in lieu of a greenbelt as a means of separation.

ARTICLE VII

SECTION 8

FENCES, WALLS, and HEDGES

VII-8.1. Purpose. The purpose of these regulations is to provide minimum control of Fencing, Walls, and Hedges within the City of Springville to promote the health, safety, and general welfare by lessening hazards to pedestrians and vehicular traffic, as well as the preservation of property values by preventing unsightly and detrimental development which will cause a blighting influence upon any zoned District within the City of Springville.

VII-8.2. General Regulations. The regulations provided in this Section for Walls, Fences, and Hedges are general in nature and shall apply to Article VII in its entirety, except as specifically stated and referenced elsewhere. No person, firm, partnership, association, corporation, company or organization shall erect, cause to be erected, or maintain any fencing, walls, or hedges of any type in violation of the regulations provided in this Article VII.

8.2.1. The regulations provided herein shall be deemed as the minimum permitted for the City of Springville. Any individual or group of individuals, such as business developers or home owner's associations, shall have the right, by covenant, to amend the regulations provided herein; however, in no case shall any amended regulations be less restrictive than those provided herein.

8.2.2. For the purposes of this Section the terms "fence" and "wall" shall be interpreted as meaning all types of fencing and walls, and shall include but not limited to, security, privacy, decorative, and ornamental.

8.2.3. Fences and walls may be constructed, where permitted, of any building materials appropriate for their intended use. Such materials may include, but not be limited to the following: wood, brick, stone, architectural masonry, steel, wrought iron, metal, plastic/vinyl, or any combination of these materials. Exposed construction grade concrete masonry units (concrete block) shall not be permitted where subject to public view.

8.2.4. No fence, wall or hedge shall be erected or installed upon any right-of-way. Specific approval may be requested from the City of Springville through the Planning and Zoning Board for development of entrance features located on or along minor roadway medians and similar situations.

8.2.5. No fence, wall, or hedge shall be constructed in any location or manner that will prevent access to fire hydrants.

8.2.6. Fences, walls, and hedges constructed on or across easements shall be subject to removal for access to easement.

8.2.7. The finished side of all fences and walls shall be directed toward adjoining property and/or as viewed by the public.

8.2.8 Fences, walls, and hedges shall be constructed in a manner which shall not obstruct sight line distances at streets or right-of-way intersections.

VII-8.3. Agricultural Districts. Fences, walls, and hedges in any (A) Agricultural District in accordance with the regulations provided in this Section, are permitted subject to the following restrictions, unless specifically stated elsewhere in this Ordinance.

8.3.1. In Agricultural Districts, fencing normally associated with farming/agricultural uses shall be allowed on lots

of

three (3) acres or more. In lots with less than three acres, fences, walls, and hedges shall comply with the regulations provided in VII-8.7 for R-Districts.

VII-8.4. Business and Business Districts. Fences, walls, and hedges in any Business District shall be permitted in accordance with the regulations provided in this Section for Walls, Fences, and Hedges, subject to the following restrictions, unless specifically stated elsewhere in this Ordinance.

8.4.1. Fencing, walls, hedges, or other screening devices located behind the front wall of any building shall be permitted to extend to the rear and side lot lines. Maximum height shall be limited to eight feet (8').

8.4.3. Security fences, including but not limited to chain link security fences, shall comply with the following:

8.4.3.1. Such fences shall not be permitted in O-H Overlay Historic District.

8.4.3.2. Fences shall not be permitted forward of the front building wall in any business district.

8.4.3.3. Maximum fence height shall be limited to eight feet (8') for all business districts.

8.4.4. Corner lots, front yard setbacks shall be observed on all sides abutting or adjacent to public streets. Fencing shall be permitted as set out in VII-8.4.1 and VII-8.4.2 above.

8.4.5. Double Frontage Lots, front yard setbacks shall be observed on all sides abutting or adjacent to public streets. Fencing shall be permitted as set out in VII-8.4.1 and VII-8.4.2 above.

VII-8.5. Industrial Districts. Fences, walls, and hedges shall be permitted in any (I)-Industrial District in accordance with the regulations provided in this Section, unless specifically stated elsewhere in this Ordinance.

8.5.1. Opaque and non-opaque fences, walls, hedges, or other screening devices, located forward of the front wall of any building, shall be permitted to extend to the front and side lot lines. Such fences, walls, hedges, and screening devices shall be limited to a maximum height of eight feet (8')

8.5.2. Opaque and non-opaque fences, walls, hedges, or other screening devices, located behind the front wall of any building, shall be permitted to extend to the rear and side lot lines. Such fences, walls, hedges, and screening devices shall be limited to a maximum height of twelve feet (12').

8.5.3. Industrial parks may incorporate specific covenants pertaining to fences which differ from and take precedence over the VII-8.5.1 and VII-8.5.2 above; however, in no case shall any covenant or localized requirement be less restrictive than provided for in this Article.

VII-8.6. Institutional Districts. Fences, walls, and hedges shall be permitted in any (IN)-Institutional District in accordance with the regulations provided in this Section for Wall, Fences, and Hedges, and shall be subject to the following restrictions, unless specifically stated elsewhere in this Ordinance.

8.6.1. Opaque and non-opaque fences, walls, hedges, or other screening devices, located forward of the front wall of any building, shall be permitted to extend to the front and side lot lines. Such fences, walls, hedges, and screening devices shall be limited to a maximum height of six feet (6').

8.6.2. Opaque and non-opaque fences, walls, hedges, or other screening devices, located behind the front wall of any building, shall be permitted to extend to the rear and side lot lines. Such fences, walls, hedges, and screening devices shall be limited to a maximum height of eight feet (8').

8.6.3. Corner Lots, front lot lines shall be observed on all sides abutting or adjacent to public streets. Fences shall

be permitted as set out in VII-8.4.1 and VII-8.6.2 above.

8.6.4. Double Frontage Lots, front lot lines shall be observed on all sides abutting or adjacent to public streets.

Fencing shall be permitted as set out in VII-8.6.1 and VII-8.6.2 above.

VII-8.7. Residential Districts. Fences, walls, and hedges shall be permitted in any (R)-Residential District in accordance with the regulations provided in this Section for Walls, Fences, and Hedges, and shall be subject to the following restrictions, unless specifically stated elsewhere in this Ordinance.

8.7.1. Fences utilizing razor wire or barbed wire shall not be permitted in any (R) Residential District.

8.7.2. Residential Districts R-E, R-1, R-2, and R-3. Opaque and non-opaque fences, walls, hedges, and other screening devices shall be permitted along or within front, side and rear lot lines in accordance with the following:

1. Fences, walls, and hedges located forward of the front wall of the primary building shall have a maximum height of four feet (4') at front and side lot lines.
2. Fences, walls, and hedges located behind the front wall of the primary building shall have a maximum height of six feet (6') at side and rear lot lines.

8.7.3. Residential Districts R-4. Opaque and non-opaque fences, walls, hedges, and other screening devices shall be permitted along or within side and rear lot lines. Fences, walls, hedges, and screening devices shall be limited to a maximum height of six feet (6'). Fences shall not be permitted at side lot lines forward of the front wall of the primary building, nor along or within front lot lines.

8.7.4. Residential Districts R-5. Opaque and non-opaque fences, walls, hedges, and other screening devices shall be permitted along or within side and rear lot lines. Maximum height shall be limited to five feet (5'). Fences shall not be permitted along public streets or rights-of way, and shall not be located in a manner which will obstruct sight line distances at streets or right-of-way intersections.

8.7.5. Corner Lots, front lot lines shall be observed on all sides abutting or adjacent to public streets Fences shall be permitted as set out in VII-8.7.2, VII-8.7.3 and VII-8.7.4 above.

8.7.6. Double Frontage Lots, front lot lines shall be observed on all sides abutting or adjacent to public streets. Fencing shall be permitted as set out in VII-8.7.2, VII-8.7.3 and VII-8.7.4 above.

8.7.7. Notwithstanding anything to the contrary herein, fences located on the side of a residential lot that is contiguous with a commercially or industrial zoned property or a railroad track shall have a maximum height of eight (8') feet.

Section 9.0

RIPARIAN BUFFER

VII-9.1. Purpose. It is the intent of these regulations to provide a minimum level of control around streams, rivers and other bodies of water within the City of Springville so as to protect and preserve the same from unintended consequence of development which could damage or destroy said natural asset.

VII-9.2. Applicability. These standards / setbacks shall apply to development of property adjacent to the Big Canoe

Creek, Little Canoe Creek as well as their streams and tributaries (the “Protected Waters” or a “Protected Water”) and shall be in addition to the standards of the underlying zoning district in which the property is located.

VII-9.3 Setbacks.

For any development adjacent to a Protected Water, the following setbacks shall apply:

For any residential development, property within fifty feet (50') of a Protected Water shall be undisturbed unless sound engineering be provided demonstrating to the City's satisfaction that such development will not create any adverse consequence to the Protected Water due to other mitigating factors (including applicable topographical elements of the property, additional measures including plantings installed by the developer or otherwise). In no instance may property be disturbed by development within twenty-five feet (25') of a Protected Water.

For any commercial development, property within seventy-five feet (75') of a Protected Water shall be undisturbed unless sound engineering be provided demonstrating to the City's satisfaction that such development will not create any adverse consequence to the Protected Water due to other mitigating factors (including applicable topographical elements of the property, additional measures including plantings installed by the developer or otherwise). In no instance may property be disturbed by development within fifty feet (50') of a Protected Water.

For any industrial development, property within one hundred feet (100') of a Protected Water shall be undisturbed unless sound engineering be provided demonstrating to the City's satisfaction that such development will not create any adverse consequence to the Protected Water due to other mitigating factors (including applicable topographical elements of the property, additional measures including plantings installed by the developer or otherwise). In no instance may property be disturbed by development within seventy-five feet (75') of a Protected Water.

END of ARTICLE VII

ARTICLE VIII
SPECIAL USE REGULATIONS

ARTICLE VIII
SECTION 1
APPLICABLE USES

VIII-1.1. Intent. In this Article certain land use activities are identified for special treatment. The nature of these uses is such that when properly regulated they may be appropriate in several zones. In order to bring about the proper integration of these uses into the community's land use pattern, a special set of standards is provided for each use. Review of these standards will tend to maintain compatibility with adjoining land uses.

VIII-1.2. Uses Permitted by this Article. The following shall not be permitted except in compliance with the provisions of this Article.

- ❖ Bed & Breakfast
- ❖ Gasoline Service Station
- ❖ Group Home
- ❖ Hobby Farm
- ❖ Home Occupation
- ❖ Industrial Park
- ❖ Manufactured (Mobile) Home
- ❖ Mini-Warehouse
- ❖ Modular (Mobile) Office
- ❖ Motor Vehicle Sales Lot
- ❖ Multiple Housing Development and Apartments
- ❖ Pre-Engineered Metal Building
- ❖ Shopping Center

ARTICLE VIII
SECTION 2

BED and BREAKFAST ESTABLISHMENTS

VIII-2.1. Where Permitted. Bed and Breakfast establishments are permitted in various Districts and shall be subject to the requirements of the District in which it is located.

VIII-2.2. Specific Requirements. Where permitted, Bed and Breakfast establishments shall comply with the requirements of this Section.

2.2.1. Activities to a bed and breakfast inn shall be conducted in a building originally designed as a detached single-family dwelling.

2.2.2. Breakfast shall be served only to persons who have lodging in the inn and shall be the only meal served.

2.2.3. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.

2.2.4. The exterior appearance of the structure shall not be altered from its single-family character.

2.2.5. 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.

2.2.6. 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.

2.2.7. 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.

2.2.8. Adequate provision for off-street parking shall be made in accordance with the specified parking requirements set forth in this Ordinance for such establishments. Such parking lots shall be paved.

ARTICLE VIII

SECTION 3

GASOLINE SERVICE STATION

VIII-3.1. Where Permitted. Gasoline service station, building, structure, or part thereof which is integral to a gasoline service station shall not be located in any District other than B-2, B-3 and B-4.

VIII-3.2. Specific Requirements. Where permitted, Gasoline Service Station shall comply with the requirements of this Section.

3.2.1. Gasoline service stations shall observe all regulations for such structures and their uses as required by the laws of the State of Alabama and any applicable Ordinance of the City of Springville.

3.2.2. All permanent storage of material, merchandise, and equipment shall be within the principal building or within permanent stationary containers, located within the setback lines, with the exception of refuse, trash, and temporary storage which shall be located in an area enclosed by an opaque fence at least six feet (6') in height.

3.2.3. All lighting shall be arranged to prevent direct light or glare into public streets or surrounding properties.

3.2.4. Drains with approved separators in traps located on the premises shall be provided.

3.2.5. Minor repair work to vehicles shall be performed within the principal building located on the premises of the gasoline service station.

3.2.6. Gasoline service stations shall not be located within three hundred feet (300') from a public assembly center as measured from the principal entrance of the public assembly center to the lot line of the gasoline service station. A public assembly center shall include, but not be limited to:

- ❖ Place of Worship
- ❖ Community Center
- ❖ Hospital
- ❖ School
- ❖ Day Care Center
- ❖ Similar uses in which large numbers of people are concentrated on a temporary or permanent basis.

3.2.7. An eight foot (8') wide buffer shall be located adjacent to and along all lot lines not abutting a public street.

3.2.8. The following uses shall be prohibited in gasoline service stations located in any District other than Industrial:

3.2.8.1. Major engine repair.

3.2.8.2. Body work, and spray painting.

3.2.8.3. Any use conducted inside the building which is deemed to be offensive or dangerous, or which constitutes a nuisance to the occupants of adjacent properties. Prohibited uses shall include, but not limited to: the emission of smoke, fumes, dust, odor, vibration, noise, or unsightliness.

3.2.8.4. Storage of vehicles on premises for purposes other than periodic maintenance or repair.

VIII-3.3. Signage. Gasoline service station signs shall be of a non-flicker and non-flashing type.

VIII-3.4. Parking. Off-street parking facilities shall comply with the requirements of Article IX.

ARTICLE VIII

SECTION 4

GROUP HOME/FAMILY CARE HOME

VIII-4.1. Where Permitted. Group Home/Family Care Homes are permitted in various Districts and shall be subject to the requirements of the District in which it is located.

VIII-4.2. Specific Requirements. Where permitted, Group Home/Family Care Home shall comply with the requirements of this Section.

4.2.1. The Group Home/Family Care Home shall be conducted within a single-family dwelling.

4.2.2. The Group Home/Family Care Home shall maintain the exterior appearance of a single-family dwelling, with no separate outside entrances to individual bedrooms.

4.2.3. The Group Home/Family Care Home must be sponsored by a public or non-profit organization.

4.2.4. State and county licensing requirements shall be secured and maintained as required.

4.2.5. The Group Home/Family Care Home shall be staffed 24 hours a day with qualified on-site supervising personnel.

4.2.6. No Group Home/Family Care Home shall be located within one thousand feet (1,000') of another Group Home/Family Care Home as measured between lot lines.

4.2.7. Parking for Group Home/Family Care Home shall be restricted to the side and rear yards.

4.2.8. The maximum number of residents per Group Home/Family Care Home (not including staff personnel) shall be ten (10) per home.

ARTICLE VIII

SECTION 5

HOBBY FARM

VIII-5.1 Animals Permitted. Unless otherwise provided by this Ordinance, the keeping of farm animals (livestock) and fowl shall include, but not be limited to, the following:

- ❖ Horses
- ❖ Ponies
- ❖ Donkeys
- ❖ Mules
- ❖ Poultry
- ❖ Cows
- ❖ Sheep
- ❖ Goats

It is further *expressly prohibited* to keep swine in a Hobby Farm District.

VIII-5.2. Area and Dimensional Regulations. Property used for Hobby Farms shall be subject to the following setback and area requirements:

- ❖ A minimum lot area of three (3) acres shall be required
- ❖ A minimum one acre of land shall be dedicated for each livestock animal
- ❖ A minimum one acre of land shall be dedicated for each twenty (20) poultry

- ❖ Farm animals shall be housed no closer than two hundred feet (200') from any adjacent lot not zoned A-1 AGRICULTURE DISTRICT Agriculture.

VIII-5.3. Additional Requirements. Facilities shall be provided on-site to dispose of manure and other organic wastes in a manner that will prevent contamination and/or pollution of ground water, lakes, streams or any other sources of fresh water.

VIII.5.4. Related Uses. Except for kennels as defined by this Ordinance, the keeping of animals for personal enjoyment and in compliance with the City of Springville Animal Control Ordinance # S97-02-04, shall not be deemed a hobby farm, and shall be permitted as an accessory use in any District.

ARTICLE VIII

SECTION 6

HOME DAY CARE/DAY CARE HOME

VIII-6.1. Where Permitted. Home Day Care/Day Care Homes are permitted as Special Exception Uses in various Districts and shall be subject to requirements of each District.

VIII.6.2. Specific Requirements. Where permitted, Home Day Care/Day Care Home shall comply with the requirements of this Section.

6.2.1. The Home Day Care/Day Care Home shall be clearly incidental to residential use of the dwelling and shall not change the essential character of the dwelling.

6.2.2. The Home Day Care/Day Care Home shall provide day care for six (6) or less children, elderly, handicapped, or infirm persons, and must meet all applicable State and County licensing requirements.

6.2.3. Employment shall be limited to members of the family residing in the dwelling. There shall be no employment or help other than those members of the residential family.

6.2.4. The Home Day Care/Day Care Home shall not be conducted in any accessory building located on the same lot as the principal dwelling.

6.2.5. The Home Day Care/Day Care Home activity shall be limited to the hours between 6:00 a.m. and 10:00 p.m.

6.2.6. No Home Day Care/Day Care Home shall be located within one thousand feet (1,000') of another home day care/day care home as measured between lot lines.

ARTICLE VIII

SECTION 7

HOME OCCUPATIONS

VIII-7.1. Location. Home Occupations shall be subject to stipulations in each District and to the following conditions in this Section.

VIII-7.2. Specific Requirements. Where permitted, Home Occupations shall comply with the requirements of this Section.

7.2.1. The Home Occupation shall be clearly incidental to residential use of the dwelling and shall not change the essential character of the dwelling or adversely affect the use permitted in the district of which it is a part. Such use shall not adversely affect the general welfare of the surrounding residential area due to potential noise, electrical interference, increased pedestrian and vehicular traffic or any other conditions which would constitute an objectionable use of residentially zoned property.

7.2.2. Customary Home Occupation shall be limited to an office or a business of a personal service nature.

7.2.3. The Home Occupation shall be confined to twenty-five percent (25%) of the principal building, and shall not be conducted in any accessory building located on the same lot as the principal dwelling. No outside storage shall be used in connection with a home occupation.

7.2.4. Employment shall be limited to members of the family residing in the dwelling. There shall be no employment of help other than those members of the residential family.

7.2.5. No display of products shall be visible from the street, and only articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, shall be the principal use in the Home Occupation, and may be sold on the premises.

7.2.6. Instruction of music, art, dancing and similar subjects shall be limited to two (2) students at a time.

7.2.7. The activity carried on as a Home Occupation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

7.2.8. License may be revoked if Home Occupation is operated in such a manner that it becomes a public nuisance or violates the requirements or regulations spelled out in this Ordinance.

ARTICLE VIII

SECTION 8

INDUSTRIAL PARK REGULATIONS

VII-8.1. Intent. An Industrial Park shall, for the purpose of this Ordinance, include all land twenty-five (25) acres or more in size, subdivided and platted into two (2) or more parcels, and used or intended to be used for predominantly industrial or business purposes of an industrial character.

VIII-8.2. Specific Requirements. Where permitted, Industrial Parks shall comply with the requirements provided in this Section.

8.2.1. Access to an Industrial Park shall be by way of a major thoroughfare.

8.2.2. All streets or roadways within an Industrial Park shall have a minimum right-of-way width of seventy feet (70'), a maximum gradient of five percent (5%) and shall conform to the City of Springville's standards for business streets or as otherwise approved by the Planning & Zoning Board.

8.2.3. Off-street parking and loading shall be provided in accordance with Article IX of this Ordinance.

8.2.4. 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, fences, or walls, and are located behind the front line of the building, but in no instance forward of the front building setback line.

8.2.5. A buffer area not less than fifty feet (50') in width shall be provided adjacent to and along property lines of an Industrial Park which abuts any residential zone.

VIII-8.3. Site Development Plan. A site development plan shall be submitted to the Planning and Zoning Board for the City of Springville and shall include, but not be limited to, the following:

1. A rendering of the proposed buildings
2. Location of all property lines, easements, utilities, drainage, and lighting
3. Location of all proposed buildings and accessory structures to include setbacks, and building separation
4. Location of screened refuse areas and screened storage and/or parking areas
5. Location of fire hydrants
6. Location of fire lanes.
7. Location of all buffers and landscaping
8. A layout of parking areas showing parking spaces, islands, and landscaping.
9. Layout of vehicular servicing of buildings, vehicular traffic circulation to and within the parking areas. Interference with through traffic in gaining ingress to and egress from the development shall not be permitted.
10. Location of pedestrian walkways.

VIII-8.4. Vehicular Access.

8.4.1. The vehicular approach to an Industrial Park site from a public street or highway shall be so designed 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 City of Springville.

8.4.2. Sight distances at all points of vehicular ingress and egress to public streets or highways shall not be less than one thousand feet (1,000'), except where a traffic signal light is installed at the entrance to or exit from the Industrial Park site unless otherwise determined by an independent study prepared by a Licensed Professional Engineer qualified in this field. The study shall be submitted to the City of Springville for review and approval.

8.4.3. Where points of vehicular ingress and egress to the Industrial Park are from public streets or highways with speed limit in excess of thirty (30) miles per hour, acceleration and de-acceleration lanes shall be provided on the public thoroughfare.

8.4.4. The length of the acceleration and de-acceleration lanes shall be in accordance with the following:

Posted Speed of Public Street or Highway (MPH):	30	40	50	55
Minimum Length of Lanes:	100'	200'	300'	350'

VIII-8.5. Reports.

8.5.1. A report of subsurface soil conditions, prepared by a Licensed Professional Engineer, shall be provided to the City of Springville for review and approval. The report shall provide substantiation of subsurface soil bearing conditions suitable for foundations in the construction of industrial structures of a nature intended to be used within the proposed Industrial Park.

8.5.2. A preliminary plan or engineering feasibility report, prepared by a Licensed Professional Engineer, which shall include, but not limited to, site grading, storm drainage, sanitary sewerage, and water supply shall be submitted to the City of Springville Planning and Zoning Board for review and approval.

8.5.3. A copy of any deed restrictions or covenants shall be provided to the Planning and Zoning Board.

ARTICLE VIII

SECTION 9

REGULATIONS PERTAINING TO MANUFACTURED (MOBILE) HOMES

VIII-9.1. Where Permitted. Where permitted Manufactured (mobile) Homes shall be placed on the lot in such a manner as to be compatible with and reasonably similar in orientation to the other buildings in the area.

9.1.1. State ad valorem stickers are required if you occupy a Manufactured (mobile) Home and do not own the land on which the mobile home sits.

VIII-9.2. Requirements. Where permitted, Manufactured (mobile) Homes shall comply with the requirements provided in this Section.

9.2.1. Address. An address number must be posted directly on the Manufactured (mobile) Home, or in a conspicuous location on the same lot, readily identifiable from the street, such as on the mailbox, or on a post if a mailbox is not on the lot.

9.2.2. Transport and Installation. All Manufactured (mobile) Homes shall be transported and installed by a person certified by the Alabama Manufactured Housing Commission and licensed by the City of Springville. A copy of the inspection report from the Alabama Manufactured Housing Commission must be furnished to the City of Springville at the time of installation.

9.2.3. Foundations. Foundations shall be installed in accordance with the standards set forth in the manufacturers' set-up requirements, or the installation standards of the Alabama Manufactured Housing Commission.

9.2.4. Tie-Downs. Each Manufactured (mobile) Home shall have tie-downs or other devices securing the stability of the mobile home based on the requirements of the manufacturer or the installation standards of the Alabama Manufactured Housing Commission.

9.2.5. Sanitary Sewer. All Manufactured (mobile) Homes must be attached to an approved sanitary sewer system or an onsite sewage disposal system approved by the St. Clair County Health Department.

9.2.6. Skirting. Installation of skirting on all Manufactured (mobile) Homes shall be required. Installation shall be in accordance with the manufacturers' installation instructions. Acceptable materials may include masonry, stone, metal, vinyl, or other materials manufactured for the purpose of skirting.

VIII-9.3. Pre-Owned Manufactured (mobile) Homes.

9.3.1. Manufactured (mobile) Homes older than fifteen (15) years old are hereby prohibited from being placed within the City of Springville.

9.3.2. Any pre-owned Manufactured (mobile) Home must have a resale decal from the Alabama Manufactured Housing Commission placed on the inside door of the electrical panel box. If no decal is present the Building Inspector shall inspect the building to ensure that the State of Alabama building code, Regulation 535-X-10 (Resale of Manufactured Homes) rules have been met.

VIII-9.4. Provisions in A-1 Agriculture District. Manufactured (mobile) homes are permitted upon compliance with this section.

9.4.1. Location on Lot. The Manufactured (mobile) Home shall be located not less than seventy five feet (75') from the nearest residential structure under any ownership, with the exception of another mobile home located on the property.

9.4.2. Sanitary Waste. Sanitary waste disposal shall be approved by the appropriate sanitation authority.

9.4.3. Site Requirements.

1. Minimum Lot Width at front setback line: 100 Feet
2. Minimum Lot Area: Five (5) acres

9.4.4. Yard Requirements.

1. Front: 35 Feet*
2. Side: 15 Feet
3. Rear: 35 Feet

*On an undedicated road the front setback shall be sixty feet (60') from centerline of road

ARTICLE VIII

SECTION 10

MINI-WAREHOUSE REGULATIONS

VIII-10.1. Requirements. Where permitted, mini-warehouses shall comply with the requirements of this Section.

10.1.1. Outdoor storage shall not be permitted on the site with the exception of RV's, trailers, boats, etc. which shall be screened from view of adjacent property owners or the public.

10.1.2. Storage of hazardous, volatile, or explosive materials shall not be permitted, either inside the structure or structures, or on the premises.

10.1.3. The facility or site shall not be used for wholesale or retail sales operations. This provisions shall not preclude periodic auctions which are held on the premises to dispose of items which have been abandoned and/or for which the lease time has expired.

10.1.4. A minimum lot size of three (3) acres shall be required for a mini-warehouse development, and such facility shall not exceed one (1) story in height.

10.1.5. There shall be a maximum of 15,000 square feet of mini-warehouse floor area per acre.

10.1.6. Unless otherwise specified in the zoning classification, a minimum twelve foot (12') buffer shall be required along all property lines where a mini-warehouse development abuts any residential zone district in the City of Springville except in unique circumstances which are provided in the buffer section of this Ordinance where the requirement may be waived or altered.

10.1.7. A Site Development Plan shall be submitted to the Planning and Zoning Board for review and approval. The Plan shall include, but not limited to the following:

1. A preliminary plan or engineering feasibility report, prepared by a Licensed Professional Engineer, which addresses site grading, water run-off and storm drainage, and the availability of required utilities, as well as identification of areas to be buffered.
2. A traffic analysis indicating the estimated traffic flows to and from the development and sight distance from ingress and egress points must be submitted to and approved by the City of Springville.
3. One (1) apartment for a resident manager shall be permitted.

10.1.8. Mini-Warehouses located in any commercial district shall, additionally, be subject to the following regulations.

1. Only indoor, climate controlled Mini-Warehouses shall be allowed in any commercial district.
2. Outdoor storage shall not be permitted.
3. The exterior of the facility shall be of such a nature and character as to appear as though it is a commercial structure as is typical within the district.

ARTICLE VIII

SECTION 11

REGULATIONS PERTAINING TO MODULAR (MOBILE) OFFICES

VIII-11.1. Where Permitted. Modular (Mobile) Offices are prohibited in all zoning Districts of the City of Springville, except where permitted upon compliance with the requirements of this Section.

11.1.1. Construction Office. Modular (Mobile) Offices may be used on a construction site as a construction office,

as individually approved by the building official. Said Modular (Mobile) Office may not be placed on the site prior to issuance of a building permit and must be removed upon completion of the job.

11.1.2. Temporary Office. Modular (Mobile) Offices may be used as a temporary office, only after property for a permanent site has been purchased and while the permanent building is being designed and/or constructed, subject to individual approval by the Board of Zoning Adjustment, and must be removed from the premises within thirty (30) days of the date the permanent facility is occupied. Approval shall not be granted for a period in excess of one year, but may be renewed annually, not to exceed three (3) years.

11.1.3. Real Estate Sales Office. Modular (Mobile) Offices may be used as real estate sale offices, subject to individual approval by the Board of Zoning Adjustment. Approval shall not be granted for a period in excess of one year, but may be renewed annually, not to exceed three (3) years.

VIII-11.2. Permanent Use. Modular (Mobile) Offices shall not be approved for permanent use.

ARTICLE VIII

SECTION 12

MOTOR VEHICLE SALES LOT

VIII-12.1. Where Permitted. The term "Motor Vehicle" as it pertains to this Ordinance is defined shall be defined as every vehicle which is self-propelled, but not operated upon rails. Motor Vehicle Sales Lot shall not be located in any zone other than B-2, B-3, or B-4.

VIII-12.2. Requirements. Where permitted, Motor Vehicle Sales Lot shall comply with the requirements of this Section.

12.2.1. Vehicles shall not be displayed on any public right-of-way.

12.2.2. Disabled or damaged vehicles shall not be permitted to remain on-site in an exterior location for more than twenty-four hours, except where screened from public view.

VIII-12.3. Sales Office. A sales office shall be provided, and shall comply with all requirements of the applicable building codes adopted and amended within the City of Springville.

VIII-12.4. Vehicle Repairs. If the facility provides a shop for mechanical repairs to vehicles, it shall be separately licensed to do so, and shall comply with all requirements of the applicable building codes adopted and amended within the City of Springville.

VIII-12.5. Off-Street Setback. An off-street setback from public thoroughfares shall be maintained for the safety of prospective buyers viewing displayed vehicles, and;

1. The setback shall be a minimum of ten feet (10') from the pavement edge.
2. On corner lots, the setback shall be a minimum of ten feet (10') from the pavement edge on the side of the lot with the greatest frontage.

VIII-12.6. Parking.

12.6.1. Required parking spaces for customers shall be designated separately from those areas used to display automobiles for sale.

12.6.2. An adequate turn-around area shall be provided to prevent vehicles backing out into traffic from the sales lot.

12.6.3. Other types of existing businesses requesting auto sales licenses shall not be permitted to utilize existing designated required parking spaces for that class of business for an automobile display area. Any existing business requesting license or zoning for an auto sales lot shall comply with all criteria described herein.

VIII-12.7. Surface Pavement. All surface area with automobile traffic and/or vehicle display shall be properly prepared using finely crushed stone, pea gravel, bituminous or concrete paving. In no event shall vehicles be parked on grass or unprepared surfaces.

12.7.1. Accessibility. In all areas where goods and/or services are provided, access shall be provided in full compliance with accessibility standards.

VIII-12.8. Change of Ownership. Any change in business ownership or discontinuance in the use of the property for the purpose of an automobile sales lot shall cancel the automobile sales lot business license.

VIII-12.9. New Business. In accordance with the provisions of VIII-12.8 above, the automobile sales lot shall be

considered a new business. Before issuance of a new business license as an automobile sales lot all requirements and physical improvements shall be compliant as described herein. A site plan and landscape plan for the new automobile sales lot shall be submitted to the City of Springville, Building Official, for review and approval.

ARTICLE VIII

SECTION 13

MULTIPLE HOUSING DEVELOPMENTS and APARTMENTS

VIII-13.1. Where Permitted. Buildings, structures or parts thereof which are integral to a multiple housing development or apartment shall not be erected, land developed, or used for a multiple housing development or apartment, in any zone other than B-3, PR-2, R-2, R-5, and R-6 Residential Districts, and as hereafter specified.

VIII-13.2. Requirements. Where permitted, Multiple Housing Developments or Apartments shall comply with the requirements of this Section.

13.2.1. Multiple Structures. More than one (1) multiple housing structure, or apartment building structure may be located on an individual lot or tract, but such buildings shall not encroach upon the front, side, or rear yards required herein for an R-2, R-5, or R-6 District.

13.2.2. Building Separation. Open space shall be provided between buildings and structures. Open space shall include protruding portions of buildings and structures. Open space measured at the closet point between buildings or structures shall not be less than the following:

- ❖ Twenty feet (20') for one (1) story buildings.
- ❖ Thirty feet (30') when one (1) or more are two (2) story buildings.
- ❖ Increase separation an additional ten feet (10') for each additional story when one or more buildings exceed two stories.

- ❖ A dedicated fire lane shall be provided at the building separation.

13.2.3. Ingress to and egress from adjoining public highways or thoroughfares serving multiple housing developments or apartments shall be properly illuminated to reduce traffic hazards.

13.2.4. Fixed outside illumination shall be arranged to prevent glare into surrounding areas or public streets.

13.2.5. Maximum gradient for all vehicular driveways or roadways shall be ten percent (10%).

13.2.6. Utilities for multi-story development in multi-family zoning Districts shall be underground so that fire protection is not impeded by overhead wires in close proximity to the structures.

13.2.7. Fire hydrants shall be installed every three hundred feet (300'), or as otherwise directed by the Building Official/Fire Chief. Sufficient water supply shall be available to support the use of these fire hydrants.

VIII-13.3. Surety. A surety bond may be required by the Planning and Zoning Board to insure that the installation of all utilities (including, but not limited to; water lines, sanitary sewer lines, storm sewers, electrical service lines, gas lines, streets, gutters and sidewalks) for the multiple housing units or apartments shall be in accordance with the approval plans and proposals. The dollar value of the surety shall not be less than ten percent (10%) above the estimated cost of construction for the proposed improvements set out above.

VIII-13.4. Site Development Plan. A site development plan shall be provided to the Planning and Zoning Board for the City of Springville and shall include, but not limited to, the following:

1. A rendering of the proposed buildings.

2. Location of all property lines, easements, utilities, drainage, and lighting.
3. Location of all proposed buildings and accessory structures to include setbacks, and building separation.
4. Location of screened refuse areas and screened storage and/or parking areas.
5. Location of fire hydrants.
6. Location of fire lanes.
7. Location of all buffers and landscaping.
8. A layout of parking areas showing parking spaces, islands, and landscaping.
9. Layout of vehicular servicing of buildings, vehicular traffic circulation to and within the parking areas. Interference with through traffic in gaining ingress to and egress from the development shall not be permitted.
10. Location of pedestrian walkways.

VIII-13.5. Vehicular Access.

13.5.1. Acceleration and de-acceleration lanes shall be provided for multiple housing and apartment developments containing more than one hundred (100) dwelling units.

13.5.2. Vehicular approach to a multiple housing and apartment developments site from a public street or highway shall be so designed 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 City of Springville.

13.5.3. Sight distances at all points of vehicular ingress and egress to public streets or highways shall not be less than one thousand feet (1,000'), except where a traffic signal light is installed at the entrance to or exit from a multiple housing and apartment developments site unless otherwise determined by an independent study prepared by a Licensed Professional Engineer qualified in this field. The study shall be submitted to the City of Springville for review and approval.

13.5.4. Where points of vehicular ingress and egress to a multiple housing and apartment developments are from public streets or highways speed limit in excess of thirty (30) miles per hour, acceleration and de-acceleration lanes shall be provided on the public thoroughfare.

13.5.5. The length of the acceleration and de-acceleration lanes shall be in accordance with the following:

Posted Speed of Public Street or Highway (MPH):	30	40	50	55
Minimum Length of Lanes:	100'	200'	300'	350'

ARTICLE VIII

SECTION 14

PRE-ENGINEERED, ALL-METAL BUILDINGS REGULATIONS

VIII-14.1. Requirements. Pre-engineered, all-metal, buildings shall be allowed subject to the following requirements:

14.1.2. All exterior walls shall be painted. No galvanized materials will be permitted.

14.1.3. Sufficient parking retainers shall be used where parking is located adjacent to building walls.

14.1.4. Steel pipe or concrete bollards shall be provided at each side of all overhead doors.

14.1.5. All overhead door frames shall be painted with a finished coat of paint. Primed frames shall not be permitted.

14.1.6. All buildings shall have factory standard steel building gutters and gable trim. Residential grade gutters or economy trim shall not be permitted.

14.1.7. Sixty percent (60%) of the wall area visible from any public roadway shall be an acceptable material other than pre-engineered metal wall panels, such as, but not limited to: glass, architectural masonry, cedar, brick, stone, stucco, porcelain panel.

14.1.8. The front of the building and/or the main entrance shall have a mansard system, gable overhang, eave canopy, or aluminum marquee.

14.1.9. In certain cases where all-metal buildings are deemed to be incompatible with surrounding development (either in construction or appearance), the developer may be required to cover either all or part of the exterior of the building with brick or other materials as deemed appropriate by the Planning and Zoning Board.

ARTICLE VIII

SECTION 15

SHOPPING CENTER REQUIREMENTS

VIII-15.1. Requirements. In addition to all other rules and regulations established by this Ordinance, the following shall apply to all shopping centers:

15.1.1. The building group must be architecturally unified.

15.1.2. The location, size, character and number of all exterior signs must be approved pursuant to all applicable regulations.

15.1.3. A minimum site depth of three hundred feet (300') shall be provided.

15.1.4. Buffer strips not less than twenty feet (20') wide shall be provided adjacent to and along property lines where the shopping center abuts any residential zone.

15.1.5. Outdoor storage for a shopping center shall be permitted only when accessory to a permitted principal use and only when storage areas are suitably screened by either landscaping, fences, or walls, and are located behind the front line of the building, but in no instance forward of the front building setback line. No outside storage to impede required emergency access/fire lanes or access to fire hydrants.

15.1.6. An integrated parking area and vehicular loading space shall be provided as specified in Article IX.

15.1.7. Convenient and safely located pedestrian walkways shall be provided.

VII-15.2. Site Development Plan. A site development plan shall be provided to the Planning and Zoning Board for the City of Springville and shall include, but not limited to, the following:

1. A rendering of the proposed buildings
2. Location of all property lines, easements, utilities, drainage, and lighting
3. Location of all proposed buildings and accessory structures to include setbacks, and building separation
4. Location of screened refuse areas and screened storage and/or parking areas
5. Location of fire hydrants
6. Location of fire lanes.
7. Location of all buffers and landscaping
8. A layout of parking areas showing parking spaces, islands, and landscaping.
9. Layout of vehicular servicing of buildings, vehicular traffic circulation to and within the parking areas. Interference with through traffic in gaining ingress to and egress from the development shall not be permitted
10. Location of pedestrian walkways.

VIII-15.3. Vehicular Access.

15.3.1. The vehicular approach to a Shopping Center site from a public street or highway shall be so designed 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 City of Springville.

15.3.2. A traffic analysis, prepared by a Licensed Professional Engineer, indicating the estimated effect of the

proposed Shopping Center on adjacent street traffic, including volume flows to and from the proposed facility and sight distance from ingress and egress points, shall be submitted to and approved by the City of Springville.

15.3.3. Sight distances at all points of vehicular ingress and egress to public streets or highways shall not be less than one thousand feet (1,000'), except where a traffic signal light is installed at the entrance to or exit from the Shopping Center site unless otherwise determined by an independent study prepared by a Licensed Professional Engineer qualified in this field. The study shall be submitted to the City of Springville for review and approval.

15.3.4. Where points of vehicular ingress and egress to the Shopping Center are from public streets or highways with a posted speed limit in excess of thirty (30) miles per hour, acceleration and de-acceleration lanes shall be provided on the public thoroughfare.

15.3.5. The length of the acceleration and de-acceleration lanes shall be in accordance with the following:

<u>Posted Speed of Public Street or Highway (MPH):</u>	30	40	50	55	__
<u>Minimum Length of Lanes:</u>	100'	200'	300'	350'	

VIII-15.4. Reports

15.4.1. A report of subsurface soil conditions, prepared by a Licensed Professional Engineer, shall be provided to the City of Springville for review and approval. The report shall provide substantiation of subsurface soil bearing conditions suitable for foundations of structures intended to be used in accordance with this Section.

15.4.2. A preliminary plan or engineering feasibility report, prepared by a Licensed Professional Engineer, which provides for site grading, storm drainage, sanitary sewerage, and water supply, shall be submitted to the City of Springville.

15.4.3. A copy of any deed restrictions or covenants shall be provided to the Planning and Zoning Board.

ARTICLE VIII

SECTION 16

YARD SALES

VIII-16.1. Intent. It is the intent of this section to allow yard sales in the various zoning districts of the Zoning Ordinance while protecting property values and enjoyment of property free from other uses and subject to the below:

VII-16.2 Definition. A Yard Sale is the sale of used retail items typically located outdoors.

VIII-16.2. Regulations. In addition to all other rules and regulations established by the Zoning Ordinance, the following shall apply to all yard sales:

a. Residential Districts:

1. Yard sales may not last in excess of three consecutive calendar days.
2. All items included in the yard sale must originate from the home owner's household. In the event a group of sellers gather together to hold one yard sale, the items must originate from

the sellers' households.

3. Yard sales may occur no more than four (4) distinct times, on the same premises, during a single calendar year.
4. Signage for yard sales is subject to regulations of Article XI Section 4.0.
5. Yard Sales may not be conducted in such a manner that would impede vehicular or pedestrian traffic; any Yard Sale vendor shall comply with any lawful order of local law enforcement and/or the Building Inspector related to said vendor's location pursuant to this provision.

b. Commercial Districts

1. Yard Sales in Commercial Districts may occur by Special Exception permit from the Zoning Board of Adjustment unless the applicable yard sale vendor is also the owner of the business to which the yard sale is adjacent; either the vendor or the business owner may seek the Special Exception Permit.
2. Yard Sales in Commercial Districts must occur adjacent to and outside of a permitting business owner's location; upon request, any participating vendor must provide written proof of permission from the applicable business owner.
3. No yard sale may occur outside any particular business more than three (3) times in any given calendar year.
4. Signage for yard sales is subject to regulations of Article XI Section 4.0
5. Yard Sales may not be conducted in such a manner that would impede vehicular or pedestrian traffic; any Yard Sale vendor shall comply with any lawful order of local law enforcement and/or the Building Inspector related to said vendor's location pursuant to this provision.

VIII-16.3 Requirements. ~~Notification of any yard sale must be provided to the Building and Zoning Department prior to any yard sale occurring.~~ Amended 2021-15: A permit shall be obtained from the Planning and Zoning Department of the City prior to the commencement of any yard sale within the City of Springville.

END of ARTICLE VIII

ARTICLE IX

SECTION 1

OFF-STREET PARKING AND LOADING REQUIREMENTS

IX-1.1. Purpose of Off-Street Parking and Loading Requirements. The primary purpose of these provisions is to reduce traffic congestion on public streets of the City of Springville by requiring certain minimum off-street parking and loading areas be provided. Further, these provisions promote safe and convenient access to and from each site, as well as safe and efficient on-site traffic circulation and encourage the design of attractive, efficient and harmonious facilities.

IX-1.2. At the time of the erection of any building or at the time any principal building is enlarged or increased in capacity by adding floor area, seats, dwelling units, guest rooms, or before conversion from one type of use or occupancy to another, permanent off-street parking in the amount specified by this Article must be provided. Such parking space may be provided in a parking garage or parking lot or in driveways serving single and two-family dwellings. Parking facilities provided in accordance with the terms of this Ordinance shall not subsequently be reduced to below the requirements of this Ordinance.

IX-1.2.1. Residential and Agricultural. All residential and agricultural zoning districts in the City of Springville require a minimum of two (2) off-street parking spaces. However, provisions shall be made by the owner or occupant of each residential or agricultural unit to park all vehicles belonging to residents of the household within the confines their property and not upon the public right-of-way. Recreational vehicles and business vehicles shall not be parked forward of the front of a dwelling. In the case of corner lots or double fronted lots, recreational and business vehicles must be screened or shielded from public view as set out in Article VII-7.

IX-1.2.2. Non-Residential. All business, industrial, and institutional zoning districts in the City of Springville have parking requirements determined by the use, occupancy, size and/or seating capacity of the site. All required parking shall be contained within the confines of the site or may be supplemented by a written, fully executed document authorizing shared parking between the business owner and the owner of nearby property having surplus parking places above those required for the use on the site, or when the hours of operation of the two uses allow peak use of the parking spaces at separate times of day.

IX-1.2.3. Overlay- Historic District. Article VI-18.8 specifies parking requirements for the Historic Overlay District. In those cases where there are allowed mixed uses in the O-H District, the parking requirements for the residential use shall be met in addition to the parking requirements of the business use.

ARTICLE IX

SECTION 2

PARKING REQUIREMENTS FOR SPECIFIC USES

IX-2.1. Residential Districts/Uses.

Detached Single-Family Dwelling Unit, including	
Garden Home	2 spaces
Duplex or Two-Family Dwelling	2 spaces per unit
Townhouse Dwelling	2 spaces per unit
Multi-Family Dwelling Unit	2 spaces per unit
Mobile Home/Mobile Home Park	2 spaces per unit
Dormitory	1 space per unit
Day Care Home/Family Care Home	Required residential parking plus one space per three (3) patrons authorized by the use.
Boarding House/Rooming House/Bed and Breakfast	Required residential parking plus 1 space per eased bedroom.
Senior Housing/Domiciliary	
1. Retirement Apartments or Independent Living	1 space per dwelling unit
2. Assisted Living Facility	.65 spaces per dwelling unit

IX-2.2. Non-Residential Districts/Uses.

Auditorium, Arena, Stadium - Indoor Theater Concert Hall and other Spectator Facility	1 parking space per 3 seats of seating capacity of the facility
Bank, Financial Institution	1 space per 150 sq. ft. of floor area plus 5 stacking spaces per drive-in window
Barber or Beauty Shop	1 space per employee and 2 spaces per chair
Bed and Breakfast Inn	1 per guest bedroom, plus spaces required for underlying residential use
Boat Sales, Rental, Storage and Service	2 spaces per 1000 sq. ft. of floor area plus 1 per service bay plus 1 per 2500 sq. ft. of

(New and Used)	outdoor display area.
Building Material Sales, Home Improvement Centers	1 space per 150 sq. ft. of floor area
Car Wash: Coin Operated	1 space per bay and 1 per vacuum site
Self-Service	4 stacking spaces per bay
Full-Service	1 space per employee plus 4 stacking spaces per bay
Church/Place of Worship	1 space per 3 seats of main assembly area
Club, Lodge, Fraternal Organization	.5 spaces times the occupancy load
College, University, Vocational, or Virtual School	1 per 3 students of occupancy load plus 1 per 1.5 employees
- Dormitories	1 space per bedroom
- Fraternity or Sorority House	1 space per member
Community Center, YMCA, YWCA	1 space per 200 sq. ft. of floor area
Convenience Store/Service Station	1 space per 250 sq. ft. of floor area plus 1 space per employee, plus 2 stacking spaces per fuel pump, plus 2 spaces per service bay.
Country Club, Golf Club	1 space per 3 persons at occupancy load
Dance Hall, Assembly or Exhibition Hall without fixed seats	1 space per 100 sq. ft. of floor area devoted to such use.
Dance or Music Studio	1 space per 100 sq. ft. of floor area
Day Care Center	1 per employee, plus 1 stacking or parking space per 8 persons enrolled
Doctor, Dentist	6 per practitioner plus 1 per employee
Farm Market	1 space per 100 sq. ft. of floor area
Funeral Home	1 space per 50 sq. ft. of floor area
Government Officers/Public Facility	1 space per 200 sq. ft. of floor area
Home Improvement Center/Building Material Sales	1 space per 200 sq. ft. of floor area
Hospital	1 space per 3 beds plus 1 space per 2

	employees
Motor Vehicle Sales and Rental (new and used)	1 space per 500 sq. ft. of floor area, plus 1 per service bay plus 1 per 2500 sq. ft. of outdoor display area.
Museum, Art Gallery	10 parking spaces plus one additional space for each 400 sq. ft. of floor area in excess of 2000 sq. ft.
Nursing Home, Domiciliary Care, Group Home	1 space per 5 beds plus 1 space per employee on the maximum working shift.
Office Building	1 space per 250 sq. ft. of floor area
Post Office	1 space per 200 sq. ft. of floor area
Plant Nursery - Retail	1 space per 250 sq. ft. of floor area
- Grower Only	1 space per employee, plus space to accommodate all trucks and other vehicles used in connection therewith.
Recreation, Indoor	
Sports Facilities, Bowling, Skating, Racquet Sports	
- Bowling	5 spaces per alley
- Others	1 space per 300 sq. ft. of floor area
Recreation, Outdoor	
- Carpet Golf	2 per tee
- Golf Course	7 per hole
- Golf Driving Range	1 per tee
- Swimming Pool	1 per 300 sq. ft. of enclosed/fenced area
- Tennis Courts	2 per court
- Other	1 per 3 persons of occupancy load
Restaurant	1 per 100 sq. ft. of GLA; plus 1 per delivery vehicle; plus 4 stacking spaces per drive-in window, if applicable.
Retail Establishment, Major -	2 spaces per 1000 sq. ft. of floor area

Such as major appliance, carpet, furniture, boats, and motorcycle showrooms which required an unusually large showroom area to display oversized commodities

Retail Store

Such as supermarkets, department stores, and similar establishments, except as otherwise specified herein.

5.5 spaces per 1000 sq. ft. of floor area

School

- Elementary, Middle, Junior High
- High School, Vocational School

1 per 8 students of occupancy load or 2 per classroom, whichever is greater.
1 space per 4 students and 1 space per employee

Service Station/Convenience Store

1 space per 250 sq. ft. of floor area plus 1 space per employee, plus 2 stacking spaces per fuel pump, plus 2 spaces per service bay.

Shopping Center

5.5 spaces per 1,000 sq. ft. GLA

Theaters

- Indoor
- Outdoor

1 space per 3 seats
1 space per viewing station, plus sufficient parking space for employees, and satisfactory ingress and egress points in relation to the street with ample off-street parking space for patrons and guests awaiting entrance to the facilities.

Veterinarian and other kennel facilities

4 spaces per 1,000 sq. ft. of floor area

**Warehouse, Distribution,
Wholesale Business or Showroom**

1 space per employee on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith, plus 1 space per 200 sq. ft. of retail sales area if applicable.

ARTICLE IX

SECTION 3

RULES IN APPLYING OFF-STREET PARKING STANDARDS

IX-3.1. Off-Street Parking Requirements. In applying the provisions of Article IX-1, the provisions of this Section shall apply to all Off-Street Parking, except where provided elsewhere in this Ordinance.

3.1.1. Parking lots, including adequate driveways and maneuvering areas, shall be improved and maintained.

3.1.2. Size of Parking Space. A parking space shall be a minimum of:

1. Standard Parking Spaces: Nine feet (9') wide and eighteen feet (18') long.
2. Parallel Parking Spaces: Nine feet (9') in width and twenty-two feet (22') in length.
3. Stacking Parking Spaces: Ten feet (10') in width and twenty feet (20') in length, and shall be separated from parking aisles and spaces.
4. Handicapped Parking Spaces: Shall be provided and designed in accordance with the applicable provisions of Federal, State or Local law
5. Except for single-family and two-family dwellings in residential districts, turning space should be provided so that no vehicle will be required to back into a public street.
6. No off-street parking shall be permitted in the required front yard of any residential district except upon a driveway providing access to a garage, carport, or parking area for a dwelling.

3.1.3. The parking space requirement for a use which is not specifically mentioned in this Ordinance shall be the same as required for a use of similar nature.

3.1.4. Where fractional spaces result in using the formulas contained in this section, the parking spaces required shall be construed to be the next highest whole number.

3.1.5. In the case of mixed or joint uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

3.1.6. These standards shall apply fully to all uses and buildings established after the effective date of this Ordinance.

3.1.7. These standards shall apply to all additions, expansions, enlargements or reconstruction on the basis of the addition, expansion, enlargement or reconstruction only.

3.1.8. Off-street parking areas and spaces serving publicly owned recreation facilities may have a surface other than bituminous pavement or concrete, subject to approval of the Inspections Department.

3.1.9. Certification of Minimum Parking Requirements. Each application for a Occupancy Approval shall include information as to the location and dimensions of off-street parking spaces, if required, and the means of ingress and egress between such space and a street or alley. This information shall be in sufficient detail to enable the Inspections Department to determine whether or not the requirements are met. The Occupancy Approval for the use of any building, structure or land where off-street parking space is required shall be withheld by the Inspections Department until the provisions are fully met.

IX-3.2. Location and Design of Off-Street Parking Areas.

3.2.1. In all residential districts required off-street parking shall be provided on the same lot as the use to which

the parking pertains. In other districts, such parking may be provided either on the same lot or an adjacent lot, not in a residential district. When an increase in the number of spaces is required by a change of use or enlargement of the building served, or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments.

3.2.2. Up to fifty percent (50%) of the parking spaces required for (a) theaters, restaurants, public auditoriums, and bowling alleys, and up to one hundred percent of the parking spaces required for a church auditorium may be provided and used jointly by (b) establishments not normally open, used or operated during the same hours as those listed in (a); provided, however, that written agreement thereto is properly executed and filed as specified below.

3.2.3. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written, notarized agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, and shall be filed with the application for a building permit or business license.

3.2.4. All parking areas shall be provided with safe entrance to and exit from the public thoroughfare. The location of such entrances and exits, and design and construction thereof, shall be reviewed in the interest of safety, adequate drainage and other public concerns.

3.2.5. All parking areas (except in single-family residential) utilized between dusk and dawn shall be properly illuminated. All lighting fixtures used to illuminate parking areas shall not direct lights on adjoining rights-of-way or properties.

3.2.6. Parking areas for all developments shall be so designed that sanitation, emergency and other public service vehicles can adequately and safely serve such developments without the necessity of backing unreasonable distances or making other dangerous maneuvers. Fire lanes may be required by the Fire Chief or Fire Marshall.

3.2.7. All parking areas and driveways shall be surfaced with dust-free materials such as asphalt, concrete, or other suitable material.

3.2.8. Parking spaces, except those serving one or two family dwelling units, shall be demarcated with painted lines or other markings.

3.2.9. All parking areas shall be maintained in good condition, free of pot holes, weeds, trash, refuse, etc.

3.2.10. Drainage in parking areas shall direct storm water back into the site and away from adjacent properties toward adequate drainage channels. Large parking areas of twenty (20) or more spaces 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 runoff after development shall not exceed the quantity and rate of runoff before development, based on a twenty-five (25) year storm frequency. Drainage plans shall be subject to approval by both the Planning and Zoning Board and the Inspections Department.

IX-3.3. Parking Prohibitions.

3.3.1. No off-street parking spaces, except for residential uses shall be entered or exited directly from a public street or alley, excluding only those few conditions existing prior to the adoption of this Ordinance in which other

alternatives are not available.

3.3.2. Business operations shall not be conducted from parking lots without special approval from the City Council.

3.3.3. The use of any required parking space for the storage of any motor vehicle for sale, repair, or any other purpose other than the temporary parking of motor vehicles while patronizing the use, to which the parking is authorized, is prohibited. Overnight parking of vehicles not related to the use on the lot, shall not be allowed.

3.3.4. The keeping of an inoperative motor vehicle shall be within a fully enclosed building or structure or be completely screened or shielded from public view. Moreover, no inoperative motor vehicle shall be parked on any public street.

3.3.5. No vehicle exceeding 7,500 pounds gross weight and no boats, trailers, business vehicles, recreational vehicles, campers and/or similar equipment regardless of weight, shall be kept within a residential district unless such vehicle is parked behind the front building line.

IX-3.4. Access Control.

3.4.1. Any lot which has frontage on two (2) or more streets may be allowed entrances on each street, subject to review and approval by the Inspections Department and the Street Department.

3.4.2. Installation of turn lanes, widening of pavement, or other appropriate modifications may be required if deemed necessary by the City of Springville, or as otherwise required elsewhere by this Ordinance.

3.4.3. 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 line, unless suitable barriers are located within the street right-of-way. Except for permitted access ways, such barriers shall be continuous.

END of ARTICLE IX

ARTICLE X
AMENDMENTS AND CHANGES

ARTICLE X
SECTION 1

REQUIREMENTS FOR CHANGE

X-1.1. Requirements for Change. Whenever the public necessity, convenience, general welfare or zoning practice warrants such action, the Springville City Council, by favorable vote of a majority of the members, may amend, supplement, modify or repeal the regulations or zoning district boundaries herein established in accordance with the provisions of Section 11-52-77, *Code of Alabama*, 1975.

ARTICLE X
SECTION 2

PETITION FOR INITIATION OF CHANGE

X-2.1. Petition for Initiation of Change. A proposed change of the zoning district boundaries or of the regulations may be initiated by the Springville City Council, the Springville Planning and Zoning Board, the Building Official, or by petition of one or more owners or authorized agents of such owner or owners of lot within the area proposed to be changed.

ARTICLE X
SECTION 3

ACTION ON PETITION

X-3.1. Action on Petition. Any proposed amendment, supplement, modification, or repeal shall first be submitted to the Springville Planning and Zoning Board for its recommendations and report. The Planning and Zoning Board may, upon its own initiative, hold public hearings, public notice of which shall be given, for the consideration of any proposed amendment of the provisions of this Ordinance, and report its recommendations to the City Council. The Planning and Zoning Board report shall be transmitted to the City Council within thirty (30) days after receipt, unless the City Council grants an extension of such period, otherwise the proposed amendment, supplement, modification or repeal shall be considered to have been recommended by the Planning and Zoning Board.

X-3.1.1. Recommendation of the Planning and Zoning Board. After having received the recommendation of the Planning and Zoning Board or if no recommendation is received prior to the expiration of time provided therefore in the next preceding paragraph, the City Council, if it desires to consider the proposed amendment, supplement, modification or repeal, shall proceed to hold a public hearing in relation thereto, giving not less than fifteen (15) days notice of the time, place, and object thereof by publication in a newspaper of general circulation in the City, or by posting such notice in four (4) conspicuous places within the limits of the City, one of which places shall be the City Hall or by both newspaper publication and posting.

X-3.1.2. No Final Action by the City Council. If the City Council takes no final action upon the proposed amendment, supplement, modification or repeal within ninety (90) days after receipt of the recommendation of the Planning and Zoning Board, or if no recommendation is received, within ninety (90) days after the expiration of the time provided in the first paragraph of this section, the proposed amendment, supplement, modification or repeal shall be deemed to have been rejected and overruled by said legislative body.

ARTICLE X

SECTION 4

REZONING and AMENDMENT PROCEDURES

X-4.1. Petition. Petitions as described in Article X-2.1 for proposed changes of the Zoning District Boundaries or of the zoning regulations may be initiated by the City Council, the Planning and Zoning Board, or by petition of lot owners or their agents.

X-4.2. Application Filing Procedure. When a rezoning request is made by the lot owner or his authorized agent, the procedures of this Section shall be followed.

X-4.2.1. Application. The application for rezoning shall be made on a form available from the Building Official's Office.

X-4.2.2. Required Information. The application shall contain the following information, which shall be provided by the applicant or his or her duly authorized representative:

1. Name and address of the applicant.
2. Address and legal description of the lot under consideration.
3. Present zoning of the lot under consideration.
4. Requested zoning classification.
5. Reason for the rezoning request.
6. Availability of required utilities.
7. A map, drawn to scale, indicating the dimensions and exact location of the site in relation to the vicinity in which it is located; location of all public rights-of-way; location and dimension of all existing and proposed buildings and structures on the site and adjacent sites and the nature and location of all existing and proposed facilities for the disposal of storm water drainage, and expected traffic volumes.
8. A complete list, names and mailing addresses, of those lot owners with and contiguous to the site for which an application for change is being made, as well as a complete list of all owners, along with their mailing address, of lots within 500 feet of the subject lot, as shown on the official records of the office of the County Tax Assessor.

X-4.2.3. Submitting Application. The application shall be submitted to the City Clerk at least twenty-one (21) days prior to the Planning and Zoning Board's regularly scheduled meeting. A rezoning fee of \$100 is required at the time of filing the application for change.

ARTICLE X

SECTION 5

PUBLIC HEARING BY THE PLANNING and ZONING BOARD

X-5.1. Procedure. After the application for change has been properly filed with the City and the required fee paid, the following procedure shall apply:

X-5.1.1. Notice to Adjoining Lot Owner's. At least fifteen (15) days prior to the Planning and Zoning Board meeting at which the rezoning request is to be presented and initially considered, the City Clerk or his/her duly authorized representative shall give, or cause to be given, written notice to all lot owners adjoining the boundaries of the subject lot as shown by the Official records of the County Tax Assessor, on a date not more than one (1) year prior to the date of such notice. This notice shall state:

1. The location of rezoning request (by mailing address or legal description).
2. The nature of the rezoning request indicating the current zoning classification(s) of the site and the proposed rezoning classification(s).
3. The correct time, date and location of the Planning and Zoning Board meeting at which said rezoning request is to be formally presented and considered.
4. A brief statement to the public informing them that they will have an opportunity to speak for or against such proposed change at the public hearing.

X-5.1.2. Notice Given. Such notice shall be deemed to be given when deposited in the United States Mail, first class postage pre-paid, addressed to such lot owners at their addresses as shown on the Official records of the Office of the County Tax Assessor. Any error in the giving of any such notice shall not invalidate the giving of notice provided that no more than five percent (5%) of the total number of notices given contain any such error.

X-5.1.3. Public Hearing. The Planning and Zoning Board shall hold a public hearing at the first regularly scheduled meeting after compliance with notice requirements as set forth herein are met, and the Planning and Zoning Board shall render a decision on the application at that meeting or at the next regularly scheduled meeting unless additional information is required. If additional information is required, the Planning and Zoning Board shall have thirty (30) days from the date of submission of this additional information to the City, in which to make a recommendation on the request to the City Council.

NOTE: The municipal governing body (City Council) is not bound by the recommendations of the Planning and Zoning Board, nor is it even necessary for the Planning and Zoning Board to make any specific recommendations for or against adoption. The law merely requires consideration and a report by the Planning and Zoning Board on zoning measures before the municipal governing body has power to enact them.

Once the governing body receives the report of the Planning and Zoning Board, the responsibility shifts to the governing body to follow the procedures set out at Section 11-52-77, *Code of Alabama* 1975, as amended.

ARTICLE X

SECTION 6

PUBLIC HEARING BY THE CITY COUNCIL

X-6.1. Recommendation of the Planning and Zoning Board. Upon receipt of the recommendation of the Planning and Zoning Board, the City Council shall give a "first reading" of the proposed amendment at the next regularly scheduled City Council meeting after notice and set same for a public hearing.

X-6.2. Notification of Adjoining Lot Owners. Following proper notification of adjoining lot owners as enunciated in Article X-5.1, the City shall publish the proposed request in full for one insertion in a newspaper of general circulation published within the city, or post the notice in four (4) public places traditionally used by the City for such purposes,

not less than fifteen (15) days in advance of such hearing, together with a notice stating the time and place that the Ordinance is to be considered by the municipal governing body and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such Ordinance, one week after the first insertion, the municipal governing body shall have published a synopsis of the proposed Ordinance, which synopsis shall refer to the date and name of the newspaper in which the proposed Ordinance was first published. Both such insertion shall be published at least fifteen (15) days in advance of the passage of the Ordinance. If there is no newspaper of general circulation published within the municipality, then the governing body must cause the Ordinance and the notice to be posted in four conspicuous places within the municipality.

X-6.3. Action from Public Hearing. After such hearing by the municipal governing body (City Council), the Ordinance may be adopted as reported by the Planning and Zoning Board or in such amended form as it deems best in its discretion. However, if the City Council makes substantial changes in the Ordinance which it first advertised or posted, whichever is applicable, the City Council should hold another public hearing after giving notice as required.

X-6.4. Adoption. After adoption of the Ordinance by the City Council, it must again be published in the same manner as are all municipal Ordinances according to the provisions of Section 11-45-8 of the *Code of Alabama*, 1975, as amended.

ARTICLE X

SECTION 7

ZONING AMENDMENTS BY THE CITY

X-7.1. Zoning Amendments by the City. The Planning and Zoning Board and/or City Council, may upon its own initiative, begin the process of rezoning lot and/or other amendments. They may upon their own initiative, hold public hearings for the consideration of any proposed amendment to the provisions of this Ordinance after notice thereof is given in accordance with the provisions of this Ordinance, relative to aforementioned procedures for notification, advertisement or posting, hearings, and adoption.

X-7.2. Planning and Zoning Board. The regulations and the number, area, and boundaries or districts established by this Ordinance may be amended, supplemented, changed, modified, or repealed by the City Council of the City of Springville, but no amendment shall become effective unless it is first submitted to the Springville Planning and Zoning Board. At its own initiative this body may hold public hearings, public notice of which shall be given, for the consideration of any proposed amendment to the provisions of this Ordinance or to the Zoning Map of Springville, and report its recommendations to the City Council of Springville. The provisions of Sections 11-52-74 and 11-52-77, *Code of Alabama*, 1975 or as same may be amended shall apply to all changes and amendments.

ARTICLE X

SECTION 8

LIMIT ON REZONING REQUESTS

X-8.1. Limit on Rezoning Requests. If the proposal is rejected by the Planning and Zoning Board, the decision may be appealed to the City Council. Should the City Council then deny the appeal, the same kind of rezoning of the same tract or parcel of land will not be considered by the Planning and Zoning Board until a period of one (1) year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearings held by the Planning and Zoning Board, but prior to the hearing held by the City Council shall also required a one (1) year time period before another application on the same request may be submitted. However, the Planning and Zoning Board may adjust this time period if in the opinion of a majority of the Board, an unusual situation or circumstance exists which would warrant another hearing or if a different proposal is made on the lot. Each time the rezoning amendment application is made, the required administration fee must be paid, and under no condition shall said sum or any part thereof b refunded for failure of such proposal or amendment to be enacted into law.

END of ARTICLE X

Exhibit A

ARTICLE XI
SIGN REGULATIONS
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ARTICLE XI
SIGN REGULATIONS

PART 1 - GENERAL REQUIREMENTS

ARTICLE XI
SECTION 1
PURPOSE

XI-1.1 Purpose. The purpose of these sign regulations is to provide minimum control of signs in the City of Springville to promote the health, safety, and general welfare by lessening hazards to pedestrians and vehicular traffic, preserving lot values, preventing unsightly and detrimental development which has a blighting influence upon residential, business and industrial uses, and preventing signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned. The regulations herein shall not apply to signage promoting public-entity sponsored events as approved by the Planning and Zoning Department.

ARTICLE XI
SECTION 2
DEFINITIONS

XI-2.1 General. The definitions in this Section 2 are applicable for the purposes of this Article XI, certain words and terms are defined as herein indicated and shall apply to all parts of this Article XI. Unless specifically defined herein, words or phrases used in this Article XI shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Article XI its most reasonable application. The word "shall" is mandatory and the word "may" is permissive.

XI-2.2 Interpretations. The Planning and Zoning Director, or his/her duly authorized designee is authorized to make a final determination of the meaning of any term used in this Article XI. In the case of any dispute, an appeal of the Planning and Zoning Director, or his/her duly authorized designee's determination may be filed with the Board of Zoning Adjustment.

XI-2.3 Intent. All words used or defined in one tense or form shall include other tenses and derivative forms; all words in the singular number shall include the plural number; and all words in the plural number shall include the singular number unless the natural construction of the wording indicates otherwise; the words "used for" shall include the meaning "designed for;" and the word "structure" shall include the word "building;" the word "lot" shall include the words "plot" and "tract."

XI-2.4 Definitions.

AIR DANCERS. Devices that use air power for the purpose moving fabric in a manner designed to attract the attention of passersby, often powered at the base by a fan that forces air into attached fabric in a cylindrical or "t" shape causing the fabric to move about. Air Dancers are prohibited inside the City.

BANNER - Any sign of lightweight fabric or vinyl, or similar material. National flags, state or municipal flags or the official flag of any institution shall not be considered banners.

BILLBOARD SIGN - An off-premise sign which directs attention to a business, commodity, service or entertainment, conducted, sold or offered for sale at a location other than the premises on which said sign is located.

BUILDING FACE - All window and wall area of a building in each elevation exposed to public view. In the case of

attached units with separate exterior entrances, such as in a shopping center, building face shall be apportioned to each unit.

BUSINESS SIGN - A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.

CANOPY/AWNING SIGN - Lettering and/or logo printed upon or attached to a building awning or service station canopy.

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

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

CHANGEABLE MESSAGE BOARD - That portion of an on-premises sign containing general information, announcements of events, activities or similar messages occurring at a business or institution. The information placed on a Changeable Message Board Sign shall not exceed seventy-five percent (75%) of the sign face.

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

DIRECT LIGHT - Light emitting from a source within or affixed to the sign face, and beaming outward from the sign.

DIRECTIONAL SIGN - A permanent, off premise, sign located on a main thoroughfare that directs pedestrian or vehicular traffic to a business or entity.

DIRECTORY SIGN - A sign which identifies the names of businesses, offices, professionals, industries or other entities located within a planned area.

DOUBLE-FACED SIGN - A sign which has two display areas back-to-back, where one face is designed to be seen from one direction and the other face from another direction. In this instance only one face is considered in computing square footage.

ERECT - To build, construct, attach, hang, place, suspend, or affix and shall include the painting of wall signs.

FEATHER SIGNS. A sign comprised of a base and supported by a single support emanating from said base, which may or may not contain additional supports off that base designed to allow at least one side, but often more, unattached signs connected to said support(s) so that fabric may flutter and/or move and pivot in such a way as to attract attention to the sign (also known as flutter signs, teardrop banners, and rectangle flags). Feather signs are allowed exclusively as a Special Event Sign and governed by Article XI Section 20 and are otherwise prohibited.

FLASHING SIGN - A sign of which the illumination is not kept constant in intensity at all times the sign is in use, and which exhibits marked changes in lighting effects. This shall include signs containing animated, blinking, flashing, intermittent, traveling, and fluctuating lights.

ILLUMINATED SIGN - A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

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

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

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

MONUMENT SIGN - A sign which is elevated two feet (2') or less above the ground surface, which is supported by structures or supports in or upon the ground and independent of support from any building. Also known as free standing or ground signs.

MULTI-BUSINESS SIGN - A simple sign support that serves more than one business. An increase in size of up to 50% may be allowed when one sign structure provides support for the signs of two or more businesses.

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

ON-PREMISES SIGN - A sign which advertises only goods, services, facilities, events or attractions available on the premises where the sign is located, or identifies the owner or occupant or directs traffic on the premises.

PERMANENT SIGN - A sign structure which is, or was originally designed, constructed, and intended to be permanently affixed to a building, structure or to the ground.

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

POLE SIGN - An elevated sign deriving its support from one or more poles, beams, columns, or posts having sufficient foundation for its stability.

POLITICAL SIGN - Signs identifying or urging voter support for a particular election issue, political party, or candidate for public office.

PORTABLE OR MOVABLE SIGN - any sign which is intended to be movable or capable of being moved, whether or not on wheels or other special supports, including but not limited to "A frame" type signs. Portable or movable signs also include placards, signs, banners or similar devices attached to vehicles for advertising purposes, unless such devices are an integral part of such vehicle used in the normal course of business. This definition does not include real estate advertising signs or political signs. Such signs are temporary in nature.

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

PROJECTING SIGN - Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall; or in some cases may be suspended from above as from a sidewalk canopy.

PYLON SIGN - An on-premise oversized elevated sign deriving its support from one or more poles, beams, columns, or posts having sufficient foundation for its stability.

REAL ESTATE SIGN - Any sign used to offer for sale, lease, or rent the lot upon which the sign is located or placed. Real Estate signs are, by definition, Temporary Signs and shall be governed by the regulations applicable to all Temporary Signs as set forth herein.

SIGHT TRIANGLE - A triangular area established at the intersection of two streets or a street and a driveway where clear sight distance is maintained for motorists. In the case of two intersecting streets having a total of two lanes (a single lane in each direction), the sight triangle is formed by connecting two legs extending seventy-five feet (75') from the center of an intersection along the center line of the street rights-of-way. In the case of a driveway, or other channel for vehicle entrance or exit, intersecting a street, each leg of the triangle shall be fifteen feet (15') along the street right-of-way and driveway edge. Roads with multiple lanes may require additional sight distance. This shall be determined by the Planning and Zoning Board.

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 any 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 together with any and all poles, beams, columns, posts, and foundations which offer structural support, and any ornamental attachments. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of signs.

SIGN AREA - The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Structural frames and members not bearing advertising matter shall not be included in computation of surface area. On a two-sided sign, only one face is counted in computing sign area. For signs with three or more faces, all faces will be calculated cumulatively.

SIGN FACE - That part of a sign that is or can be used for advertising purposes.

SIGN MAINTENANCE/REPAIR - Any cleaning, touch-up painting, poster panel replacements on billboards, or bulb replacement, which does not alter the basic design, structure, size or electrical service to the sign is exempt from permit. Any maintenance or repair to improve the structural integrity of the sign must be permitted and design drawings submitted, if applicable. Sign maintenance which involves repainting the entire sign face, or making any changes to the content of the sign face, must be permitted.

SIGN STRUCTURE - Poles, beams, columns, posts, pylons, foundations, and the like which provide structural support of the sign face.

STREAMERS - Fringe, strips, or flags commonly attached to a cord and strung between two or more points. Streamers are not considered signs unless they contain wording, trademarks, or emblems in which case they are treated as banners.

SUBDIVISION SIGN - A free standing monument sign located at the principal entrance or entrances to a planned residential subdivision.

TEMPORARY SIGN - Any sign not originally designed, constructed or intended to be permanently affixed to a building, structure or the ground.

TEMPORARY SPECIAL EVENT SIGN - An advertising device for a special event for use during a limited time period.

TEMPORARY SUBDIVISION DEVELOPMENT SIGN - A temporary, non-illuminated monument sign located at the entrance of a new development or at the entrance of a new sector identifying the developer and/or builders within a development. A sign may also be located at the nearest main traffic thoroughfare leading to the development.

TEMPORARY SUBDIVISION SIGN - A temporary sign advertising the location of an approved subdivision.

THOROUGHFARE - A public, unobstructed street, road, or highway intended for vehicular use, limited to Highway 11, Marietta Rd/County 9, Highway 23 or any other state, county or US Highway.

WALL SIGN - 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.

WINDOW SIGN - Any sign placed inside or upon a window facing the outside and which is intended to be viewed or seen from the exterior. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of signs.

ARTICLE XI

SECTION 3

GENERAL REGULATIONS

XI-3.1 General. The provisions and regulations provided in this Section are general in nature and shall apply to Article XI in its entirety, except as specifically stated and referenced elsewhere. No person, firm, partnership,

association, corporation, company or organization shall erect, cause to be erected, or maintain any sign of any type in violation of the provisions and regulations provided in this Article XI Sign Regulations.

XI-3.2 Interfering with Traffic. Signs shall not be erected or maintained at any location where by reason of its position, working, illumination, shape, symbol, color, form or character, may obstruct, impair, obscure, interfere with the view of, or be confused with any authorized traffic sign, traffic signal, or traffic device. Signs shall not interfere with, mislead, confuse, or disrupt traffic safety or flow.

XI-3.3 Signs in Right-of Way. Signs of any type, including their foundations and structural supports, shall not be placed in a public right-of-way and approved by the Planning and Zoning Board.

XI-3.4 Animated Lighting. Signs shall not incorporate animated, blinking, flashing, intermittent, traveling or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color except those depicting only time, news (with limitations), temperature, or date

XI-3.5 Traffic Visibility. Signs shall not be located so as to interfere with traffic visibility for ingress to and egress from a lot and the lot adjacent, or visibility of traffic flow through nearby intersections.

3.5.1 Sight Triangle. No portion of a sign shall obscure visibility between a height of three feet (3') and ten feet (10') within a Sight Triangle, as defined in this Article XI, Section 2. The Building Department may approve the location of a sign within a sight triangle upon a finding that due to alignment, topographical, or other unique considerations, the proposed sign location would not interfere with traffic visibility.

XI-3.6 Site Maintenance. The area around all signs shall be kept clean and clear of trash and litter and shall present a neat and clean appearance. It shall be the responsibility of the sign owner/lesser or lot owner to maintain all signs in a safe and proper operating manner at all times.

XI-3.7 Building Identification Signs. Permanent church, school, public or semi-public building identification signs shall not exceed forty-eight (48) square feet in area unless individually approved by the Planning and Zoning Board. This may include manually operated changeable copy signs, not exceeding seventy-five percent (75%) of the sign face area. Such signs may be illuminated; however, signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of street or thoroughfare to which it is directed.

XI-3.8 Expiration of Temporary Signs. Temporary Signs shall have the expiration date clearly and readily noted on either the front or back of the sign.

XI-3.9 Prohibited Attachment of Signs. Signs shall not be attached to trees, utility poles, rocks, or street lights. Signs shall not be placed on any public property except as authorized by the City Council.

XI-3.10 Compliance with Building Codes. Signs shall conform to applicable building codes adopted and amended within the City of Springville, which provides a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials, and electrical wiring.

XI-3.11 Damage to Public Property. For the purpose of increasing or enhancing the visibility of any sign, No person shall damage, trim, destroy, or remove any trees, shrubs, or other vegetation:

Within any right-of-way (unless express written authorization is obtained from the agency having jurisdiction over the right-of-way) or;

1. Any area where landscaping is required by the City of Springville regulations.

ARTICLE XI
SECTION 4

PROHIBITED SIGNS

XI-4.1 General. Unless specifically stated and referenced elsewhere, any sign not specifically permitted in a zoning district as provided under the applicable section, shall be prohibited in that district. The City of Springville shall be empowered to remove, or cause to be removed, all prohibited signs at the expense of the owner.

XI-4.2 Noisy Signs. Signs incorporating any noisy mechanical device (whistles, horns, sirens, or any other noisy audible devices) are expressly prohibited.

XI-4.3 Illuminated Signs. Illuminated signs, other than permanent subdivision identification signs, shall not be permitted within one hundred feet (100') of any Residential District of the City of Springville.

XI-4.4 Signs Attached to Vehicles. Signs shall not be attached to or painted onto a vehicle parked on a public street, parking lot or thoroughfare for the sole purpose of advertising.

XI-4.5 Abandoned Signs. Abandoned signs are prohibited, and shall be removed by the owner of the sign or owner of the premises on which it is located as specified in Article XI-11.

ARTICLE XI

SECTION 5

EXEMPT PERMITS and SIGNS

XI-5.1 Exempt Permits and Signs. Except as provided otherwise in this Article XI of this Ordinance, the signs as provided in this Section shall be exempt from the requirements for a sign permit as well as the provisions/regulations provided herein. However, such signs shall comply with all applicable building codes and regulations as adopted and amended by the City of Springville.

5.1.1. Permanent or Temporary Signs required to be posted by Law.

5.1.2. Permanent or Temporary Signs established by, or by order of, any governmental agency or body.

5.1.3. Decorative flags, bunting, and signs for citywide celebrations, conventions, commemorations, and recognized local community events.

5.1.4. Flags, or insignia of a governmental, charitable or civic organization.

5.1.6. Temporary holiday signs, displays, and decorations.

5.1.7. Temporary Political Signs, non-illuminated, and campaign posters in compliance with Article XI-3.8.

1. Such signs and posters shall not exceed four (4) square feet in OH and R districts and sixteen (16) square feet in all other districts.

2. Signs must be removed within forty-eight (48) hours after the election to which they pertain by the person or persons posting or erecting them.

3. Signs shall only be allowed to be placed 60 days in advance of the election to which they pertain.

5.1.8. Temporary Signs, non-illuminated, located in R Districts and A Districts, pertaining to agricultural products grown on the premises. Signs shall be subject to the provisions of this Article XI-3 General Regulations.

5.1.9. Temporary Signs, non-illuminated, located on private property advertising garage sales, yard sales, and the sale of personal property.

1. Signs shall be subject to the provisions of this Article XI-3.

2. Signs shall be removed within forty-eight (48) hours after the end of the event or sale to which they pertain.

5.1.10. Temporary Real Estate Signs, non-illuminated, which are used to offer for sale, lease, or rent the lot

upon which said signs are located. See Section 16 Real Estate Signs.

5.1.11. Signs providing information concerning the location or use of accessory off-street parking facilities, loading and/or unloading facilities.

5.1.12. Signs used for fund raising located within the confines of athletic fields, and readily visible only from the seating area of such athletic field.

1. Signs shall not exceed four feet (4') by eight feet (8') in face area.

5.1.13. One Construction Sign per street frontage shall be permitted located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1.The sign shall be a Ground Sign not exceeding twenty-four (24) square feet in sign area within R Districts, or forty-eight (48) square feet in other Districts.

2.The sign shall be non-illuminated.

3.The sign may include the names of persons and firms performing services, labor or supplying materials to the premises.

4. Such sign must be removed before a Certificate of Occupancy is issued.

5.1.14. Window Signs located in Business Districts, which identify or advertise activities, services, goods, or products.

5.1.15. Gasoline Service Station Signs are exempt from permitting for changing of fuel price information only.

5.1.16. Directory Signs located inside a building providing the names and locations of the occupants therein.

5.1.17. Security Service company signs indicating that the lot on which the sign is located has security protection.

1. Sign shall not exceed one (1) square-foot in sign area.

2. Signs may be placed anywhere on the protected property, including but not limited to: U.S.P.S mail receptacle post or U.S.P.S. mail receptacle enclosures.

5.1.18. Routine sign maintenance, repair, and changing of copy on changeable-copy signs are exempt.

5.1.19. Barber poles.

ARTICLE XI

SECTION 6

PERMITS and FEES

XI-6.1. Permits and Fees. Except as otherwise provided in this Article XI, Section 5 Exempt Permits and Signs, it shall be unlawful for any person to erect, construct, enlarge, move, alter or convert any sign, sign area, or sign face in the City of Springville, or cause the same to be done, without first obtaining a sign permit for each such sign from the Planning and Zoning Department as required by this Ordinance. Fees for sign permits shall be specified in the City of Springville Building and Construction Fee Ordinance.

XI-6.2. Application for Permit. Upon issuance of a sign permit by the Planning and Zoning Department, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of the duly issued and recorded permit without prior approval of the Planning and Zoning Director, or duly authorized designee. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Planning and Zoning Department.

XI-6.3. Application. Application for a permit shall be made to the Planning and Zoning Department on the

application form provided by the department and shall be accompanied by such information as required to assure compliance with appropriate laws and regulations as adopted and amended by the City of Springville. Information required for a sign permit shall include, but not limited to the following:

1. The name, address, tax parcel identification number, telephone number of the owner or persons entitled to possession of the sign, and the sign contractor.
2. The street address and location of the proposed sign.
3. Detailed drawings showing the dimensions, supporting structure, size, height, electrical wiring and components, sign materials, and detailed structural mounting system. When required by the Building or Zoning Official, design calculations and drawings shall be stamped and signed by a professional architect or engineer licensed to practice in the State of Alabama. Signs and support structures for signs shall comply with applicable building codes as adopted and amended by the City of Springville.
4. A complete inventory and description of existing signs on the premises.
5. The proposed location of the sign in relation to the building or development it serves.
6. The proposed location of the sign in relation to the boundaries of the lot or tract of land upon which it is to be situated, including the distance to all rights-of-way, pavement edge, and of streets or thoroughfares to which the sign is to be directed.

XI-6.4. Restoration of Existing Signs. Nothing in this section shall be construed to require a sign permit to identically repaint or reface an existing sign. However, the existing message or display shall not be altered in any manner during the restoration. If the existing message, display, or any portion thereof, is altered in any manner, the repainting or refacing shall be considered a new sign, and shall be subject to the requirements for a new sign permit. See Article XI-8.

XI-6.5. Denial of Application for Permit. When an application for a sign permit is denied by the Planning and Zoning Department, the department shall give notice to the applicant of denial in the form of a written statement outlining the cause for denial. The written statement shall be made as an attachment to the permit application within approximately three working days.

XI-6.6. Appeals of Permit Denial. Upon denial of application for a sign permit by the Planning and Zoning Department, a single appeal for each sign permit application may be placed before the Board of Zoning Adjustment Appeals. Upholding denial of the Inspections Department by the Board of Zoning Adjustment Appeals, appeal may be made to the appropriate Circuit Court.

XI-6.7. Permit Fees. A permit fee shall be submitted with each Permit filed with the Planning and Zoning Department. Permit fees shall be determined as set out in the Building and Construction Permit Ordinance.

XI-6.8. Annual Fees. Billboards and Off-Premise Signs shall require an annual permit renewal fee as set out in the Building and Construction Permit Ordinance.

ARTICLE XI
SECTION 7
INSPECTIONS

XI-7.1. Inspection. The responsible person erecting, altering, relocating, enlarging, restoring or converting any sign shall notify the Inspections Department upon completion of the work for which sign permits are required and issued.

XI-7.2. Foundation Inspection. All monument signs, ground mounted signs, standing signs, and pole mounted signs shall be subject to footing inspections. Foundation construction, such as, concrete forms, reinforcing steel, anchor bolts shall be made available for inspection by the Inspections Department prior to placement of concrete.

XI-7.3. Electrical Inspection. All signs provided with electrical service or containing electrical components shall be subject to and made available for an electrical inspection by the Inspections Department.

ARTICLE XI

SECTION 8

NON-CONFORMING SIGNS

XI-8.1. Intent. It is the intent of this Article XI to eventually eliminate all non-conforming signs within the City of Springville, either by the removal of non-conforming signs or through measures designed to eventually bring non-conforming signs into compliance with the provisions of this Article XI, Sign Regulations of this Ordinance.

XI-8.2. Non-Conforming Signs. The following provisions shall apply to all non-conforming signs and/or advertising structures. All permanent type non-conforming signs existing upon adoption of this Ordinance shall be allowed to remain as they were at the time of adoption of this Ordinance subject to the following:

1. Non-conforming signs shall not be changed to another non-conforming sign.
2. Non-conforming signs shall not be replaced with another non-conforming sign when such sign deteriorates due to age and use to the point where replacement of the sign is required.
3. Non-conforming signs shall not be repainted, refaced, or modified to serve another business, advertisement, person, or event, unless the resulting sign meets current conforming criteria.

ARTICLE XI

SECTION 9

IMPROPERLY MAINTAINED SIGNS

XI-9.1. No person shall permit on any premises owned or controlled by him, any sign which is not properly maintained, to include, but not be limited to, the following:

1. Peeling or flaking paint or surface material on a sign face.
2. Missing portions of the sign face, or missing portions of the message or display on a sign face.
3. A sign face that is cracked, damaged, or faded to the point the message or display is not clearly legible.
4. Failure, within thirty (30) days, to replace bulbs or lighting rendering the message or display is rendered incomplete or illegible.
5. A sign that, for any reason, does not contain a complete or legible message or display.

ARTICLE XI

SECTION 10

DANGEROUS OR DEFECTIVE SIGNS

XI-10.1. Any sign in dangerous or defective condition, shall be removed or repaired by the owner of the sign or the premises on which the sign is located within the time period specified in Article XI 12 Notification for Removal or

Repair.

ARTICLE XI
SECTION 11
ABANDONED SIGNS

XI-11.1. Removal after Ninety Days. Signs subject to any of the following conditions for a period of ninety (90) days shall be deemed as abandoned and shall be removed in accordance with the provisions of Article XI Section 12 Notification for Removal or Repair.

1. The lot on which the sign is located is vacant.
2. The sign face or structure is blank, in ill repair, or no longer applicable.
3. The business to which the sign applies is no longer operating.

XI-11.2. Removal after 48 Hours. When the purpose or event to which the sign applies is no longer applicable. Such signs shall be removed within forty-eight (48) hours after the purpose or event is held.

XI-11.3. Temporarily Suspended Business. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management shall not be deemed abandoned unless the lot remains vacant for a period of ninety (90) days. In the event the business to which the sign applies is destroyed by fire, accident, or natural disaster, but the sign itself is not harmed, such sign may remain in place after the expiration of the ninety (90) day period if the building is undergoing repairs or renovations that are properly permitted.

ARTICLE XI
SECTION 12
NOTIFICATION FOR REMOVAL OR REPAIR

XI-12.1. Determination for Cause. The Building Department shall conduct a detailed inspection of any sign which shows visible cause and make a determination that:

1. A sign has not been properly maintained as set out in Article XI-9 Improperly Maintained Signs; or
2. A sign endangers the public safety due to material, electrical, or structural deficiencies as set out in Article XI-10 Dangerous or Defective Signs; or
3. A sign is abandoned as set out in Article XI-11 Abandoned Signs; or
4. A sign permit has not been issued as set out in Article XI-19 Portable and Temporary Sign Regulations; or
5. A sign permit has not been issued as set out in Article XI-20 Temporary Special Event Signs.

XI-12.2. Notification. Upon such determination, the Planning and Zoning Department shall prepare a written notification describing the sign, its location, and all violations as determined by the detailed inspection, and shall make notice that if the violation or violations are not corrected/repared within:

1. ten (10) working days after receipt for permanent signs; or
2. twenty-four (24) hours after receipt for temporary, portable, or other non-permanent signs, the sign, including the sign face, supports, and all structural members pertaining to said sign, shall be removed, or caused to be removed, by the City of Springville. Cost of said removal will be billed by the City of Springville to the property owner and/or sign owner.

12.2.1. Receipt of Notification. All notifications by the Planning and Zoning Department will be sent by Certified Mail, return receipt requested. Any time periods provided for in this Section relative to compliance shall be

deemed to commence on the date of receipt noted on the Certified Mail return receipt. All notices will be mailed to the owner of the lot on which said sign is located as shown on the latest available tax maps and/or the owner of the sign itself.

ARTICLE XI
SECTION 13
VIOLATIONS

XI-13.1. Violations. Any person found to be in violation of any of the provisions of this Article XI shall be given written notice to remedy such violations ten (10) working days for permanent signs or twenty-four (24) hours for temporary, portable, or other non-permanent types of signs.

ARTICLE XI
SECTION 14
PENALTIES

Section 14.1. Penalties. It shall be unlawful to erect, construct, reconstruct, alter, maintain, or use any sign in violation of any regulation in, or of any provision of, this Article XI, or any amendment thereof. Any person, firm or corporation violating any such regulation, provision or amendment, shall be guilty of a misdemeanor, punishable as provided in state and local law. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense. Provided; however, that prior to any criminal prosecution the Planning and Zoning Department shall give a written notice of the violation or violations to the person, firm, or corporation violating any provision of this Article XI, stating the rule or regulation being violated and notifying the said person, firm or corporation to cease and desist such violation immediately, otherwise said person will be prosecuted as provided for herein. The continuance of a violation and the imposition of any fine shall not constitute an exemption from compliance with the provisions of this Ordinance.

ARTICLE XI
SECTION 15
REMEDIES

XI-15.1. Remedies. When a sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or when any sign structure is used in violation of this Article XI, the Planning and Zoning Department of the City of Springville or any other appropriate authority or any adjacent or neighboring lot owner who would be damaged or caused hardship by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to stay or prevent unlawful erection, construction, alteration, repair, conversion, maintenance or use, or to correct or abate violations or to prevent use of such sign.

ARTICLE XI
SIGN REGULATIONS

PART II - SIGNS PERMITTED IN SPECIFIC DISTRICTS

ARTICLE XI
SECTION 16
REAL ESTATE SIGNS

Amended and removed from ordinance on August 16, 2021 by Ordinance 2021-11.

ARTICLE XI
SECTION 17
BILLBOARD SIGNS

XI-17.1. Where Permitted. Billboard Signs shall be permitted adjacent to interstate highways only and shall be subject to the following requirements:

XI-17.2. Residential District. Billboard Signs, nor any portion thereof, shall be erected closer than five hundred feet (500') from a residential zone district as measured from the nearest edge of the sign to the nearest R District lot line.

XI-17.3. Illumination. Illumination of Billboard Signs shall be indirect type and shall not face toward any residential area. Illuminating device shall not direct light in any direction other than the sign face itself. .

XI-17.4. Encroachment. Billboard Signs, nor any portion thereof, shall not project over or encroach upon any public property or public right-of-way.

XI-17.5. Separation of Signs. Billboard Sign structures shall be located a minimum of one thousand five hundred feet (1,500') in any direction to any other Billboard Sign structure.

XI-17.6. Maximum Sign Area. The maximum sign area shall not be more than eight hundred (800) square feet, including embellishments.

XI-17.7. Maximum Sign Height. The maximum sign height shall not exceed forty feet (40') above the interstate road grade.

XI-17.8. Sign Face Orientation. A billboard sign may contain two signs with sign faces oriented in the same direction; two sign faces placed back-to-back oriented in opposite directions; or two sign faces oriented in a "V" shape with a maximum angle not to exceed thirty-five (35) degrees. The total area of the sign faces oriented in any one direction shall not exceed the maximum sign area.

XI-17.9. Minimum Setback. The minimum setback from a public right-of-way shall be:

<u>Sign face in One Direction</u>	<u>Setback</u>
350 sq. ft. or greater	75 feet
200 – 349 sq. ft.	50 feet
75 – 199 sq. ft.	30 feet
Less than 75 sq. ft.	15 feet

NOTE: In no case shall the minimum setback be less than the actual height of the billboard sign.

ARTICLE XI
SECTION 18
OFF-PREMISE SIGNS/DIRECTIONAL SIGNS

XI-18.1. Off-Premise Signs. Off-Premise signs, other than Billboard Signs (See Article XI-17), shall be limited to Real Estate Signs (See Article XI-16) and Permanent Directional Signs as provided in this Section.

XI-18.2. Permanent Directional Signs. Directional Signs shall be of a uniform design scheme, approved by the City of Springville, with a capacity for displaying multiple placards to identify businesses or entities as set out below.

1. Directional Signs may be erected on thoroughfares to direct pedestrian and vehicular traffic to a business or entity located within one thousand feet (1,10one-half (1/2) of a mile') of said sign. See definition of thoroughfare.
2. Directional Signs shall be located in business or industrial zoning districts. In some cases, Directional Signs may be located on property possessed by the City of Springville.
3. Directional Sign shall be allowed on a lot or parcel.

ARTICLE XI

SECTION 19

PORTABLE MOVEABLE SIGNS

XI-19.1. Where Permitted. Each Portable/Moveable Sign shall be allowed to remain in place no longer than one hundred and eighty (180) consecutive days for a new business or new location.

XI-19.2. Portable Signs. Portable signs shall not be mounted on any roof.

XI-19.3. Temporary Signs. Temporary signs shall not be allowed in shopping center areas.

XI-19.4. Expiration. Temporary Signs shall have the expiration date clearly and readily noted on either the front or back of the sign.

XI-19.5. Portable/Temporary Signs. Portable/Temporary Signs shall conform to the following requirements.

1. Portable/Temporary Signs containing lights or other form of artificial illumination must be approved by the Building Department and may only be operated during the hours of business operation.
2. No more than one (1) Portable/Temporary Signs shall be permitted at any one time for a business
3. Portable/Temporary Signs shall be situated in such a manner so as not to impede or interfere with vehicular vision at points of ingress and egress.

XI-19.6. Maximum Size. Portable/Temporary Signs shall not exceed twenty-four (24) square feet in sign area.

XI-19.7. Setbacks. The minimum setback for all Portable/Temporary Signs shall be as follows:

1. A minimum of fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
2. A minimum of thirty-five feet (35') of the intersection of the pavement edge of two public roads; or pavement edge or edge of a public road and the right-of-way line of a railroad.
3. Signs shall not be located within the Sight Triangle as defined in XI-2 Definitions.

XI-19.8. Sidewalk Signs. Business sidewalk or sandwich signs not committed solely to product advertisement, without regard to set backs may be exhibited by a business as individually approved by the Planning and Zoning Department.

XI-19.9. Removal. Temporary signs shall be removed by the party or parties posting or erecting them, and where stipulated, within the specified time period.

ARTICLE XI

SECTION 20

TEMPORARY SPECIAL EVENT SIGNS AND ADVERTISING DEVICES

XI-20.1. Signs Permitted. Temporary Special Event Signs or advertising devices shall be permitted only by issuance of a special permit and only for unique occasions such as "grand openings" or other special

events for businesses or events located within the City or allowed herein.

1. Each temporary special event sign shall not exceed forty (40) square feet in sign area.

XI-20.2. Limited Time of Use. The use of Temporary Special Event Signs or Devices shall be allowed for no more than ten days prior to the applicable special event and must be removed no more than forty-eight (48) hours thereafter.

XI-20.3. Expiration. Temporary Special Event Signs shall have the expiration date clearly and readily noted on either the front or back of the sign or advertising device, which shall be obtained from the Building Department.

XI-20.4. Search Lights. Portable search lights, light beacons, and similar devices shall be permitted For how long?.

XI-20.5. Banners. All banners are temporary in nature and may only be displayed for a period of no more than ten days (10) prior to an event and no more than forty-eight (48) hours after the event.

Special Event Banners advertising a special event such as a special sale, grand opening, fair, festival, revival, or similar event may be displayed on the lot where the event is to take place, subject to the following:

1. For businesses with a physical location inside the city limits, Banners shall be located on the premises of the business or location of the Special Event. Businesses located outside of the city limits shall be prohibited from erecting banners inside of the city limits, unless-said business is a sponsor of the special event.
2. Each banner shall not exceed forty (40) square feet in sign area.
3. If product advertisement is contained on the banner, the product advertised must be the promotion or the sponsor of the special event.
4. Advertising of the same business at any one location shall be limited to one banner.

Temporary / off premise banners advertising civic, charitable or governmental special events within the County may be permitted by the Zoning Director, or other authorized agent of the Building Department, for no more than ten days prior to said event. And further, any such sign for such special event allowed by this subsection shall be limited by the following: no more than one such sign (in the location as allowed by the Zoning Director, or other authorized agent of the Building Department) for events occurring outside the corporate limits of the City and no more than two such signs (in the locations as allowed by the Zoning Director, or other authorized agent of the Building Department) for events occurring inside the corporate limits of the City. Further, all such signs allowed by this subsection shall be removed within forty-eight hours (48) following said event.

XI-20.8. Streamers. Single or multi-colored streamer flags devoid of wording, symbols, logos, pictographs, or similar graphics are not considered signs. Streamer flags displaying wording, symbols, logos, pictographs, or similar graphics shall be considered banners.

XI-20.9. Setbacks. The minimum setback for Temporary Special Event Signs shall be as follows:

1. A minimum of fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
2. A minimum of thirty-five feet (35') of the intersection of the pavement edge of two public roads; or

pavement edge or edge of a public road and the right-of-way line of a railroad.

3. Signs shall not be located on a public right-of-way or within the Sight Triangle as defined in Article XI-2 Definitions.

ARTICLE XI

SECTION 21

A-I AGRICULTURAL DISTRICT

XI-21.1. Signs Permitted. The types of signs provided in this Section shall be permitted in A-1 Agriculture Districts in accordance with the requirements provided herein.

XI-21.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in A-1 Agriculture Districts:

- A. Article XI-3 General Regulations
- B. Article XI-4 Prohibited Signs
- C. Article XI-5 Exempt Permits and Signs

XI-21.3. Real Estate Signs. Real Estate Signs in accordance with the provisions of Section 16.

XI-21.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-21.5. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in A-1 Agriculture Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed thirty-two (32) square feet.
3. The sign shall not exceed the maximum height of four feet (4') when located a minimum of fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.

4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over four feet (4'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-21.6. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face and shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than ten percent (10%) of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-21.7. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where building construction is proposed or in progress under a current building permit, shall be permitted in accordance with the following requirements:

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 22

B-1 LOCAL SHOPPING DISTRICT

XI-22.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-1 Local Shopping Districts in accordance with the requirements provided herein.

XI-22.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-1 Local Shopping Districts:

- D. Article XI-3 General Regulations
- E. Article XI-4 Prohibited Signs

F. Article XI-5 Exempt Permits and Signs

XI-22.3. Real Estate Signs. Real Estate Signs in accordance with the provisions of Article XI-16.

XI-22.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-22.5. Portable Signs. Portable Signs shall comply with the provisions of Article XI-19.

XI-22.6. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-22.7. Additional Signs. Each building in the B-1 Local Shopping District may have one Monument Sign.

Additionally, each business may also be permitted to utilize one wall sign per building face, but total signage per building face shall not exceed twenty-five percent (25%) of the applicable face of the building.

XI-22.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-1 Local Shopping Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed thirty-two (32) square feet.
3. The sign shall not exceed the maximum height of four feet (4') when located a minimum of fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over four feet (4'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-22.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-22.10. Gasoline Service Station Sign. Gasoline Service Station Signs, which includes the corporate name and/or

logo and fuel pricing, shall be limited to one per street frontage and shall not exceed sixty (60) square feet in area. The fuel price information portion shall not exceed fifty percent (50%) of the sign area. Changes to fuel price information are exempt from permitting.

XI-22.11. Office Complex or Shopping Center. An office complex or shopping center shall submit a design plan for each free-standing entrance sign to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for, and be subject to provisions for long term maintenance of the sign.

XI-22.12. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 23

B-2 GENERAL BUSINESS DISTRICT

XI-23.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-2 General Business Districts in accordance with the requirements provided herein.

XI-23.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-2 General Business Districts:

- G. Article XI-3 General Regulations
- H. Article XI-4 Prohibited Signs
- I. Article XI-5 Exempt Permits and Signs

XI-23.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-23.4. Changeable Message Board. On permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-23.5. Portable Signs. Portable Signs shall comply with the provisions of Article XI-19.

XI-23.6. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-23.7. Billboard Signs. Billboard Signs in accordance with the provisions of Article XI-17.

XI-23.8. Additional Signs. Each building in the B-2 General Business District shall be limited to one Pole mounted sign or one Monument sign. Additionally, each business may also be permitted to utilize one Wall sign or one Projecting sign per building face, but total signage per building face shall not exceed twenty-five percent (25%) of the applicable face of the building.

XI-23.9. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-2 General Business Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. Sign shall not be set within 15' of pavement edge.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. Signs set more than 15' from pavement edge shall not exceed 6' in height except as follows: For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge.
6. Signs shall not to exceed a maximum height of twelve feet (12').

XI-23.10. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-23.11. Projecting Sign. Projecting Signs (illuminated or non-illuminated) attached to the wall of the building it serves shall be permitted in accordance with the following requirements:

1. Sign shall not project more than forty eight (48) inches from the face of the building upon which it is mounted.
2. Sign shall not exceed sixteen (16) square feet in area.
3. Sign shall have a minimum clearance of ten feet (10') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
4. Sign shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.

XI-23.12. Pole Mounted Sign. A permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-2 General Business Districts in accordance with the following requirements:

1. Sign shall not exceed forty-eight (48) square feet in area.
2. Sign shall not exceed a maximum height of twenty feet (20') measured from the ground level to the highest

point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest ground level directly beneath the sign to the lowest point on the sign face.

3. Sign shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.

4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-23.13. Pole Mounted Sign – Additional Area. One on-premise Pylon Sign (illuminated or non-illuminated) shall be permitted for each free-standing business located within .25 mile of an interstate highway interchange or 500 feet of an interstate corridor (as measured perpendicularly from the interstate pavement to the closest point of the sign), subject to individual approval. Because the height and sign face area of this type sign generally exceeds the size and height requirements of signs permitted in all other business districts of the City of Springville, each such sign shall be subject to approval by the Planning and Zoning Board. No other pole sign shall be permitted with a pylon sign.

XI-23.14. Pylon Sign. One on-premise Pylon Sign (illuminated or non-illuminated) shall be permitted for each free-standing business located within .25 mile from interstate highway interchange and 300 feet within a right-of-way, subject to individual approval. Because the height and sign face area of this type sign generally exceeds the size and height requirements of signs permitted in all other business districts of the City of Springville, each such sign shall be subject to approval by the Planning and Zoning Board. No other pole sign shall be permitted with a pylon sign.

XI-23.15. Signs over Eighty Feet in Height. Any sign erected at a height in excess of eighty feet (80') shall be constructed in such a manner to accommodate future installation of telecommunications arrays or antennae.

XI-23.16. Gasoline Service Station Sign. Gasoline Service Station Signs, which includes the corporate name and/or logo and fuel pricing, shall be limited to one per street frontage and shall not exceed sixty (60) square feet in area. The fuel price information portion shall not exceed fifty percent (50%) of the sign area. Changes to fuel price information are exempt from permitting.

XI-23.17. Office Complex or Shopping Center. An office complex or shopping center shall submit a design plan for each free-standing entrance sign to the Planning and Zoning Board for review and approval. The design plan submittal shall include and be subject to provisions for long term maintenance of each sign.

XI-23.18. Individual Units within the Shopping Center. An overall sign package may be submitted to the Planning and Zoning Board for approval of signage for individual units within the shopping center when relief is sought on the 150 square foot signage restriction due to hardship created by building setbacks in excess of 100 feet and overall building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-23.19. Stand-Alone Units. An overall sign package may be submitted to the Planning and Zoning Board for individual approval of signage for a stand-alone retail establishment when relief is sought on the 150 square foot signage restriction, listed in XI-24.10.5, due to hardship created by building setbacks in excess of 100 feet and a building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-23.20. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or

thoroughfare to which it is directed.

5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 24

B-3 DOWNTOWN BUSINESS DISTRICT

XI-24.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-3 Downtown Business Districts in accordance with the requirements provided herein. Certain types of signs may be permitted for those businesses located in and around interchanges of freeways or interstate highways as individually submitted to and approved by the Planning and Zoning Board.

XI-24.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-3 Downtown Business Districts:

- J. Article XI-3 General Regulations
- K. Article XI-4 Prohibited Signs
- L. Article XI-5 Exempt Permits and Signs

XI-24.3. Real Estate Signs. Real Estate Signs in accordance with the provisions of Article XI-16.

XI-24.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-24.5. Portable Signs. Portable Signs shall comply with the provisions of Article XI-19.

XI-24.6. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-24.7. Additional Signs. Each building in the B-3 Downtown Business District shall be limited to one Pole mounted sign or one Monument sign. Additionally, each business may also be permitted to utilize one Wall sign or one Projecting sign per building face, but total signage per building face shall not exceed twenty-five percent (25%) of the applicable face of the building.

XI-24.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-3 Downtown Business Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-24.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-24.10. Projecting Sign. Projecting Signs (illuminated or non-illuminated) attached to the wall of the building it serves shall be permitted in accordance with the following requirements:

1. Sign shall not project more than forty eight (48) inches from the face of the building upon which it is mounted.
2. Sign shall not exceed sixteen (16) square feet in area.
3. Sign shall have a minimum clearance of ten feet (10') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
4. Sign shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.

XI-24.11. Pole Mounted Sign. A permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-3 Downtown Business Districts in accordance with the following requirements:

1. Sign shall not exceed forty-eight (48) square feet in area.
2. Sign shall not exceed a maximum height of twenty feet (20') measured from the ground level to the highest point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest ground level directly beneath the sign to the lowest point on the sign face.
3. Sign shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-24.12. Pole Mounted Sign – Additional Area. When a single permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) is used for two businesses, such as a service station/fast food combination housed in one building, the size of the sign face may be increased by up to fifty percent (50%) of the allowed sign face area for a single business to accommodate for the second business.

XI-24.13. Pole Mounted Sign at Interstate. When located within 1,320 feet of a freeway or interstate highway interchange, a permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) shall be permitted in B-3 Downtown Business Districts in accordance with the following requirements:

1. Such sign shall not exceed one hundred twenty (120) square feet in area
2. Sign shall not exceed a maximum height of thirty five feet (35') measured from the ground level to the highest point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest

ground level directly beneath the sign to the lowest point on the sign face.

3. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.

4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-24.14. Pylon Sign. One on-premise Pylon Sign (illuminated or non-illuminated) shall be permitted for each free-standing business located within .25 mile from interstate highway interchange or 500 feet of an interstate corridor (as measured perpendicularly from the interstate pavement to the closest point of the sign), subject to individual approval. Because the height and sign face area of this type sign generally exceeds the size and height requirements of signs permitted in all other business districts of the City of Springville, each such sign shall be subject to approval by the Planning and Zoning Board. No other pole sign shall be permitted with a pylon sign.

XI-24.15. Signs over Eighty Feet in Height. Any sign erected at a height in excess of eighty feet (80') shall be constructed in such a manner to accommodate future installation of telecommunications arrays or antennae.

XI-24.16. Gasoline Service Station Sign. Gasoline Service Station Signs, which includes the corporate name and/or logo and fuel pricing, shall be limited to one per street frontage and shall not exceed sixty (60) square feet in area. The fuel price information portion shall not exceed fifty percent (50%) of the sign area. Changes to fuel price information are exempt from permitting.

XI-24.17. Office Complex or Shopping Center. An office complex or shopping center shall submit a design plan for each free-standing entrance sign to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for long term maintenance of each sign.

XI-24.18. Individual Units within the Shopping Center. An overall sign package may be submitted to the Planning and Zoning Board for approval of signage for individual units within the shopping center when relief is sought on the 150 square foot signage restriction, listed in XI-24.10.5, due to hardship created by building setbacks in excess of 100 feet and overall building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-24.19. Stand-Alone Units. An overall sign package may be submitted to the Planning and Zoning Board for individual approval of signage for a stand-alone retail establishment when relief is sought on the 150 square foot signage restriction, listed in XI-24.10.5, due to hardship created by building setbacks in excess of 100 feet and a building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-24.20. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI
SECTION 25

B-4 RESIDENTIAL NEIGHBORHOOD BUSINESS DISTRICT

XI-25.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-4 Residential Neighborhood Business Districts in accordance with the requirements provided herein.

XI-25.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-4 Residential Neighborhood Business District:

- M. Article XI-3 General Regulations
- N. Article XI-4 Prohibited Signs
- O. Article XI-5 Exempt Permits and Signs

XI-25.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-25.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-25.5. Portable Signs. Portable Signs shall comply with the provisions of Article XI-19.

XI-25.6. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-25.7. Additional Signs. Each building in the B-4 Residential Neighborhood Business District shall be limited to one Pole mounted sign or one Monument sign. Additionally, each business may also be permitted to utilize one Wall sign or one Projecting sign per building face, but total signage per building face shall not exceed twenty-five percent (25%) of the applicable face of the building.

XI-25.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-4 Residential Neighborhood Business Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-25.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.

4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-25.10. Projecting Sign. Projecting Signs (illuminated or non-illuminated) attached to the wall of the building It serves shall be permitted in accordance with the following requirements:

1. Sign shall not project more than forty eight (48) inches from the face of the building upon which it is mounted.
2. Sign shall not exceed sixteen (16) square feet in area.
3. Sign shall have a minimum clearance of ten feet (10') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
4. Sign shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.

XI-25.11. Pole Mounted Sign. A permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-4 Residential Neighborhood Business Districts in accordance with the following requirements:

1. Sign shall not exceed forty-eight (48) square feet in area.
2. Sign shall not exceed a maximum height of twenty feet (20') measured from the ground level to the highest point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest ground level directly beneath the sign to the lowest point on the sign face.
3. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-25.12. Pole Mounted Sign – Additional Area. When a single permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) is used for two businesses, such as a service station/fast food combination housed in one building, the size of the sign face may be increased by up to fifty percent (50%) of the allowed sign face area for a single business to accommodate for the second business.

XI-25.13. Pylon Sign. One on-premise Pylon Sign (illuminated or non-illuminated) shall be permitted or for each free-standing business located within .25 mile from interstate highway interchange or 500 feet of an interstate corridor (as measured perpendicularly from the interstate pavement to the closest point of the sign), subject to individual approval. Because the height and sign face area of this type sign generally exceeds the size and height requirements of signs permitted in all other business districts of the City of Springville, each such sign shall be subject to approval by the Planning and Zoning Board. No other pole sign shall be permitted with a pylon sign.

XI-25.14. Signs over Eighty Feet in Height. Any sign erected at a height in excess of eighty feet (80') shall be constructed in such a manner to accommodate future installation of telecommunications arrays or antennae.

XI-25.15. Gasoline Service Station Sign. Gasoline Service Station Signs, which includes the corporate name and/or

logo and fuel pricing, shall be limited to one per street frontage and shall not exceed sixty (60) square feet in area. The fuel price information portion shall not exceed fifty percent (50%) of the sign area. Changes to fuel price information are exempt from permitting.

XI-25.16. Office Complex or Shopping Center. An office complex or shopping center shall submit a design plan for each free-standing entrance sign to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for long term maintenance of each sign.

XI-25.17. Individual Units within the Shopping Center. An overall sign package may be submitted to the Planning and Zoning Board for approval of signage for individual units within the shopping center when relief is sought on the 150 square foot signage restriction, listed in XI-24.10.5, due to hardship created by building setbacks in excess of 100 feet and overall building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-25.18. Stand-Alone Units. An overall sign package may be submitted to the Planning and Zoning Board for individual approval of signage for a stand-alone retail establishment when relief is sought on the 150 square foot signage restriction due to hardship created by building setbacks in excess of 100 feet and a building size of 50,000 square feet or greater. In no instance may a wall sign exceed 25% of the building face.

XI-25.19. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 26

B-5 BUSINESS PARK DISTRICT

XI-26.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-5 Business Park Districts in accordance with the requirements provided herein. Additional types of signs may be permitted as individually approved by the Planning and Zoning Board.

XI-26.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-5 Business Park Districts:

- P. Article XI-3 General Regulations
- Q. Article XI-4 Prohibited Signs
- R. Article XI-5 Exempt Permits and Signs

XI-26.3. Real Estate Signs. Real Estate Signs in accordance with the provisions of Article XI-16.

XI-26.4. Changeable Message Board. Permanent signs containing a Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-26.5. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-26.6. Additional Signs. Each building in the B-5 Business Park District shall be permitted one (1) central Directory Sign to provide for individual tenant identification. A design plan for the Directory Sign shall be submitted to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for long term maintenance of the sign.

XI-26.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in B-5 Business Park Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-26.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-26.10. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 27

B-6 BUSINESS ADULT ENTERTAINMENT DISTRICT

XI-27.1. Signs Permitted. The types of signs provided in this Section shall be permitted in B-6 Business Adult Entertainment Districts in accordance with the requirements provided herein.

XI-27.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in B-6 Business Adult Entertainment Districts:

- S. Article XI-3 General Regulations
- T. Article XI-4 Prohibited Signs
- U. Article XI-5 Exempt Permits and Signs

XI-27.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-27.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall not exceed seventy five percent (75%) of the sign face.

XI-27.5. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. All establishments shall be limited to one (1) Wall Sign only, not to exceed fifteen (15) square feet in area and shall be placed on the front of the establishment.
2. Signs shall not have flashing lights or graphic displays.
3. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
4. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
5. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
6. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
7. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
8. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the

lowest point of the sign.

XI-27.6. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 28

I-1 LIGHT INDUSTRIAL DISTRICT

XI-28.1. Signs Permitted. The types of signs provided in this Section shall be permitted in I-1 Light Industrial Districts in accordance with the requirements provided herein. Additional types of signs may be permitted as individually approved by the Planning and Zoning Board.

XI-28.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in I-1 Light Industrial Districts:

- V. Article XI-3 General Regulations
- W. Article XI-4 Prohibited Signs
- X. Article XI-5 Exempt Permits and Signs

XI-28.3. Real Estate Signs. Real Estate Signs in accordance with the provisions of Article XI-16.

XI-28.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall not exceed seventy five percent (75%) of the sign face.

XI-28.5. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-28.6. Additional Signs. Each building in the I-1 Light Industrial District shall be limited to one Monument Sign, but shall also be permitted to utilize Wall Signs.

XI-28.7. Directory Sign. An industrial park development shall be permitted one (1) central Directory Sign to provide for individual tenant identification. A design plan for the Directory Sign shall be submitted to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for long term maintenance of the sign.

XI-28.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in I-1 Light Industrial Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone

masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.

2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-28.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face and permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-28.10. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 29

I-2 GENERAL INDUSTRIAL DISTRICT

XI-29.1. Signs Permitted. The types of signs provided in this Section shall be permitted in I-2 General Industrial

Districts in accordance with the requirements provided herein. Additional types of signs may be permitted as individually approved by the Planning and Zoning Board.

XI-29.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in I-2 General Industrial Districts:

Y. Article XI-3 General Regulations

Z. Article XI-4 Prohibited Signs

AA. Article XI-5 Exempt Permits and Signs

XI-29.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-29.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-29.5. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-29.6. Additional Signs. Each building in the I-2 General Industrial District shall be limited to one Monument Sign, but shall also be permitted to utilize Wall Signs.

XI-29.7. Directory Sign. An industrial park development shall be permitted one (1) central Directory Sign to provide for individual tenant identification. A design plan for the Directory Sign shall be submitted to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for long term maintenance of the sign.

XI-29.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in I-2 General Industrial Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-29.9. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.

4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-29.10. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 30

I-3 HEAVY INDUSTRIAL/RESOURCE EXTRACTIONS DISTRICT

XI-30.1. Signs Permitted. The types of signs provided in this Section shall be permitted in I-3 Heavy Industrial/Resource Districts in accordance with the requirements provided herein. Additional types of signs may be permitted as individually approved by the Planning and Zoning Board.

XI-30.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in I-3 Heavy Industrial/Resource Districts:

BB. Article XI-3 General Regulations

CC. Article XI-4 Prohibited Signs

DD. Article XI-5 Exempt Permits and Signs

XI-30.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-30.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall occupy a maximum of seventy five percent (75%) of the sign face.

XI-30.5. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-30.6. Additional Signs. Each building in the I-3 Heavy Industrial/Resource Extraction District shall be limited to one Monument Sign, but shall also be permitted to utilize Wall Signs.

XI-30.7. Directory Sign. An industrial park development shall be permitted one (1) central Directory Sign to provide for individual tenant identification. A design plan for the Directory Sign shall be submitted to the Planning and Zoning Board for review and approval. The design plan submittal shall include provisions for and be subject to provisions for

long term maintenance of the sign.

XI-30.8. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in I-3 Heavy Industrial/Resource Extraction Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
3. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-30.9. Pole Mounted Sign. A permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in I-3 Heavy Industrial Districts in accordance with the following requirements:

1. Sign shall not exceed forty-eight (48) square feet in area.
2. Sign shall not exceed a maximum height of twenty feet (20') measured from the ground level to the highest point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest ground level directly beneath the sign to the lowest point on the sign face.
3. Sign shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-30.10. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face shall be permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the

lowest point of the sign.

XI-30.11. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 31

IN-1 INSTITUTIONAL DISTRICT

XI-31.1. Signs Permitted. The types of signs provided in this Section shall be permitted in IN-1 Institutional Districts in accordance with the requirements provided herein.

XI-31.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in IN-1 Institutional Districts:

EE. Article XI-3 General Regulations

FF. Article XI-4 Prohibited Signs

GG. Article XI-5 Exempt Permits and Signs

XI-31.3. Real Estate Signs. Real Estate Signs shall comply with the provisions of Article XI-16.

XI-31.4. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall not exceed seventy five percent (75%) of the sign face.

XI-31.5. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2. .

XI-31.6. Additional Signs. Each building in the IN-1 Institutional District shall be limited to one Pole Mounted Sign or one Monument Sign, but may also be permitted to utilize one Wall Sign or one Projecting Sign per building front face in conjunction with a Pole Mounted or Monument Sign.

XI-31.7. Monument Sign. A permanent on-premise Monument Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in IN-1 Institutional Districts in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features designed and intended to form a display for business identification.
2. Sign area shall not exceed sixty (60) square feet.
3. The sign shall not exceed the maximum height of six feet (6') when located a minimum of twenty feet (20')

from the pavement edge or edge of the street or thoroughfare to which it is directed.

4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
5. For each additional one-foot (1') increase in sign height over six feet (6'), the sign shall be set back an additional three feet (3') from the pavement edge or roadway edge, not to exceed a maximum height of twelve feet (12').

XI-31.8. Wall Signs. Wall Signs (illuminated or non-illuminated) shall be attached flush with the building face and permitted in accordance with the following requirements:

1. Signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, or above the top of a mansard roof, or more than two feet (2') above the eave line of other roof styles.
2. Signs may be attached within the eave lines on a gable, hip, or other style roof projection, but may not extend beyond the roof line of this face.
3. Signs shall not extend horizontally beyond any corner of the building face upon which it is mounted.
4. Signs shall not project outward more than twelve inches (12") from the building face upon which it is mounted.
5. Signs shall not occupy more than twenty-five percent (25%) of the building face, not to exceed a maximum of 150 square feet of the building wall area upon which it is located.
6. Illuminated or electrical Wall Signs shall have a minimum vertical clearance of eight feet (8') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

XI-31.9. Projecting Sign. Projecting Signs (illuminated or non-illuminated) attached to the wall of the building it serves shall be permitted in accordance with the following requirements:

1. Sign shall not project more than forty eight (48) inches from the face of the building upon which it is mounted.
2. Sign shall not exceed sixteen (16) square feet in area.
3. Sign shall have a minimum clearance of ten feet (10') above the nearest ground level or sidewalk level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
4. Sign shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.

XI-31.10. Pole Mounted Sign. A permanent on-premise Pole Mounted Sign (illuminated or non-illuminated) designed and intended to form a display for business identification shall be permitted in IN-1 Institutional Districts in accordance with the following requirements:

1. Sign shall not exceed forty-eight (48) square feet in area.
2. Sign shall not exceed a maximum height of twenty feet (20') measured from the ground level to the highest point on the sign, and shall have a minimum vertical clearance of ten feet (10') from the highest ground level directly beneath the sign to the lowest point on the sign face.
3. Sign shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
4. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-31.11. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI

SECTION 32

O-H HISTORICAL OVERLAY DISTRICT

XI-32.1. Signs Permitted. Signs permitted in the O-H Historical Overlay District shall be the same as signs permitted in the B-3 Downtown Business District (See Article XI-24), subject to the following additional requirements:

1. Signs shall be limited to the business occupant of the business.
2. Signs for a business shall be permitted on the rear of the building, if an entrance to the business is located at the rear of the building.
3. Signs for a business shall not be located at the rear of the building, if the rear entrance to the business is the same entrance to an apartment located at the rear of the building.
4. Signs located at the rear entrance shall not exceed sixty (60) square feet in sign area.
5. Signs located at the rear entrance shall be mounted flush to, or projected parallel to, the face of the building.
6. Signs shall not have interior illumination.
7. Pylon Signs and Billboard Signs shall be prohibited in the O-H District.
8. Each building shall be limited to one wall sign per building face.

ARTICLE XI
SECTION 33
P PARK DISTRICT

XI-33.1. Signs Permitted. The types of signs provided in this Section shall be permitted in P Park Districts in accordance with the requirements provided herein.

XI-33.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in P Park Districts:

HH. Article XI-3 General Regulations

II. Article XI-4 Prohibited Signs

JJ. Article XI-5 Exempt Permits and Signs

XI-33.3. Changeable Message Board. Permanent signs containing a Changeable Message Board, the changeable message board area of the sign shall not exceed seventy five percent (75%) of the sign face.

XI-33.4. Directional Signs. Directional Signs shall comply with the provisions of Article XI-2.

XI-33.5. Activities and Facilities. Signs relating to recreational activities and facilities shall be submitted to the Planning and Zoning Board for review and approval.

XI-33.6. Directory Signs. Directory Signs shall be permitted at the main entrance or entrances to a recreational park. A design plan for the Directory Signs, which may include signs located within the park complex, shall be submitted to the Planning and Zoning Board for review and approval. The design plan submittal shall include and be subject to provisions for long term maintenance of the sign.

XI-33.7. Fund Raising Signs. Signs used for fund raising located within the confines of athletic fields, and generally visible only from the seating area of such athletic field shall be permitted. Signs shall not exceed four feet (4') by eight feet (8') in sign area, and shall be exempt from permit.

XI-33.8. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding forty-eight (48) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of coming business or entity, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

ARTICLE XI
SECTION 34
R RESIDENTIAL DISTRICTS

XI-34.1. Signs Permitted. The types of signs provided in this Section shall be permitted in R Residential Districts in accordance with the requirements provided herein, unless otherwise provided for elsewhere in this Ordinance.

XI-34.2. Additional Regulations. The following regulations, as applicable, shall apply to signs permitted in R Residential Districts:

KK. Article XI-3 General Regulations

LL. Article XI-4 Prohibited Signs

MM. Article XI-5 Exempt Permits and Signs

XI-34.3. Specifically Prohibited Signs. Billboards, portable signs, and signs containing animated, blinking, flashing, intermittent, traveling, or fluctuating lights shall not be permitted in all R Residential Districts of the City of Springville.

XI-34.4. Real Estate Signs. Real Estate Signs shall comply with the provisions of Section 16.

XI-34.5 Address Identification. For single-family, two-family and multi-family dwelling in R Districts nameplates shall be limited to the street address of the dwelling, and the name of the occupants. Lighting of nameplates shall be indirect only

XI-34.6. Identification Signs for Buildings Other Than Dwellings. Permanent identification signs or bulletin boards shall be permitted for buildings other than dwellings in R Districts such as churches, schools, and public buildings in accordance with the following requirements:

1. Signs shall not exceed forty-eight (48) square feet in sign area, unless individually approved by the Planning and Zoning Board.
2. Manually operated changeable copy signs shall not to exceed seventy five percent (75%) of the sign area.
3. Signs may be illuminated.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of street or thoroughfare to which it is directed.

XI-34.7. Home Occupation Identification. Each dwelling in the R District permitting a Home Occupation shall be permitted one (1) identification sign in accordance with the provisions of this Section.

34.7.1. Sign shall not exceed twenty-four inches (24") by eighteen inches (18") in total sign area.

34.7.2. Sign shall be permanently attached.

34.7.3. Sign shall be located at one of the following locations:

1. flush to the building wall at the main entrance; or
2. flush to the building wall at a secondary entrance when secondary entrance is the primary entrance to the Home Occupation; or
3. to a U.S.P.S mail receptacle post; or
4. to a permanently fixed free-standing post not to exceed four feet (4') in height and located no closer than three feet (3') from the edge of pavement or street; or
5. when sign is located at secondary entrance and not readily visible from the street, a single additional sign may be located per Items 3 or 4.

34.7.4. Sign shall be of any material suitable for the use intended.

34.7.5. Sign may be illuminated by direct lighting only.

34.7.6. Each sign, including design, location, and materials, shall be submitted to the Planning and Zoning Board for review and approval.

34.7.7. Sign permit and business license shall be required for approval.

XI-34.8. Monument Sign. A permanent on-premise multi-family, or mobile home subdivision Monument Sign (illuminated or non-illuminated) designed and intended to form a display for neighborhood or subdivision identification shall be permitted in accordance with the following requirements:

1. The sign may be constructed of any materials appropriate for the use intended and may include appropriate design features such as, but not limited to, the following: architectural masonry, brick masonry, stone masonry, glass masonry, steel and appropriate metals, plastic, landscaping, water fountains, water ponds, and similar features.
2. Signs shall be located at the principal entrance(s) to the subdivision, and shall be individually approved by Planning and Zoning subject to a means for long-term maintenance, such as a home owners association.
3. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
4. Such subdivision sign placed on or encroaching upon a public right-of-way may be removed without compensation should they interfere with future public works within the right-of-way.
5. Subdivision signs will only be allowed for subdivisions of ten (10) or more lots, a multi-family development of twenty (20) or more dwelling units, a mobile home park of twenty (20) or more dwelling units., or a City designated neighborhood.

XI-34.9. Temporary Ground Sign. Temporary Ground Signs, non-illuminated, advertising yard sales, garage sales, or the sale of personal property shall be permitted in accordance with the following requirements:

1. Signs shall not exceed four (4) square feet in sign area.
2. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
3. The sign, or any portion thereof, shall not be placed on or encroach upon a public right-of-way.
4. Yard sale signs or garage sale signs shall not be erected more than four (4) days prior to a sale and shall be removed within twenty-four (24) hours after the end of the sale.
5. No other temporary sign shall remain in place longer than thirty (30) days.

XI-34.10. Temporary Subdivision Sign. Temporary Subdivision Signs, non-illuminated, shall be allowed at the principal entrance(s) to the subdivision in accordance with the following:

1. Signs shall not exceed thirty-two (32) square feet in sign area.
2. Sign may be maintained for a period not to exceed two (2) years, or until the permanent subdivision sign is erected.
3. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of street or thoroughfare to which it is directed.
4. Signs shall not be located within the Sight Triangle as defined in this Article XI-2 Definitions.

XI-34.11 Temporary Subdivision Development Sign. Temporary Subdivision Development Signs, non-illuminated, may

be placed at the entrance to a new subdivision development or at the beginning of a new sector/phase within the original subdivision development.

1. The sign may contain information concerning the developer and/or builders in the new subdivision development or in a particular sector/phase.
2. One such sign, not exceeding thirty-two (32) square feet in sign area, shall be allowed at the boundary of the sector/phase currently under development.
3. When installed at the entrance of a new subdivision development, such sign shall not be placed forward of the Subdivision Entrance Sign.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Said sign may remain in place until such time that ninety percent (90%) of the lots are sold, but shall not exceed three (3) years from issuance of the building permit to which it pertains.

XI-34.12. Additional Temporary Subdivision Development Sign. One additional Temporary Subdivision Development Sign, not exceeding thirty-two (32) square feet in sign area, may be located along the nearest main traffic thoroughfare leading to the development, and may be maintained for a maximum period of two (2) years. Said sign shall be located a minimum of fifteen feet (15') from the pavement edge or edge of street or thoroughfare to which it is directed. The sign, nor any portion thereof, shall not be placed on or encroach upon a public right-of-way.

XI-34.13. Construction Sign. One Construction Sign shall be permitted per street frontage located adjacent to and along the lot where the building construction is proposed or is in progress under a current building permit.

1. The sign shall be a Ground Sign not exceeding twenty-four (24) square feet in sign area.
2. The sign shall be non-illuminated.
3. The sign may include the name of the entity, if other than residential, names of persons and firms performing services, labor or supplying materials to the premises.
4. Signs shall not be located closer than fifteen feet (15') from the pavement edge or edge of the street or thoroughfare to which it is directed.
5. Construction signs shall not be erected more than six (6) months prior to beginning of construction, and shall be removed before a Certificate of Occupancy is issued.

END of ARTICLE XI

ARTICLE XII
TREE CONSERVATION AND LANDSCAPE PLANTING

ARTICLE XII
SECTION 1
SCOPING

XII-1.1. Ordinance No. 2006-04. City of Springville Ordinance No. 2006-04, *Guidelines for Tree Conservation and Landscape Planting*, adopted February 06, 2006, shall be incorporated by reference as part of this Zoning Ordinance, as adopted and amended, by the City of Springville.

XII-1.2. Interpretations. All references in this Zoning Ordinance regarding issues of landscaping or tree conservation shall be subject to the provisions of the *Tree Conservation and Landscape Planting Ordinance* No. 2006-04. Any conflict between Ordinance No. 2006-04 and this Zoning Ordinance shall be resolved in favor of Ordinance No. 2006-04, except as mandated otherwise by the Planning and Zoning Board or by the City Council.

END of ARTICLE XII

APPENDIX A

SEE ARTICLE I-1.2

CURRENT ZONES with COMPARABLE PREVIOUS ZONES

<u>Current Zones</u>		<u>Comparable Previous Zones</u>	
A-1	Agriculture District	AG	Agricultural District
	None Comparable	H-1	Historical District
B-1	Local Shopping District	B-1	Limited Business District
B-2	General Business District	B-2	General Business District
B-3	Downtown Business District	B-3	Downtown Business District
B-4	Residential Neighborhood Business District		None Comparable
B-5	Business Park District		None Comparable
C-5	Business Adult Entertainment District		None Comparable
I-1	Light Industrial District	M-1	Light Industrial District
I-2	General Industrial District		None Comparable
I-3	Heavy Industrial/Resource Extraction District	M-2	Heavy Industrial District
IN-1	Institutional District		None Comparable
O	Overlay District		None Comparable
O-H	Historical Overlay District	H-1	Historic District
O-GW	Groundwater/Wellhead Protection Overlay District		None Comparable
P	Park District		None Comparable
PUD	Planned Unit Development	PUD	Planned Unit Development
Q	Qualified Zone District		None Comparable
R-E	Single-Family Residential Estate District	R-E	Single-Family Estate
R-1	Single-Family Residential District	R-1	Single-Family Residence
R-2	Multi-Family Residential District	R-2	Multi-Family Residential
R-3	Single-Family and Mobile Home District	R-1MH	Single-Family/Mobile Home
R-4	Garden Home Residential District	R-3	Single-Family/Garden Homes
R-5	Townhouse/Cluster Home Residential District	R-P	Planned Residential District
R-6	Mobile Home Park District	R-MHP	Mobile Home Park District
	None Comparable	MR	Municipal Reserve

END of APPENDIX A