



ORDINANCE 2022-01 DETERMINATION OF THE TOWN COUNCIL OF PERDIDO BEACH, ALABAMA, REGARDING PROPOSED TEXT AMENDMENTS, SUCH DETERMINATION AS AUTHORIZED PURSUANT TO TITLE 11, SUBTITLE 2, CHAPTER 52, ARTICLE 4, SECTION 11-52-70 CODE OF ALABAMA, 1975, AS AMENDED.

WHEREAS, Land Use and Zoning text amendments may be necessary to further the Town's land use policies and to keep pace with the current development trends and to address regulatory language pertaining to the Town of Perdido Beach Land Use and Zoning Ordinance; and

WHEREAS, and an amendment to the Land Use and Zoning Ordinance may be initiated:

- (a) by a motion of the Town Council, or
- (b) by a motion of the Planning Commission; and

WHEREAS, The Perdido Beach Planning Commission held a public hearing on September 1, 2021 to hear input for or against the proposed text amendments; and

WHEREAS, The Town Council of the Town of Perdido Beach, Alabama held a public hearing on May 12, 2022 wherein testimony was offered and considered; and

WHEREAS, the requirements of Title 11, Subtitle 2, Chapter 52, Article 4, Section 11-52-70 and section 11-52-77 Code of Alabama 1975, as amended, regarding procedures to amend the Perdido Beach Land Use and Zoning Ordinance have been met.

Article I Purpose, Enactment, and Short Title

Remove Section 1.8 Enactment

Article II Establishment of Zoning Districts- Section 2.1

RA Rural Agricultural District: This zoning district provides for large, open non-subdivided land which is vacant or is being used for agricultural, forest, livestock or other rural purposes and is limited to residential density of one dwelling unit per lot.

Remove

CR Conservation Resource District: This zoning district provides for open, non sub-divided land which is environmentally constrained and is used for agricultural, forest, or other rural purposes.

ER Single Family Estate District: This zoning district provides for low density residential development consisting of single family dwellings on large lots and is limited to one dwelling unit per lot. May accommodate livestock.

B1 Business District: This zoning district provides for limited retail convenience goods and personal service establishments as well as, office type buildings and land uses which are most compatible with, and are located near residential areas and which typically provide services and associated sales related to those services.

REMOVE

B2 Local Business District: This zoning district provides for all allowed in Zoning District B 1 and for limited retail convenience goods and personal service establishments in or near to residential neighborhoods.

Article III Rural Districts

3.1.1 Generally. This zoning district provides for large, open, non-subdivided land which is vacant or is being used for agricultural, forest, livestock or other rural purposes.

Remove Section 3.2 CR Conservation Resource District

Article IV Residential Districts

Section 4.1 ER Single Family Estate District

4.1.1 Generally. This Zoning district provides for low density residential development consisting of single family dwellings on large size lots. May accommodate livestock.

4.1.5 *Area and Dimensional values*

Minimum Lot Area 2 Acres

Article V Commercial Districts

Section 5.1 B-1 Business District

5.1.1 *Purpose and Intent.* The purpose and intent of the B-1 Business District is to provide for office, limited retail convenience goods and personal service type buildings; land uses with low traffic volumes anticipated throughout the day with limited peak traffic conditions in the morning and evening; and land uses which are most compatible with and located near residential areas.

Remove Section 5.2 B-2 Local Business District

Article XII General Requirements

12.2.2 A recreational vehicle may be occupied as living quarters on a temporary basis for up to a maximum of eighteen (18) months pending the repair/rebuilding of a primary dwelling following any disaster which may render the primary dwelling uninhabitable. Recreational vehicles may be occupied as living quarters on a temporary basis for up to a maximum of six (6) months pending the final construction of a newly constructed home. Extensions in excess of this period may be given upon demonstration of a need to continue temporary use. A recreational vehicle, when used as temporary living quarters may only be occupied by the owner/occupant of the primary dwelling being repaired or rebuilt and must be located on the same parcel as the subject primary dwelling. In addition, the recreational vehicle must meet the location and setback requirements specified for accessory structures in residential districts, not to be utilized as an accessory dwelling. (See *Section 13.1.2 (a)*).

(a.) Recreational Vehicles utilized during new construction, pending repair, or rebuilding must have sewer/water, septic/well, garbage services, and utilities on site.

REMOVE 12.2.3 Model Home Sales Centers

Article XIII Design Standards

13.1.2 Residential districts

(f) Accessory dwelling square footage shall not exceed 60% of principal dwelling

REMOVE Section 13.3 Residential Docks, Piers and Related Structures

Article XIXA Administrative Procedures

19A.13.5 Upon recommendation from the planning Commission the Town Council shall fix a reasonable time for consideration of a proposed rezoning, amendment, supplement, modification, or repeal and give public notice thereof. At least fifteen (15) days prior to the public hearing, notice of said action shall be posted in for conspicuous places within the municipality as designated by the Town Council 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 rezoning, amendment, supplement, modification, or repeal. In the case of rezoning, at least five (5) days prior to the Public Hearing, notice will be sent by certified mail, return receipt requested, to the applicant and to all adjacent property owners as their names appear in the Baldwin County Tax Records.

REMOVE Section 19A.14 Agricultural Land

Article XXII Definitions

Section 22.2 Words and Terms Defined

Accessory dwelling: An accessory building used as a complete, independent living facility. Said accessory building shall not exceed 60% of the square footage of the principal dwelling.

Kennel: Any place or premises where four (4) or more dogs over 4 months of age are kept for breeding or boarding.

Livestock: Domesticated animals raised in an agricultural setting to produce labor and commodities such as meat, eggs, and milk. Horses are considered livestock.

Article XXIII Table of Permitted Uses

Changes made to the Table of Permitted Uses

FIGURE 1 See Attachment

NOW THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF PERDIDO BEACH, ALABAMA, IN A REGULAR SESSION ASSEMBLED that the text amendments found in the below listed articles are amended.

Articles:

I – Purpose, Enactment and Short Title

II – Establishment of Zoning Districts

III – Rural Districts

IV – Residential Districts

V – Commercial Districts

XII – General Requirements

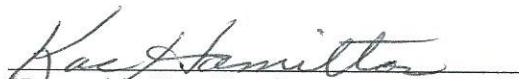
XIII – Design Standards

XIXA – Administrative Procedures

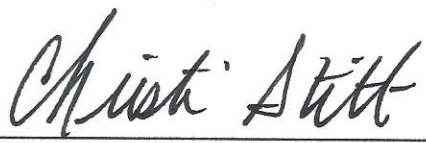
XXII - Definitions

Figure 1 – Table of Permitted Uses

Done, under the Seal of the Town of Perdido Beach, Alabama, on this the 12th day of May, 2022


Honorable Kae Hamilton, Mayor

Attest


Christi Stitt, Town Clerk

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
RESIDENTIAL USES								
Accessory Dwelling One Unit per Lot	P	C	C	C				
Accessory structures a and uses	P	P	P	P	P	P	P	P
Boarding, rooming or lodging house, dormitory					P			C
Mobile Home								
Manufactured Homes	P	P	P	P				
Modular Homes	P	P	P	P				
Multiple family dwelling								
Recreational Vehicle								
Park (added)								
Single family dwelling	P	P	P	P				
Townhouse								
Two family dwelling								
AGRICULTURE USES								
Agriculture	P	C						

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
Animal raising	P	C						
Dairying	C							
Farming								
Hatchery, poultry and fish	C	S						
Horticulture	P	C						
Pasturage	P	C						
Silviculture	P	P	P	P	P	P	P	P
Stables public	C	C						
Stables private	P	C						
INSTITUTIONAL USES								
Ambulance/EMS Service	C				P			P
Art gallery or museum					P			
Child Care center	C				P			
Church or similar facility	P	P	P	P	P	P	P	

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
City Hall or courthouse					P			
Club	C							
Correctional, detention penal institution								
Home Occupation	C	C	C	C				
Fire Station					P			
Library					P			
Police Station					P			
Post Office					P			
Sanitarium								
School (public or private)		C			P			
YMCA, YWCA								
PROFESSIONAL SERVICE & OFFICE USE								
Bank					P			
Barber shop or beauty parlor					P			

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
Clinic or Doctor office (medical, dental, psychiatric					P			
Laboratory, scientific medical, dental					P			
Mixed commercial/residential					C			
Office					P	P		P

Optician

P

Studio for dance, music
photography, painting
etc..

P

LOCAL
COMMERCIAL USES

Antique store

P

Apparel and
accessory store

P

Art supplies

P

Bakery retail

P

Bed and breakfast
or tourist home

C

C

C

C

P

P

Bicycle sales and service

P

[illegible]

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
Automobile repair (mechanical and body)								C
Bakery wholesale								P
Business machine sales and service								P
Country club					C	C		
Exterminator service office								C
Farm implement sales & repair								C
Farmer's market/truck crops					P			
Firing range, indoor		C						
Fitness center or gym					C			
Landscape sales					C			P
Lawnmower sales and service								P
Miniature golf								P
Mini-warehouse								C
Nursery (landscaping)	P							

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
Seafood store					C	C		
Stone monument sales								P
Taxidermy								C
OUTDOOR RECREATION USES								
Ball fields							C	
Conservation easement	P	P						
Golf course							C	
Park, playground, public park, public pier, public boat launch and other outdoor recreational uses							P	
Equestrian academy							C	
Swimming pool (outdoor)							C	
Tennis court (outdoor)							C	
Wildlife sanctuary	C	C					C	

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
MARINE RECREATION USES								
Bait Store					P	P		P
Boat sales and service						P		P
Marina						P		P
Marine store and supplies						P		P
TRANSPORTATION COMMUNICATION & UTILITY USES								
LIGHT INDUSTRIAL USES								
Boat building/boat construction facility								P
Cabinet shop					C			P
Contractor's Yard								C
Ice plant						C		C
Lumberyard								C
Machine shop								C

TOWN OF PERDIDO BEACH LAND USE AND ZONING ORDINANCE

	RA	E-R	R-1	R-2	B-1	MR	OR	I
Machinery, tools and construction equipment sales and service								C
Manufacturing, repair, assembly or processing establishments of a light industrial nature including; food and milk products; clothing; musical instruments; optical, medical & electronic equipment; souvenirs and novelties; toys, sporting goods & athletic goods								C
Millwork								C
Vehicle wrecking								
Marine warehouse and storage facilities								C
Welding shop								P