

ORDINANCE NO. 2015-1211

**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172,
CITY OF ORANGE BEACH ZONING ORDINANCE,
SECTION 2.02 WORDS AND TERM DEFINED,
SECTION 4.01 TABLE OF PERMITTED USES,
SECTION 4.07 MAXIMUM AND MINIMUM PRINCIPAL BUILDING SIZE,
SECTION 8.01 REQUIRED OFF-STREET PARKING,
SECTION 10.0306 BEACH OVERLAY DISTRICT
(#0904-ZT-15)**

WHEREAS, the following proposed amendment to the City of Orange Beach Zoning Ordinance has been heard and considered by the Orange Beach Planning Commission in Public Session after the required public advertisement period; and,

WHEREAS, the City Council of the City of Orange has held the required Public Hearing after the required public advertisement period concerning the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Orange Beach, Alabama, as follows:

SECTION 1.

Section 2.02 of Ordinance No. 172, the Zoning Ordinance be amended to read as follows:

2.02 WORDS AND TERMS DEFINED

Page 2-2

Bedroom, Sleeping Room. For the purposes of this section, bedrooms or sleeping rooms are considered to be any habitable space within a dwelling unit capable of being used for sleeping purposes. This term shall include, but not be limited to lofts, bunk rooms, home offices and areas designated as future use and shall not apply to areas with specific use designations including kitchen, living room, dining room, bathroom, and laundry room. (rev. Date TBD)

SECTION 2:

Section 8.01 of Ordinance No. 172, the Zoning Ordinance be amended to read as follows:

8.01 REQUIRED OFF-STREET PARKING

There shall be provided, at the time of the erection of any building or at the time any principal building is enlarged or increased in capacity, or before conversion from one type of use or occupancy to another, permanent off-street parking and loading space in the amount specified by this Section.

8.0101 Minimum Off-Street Parking Spaces Required

Page 8-1

- a. Single-family dwelling, attached or detached: two (2) spaces for up to ~~three~~ two (2) bedrooms, for dwelling units with three (3) or more bedrooms or sleeping rooms, one (1) parking space per bedroom or sleeping room.
- b. Two-family structure: two (2) spaces for up to ~~three~~ two (2) bedrooms per unit, for units with three (3) or more bedrooms or sleeping rooms, one (1) parking space per bedroom or sleeping room.
- c. Multi-family structures: two (2) parking spaces for each dwelling unit for up to three (3) bedrooms, three (3) spaces for four (4) or five (5) bedrooms and four (4) spaces for more than five (5) bedrooms; one (1) additional guest parking space per every five (5) units.

- o. Restaurants, lounges, and other eating and drinking places (freestanding, not connected to a hotel or other primary use): one space for each 100 square feet of gross floor area and outdoor seating area;
- p. Restaurants, lounges, and other eating and drinking places (as an accessory use, connected to a hotel or other primary use): 60% of the requirement of one space for each 100 square feet of gross floor area and outdoor seating area;

SECTION 3:

Section 10.0306 of Ordinance No. 172, the Zoning Ordinance be amended to read as follows:

10.0306 Beach Overlay District

The provisions of the Beach Overlay District apply to new construction, additions or structural alterations on all land within the designated district. These provisions shall serve to supplement underlying zoning regulations in order to support the stated purpose of the district, and shall control in the event of conflict.

Single-family dwellings and two-family duplexes are exempted from the provisions of the Beach Overlay District. However, construction of an 8' sidewalk along the State Highway 182 right-of-way, in alignment with and connecting to that of adjacent properties, is required.

A. General Building Design Standards

Page 10-11

- 2. All sides of a principal building that directly face an abutting street shall have a clearly defined, highly visible customer entrance and must be accessible from the sidewalk. Where allowed by zoning district, general business use establishments shall be placed along the State Highway 182 street frontage to promote and enhance the pedestrian environment. Canopies and awnings, with or without structural supports, are required along the fronts of buildings, creating an arcade, and are allowed within the front yard setback, but shall be setback a minimum of 15' from the right-of-way. Arcaded areas may not be enclosed or screened. Courtyard areas located adjacent to the pedestrian-oriented area may be devoted to the pedestrian-oriented space requirement as provided in subsection A.1. above.

B. Vehicular Use Areas

Page 10-12

Surface parking shall be located or buffered in a manner that shields the vehicular use areas from view of pedestrian-oriented areas.

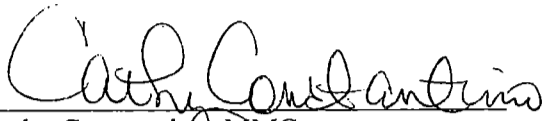
All on-site vehicular use areas within the district must comply with the provisions of Article 8.

- 1. All parking for general business uses shall be located on the side or rear of the building fronting on State Highway 182 or within a parking structure. Shared driveway access between properties is encouraged to minimize the number of ingress/egress points along State Highway 182. The Planning Commission may allow vehicular use areas to be located within the required side yard in consideration of shared ingress/egress between properties. An agreement for the shared access, in the form of a private easement, or other method acceptable to the Director of Community Development, shall be filed with the project application and recorded in the public records of Baldwin County.

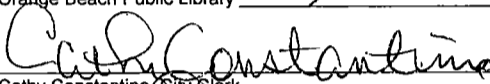
SECTION 4:

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this 17th day of November, 2015.


Cathy Constantino, MMC
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing 2015-1211 was posted on 12/18/15 in the following four (3) public places:
Orange Beach City Hall OK
Orange Beach Post Office _____
Orange Beach Public Library _____


Cathy Constantino, City Clerk