



ORDINANCE 1002

ORDINANCE OF THE CITY COUNCIL OF BAY MINETTE, REGARDING
Case No. RA-2201, Ordinance Amendment related to Section 8.10 of the Zoning Ordinance;

WHEREAS, The City of Bay Minette is hereby adopting Ordinance 1002 as authorized pursuant to Section 11-45-8 of the *Code of Alabama (1975)*; and

WHEREAS, The City of Bay Minette Ordinance Number 996, establishes specific zoning and land use criteria for the City; and

WHEREAS, these ordinances may require amendments and revisions from time to time to meet the changing needs of the community; and

WHEREAS, the Planning Commission of the City of Bay Minette held a public hearing on February 10, 2022, and voted to recommend to the City Council approval of RA-2201, Ordinance Amendment related to Section 8.10 of the Zoning Ordinance; and

WHEREAS, the City Council of Bay Minette held a public hearing on February 22, 2022; and

WHEREAS, the attached revisions are hereby adopted; and

WHEREAS, THE CITY COUNCIL OF BAY MINETTE, IN REGULAR SESSION ASSEMBLED, determined that Ordinance 1002, Case No. RA-2201, Ordinance Amendment related to Section 8.10 of the Zoning Ordinance, is hereby **ADOPTED AND IMPLEMENTED**.

Done this the 7th day of March, 2022.

Robert A. Wills, Mayor
City of Bay Minette, Alabama

ATTEST:

Rita Diedtrich, City Clerk

I, the undersigned qualified and acting Clerk of the City of Bay Minette, Alabama, do hereby certify that the above and foregoing is a true copy of an Ordinance lawfully passed and adopted by the Bay Minette City Council, at a regular meeting of such council, held on the 7th day of March, 2022 and that said Ordinance is on file in the office of the Bay Minette City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Bay Minette, on this the 7th day of March, 2022.

Rita Diedtrich
City Clerk

8.10 Table of Permitted Uses

The following Table contains a list of land uses permitted in each district. Opposite each land use, in the appropriate district column or columns, the letter "R" identifies those districts in which a particular land use is permitted by right and the letters "S" identifies those districts in which a particular land use is permitted only by special exception. The letter "P", identifies those uses that must be reviewed and approved by the Planning Commission.

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Accessory buildings and uses, home swimming pools, when located on the same lot or parcel as the principal residential structure or use and customarily incidental thereto, allowed by right provided the requirements in all pertinent sections of this ordinance are met. Accessory buildings and uses, swimming pools, when located on the same lot or parcel as the principal commercial structure or use and customarily incidental thereto, allowed with Planning Commission approval provided the requirements in all pertinent sections of this ordinance are met.	R	R	R	R	R	R	PR	PR	PR	PR
Agriculture and related farming operations, including horticulture, market gardening for off premise sale, field crops, orchards and home gardens.	R	R	R	R	R	R	P	P	P	P
Air conditioning sales and service.							R	R	P	P
Ambulance/EMS service.							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 park							S	S	S	S
Amusement arcade, kiddieland							S	S		
Archery range							S	S		
Baseball batting range							S	S		
Billiard or pool hall							S	R		
Bowling alley							S	R		
Fairground, circus or carnival							S	S		
Golf course		S	S	S	S	S	S	S		
Golf course, miniature							S	R		
Golf driving range							S	S		
Racquet ball or tennis courts, indoor							P	P		
Indoor skating rink							S	R		
Tennis courts, outdoor: need not be enclosed within a structure		S	S	S	S	S	P	P		
Theater, indoor							S	R		
Theater, outdoor/drive-in: need not be enclosed within a structure								P		
Animal clinic/kennels for small animals: need not be enclosed within a structure	S						S	S	S	S
Antique store, not including repairing and refinishing.							R	R		
Antique store, including repairing, restoration and refinishing.							R	R		

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Apparel and accessory store.							R	R		
Appliance store							R	R		
Armory							R	R		
Art gallery or museum.							R	R		
Art supplies.							R	R		
Auditoriums (large), stadiums, coliseums, dance halls and other such places of public assembly.							R	R		
Auditoriums (small) for public assembly. Typically reuse of historic home for weddings.				S	R		R	R		
Automobile laundry, where the primary function is washing automobiles but not including trucks or trailers; operations shall be conducted only within a completely enclosed structure, and all wastes shall be discharged directly into the sewer.								R		
Automobile parts sales, except used parts.								R		
Automobile wrecking and salvage: need not be enclosed within a structure but must be enclosed within a solid fence sufficiently high to obstruct noise and view.								S	S	S
Automobile, travel trailer, camper, farm equipment and implements and mobile home sales (new and used): need not be enclosed within a structure, but any mechanical or body repair must be done entirely within a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district.								R	S	S
Automobile and truck laundry, including steam cleaning								P	R	R
Automobile and truck repair garage, mechanical and body: must be conducted in a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste materials outside such structures.								P	S	S
Automobile and truck sales and service: but not including commercial wrecking, dismantling, or auto salvage yard; need not be enclosed within a structure provided the unenclosed part shall comply with the requirements for maintenance of off-street parking facilities.								R	S	S

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Automobile and truck service station including minor repair, subject to the requirements listed under Special Provisions, where the primary functions retail sale of gasoline, oil, grease, tires batteries and accessories and where services are limited to installation of the items sold, washing, polishing, tire changing, greasing and minor repairs, but not including commercial wrecking, dismantling, or auto salvage yard, major mechanical overhauling or body work; fuel pumps need not be enclosed within a structure.							P	P		
Bakery, retail							R	R		
Bakery, wholesale								R	P	P
Bank, including drive-in bank							R	R		
Barber shop or beauty parlor							R	R		
Barber and beauty supplies and equipment sales								R		
Bicycle, lawnmower sales, service and repair							S	R		
Blueprinting and photostating shop							R	R		
Boat construction, storage, service and repair, wet and dry, major: need not be enclosed within a structure.								P	P	P
Boat docking only of pleasure boats as an accessory use to a permitted principal use; maximum of three (3) slips per unit. Boat service is prohibited.	P	P	P			P	R	R		
Boat dry storage: pleasure boats having lengths not greater than 31 feet.								P	P	P
Boat sales, accessories and service.								R		
Boat storage, service and repair, minor: a marina for docking pleasure boats and providing services thereto and the occupants thereof, including minor servicing and minor repair to boats while in the water, sale of fuel and supplies, and provision of lodging, food, beverages, and entertainment as accessory uses. May include dry storage in an enclosed structure.								P	P	P
Body Art Establishments, not allowed as home occupations								S	S	
Bookstore.							R	R		
Bottling works.								S	R	R
Building materials supply, provided that major storage areas are screened from view and that any machine operations are conducted entirely within an enclosed structure with no opening other than a stationary window within 100 feet of a residential district.								R	P	
Bus and railroad terminal facilities, passenger.								R	P	P
Business machines sales and service.							R	R		

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Business school or college, private.							P	P		
Butane or other liquefied petroleum gas products storage and sales: need not be enclosed within a structure.								S	S	S
Cabinet or carpenter shop.							S	S	R	R
Cafes, grills, lunch counter and restaurant, but not including nightclub, bar tavern, and drive-in restaurant.							R	R		
Camera and photographic supply store.							R	R		
Candy, nut and confectionary store.							R	R		
Canvas products manufacture.								S	R	R
Carting, express, crating, hauling, storage.								S	R	R
Catering shop or service, including commercial kitchens and food truck commissaries							R	R	R	R
Cemetery, subject to requirements of the Special Provisions.	S	S	S	S	S	S	S	S		
Churches and related accessory buildings.				S	S	S	R	R		
City hall, police station, fire station, courthouse, federal office building and similar public building.	R	R	R	R	R	R	R	R		
Clay and clay products manufacture: need not be enclosed within a structure.								S	R	R
Clinic, dental, medical or psychiatric for humans.							R	R		
Club or lodge, fraternal, civic, charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a business.							R	R		
Club, country club, golf, swimming or tennis club or the like, privately owned and operated community club or association, athletic field, park, recreation area, arena and similar uses of a recreational nature, provided that no building for such purposes is located within 100 feet of any property line.	S		S	S	S	S	P	P		
Cold storage plant.								S	R	R
College sorority or fraternity house							S	S		
Concrete and concrete products manufacture: need not be enclosed within a structure								S	R	R
Contractor's office, administrative headquarters. The storage of vehicles, equipment, materials and supplies must be enclosed within a structure.							R	R	R	R

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Contractor's storage and yard for vehicles, equipment, materials and supplies: need not be enclosed within a structure but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided.								R	R	R
Convenience store							R	R		
Correctional, detention or penal institution.								S	S	S
Dairy equipment sales.								P	R	R
Dairy products sales.							R	R		
Delicatessen.							R	R		
Department store.								R		
Discount/Variety store, not to exceed 8,000 sq ft							P	R	R	P
Discount/Variety store, exceeding 8,000 sq ft							P	P	P	R
Drive-in restaurant.							P	R		
Drug store.							R	R		
Dry cleaning shop, including self-service.							R	R		
Dry goods or fabric store.							P	R		
Dwelling, one-family.	R	R	R	R	R	R	S	S	S	S
Dwelling, two-family.				S	R	R	P	P		
Dwelling, multi-family.					R	R	P	P		
Electric power generating plant.								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	P	P
Electric repair shop.							P	R		
Electric supply store.							P	R		
Elevator maintenance service.								P		
Employee credit union office.							R	R		
Entertainment venue							P	P	P	P
Exterminator service office.							P	R		
Farm and garden equipment and supply store.	P							R		
Farmers' markets.	P							P		
Fix-it shop, including small appliance repair.							R	R		
Fixture sales.							R	R		
Floor covering sales and service.							R	R		
Floral shop.							R	R		
Food locker plant including rental of lockers for the storage of food; cutting and packaging of meats and game, but not the slaughtering of animals or fowl.								R		

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Food products processing plant.								S	R	R
Food products, wholesale storage and sales.								S		
Freight depot, railway or truck.								S	R	R
Fruit and produce, retail.							R	R		
Fruit store.							R	R		
Funeral home, mortuary or undertaking establishment.								R		
Furniture repair, including upholstering and refinishing.							P	R		
Gas regulator station.	P	P	P	P	P	P	P	P		
General retail							R	R	P	P
Gift shop.							R	R		
Grocery store, neighborhood							R	R	P	P
Grocery store, supermarket, where retail floor area exceeds 10,000 sq ft.							P	P	P	P
Gymnasium, commercial.							P	R		
Hardware store, retail.							R	R		
Hardware store, wholesale, storage and sale.	P							R		
Hatchery, poultry or fish.								S		
Heating and plumbing equipment, supplies and service.								R		
Hobby shop and supply store.							R	R		
Home occupation.	R	R	R	R	R	R	R	R	R	R
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans.					S		P	P		
Hotel or motel							P	P		
Ice cream parlor.							R	R		
Ice plant.								S	R	R
In-home Child or Day care Facility	P	P	P	P	P	P	P	P	P	P
Industrial park.								S	R	R
Interior decorating shop.							R	R		
Junk yard including storage, baling or sale of rags, paper, iron or junk: need not be enclosed within a structure but must be enclosed within a fence of sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.								S		
Kindergarten, playschool or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.					S		P	P		
Laboratory, scientific.							S	S		
Laboratory, medical or dental.							P	R		

	R-A	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1	M-2
Printing, blueprinting, bookbinding, photostating, lithographing and publishing establishment.							P	R		
Public utility production and maintenance buildings with proper screening.							P	P		
Public utility substation with proper screening.	P	P	P	P	P	P	P	P	P	P
Radio and television antenna (amateur).	P	P	P	P	P	P	P	P		
Radio and television station and transmitting tower (commercial).							P	P	P	
Radio and television sales, service and repair store.							R	R		
Railroad terminal facilities, non-passenger.								R	R	R
Recreational vehicle parks.						P		P	P	
Restaurant (not as an entertainment venue).							R	R		
Restaurant supplies and sales.								P		
Riding academy: need not be enclosed within a structure.	P							S		
Roofing and sheet metal shop.								S	R	R
Rug and/or drapery cleaning service.								P		
Sand and gravel storage yard: need not be enclosed within a structure.								S	R	R
Sawmill or planing mill.									R	R
Schools, public and/or private, elementary and/or secondary meeting the requirements of the education laws of the State of Alabama.	P	P	P	P	P	P	P	P	P	P
Seafood store, retail.							P	R		
Sewage disposal plant: need not be enclosed within a structure.	P	P	P	P	P	P	P	P	P	P
Sexually oriented establishments, subject to the spacing and minimum distance requirements of 17.3								P	P	
Shoe repair shop.							R	R		
Shoe store, retail.							R	R		
Sign shop.							P	R		
Sporting goods store.							R	R		
Stone monument sales, retail: may include cutting and processing merchandise sold at retail on the site; need not be enclosed within a structure.								S	P	P
Studio for professional work or teaching of fine arts, such as photography, drama, speech, painting.							R	R		
Studio for dance or music.							R	R		
Surgical or dental supplies retail.								R		
Tailor shop.							R	R		

