

City of Creola, AL

Proposed Amendments to Creola Zoning Ordinance
Adopted May 2002; Amended November 2014

All proposed changes are highlighted in red, underlined font.

ARTICLE 11: ESTABLISHMENT OF DISTRICTS:

1. **SECTION 4- DISTRICT NOMENCLATURE:** Added two (2) new zoning districts:
R-4 HIGH DENSITY SINGLE FAMILY RESIDENTIAL (pg.38)
R-5 HIGH DENSITY SINGLE FAMILY PATIO RESIDENTIAL (pg.38)
2. **SECTION 5- RESIDENTIAL DISTRICTS:** Added the following text to district descriptions:
4. R-4: High Density, Single Family Residential District
The intent of this district is to provide medium to high density housing options for single family residential uses. (pg. 39)

5.R-5: High Density, Single Family Patio Residential District
The intent of this district is to provide for high density single family residential development. (pg. 39)

ARTICLE 12: DISTRICT REQUIREMENTS:

1. **SECTION 2- TABLE OF PERMITTED USES:**
Added R-4 and R-5 to the Table of Permitted Uses (pg.43)
Added R (Uses Permitted by Right) to Accessory buildings and uses on the Table (pg.43)
Added R (Uses Permitted by Right) to Dwelling, One Family on the Table(pg.50)
2. **SECTION 5- REQUIREMENTS FOR LOT AREA,WIDTH, COVERAGE, DENSITY AND OTHER FACTORS**
Added R-4 and R-5 minimum lot size requirements to the table (pg.65)
3. **SECTION 6- MINIMUM SETBACKS YARD REQUIREMENTS**
Added R-4 and R-5 minimum setback and yard requirements to the table(pg.66)
4. **SECTION 7- MAXIMUM BUILDING HEIGHT**
Added R-4 and R-5 to text (pg.67)
5. **SECTION 9- LANDSCAPING**
Removed shall and added may (pg.68)

ARTICLE 14: SPECIAL PROVISIONS:

1. **SECTION 9- SIGNS: LETTER H. Schedule of Permitted Sign Requirements**
Added R-4 and R-5 to the table(pg.98)



larger(est) portion may be extended to the remainder by the Planning Commission without recourse to amendment procedure.

- 4. Where a public road, street or alley is officially vacated or abandoned, the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned road, street or alley.
- 5. In case the exact location of a boundary cannot be determined by the foregoing methods, the Board of Adjustment shall upon application, determine the location of the boundary.

SECTION 3 USE COMPLIANCE

- A. Any use permitted in any district whether by *Right (R)*, *Requiring Review (P)*, or as a *Special Exception (S)*, must comply with the requirements of the district in which it is located, unless variance from such requirements is specifically requested and approved by the Board of Adjustment.
- B. In general, any higher use may be permitted with Planning Commission approval in a lower use district, but no lower use shall be permitted in a higher use district, except as otherwise noted in the Table of Permitted Uses or where such use exists at the time of enactment of this ordinance.

SECTION 4 DISTRICT NOMENCLATURE

To achieve the purposes of this Ordinance, the City of Creola is hereby divided into the following zoning districts:

<u>SYMBOL</u>	<u>DISTRRICT</u>
R-1	Low Density, Single Family Residential District
R-2	Medium Density, Single Family Residential District
R-3	High Density, Single Family, Multi-Family and Mobile Home Park District
<u>R-4</u>	<u>High Density, Single Family Residential District</u>
<u>R-5</u>	<u>High Density, Single Family Patio Residential District</u>
B-1	Local Business District
B-2	General Business District
M-1	Light Industrial District
M-2	General Industrial District
FHD	Flood Hazard Overlay District

The following provisions apply to all zoning districts and are listed in the Table of Permitted Uses, unless provided for elsewhere in this ordinance. They are listed in the following three categories:

- 1. Uses Permitted by *Right (R)*
The following sections indicate uses permitted by *Right*, unless otherwise noted, in each District and are subject to the conditions specified in this Ordinance.



2. Uses Permitted by *Requiring Review (P)*
Certain uses require the review and approval of the Planning Commission as being in harmony with the orderly and appropriate development of the District in which the use is located.
3. Permitted by *Special Exception (S)*
Uses permitted by Special Exception are subject to site plan review as to location and other features, and also require additional review and approval by the Board of Adjustment.

In any case where a use is not specifically referred to under Uses Permitted or elsewhere in the Ordinance, its status shall be determined by the Building Inspector by reference to the most clearly analogous use or uses that are specifically referred to under Uses Permitted. When the status of a use has been so determined by the Building Inspector, such determination shall thereafter have general application to all uses of the same type.

SECTION 5 RESIDENTIAL DISTRICTS

1. R-1: Low Density, Single Family Residential District
This district is provided to afford opportunity for choice of low density suburban residential environment consisting of single family homes on large parcels of land.
2. R-2: Medium Density, Single Family Residential District
This district is intended as a medium density single family urban residential district, with lots of moderate size.
3. R-3: High Density, Single Family, Multi-Family and Mobile Home Park District
This district is intended to provide for a higher density of single family structures on smaller lots than those allowed in the R-1 and R-2 districts, duplexes, apartments and mobile home parks. The intent of this district is to provide opportunity for high density residential development in specified areas. Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good high density living environment by providing for needed community services. Public or community water and sewer facilities are required.
4. R-4: High Density, Single Family Residential District
The intent of this district is to provide medium to high density housing options for single family residential uses.
5. R-5: High Density, Single Family Patio Residential District
The intent of this district is to provide for high density single family residential development.



SECTION 2 TABLE OF PERMITTED USES

TABLE OF PERMITTED USES										
ZONING DISTRICT	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	M-1	M-2
Accessory buildings and uses	R	R	R	R	R	R	R	R	R	R
Agriculture and related farming operations, including horticulture, plant nurseries, market gardening, field crops, orchards and home gardens.	R					R		R	R	R
Air conditioning sales and service.						R	R	R	R	R
Airport and/or crop dusting-spraying service; need not be enclosed within a structure.						S	S	S	S	S
Ambulance/EMS service.	S					R	R	R	R	R
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened, or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area: Amusement and recreation services are as follows:										
*Amusement park						R	R	R	R	R
*Amusement arcade, kiddie land									S	S
*Archery range	S					R	R	R	R	R
*Baseball batting range	S					R	R	R	R	R
*Billiard or pool hall						R	R	R	R	R
*Bowling alley						R	R	R	R	R



Dairy products sales.					R	R	R	R	R
Delicatessen.					R	R	R	R	R
Department store.					R	R	R	R	R
Dog pound: need not be enclosed within a structure.					R	R	R	R	R
Drive-in restaurant.					R	R	R	R	R
Drug store.					R	R	R	R	R
Dry cleaning shop, including self-service.					R	R	R	R	R
Dry goods or fabric store.					R	R	R	R	R
Dwelling, one-family.	R	R	R	<u>R</u>	<u>R</u>	R	R	R	R
Dwelling, two-family.		R	R		R	S	S	S	
Dwelling, multi-family.					R	R	R	R	
Electric power generating plant.						S	S	S	S
Electric power substation: need not be enclosed within a structure but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screening in most districts.	P	P	P		P	P	P	P	P
Electric repair shop.					R	R	R	R	R
Electric supply store.					R	R	R	R	R
Elevator maintenance service.						R	R	R	R
Employee credit union office.							R	R	R
Exterminator service office.					R	R	R	R	R
Farm and garden equipment and supply store.					R	R	R	R	R
Farmers' markets.					R	R	R	R	R
Fix-it shop, including small appliance repair.					R	R	R	R	R
Fixture sales.					R	R	R	R	R
Floor covering sales and service.					R	R	R	R	R



ZONING DISTRICT	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width At Set-back Line	Maximum Lot Coverage (%) *	Maximum Density**	Maximum Height
<i>R-1 Low Density Residential</i>					
Single Family w/septic tank & well	20,000	100	25	2.0	35'
w/septic tank & public water	15,000	100	25	2.0	35'
w/both public sewer & water	15,000	100	25	2.5	35'
<i>R-2 Medium Density Residential</i>					
Single Family	15,000	100	25	4.0	35'
Two Family (per unit)	7,500	100	25	4.0	35'
<i>R-3 High Density Residential</i>					
Single Family	15,000	100	40	4.0	40'
Two Family (per unit)	7,500	100	40	4.0	40'
Multiple Family (per unit)	5,000	100	40	15.0	40'
<i>Mobile Home Parks</i> (see Article 14)					
<i>R-4 High Density Single Family Residential</i>					
Single Family	7,000	70	40	6	35'
<i>R-5 High Density, Single Family Patio Residential</i>					
Single Family	5,000	50	38	8	35'
*Does not apply to lots of record smaller than required in the district in which they are located.					
** Dwelling units per gross acre to be developed.					
^a Minimum of 15,000 for two family dwelling					



SECTION 6 MINIMUM SETBACKS YARD REQUIREMENTS

The following front, rear and side yard setbacks shall apply in districts as listed:

	Front Yard		Rear Yard	Side Yard	Corner Lot Side Yard	
	Arterial and Collector Streets	Local Streets and Service Roads			Arterial and Collector Streets	Local Streets and Service
R-1	35	35	30	10	30	25
R-2	35	35	35	10	35	35
R-3*	35	35	35	10	35	35
R-4	30	30	20	8	30	25
R-5	20	20	20	5	30	20
B-1	20	20	20	b	20	20
B-2	20	20	20	b	20	20
M-1	20	20	c	c	20	20
M-2	20	20	c	c	20	20

* Mobile Home Parks see Article 14

- a- Ten (10) feet plus two (2) additional feet for each floor above two stories, but not exceeding twenty (20) feet; and when dwelling unit faces side yard, the dwelling unit must not be less than twenty-five (25) feet from the side lot line.
- b- None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than twenty (25) feet.
- c- None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than fifty (25) feet.

A. Yards

No part of a yard or other open space required for any building for the purpose of complying with the provisions of this ordinance shall be included as part of a yard or other open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys,



flues, and eaves, provided such projections shall not extend more than two (2) feet beyond the yard area requirements.

SECTION 7 MAXIMUM BUILDING HEIGHT

Except as provided for elsewhere in this ordinance, no structure shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in any R-1 or R-2, R-4, or R-5 residential district or more than four (4) stories or forty (40) feet in any R-3, business or industrial district. Structures of more than four (4) stories may be permitted subject to the approval of the City Council.

A. Building Heights

No building shall hereafter be erected, constructed or altered so as to exceed the height limit specified in the regulations herein for the district in which it is located except as otherwise provided in this ordinance.

1. Height Exceptions

The height limits for the various districts shall not apply to church spires, belfries, cupolas, penthouses, or domes not used for human habitation, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices, radio and television transmitting and receiving antennas, or necessary mechanical appurtenances usually carried above the roof level, provided that such features are limited to that height necessary for their proper functioning.

2. In flood hazard areas identified on the National Flood Insurance Rate Maps (FIRM), the height of a building shall be measured from the floor level of the first habitable story for purposes of this section. In addition, the front or rear of any building may be no closer to the front or rear of any other building than forty (40) feet. The side of any building shall be no closer to the side, front or rear of any other building than thirty (30) feet.

SECTION 8 PERFORMANCE STANDARDS FOR NONRESIDENTIAL DISTRICTS

In all nonresidential districts where facilities are permitted, they shall comply with the following minimum standards:

- A. Lots shall be of sufficient size to accommodate the intended use, including adequate parking and loading facilities in addition to space required for the conduct of other operations of the business, and to otherwise comply with the provisions of this ordinance.
- B. Where a business district abuts any part of a residential district, a buffer zone twenty-five (25) feet wide shall be required; where an industrial district abuts any part of a



residential or business zone, a buffer zone of twenty-five (25) feet shall be required. Said buffer zones shall be in addition to the yard requirements and shall be fenced or screened subject to the following regulations:

1. *Wall or fence.* If a wall or fence is provided as a protection buffer, it shall be six (6) feet high and of a construction and a design approved by the Planning Commission. Said wall or fence shall be maintained in good repair by the owners of the property.
 2. *Screen planting strip.* If a screen planting strip is provided as a protection buffer, it shall be at least twenty-five (25) feet in width, shall be planted with materials in sufficient density and of sufficient height (but in no case less than six (6) feet high at the time of planting) to afford protection to the residential or business district from the glare of lights, from blowing papers, dust and debris, from visual encroachment, and to effectively reduce the transmission of noise. Screen planting shall be maintained, by owner, in a clean and neat condition and in such manner as to accomplish its purpose continuously.
- C. No primary entrances or exits shall direct traffic into adjacent residential or business districts. Adequate parking as required in Article 14 shall be provided. Adequate space for service and supply vehicles to get in and out or turn around shall also be provided.
- D. Noise, air pollutants including dust emissions, and surface runoff shall not exceed background levels by more than ten (10) percent.

SECTION 9 LANDSCAPING

A landscaping plan may be required for any development within the City of Creola, but is mandatory for all multi-family developments including apartments, townhouses, condominiums, and for all business and industrial developments. Such plan shall be submitted to the Building Inspector prior to commencing any stripping of land or construction activities. The plan shall clearly show what existing trees will remain, as well as what shrubbery and other vegetation will be added to complete the final landscaping of the property. No trees greater than six (6) inches in diameter shall be removed unless it can be shown that the tree is a safety hazard to pedestrians, property or vehicular traffic; that it is diseased or weakened by age, storm, fire or other injury; that it is absolutely necessary to construct proposed improvements without incurring significant additional costs; or that it is necessary for the installation of solar energy equipment. In such case, the developer's landscape plan shall indicate replacement trees at least six (6) feet tall and one (1) inch in diameter for each tree removed and the landscaping plan shall show the placement of the proper number of required new trees. The plan **shall may** include renderings by a landscape architect and any other documentation required by the Planning Commission.



1. Signs indicating the name of any fixed dwelling or mobile home subdivision; mobile home park; apartment, townhouse, condominium, office park, shopping center, industrial park or other residential or business complex permitted in any district; and signs for any use permitted by Right, with planning approval or as a special exception in any residential district, are permitted. Such signs shall not exceed fifty (50) square feet in area per face, two (2) faces, twenty-one (21) feet in height, and one (1) such sign per street frontage.
2. Permitted signs shall require a permit unless otherwise excepted elsewhere in this ordinance.
3. Gasoline or other motor vehicle fuel pricing signs, in addition to permitted name or identification signs, are permitted in any business or industrial district. Such signs shall not exceed twelve (12) square feet in area and must comply with the other sign requirements for the district in which they are located.

H. Schedule of Permitted Sign Requirements

Zoning District	Type of Use	Maximum Area/Face	Maximum Number of Faces	Maximum Height	Maximum Number of Signs Permitted
R-1	SF Residential	6 sq. ft.	1	6 ft.	1 per premises
R-2	SF Residential	6 sq. ft.	1	6 ft.	1 per premises
R-3	High Density Multi-Family Residential	6 sq. ft.	1	6 ft.	1 per premises
R-4	High Density, Single Family Residential	6 sq. ft.	1	6 ft.	1 per premises
R-5	High Density, Single Family Patio Residential	6 sq. ft.	1	6 ft.	1 per premises
B-1	Neighborhood Professional Business	35 sq. ft. per premises	2	10 ft.	1 per street frontage
B-2	General Business	75 sq. ft. per premises	2	21 ft.	1 per street frontage; 2 if the premises frontage is greater than one thousand (1,000) linear