

SECTION 602 RESIDENTIAL (R-2) DISTRICT REGULATIONS (SINGLE FAMILY AND TWO FAMILY)

602.1 USES PERMITTED:

602.1.1 Single family and two family dwellings, accessory structures, playgrounds, parks, public buildings of a governmental nature, including public schools, libraries and fire stations.

602.2 USES PERMITTED ON APPEAL:

602.2.1 Home occupations, public utilities, substations, pumping stations, public buildings of a proprietary nature, general hospitals for humans and uses including private schools and churches; also nursery for children.

602.3 USES PROHIBITED:

602.3.1 Business, commercial, industrial uses and services conducted for profit, home occupations unless specifically permitted by the Board of Adjustment, billboards, signs, mobile homes, mobile home parks, overnight parking of any vehicle used in a business for profit.

602.4 REQUIRED LOT AREA AND WIDTH, YARDS, BUILDING AREA AND HEIGHT FOR RESIDENCES: *Minimum size 1000 sq. ft.*

602.4.1 Minimum lot area, 10,000 square feet.

602.4.2 Minimum lot width at setback line, 70 feet.

602.4.3 Minimum depth of front yard, 25 feet (minimum setback line).

602.4.4 Minimum depth of rear yard, 30 feet.

602.4.5 Minimum width of side yard, 10 feet; if a structure includes a carport a five foot side yard will be permitted on the carport side.

602.4.6 Maximum total building area, 30 per cent of total lot area.

602.4.7 Maximum height of structures, two stories or 35 feet.

602.5 OFF-STREET PARKING REQUIREMENTS:

602.5.1 See Article IV, Section 402.

603.5 OFF-STREET PARKING REQUIREMENTS:

603.5.1 See Article IV, Section 402

SECTION 604 MEDICAL (M) DISTRICT REGULATIONS

604.1 USES PERMITTED:

604.1.1 Hospitals for humans.

604.1.2 Nursing Schools or dormitories

604.1.3 Offices or clinics for medical or dental practice and apothecaries.

604.1.4 Any activity which is customarily considered as being accessory to a hospital, clinic or nursing home.

604.2 USES PERMITTED ON APPEAL:

604.2.1 Any activity which is directly related to the medical profession such as nursing homes but subject to such conditions and safeguards as the Board of Adjustment may require to preserve and protect any portions of the City which otherwise could be adversely affected.

604.3 USES PROHIBITED:

604.3.1 Animal clinics or kennels, dog pound, industrial type land uses not specifically permitted, mobile homes and mobile home parks.

604.4 MINIMUM LOT SIZE:

604.4.1 It is the intent of this ordinance that all lots be of sufficient size for any institutional use to provide adequate building area, loading space, parking and open space in addition to the space required for the other normal operations of the land use qualifications in this medical district.

604.5 MINIMUM YARD SIZE:

604.5.1 Front yard 20 feet.

604.5.2 Rear yard, 20 feet.

604.5.3 side yard; none specified except on a lot adjoining along its side lot line a lot which is in a residential district there shall be a side yard of not less than eight (8) feet.

604.6 MAXIMUM HEIGHT:

604.6.1 None specified except that the building height shall not exceed the limitations of the City Fire Department.

604.7 OFF-STREET PARKING:

604.7.1 See Article IV, Section 402

604.8 OFF-STREET LOADING AND UNLOADING:

604.8.1 Shall use rear or side yard for loading and unloading. See Article IV, Section 403. A plot plan including a topography map, drainage plan, plot plan, parking, loading, and unloading shall accompany all applications for a building permit.

SECTION 605. BUSINESS (B-1) DISTRICT REGULATIONS (HIGHWAY-COMMERCIAL)

605.1 USES PERMITTED:

605.1.1 Hotels, motels, tourist homes, mobile home parks, gas stations, indoor repair of motor vehicles, restaurants, ice cream retail places, novelty shops and drug stores.

605.2 USES PERMITTED ON APPEAL:

605.2.1 Any retail business or service similar to the above permitted uses and which are dependent upon ready access to the traveling public.

605.3 USES PROHIBITED:

605.3.1 Any use prohibited in the B-2 Central Business District. Any manufacturing, retail or wholesale business or service other than those listed or implied in Section 605.1.1.

605.4 MINIMUM LOT SIZE:

605.4.1 There is no minimum specified lot size, however, lots used for business purposes in this district must be of sufficient size to provide adequate off-street parking, loading and unloading in

addition to the space required for the other normal operations of the business or service. All applications for building permits must be accompanied by an accurate survey of the property and plot plan showing drainage, elevation, location of the building or structure, sign boards, marquees, parking spaces, drives, etc., which must be approved by the Planning Commission. Although no side yard is specified, if a lot adjoining along its side lot line a lot which is in a residential district, there shall be a side yard not less than ten feet (10) wide.

605.5 MINIMUM YARD SIZE:

605.5.1 Front yard 20 feet

605.5.2 Rear yard 20 feet

605.6 MAXIMUM TOTAL BUILDING AREA:

605.6.1 Thirty (30) per cent

605.7 MAXIMUM HEIGHT:

605.7.1 None specified except that the building height shall not exceed the limitations of the City Fire Department.

605.8 OFF-STREET PARKING:

605.8.1 200 square feet of parking to each 100 gross square feet of one story building or per each 60 square feet of two story building (See Article IV, Section 402)

605.9 OFF-STREET LOADING AND UNLOADING:

605.9.1 Shall use rear or side yard for loading and unloading. See Article IV, Section 403. A plot plan including a topography map, drainage plan, plot plan, parking, loading, and unloading shall accompany all applications for a building permit.

SECTION 606 BUSINESS (B-2) DISTRICT REGULATIONS (CENTRAL BUSINESS DISTRICT)

606.1 USES PERMITTED:

606.1.1 Any retail or wholesale business or service not specifically restricted or prohibited herein.

Major auto repair, places of amusement and assembly, offices, hotels, outdoor advertising structures, all uses permitted in a B-1 Highway Commercial District. Residential units above the first floor.

606.2 USES PERMITTED ON APPEAL:

606.2.1 Dry cleaners and laundries and manufacturing incidental to a retail business where articles are sold at retail on the premises, not specifically prohibited herein. Churches and additions to existing churches.

606.3 USES PROHIBITED:

606.3.1 Animal clinic, hospitals, or kennels, coal yards; lumber yard or mill; auto wrecking; gasoline, oil, gas or alcohol storage above the ground in excess of 500 gallons; junk, scrap, paper, rag storage or baling; grist or flour mill; any use prohibited in an Industrial I District; residential structures on the first floor, dwelling units, mobile homes and mobile home parks.

606.4 MINIMUM YARD SIZE:

606.4.1 None required except where the property abuts a residential area. Side yard; none specified except on a lot adjoining along its side lot line a lot which is in a residential district there shall be a side yard of not less than eight (8) feet.

606.5 HEIGHT OF BUILDINGS:

606.5.1 None specified except that the building height shall not exceed the limitations of the City Fire Department.

606.6 OFF-STREET PARKING:

606.6.1 As required in Article IV, Section 402.

606.7 OFF-STREET LOADING AND UNLOADING:

606.7.1 Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use. See Article IV, Section 403.

SECTION 607 BUSINESS (B-3) DISTRICT REGULATIONS (LOCAL SHOPPING)

607.1 USES PERMITTED:

607.1.1 Neighborhood retail stores and markets including the following types of stores: food, general merchandise, radio and television, drugs and sundries, jewelry and gifts, florists, pet shops and similar types.

607.1.2 Neighborhood services including the following types: dry cleaning and laundry pickup stations, barber shops, beauty shops, shoe repair, offices, banks, post office, theatres, and similar services.

607.1.3 Any use permitted or permitted on appeal in an R-3 Residential District excepting residential structures or units and subject to all district requirements of an R-3 District as specified in Section 603.

607.2 USES PERMITTED ON APPEAL:

607.2.1 Filling stations, provided, however, that gasoline storage above the ground in excess of 500 gallons is prohibited and provided that there is no major auto repair.

607.3 USES PROHIBITED:

607.3.1 Major auto repair, laundry, and dry cleaning plants, manufacturing, trucking terminals, metal working and any use prohibited in a B-2 Business District. (See Article VI Section 606)

607.4 MINIMUM LOT SIZE:

607.4.1 It is the intent of this ordinance that lots of sufficient size be used for any business or service use to provide adequate parking and loading space in addition to the space required for the other normal operations of the business or service.

607.5 MINIMUM YARD SIZE:

607.5.1 Front yard 20 feet; rear yard 20 feet; side yard not specified except on a lot adjoining along its side lot line, a lot adjoining along its side lot line, a lot which is in a residential district there shall be a side yard not less than eight (8) feet wide.

607.6 MAXIMUM HEIGHT:

607.6.1 35 feet or two (2) stories.

607.7 OFF-STREET PARKING:

607.7.1 200 square feet of parking for each 100 square feet of one (1) story buildings and per each 60 square feet of two (2) story buildings (See Article IV, Section 402.)

607.8 OFF-STREET LOADING AND UNLOADING:

607.8.1 Shall use required rear or side yard for loading and unloading. A plot including elevation, drainage, building placement, parking, loading and unloading shall accompany all applicants for building permits.

SECTION 608 INDUSTRIAL (I-1) DISTRICT REGULATIONS (LIGHT INDUSTRY)

608.1 USES PERMITTED:

608.1.1 Light industrial operations not obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke, vibration, noise, odor or effluents, including the following types of business or industry: Ice plants, ice cream plants and creameries; cold storage plants; bottling and central distribution plants; baking plants; textile mills; dyeing plants; warehouses; dry cleaners and laundries; mobile home parks; trucking terminals and similar types of industries or businesses.

608.2 USES PERMITTED ON APPEAL:

608.2.1 Any manufacturing or business use not specifically prohibited herein. Any use permitted or permitted on appeal in a B-2 Business District, excluding

dwellings and subject to all district requirements of said district as specified in Section 606.

608.3 USES PROHIBITED:

608.3.1 Slaughter houses; stockyards; bag cleaning, central mixing plant for cement, mortar, plaster or paving material; curing, tanning or storage of hides; distillation of bones, coal, tar or wood; fat rendering; forge plant; manufacture of acetylene, acid, alcohol, ammonia, bleaching powder, brick, pottery, terra cotta, or tile, concrete blocks, candles, disinfectants, dye-stuffs, fertilizers, illuminating or heating gas including storage, paint, turpentine, varnish, soap and tar products; wool pulling or scouring; junk yards; cotton waste, reclaiming; saw mill and planer mill; dwelling units; excepting one dwelling unit for a watchman or custodian and his family and similar types of plants or operations.

608.4 MINIMUM LOT SIZE:

608.4.1 It is the intent of this ordinance that lots of sufficient size be used for any industrial service or business use to provide adequate parking and loading space in addition to the space required for the other normal operations of the enterprise. The application for building permit must be accompanied by an accurate survey of the property and a plot plan showing the proposed building, drainage, parking, loading and unloading, etc.

608.5 MINIMUM YARD SIZE:

608.5.1 Front yard; none specified except where existing establishments (other than residential) are set back, any new structure shall be set back not less than the average of the setbacks of the existing establishments within one hundred (100) feet each side thereof.

608.5.2 Side yard; none specified excepting a lot adjoining its side lot line another lot which is in a residential district there shall be a side yard not less than ten (10) feet wide.

608.6 MAXIMUM HEIGHT:

608.6.1 None specified except that the building height shall not exceed the limitations of the City Fire Department.

608.7 OFF-STREET PARKING:

608.7.1 Space necessary to accommodate the cars of all workers in the industry or use. Also, space necessary to store overnight all vehicles incidental to the operation of the industry or use.

608.8 OFF-STREET LOADING:

608.8.1 Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use. See Article IV, Section 403.

SECTION 609 INDUSTRIAL (I-2) REGULATIONS (HEAVY INDUSTRY)

609.1 USES PERMITTED:

609.1.1 Any industrial service or commercial use except those which, in the opinion of the building official would cause noise, smoke, gas, vibrations, fumes, dust or other objectionable conditions which would affect a considerable portion of the City.

609.2 USES PERMITTED ON APPEAL:

609.2.1 Any industrial service or commercial use and subject to such conditions and safeguards as the Board of Adjustment may require to preserve and protect any portions of the City which otherwise could be adversely affected.

609.3 USES PROHIBITED:

609.3.1 Residences and apartments, excepting quarters for a watchman or custodian and his family, mobile homes, and mobile home parks, feed lots for cleft-footed animals and fowl.

609.4 MINIMUM YARD SIZE:

609.4.1 Front yard: none specified except where existing establishments (other than residential) are set

back, any new structure shall be set back not less than the average of the setbacks of the existing establishments within one hundred (100) feet each side thereof.

609.5 MAXIMUM HEIGHT:

609.5.1 None specified except that the building height shall not exceed the limitations of the City Fire Department.

609.6 OFF-STREET PARKING:

609.6.1 Space necessary to accommodate the cars of all workers in the industry or use. Also space necessary to store overnight all vehicles incidental to the operation of the industry or use. See Article IV, Section 402.

609.7. OFF-STREET LOADING OR UNLOADING:

609.7.1 Shall provide adequate space for loading or unloading all vehicles or trucks incidental to the operation of the industry or use. See Article IV, Section 403.

ARTICLE VII

ADMINISTRATION AND ENFORCEMENT

SECTION 701. General

- 701.1 No lot, site, tract or parcel of land and no structure within the jurisdiction of this ordinance shall be occupied, erected, altered or used except in conformity with all the regulations herein established and upon performance of all conditions herein set forth.
- 701.2 No building permit, business license, certificate of occupancy or other document shall be issued or approved unless and until the building official or his delegated authority has approved the permit, license or other document certifying that full compliance with the provisions of this ordinance have been met.
- 701.3 Building Permit Required. It shall be unlawful to commence the excavation of or the construction of any building or structure including accessory structures or to store building materials or erect temporary field offices or commence the moving, alteration or repair (except painting or wallpapering) of any structure including accessory structures until the building permit for such work has been issued by the administrative official of the municipality including a statement that plans, specifications and intended use of such structure in all respects conform to the provisions of this ordinance. Application for building permit shall be made to the administrative official (building official) of the municipality on forms provided for that purpose. This building permit application shall be accompanied by plans in duplicate of an accurate drawing of the plot plan showing existing structures, location of proposed buildings, with accurate dimensions, location of off-street parking and off-street loading and unloading spaces required and sufficient other information as may be necessary for the enforcement of these regulations and/or required by the administrative officer (building official).
- 701.4 Approval of Plans and Issuance of Building Permit. It shall be unlawful for the administrative official to approve any plans or issue a building permit for any

excavation or construction until he has inspected such plans in detail and found them in conformity with this ordinance. The administrative official (building official) shall require that each application for a building permit for construction, use of land, moving or alteration, be accompanied by a map or plat drawn to scale and showing the following in sufficient detail to enable the administrative official to ascertain whether the proposed excavation, construction, use of land, moving or alteration is in conformance with this ordinance.

701.4.1 The actual shape, proportion and dimensions of the lot to be built upon.

701.4.2 The shape, size and location of all buildings or structures to be built, altered or moved and other structures existing on the lot.

701.4.3 The existing and intended use of all such buildings or other structures.

701.4.4 The setback and side lines of buildings on adjoining lots and such other information as may be essential for determining whether the provisions of this ordinance are being complied with.

If the proposed excavation, construction, moving or alteration as set forth in the application are in conformance with this ordinance and other City codes, the administrative official of the municipality shall issue a permit accordingly. If an application for a building permit is not approved, the administrative official of the municipality shall state in writing on the application the cause for such disapproval. Issuance of permit shall in no case be construed as waiving any provisions of this ordinance.

701.5 Penalties. Any person violating any provision of this ordinance shall be fined on conviction not less than two dollars (\$2) and not more than one hundred (\$100) dollars and cost of court for each offense. Each day such violation continues shall constitute a separate offense.

701.6 Remedies: In case any building or other structure is erected, altered, constructed, reconstructed, repaired, converted or maintained or any building, structure or land is used in violation of this ordinance, the administrative official of the municipality or any appropriate authority of any adjacent property owner, who would be affected by such violation, in addition to other remedies may institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to correct or abate such violations or to prevent occupancy of such building structures or land.

701.7 Appeals. Any person or corporation aggrieved or any officer or department may appeal to the Board of Adjustment from any order or decision from the office of the administrative official.

701.7.1 Procedure. Such appeal shall be taken by filing with the office of the Board of Adjustment within the time provided by the rules of the Board, a notice of appeal specifying the particular grounds upon which the appeal is taken. Upon receipt of a notice of appeal, the office shall transmit to the Board of Adjustment all original documents and material or true copies thereof constituting the record upon which the order or decision appealed from was based.

701.7.2 Effect of Appeal. An appeal from the office of the administrative official to the Board of Adjustment shall stay all proceedings unless the zoning administrator certifies, that by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. When such certificate is filed, proceedings shall not be stayed except by a restraining order granted after due notice to the office of the administrative official by the Board of Adjustment or a court of competent jurisdiction.

701.7.3 Schedule of Fees

Applications for review by the Planning Commission or Board of Adjustment shall be accompanied by a fee payment of twenty-five (25) dollars requesting review by the Planning Commission or the Board of Adjustment.

ARTICLE VIII

SECTION 801 Appointment, Duties and Responsibilities. A Board of Adjustment is hereby established which shall consist of five members to be appointed by the City Council. Each member shall be appointed for a term of three (3) years. Thereafter, each member appointed shall serve for a term of three (3) years or until his successor is duly appointed and qualified. Members of the Board of Adjustment may be removed from office by the City Council for cause upon written charges and after public hearing. Vacancies shall be filled by resolution of the City Council for the unexpired term of the member affected.

SECTION 802 Proceedings of the Board of Adjustment. 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 and at such other times as the Board may determine, the 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, of failure to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be of public record and be immediately filed in the office of the Board.

SECTION 803 Powers and Duties of the Board.

803.1 Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Official in the enforcement of this ordinance.

803.2 Special Exceptions. To hear and decide any such special exceptions as the Board of Adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether special exceptions should be granted; and to grant special exceptions with 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.

803.3 Variances. To 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. 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 is submitted demonstrating all of the following:

- 803.3.1 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.
- 803.3.2 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.
- 803.3.3 That the special conditions and circumstances do not result from the actions of the applicant.
- 803.3.4 That granting the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other lands, structures or buildings in the same district.

in granting variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violations 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.

The Board of Adjustment shall not grant a variance to permit a use expressly or by implication prohibited by the terms of this ordinance in said district.

SECTION 804. Decisions of the Board of Adjustment. 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 Administrative Official from whom the appeal is taken.

e concurring vote of four members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the Administrative Official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

SECTION 805. Duties of Administrative Official, Board of Adjustment, City Government and Courts on Matters of Appeal.

805.1 Appeal to the Board of Adjustment and to the Courts.

It is the intent of the governing authority of the City of York, Alabama, that all questions of interpretation and enforcement of this ordinance shall be presented first to the Administrative Official. Other than those applications and matters upon which the terms and provisions of this ordinance may require action and decisions by the said Board of Adjustment, only the appeals taken in the manner and form as provided in this ordinance from the actions and decision of the Administrative Official will be considered and acted upon by the said Board of Adjustment. However, any interested party who is aggrieved by any action or decision of the said Board of Adjustment may take an appeal therefrom to a court of law as provided for in the State Law.

ARTICLE IX

AMENDMENTS

SECTION 901. The Mayor and City Council may from time to time on its own motion or on petition, after public notice and hearing as provided by law, amend, supplement or change, modify or repeal the boundaries or regulations herein or subsequently established, after submitting the same to the Planning Commission for its recommendation and report. If the Planning Commission fails to submit a report within thirty (30) days, it shall be deemed to have approved the proposed amendment.

SECTION 902. In case, however, of a protest against such change signed by owners of twenty (20) per cent or more either of the area of lots included in such proposed change, or of those within a radius of one hundred sixty (160) feet of the external boundaries of the area in such proposed change, such amendments shall not become effective except by the favorable five-sixths vote of the legislative body of the City of York.

ARTICLE X

GROUP HOUSING PROJECTS

SECTION 1001. Purpose. It is the intent of this ordinance to establish, define and set up minimum requirements for the various districts. However, to provide for and encourage variety of architectural design and land planning and flexibility of regulations for buildings comprising group housing projects, the provisions of this section waive the requirement for a separate building site for each building and permit two or more buildings to be erected and maintained on certain building sites when certain conditions are met as described hereinafter; group housing and building groups include public housing projects, apartment projects, shopping centers. The provisions of this section are applicable in residential and commercial districts. However, nothing in this section shall permit in any district any use not permitted in that district by the district regulations. In the case of a housing project consisting of a group of two or more buildings to be constructed on a plot of ground of at least one (1) acre, not subdivided into the customary streets and lots and not to be so subdivided or where existing or contemplated street and lot layout make it impractical to apply the requirement of this ordinance to the individual buildings in such housing projects, the application of such requirements to the housing projects shall be done by the Planning Commission in a manner that will be in harmony with the character of the neighborhood and which will insure substantially the character of the occupancy.

The density of land use shall be no higher than that required in the district in a standard or open space at least as high as required by this ordinance in the district in which the proposed project is to be located. No group housing or building group shall be approved until the layout design (plot plan), public utilities, drainage plan, parking, circulation, play areas, etc., are clearly established and approved by the Planning Commission. An office to help in the management of a group housing project shall be considered an accessory use. In no case shall the Board of Adjustment authorize the building height or use in the area in which the housing project is to be located.

ARTICLE XI

LEGAL STATUS PROVISIONS

SECTION 1101. Interpretation and Purpose. In their interpretation and application the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of public health, safety, convenience and general welfare of the community. Where other ordinances or regulations require higher standards than the provisions of this ordinance, such other applicable ordinances or regulations shall govern.

SECTION 1102. Saving Clause. If any section, clause or portion of this ordinance shall be held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the validity of any clause, section or portion of this ordinance which is not so declared to be invalid or unconstitutional.

SECTION 1103. Conflicting Ordinance. This ordinance supersedes any existing zoning ordinance. Any existing zoning ordinance is hereby repealed.

SECTION 1104. Effective Date. This ordinance shall take effect and be in force from and after the date of its adoption, the public welfare demanding it; passed and duly adopted on this the day of 19 by a roll call vote as recorded below:

Voting AYE: Mayor Warren C. Grant
 Councilman Julian E. Walker
 Councilman Thomas B. Norton
 Councilman O. B. Tillery
 Councilman C. H. Hamilton
 Councilman L. B. Anderson

Voting NAY: None

YORK, AL

ADMINISTRATIVE PROCEDURES FOR REZONING

The applicant submits an original and four (4) copies of the application for rezoning together with a check in the amount of \$100.00 dollars payable to the City of York. The application must be submitted thirty (30) days prior to the regularly scheduled monthly Planning Commission meeting. The application must contain a proper legal description of the subject's property, a list of the names and addresses of the record property owners within 200' from the boundary of the subject property and vicinity map exactly locating the property on a partial lot and block map. See Exhibit "A".

Upon receipt of the application for rezoning by the City Clerk, copies of the application are sent to:

- (1). The original and one copy are sent to the Planning Commission file.
- (2). The third copy is sent to the Building Inspector who reviews the application and submits his comments in writing to the Planning Commission prior to the next regularly scheduled Planning Commission meeting.
- (3). The fourth copy is sent to the head of the Utility Board, who reviews the application and submits his comments in writing to the Planning Commission meeting.

- (4). The fifth copy is sent to the Planning Consultant who reviews the application and submits his comments in writing to the Planning Commission and applicant prior to the next regularly scheduled Planning Commission meeting.

NOTE: The Planning Commission is not legally obligated to hold a public hearing.

At the time the City Clerk receives the application for rezoning, she (he) inserts a legal notice in the local newspaper of the public hearing by the Planning Commission stating date, time, place, and legal description of the proposed rezoning. See Exhibit "B".

The Planning Commission holds its Public Hearing and records its recommendations in its Minutes and on the original and first copy of the rezoning application. A copy of the Minutes and the original application for rezoning are sent forward to the Mayor and Council to be discussed at the next regularly scheduled meeting following the Planning Commission meeting.

Upon receipt of the application for rezoning and following discussion by the Mayor and Council, the following procedures are followed:

- (1). The time, date, and place for a public hearing to be held by the Mayor and Council is set.
- (2). The City Clerk inserts a legal advertisement in the local newspaper of general circulation at least two weeks prior to the public hearing. The legal advertisement will state the name of the applicant, the legal description of the property, the current zoning, the proposed rezoning classification, and the date, time, and place of the public

hearing.

- (3). A registered letter is sent to all the property owners within two hundred (200) feet of the boundary of the subjects' property who are the record owners of property according to the records in the Sumter County Court House. See Exhibit "C".
- (4). The Building Inspector constructs a sign on the subject's property advising the traveling public of the public hearing, time, date, and place by the Council.

The Mayor and Council hold the public hearing and make the decision in the affirmative or negative.

1. If the Mayor and Council deny the rezoning, then the applicant can either wait six (6) months and re-apply for rezoning and go through the same process, or take the matter to the Circuit Court.
2. If the application is approved by the Mayor and Council, the applicant is so advised and the City Clerk sends an excerpt of the Council Minutes including a legal description and a vicinity map of the property to the Planning Consultant. The Planning Consultant will then change the Official Zoning Map within sixth (60) days of receipt of the Council Minutes, amending the ordinance and/or map.

CITY OF YORK ORDINANCE NO. 86-2

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF YORK, ALABAMA, WHICH ESTABLISHED RULES AND REGULATIONS FOR GOVERNING THE USE OF LAND WITHIN THE CITY OF YORK, AS FOLLOWS:

BE IT ORDAINED BY THE YORK CITY COUNCIL OF THE CITY OF YORK, ALABAMA, THAT THE CITY OF YORK ZONING ORDINANCE IS HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 414. ANTENNAS

The following criteria shall be employed to determine antenna locations in residential districts.

414.1 In R-1 (Single Family) and R-2 (Single Family and Two Family) districts, antennas shall be located in the rear yard. If usable signals cannot be obtained from such rear yard, the antenna may be located in the side yard, provided that a permit is obtained from the Building Inspector prior to such installation. Such permit shall be issued upon a showing by the applicant that usable signals are not receivable from any location on the property other than the location selected by the applicant. No fee shall be assessed for the issuance of such permit.

414.2 In R-3 (Multiple Family) districts, antennas shall be located in the rear yard. If usable signals cannot be obtained from such rear yard, the antenna may be located in the side yard. If usable signals cannot be obtained from such side yard, the antenna may be located in the front yard provided that a permit is obtained from the Building Inspector.

LAND USE CLASSIFICATION

MAIN CLASSES OF URBAN LAND USES

USE	SYMBOL	USE	SYMBOL
Single-family residences	R-1	Public and semipublic property	S.P.
Two-family dwellings	R-2	Light industry	L.I.
Multifamily dwellings	M	Heavy industry	H.I.
Commercial areas	C	Railroad property	R.R.
Parks and playgrounds	P		

ALPHABETICAL INDEX OF URBAN LAND USES

Abattoir	H.I.	Ash dumps	H.I.
Academy, riding, dancing, etc.	C.	Asphalt manufacture, refining or storage	H.I.
Acetylene gas manufacture	H.I.	Assaying	H.I.
Acid manufacture	H.I.	Assembly hall	S.P.
Adding machine manufacture	L.I.	Athletic field, private	C.
Agricultural implements manufacture	H.I.	Auditorium	S.P.
Air products manufacture	H.I.	Automobile accessories, sale only	C.
Airport	S.P.	Automobile assembly	L.I.
Airplane repair and manufacture	H.I.	Automobile manufacture	H.I.
Aluminum manufacture	H.I.	Automobile laundry	L.I.
Ammonia manufacture	H.I.	Automobile rental agency	L.I.
Ammunition manufacture	H.I.	Automobile repair	L.I.
Amusement park	H.I.	Automobile sales, only	C.
Aniline color or dye manufacture	C.	Aviation field	S.P.
Antique store	H.I.	Bag cleaning	H.I.
Apartment house (3 or more families)	C.	Bag manufacture	H.I.
Aquarium	M.	Baggage transfer, storage, warehouse	L.I.
Armory	S.P.	Bakery, retail	C.
Arsonal, government property	S.P.	Bakery, wholesale or employing 5 or more persons	L.I.
Art gallery	S.P.	Bank	C.
Art shop	C.	Bank equipment manufacture	H.I.
Artificial flower manufacture	L.I.	Barbecue stand	C.
Artists' products manufacture	H.I.	Barber shop	C.
		Barge terminal	L.I.
		Barrel manufacture	H.I.
		Baseball park	C.