

GREENSBORO ZONING ORDINANCE

Prepared by: WEST ALABAMA PLANNING AND DEVELOPMENT COUNCIL



WEST ALABAMA PLANNING AND DEVELOPMENT COUNCIL

Hilliard Fletcher Chairman
Sam Collins Vice Chairman
Lewis McCray Secretary

COUNCIL MEMBERS

Bibb County

George Desmond, Judge of Probate
Cecil Crews, Mayor of Centreville
Frank Ferrire, Mayor of West Blocton
Jerry C. Pow, Mayor of Brent

Greene County

William M. Branch, Judge of Probate
Jimmy Isaac, Jr., Mayor of Forkland
A.L. Lavender, Mayor of Boligee
William H. Tuck, Mayor of Eutaw

Lamar County

A.A. Chandler, Judge of Probate
Ted Boyett, Mayor of Sulligent
Clarence Cole, Mayor of Millport
Robert Covington, Jr., Mayor of Vernon
Bobby C. Newman, Mayor of Kennedy
James G. Pickle, Mayor of Beaverton
J.B. Robertson, Mayor of Detroit

Tuscaloosa County

Hardy McCollum, Judge of Probate
Charlie Allen, County Commissioner
Woodrow Boyd, County Commissioner
Ernest Collins, Mayor of Tuscaloosa
David Andres, Tuscaloosa Commissioner

Fayette County

Sam Collins, Judge of Probate
Dalton Gilpin, Mayor of Belk
Earl C. Cannon, Mayor of Berry
Herbert M. Newell, Fayette City Councilman

Hale County

Richard M. Avery, Judge of Probate
W.B. Chandler, Mayor of Moundville
John C. Jay, Mayor of Greensboro
Thomas G. Ramey, Mayor of Akron
Robert L. Walthall, Mayor of Newbern

Pickens County

Robert H. Kirksey, Judge of Probate
Bernard Gibson, Carrollton Councilman
O.W. Hancock, Mayor of Ethelsville
Dave Housel, Mayor of Gordo
Vonnie McMullen, Mayor of McMullen
T.C. O'Neal, Mayor of Pickensville
Leroy Speed, Mayor of Aliceville
L.D. Vail, Mayor of Reform
J.T. Williams, Mayor of Memphis
W.W. Curry, Jr., County Commissioner

Hilliard Fletcher, Tuscaloosa City Commissioner
John M. Kellum, Mayor of Vance
Frank Manderson, Mayor of Northport
Bobby Miller, County Commissioner
Alton Hycbe, Mayor of Brookwood

Reproduction of this document in whole or in part by user is permitted, provided proper citation of author(s), title, publisher, and date is given.

This is one of many efforts being undertaken as part of the West Alabama Planning and Development Council to provide information and assistance to the West Alabama Region and its local units of government.

For Information Address:

Mr. Lewis E. McCray
West Alabama Planning and Development Council
P.O. Drawer 28
Tuscaloosa, Alabama 35402
Phone: (205) 345-5545

First Printing January 1979

Printed in the United States of America

Contract Agreement Number: LR-02-1007

Source of Copies: Planning Reference Service
State Planning Division
Alabama Development Office
State Office Building
Montgomery, AL 36104

West Alabama Planning
and Development Council

City of Greensboro

Abstract: This document is the zoning ordinance for the City of Greensboro, Alabama.

**WEST ALABAMA PLANNING AND DEVELOPMENT COUNCIL
STAFF**

Lewis E. McCray, Executive Director
Byron Findley, Assistant Director
David Smith, Planning Director
Mary Helen Andress, Principal Planner
Darrel Wright, Planner
Nancy K. Landgraf, Director of Special Planning
Sissy Banks, Staff Assistant
Michael Reid, Comptroller
Betty Griffin, Grants Manager
John Lamb, Director of Graphics and Printing
Hope Barnhart, Planner
Carolyn Carson, A-95 Coordinator
Marlene Jones, Staff Assistant
Carole Hill, Director of Aging

Deborah Tyra, Director of Nutrition
Kay Mann, Staff Assistant
Bruce Boswell, Staff Assistant
Gladys Merriweather, Transportation Planner
Betsy Gary, Program Development Coordinator
Robin Richardson, Areawide Action Program Coordinator
Gene Smith, Director of Transportation Planning
Patti Roberts, Staff Assistant
Marilyn Shackelford, Administrator Assistant
Nora Manderson, Senior Aides Project Director
Sue Goodman, Secretary
Flora Bonner, Secretary
Pam Ryan, Secretary

GREENSBORO ZONING ORDINANCE

Prepared for the City of Greensboro

CITY COUNCIL

**John C. Jay, Mayor
Osmund A. Coleman, Jr., Councilman
Gene Gates, Councilman**

**Edward Lowery, Councilman
George M. McKinney, Councilman
Ludie Clarence Ryan, Councilman**

With Technical Assistance Provided by:

**WEST ALABAMA PLANNING AND DEVELOPMENT COUNCIL
P.O. DRAWER 28
TUSCALOOSA, ALABAMA 35402**

ALL MAPS, TABLES, AND TEXT PREPARED IN THIS REPORT, AS A PART OF CONTRACT AGREEMENT LR-02-1007 WITH THE ALABAMA DEVELOPMENT OFFICE, WERE FINANCIALLY AIDED THROUGH A FEDERAL GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNDER THE URBAN PLANNING ASSISTANCE PROGRAM AUTHORIZED BY SECTION 701 OF THE HOUSING ACT OF 1954, AS AMENDED.

**ORDINANCE PROVIDING FOR ZONES OR DISTRICTS
IN THE CITY OF GREENSBORO, ALABAMA**

An ordinance to divide the City of Greensboro, Alabama, into districts; to regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or lands therein to regulate and restrict therein the height, number of stories, and size of buildings, and other structures and land for trade, industry, residence or other purposes; to provide penalties for violation.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Greensboro, Alabama, that for the purpose of promoting health, safety, morals and the general welfare of the community embraced within the territorial limits of the City of Greensboro, Alabama, the following articles and sections be, and the same hereby are, enacted into law:

ARTICLE I: PRELIMINARY PROVISIONS

Section 1-1: Authority and Enactment Clause

In pursuance of the authority granted by Title 11, Chapter 52, Articles 4, Section 70 to 84 inclusive, *Code of Alabama 1975*, as amended, the City Council of the City of Greensboro, Alabama, hereby ordains and enacts into law the following articles and sections.

Section 1-2: Short Title

This Ordinance shall be known as the "Zoning Ordinance of the City of Greensboro, Alabama," and the map herein referred to as the Zoning Map of the City of Greensboro and further identified by the signature of the Mayor and attested by the City Clerk. The Zoning Map of the City of Greensboro and all explanatory matter thereon are hereby adopted and made a part of this Ordinance.

Section 1-3: Purpose

The zoning regulations and districts as herein set forth are made in accordance with a comprehensive plan for the purpose of guiding development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. These are designed to lessen congestion on the streets, to secure safety from fire, panic, and other dangers, to promote the public health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to protect scenic and historic areas; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. These regulations are made with reasonable consideration, among other things, of the character of each area and its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures and conserving the value of land and buildings and structures.

Section 1-4: Interpretation

In interpreting and applying the provisions of this ordinance, said provisions shall be dominant except where overridden by State law, statute, code, or regulation.

Section 1-5: Establishment of Districts

The city is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance.

Section 1-6: Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of any district shown on the Zoning Map, the following rules shall apply:

1. Where such district boundaries are indicated as approximately following center lines of streets and alleys, lot lines, stream center lines, property lines, corporate limit lines, or any established land survey line such as a section line, such lines shall be considered to be such boundaries.
2. In unsubdivided property or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions or references shown on the map, shall be determined by the use of the scale appearing on the Zoning Map.
3. Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances, not covered by the preceding rules, the Board of Adjustment shall interpret the district boundaries.

Section 1-7: Annexation

Any area annexed to the City of Greensboro shall be classified R-1 Residential until further action, preferably within 90 days, can be taken by the City Council or other appropriate body to permanently classify the new area according to this ordinance.

Section 1-8: Uses

Hereafter no land shall be used or occupied and no building or structure shall be erected, altered or occupied except in conformity with the regulations and provisions herein established and set forth for the district in which said land, building or structure is located. Only those uses specified in "Uses Permitted", or "Uses Permitted on Appeal" shall be allowed within a district. Uses specified in the former category shall be allowed upon the proper application to the Building Inspector. "Uses Permitted on Appeal" are allowed as special exceptions, only after consideration by the Board of Adjustment. Approval for exceptions must be in written form. Decision making by the Board should be based on the preservation of the general welfare of the district, its inhabitants, and the surrounding area.

Section 1-9: Non-Conforming Use

(a) The lawful use of land existing at the time of the adoption of this ordinance, or of any amendment thereto, although such does not conform to the provisions hereof, may be continued; but if such non-conforming use is discontinued, any future use of said land shall be in conformity with the provisions of this ordinance.

(b) The lawful use of a building or structure, existing at the time of the adoption of this ordinance, or an amendment thereto, although such use does not conform to the provisions hereof, may be continued and such use may be extended throughout the building, provided no structural alterations are made, other than those ordered by an authorized public officer to assure the safety of the buildings or structure, and provided further that such extension does not displace any residence use in a Residence District established by this ordinance.

(c) A non-conforming use of a building may be changed to another non-conforming use of the same or of a more restrictive classification, provided no structural alterations are made, other than those ordered by an authorized public officer to assure the safety of the building or structure and provided further that such extension does not displace any residence use in a Residential District established by this ordinance.

(d) Whenever a non-conforming use of a building has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

(e) Whenever a non-conforming use of a building, or portion thereof, has been discontinued for a period of at least one (1) year, such non-conforming use shall not thereafter be reestablished, and the future use shall be in conformity with the provisions of this ordinance.

Section 1-10: Boundary Tolerance

Where a district boundary line divides a lot held in single or separate ownership at the effective date of this Ordinance, the Board of Adjustment may permit, as a variance, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

ARTICLE II: ADMINISTRATION AND ENFORCEMENT

Section 2-1: The Mayor shall designate an administrative official whose duty it shall be to administer and enforce this ordinance. In addition to any other titles and duties this official may have, for the purposes of this ordinance he shall be designated the Building Inspector.

Section 2-2: Building Permit Required

It shall be unlawful to commence the excavation or the construction of any building or structure, including accessory structures, or to store building materials, erect temporary field offices, or to commence the moving, structural alteration, or the addition to any structure until a building permit has been issued by the Building Inspector. This includes a statement that plans, specifications, and intended use of such structure in all respects conform to the provisions of this ordinance. Application for a building permit shall be made to the Building Inspector.

Section 2-3: Approval of Plans and Issuance of Building Permit

It shall be unlawful for the Building Inspector to approve 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. He shall require that every 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 Building Inspector to ascertain whether the proposed excavation, construction, use of land, moving or alteration is in conformance with this ordinance:

1. The actual shape, proportion and dimensions of the lot to be built upon.
2. The shape, size, and location of all buildings or other structure to be erected, altered or moved and of any buildings or other structures already on the lot.
3. The existing and intended use of all such structures or buildings.
4. The set backs and side yards of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this ordinance are being complied with.

If the proposed excavation, construction, or moving is in conformance with this ordinance and other city codes, the Building Inspector shall issue a permit accordingly. If an application is not approved, the Building Inspector shall state in writing on the application, the cause for such disapproval. Issuance of a building permit shall, in no case, be construed as waiving any provision of this ordinance.

Section 2-4: Establishment of Fees for Building Permits

The City Council may establish appropriate fees for issuing building permits.

Section 2-5: Penalties

Any persons violating any provisions of this ordinance shall be fined upon conviction not less than ten (10) dollars and not more than one hundred (100) dollars, and the cost of court for each offense. Each day such violation continues will constitute a separate offense.

Section 2-6: 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 Building Inspector of the municipality, any appropriate authority or person or persons who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use to correct or to abate such violation or to prevent occupancy of such buildings, structure or land.

Section 2-7: Appeals

Any person or corporation or any official or department that is aggrieved may appeal to the Board of Adjustment from an order or decision of the office of the Building Inspector.

- (a) *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 the Building Inspector 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 appeal was based.
- (b) *Effect of Appeal* - An appeal from the Building Inspector to the Board of Adjustment shall stay all proceedings unless the Building Inspector certifies that, by reason of the facts stated, the certificate would, in his opinion, cause imminent peril to life or property. When such certification is filed, proceedings shall not be stayed except by a restraining order granted after due notice to the office of the Building Inspector by the Board of Adjustment or a court of competent jurisdiction.
- (c) *Schedule of Fees* - Application for review by the Board of Adjustment shall be accompanied by a fee payment of \$15.00 requesting review of the Board.

ARTICLE III: BOARD OF ADJUSTMENT, APPOINTMENT, DUTIES, AND RESPONSIBILITIES

Section 3-1: Creation of the Board of Adjustment

A Board of Adjustment is hereby established. The appointment, action, and procedures of the Board shall be controlled and governed by Section 11, Chapter 52, Section 79, Code of Alabama, 1975, as the same may be amended.

Section 3-2: Duties of the Board of Adjustment

The Board of Adjustment shall have the following powers and duties:

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 Building Inspector in the enforcement of this ordinance.
2. **Special Exception** - To hear and decide only such special exceptions as the Board of Adjustment is specifically authorized to pass on by the terms of this ordinance as "Uses Permitted on Appeal"; and to grant special exceptions (i.e. "Uses Permitted on Appeal") with such conditions as safeguards as are appropriate under this ordinance, or to deny such special exceptions when not in harmony with the purpose and intent of this ordinance.

A special Exception shall not be granted unless and until:

- (a) a written application for a special exception on the basis of a "Use Permitted on Appeal" is submitted indicating the section of this ordinance under which the special exception is sought and stating the grounds on which it is requested.
 - (b) notice shall be given at least 15 days in advance of public hearing by publication for two weeks in a newspaper of general circulation in the City of Greensboro; and,
 - (c) a public hearing shall be held.
3. **Variances** - To authorize upon appeal in specific cases such variances 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 and unreasonable hardships. A variance from the terms of this ordinance shall not be granted by the Board of Adjustment unless and until:
 - (a) A written application for a variance is submitted demonstrating:
 - (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;
 - (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.
 - (3) That the special conditions and circumstances do not result from the actions of the applicant; and,
 - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
 - (b) Notice shall be given at least 15 days in advance of public hearing by publication for 2 weeks in a newspaper of general circulation in the City of Greensboro, Alabama.
 - (c) A public hearing shall be held.
 - (d) The Board of Adjustment shall make findings that the requirements of Section 3-2 (3) (a) have been met by the applicant for a variance.

- (e) The Board of Adjustment shall make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; and,
- (f) The Board of Adjustment shall make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation 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 and punishable under Section 2-5 of this ordinance.

Under no circumstances shall the Board of Adjustment grant a variance to allow a use specifically prohibited by the terms of this ordinance in said district.

ARTICLE IV: DISTRICT REQUIREMENTS

Section 4-1: Use Regulations for Residential Districts

- A. *R-1 Residential Districts* - The purpose of this district is to provide minimum standards for single family dwellings and their immediate surrounding areas.

Within a R-1 Residential District, a building or land shall be used only for the following purposes:

Uses Permitted:

Single family dwellings, to include normally incidental accessory structures, but not mobile homes or modular homes.

A temporary building or use in connection with residential or other construction for a period of not more than eighteen (18) months.

Churches, synagogues, and other places of worship including structures, incidental to places of worship but not including funeral homes.

Public and quasi-public buildings including schools, both public and private; kindergartens, nursery schools, and day care centers; fire stations, libraries, museums, armories, hospitals and other related structures.

Public or non-commercial private parks, playgrounds, or recreational areas: country clubs and golf courses; community centers; civic clubs, and similar facilities.

Cemeteries existing upon passage of this Ordinance.

Uses Permitted on Appeal:

Home Occupations as defined in Article VI of this ordinance.

Cemeteries.

Multiple family dwellings to include apartments, townhouses and duplexes.

Reservoirs, dams, public utility substations, pumping stations and water towers.

Re-building, reconstruction, or replacement of a damaged or destroyed structure otherwise qualifying as a non-conforming use, under Sections 1-9 herein, provided that such a structure is of similar size, construction and use as the original structure, and further provided that such reconstruction is commenced within one year and completed within two years after such damage or destruction.

- B. *R-2 Residential Districts* - The purpose of this district is to provide minimum standards for residential districts at a higher intensity of development.

Within a R-2 Residential District, a building or land shall be used only for the following purposes:

Uses Permitted:

Any uses permitted by right in a R-1 Residential District.

Duplexes

Mobile Homes and Modular homes, provided that only one structure is located on each lot and that all lot and yard restrictions applying to duplex units are met.

Home occupations as defined in Article VI of this ordinance.

Uses Permitted on Appeal:

Any use permitted on appeal in the R-1 Residential District.

Mobile Home Parks provided that they meet at least the following restrictions:

- (a) the minimum area for any mobile park shall be at least two acres.
- (b) the maximum density is eight home sites per acre.
- (c) minimum front, side and rear yard setbacks shall be fifty (50) feet for the park as a whole.
- (d) all home sites shall abut upon an all weather driveway of at least eighteen (18) feet in width;
- (e) all home sites shall be adequately serviced by water and sewer lines;
- (f) all home sites shall be at least 4,000 square feet in size.

C. *R-R Rural Residential District* - The purpose of this district is to provide minimum standards for the development of areas that are not serviced by public water and sewer systems and are by nature more rural than urban.

Uses Permitted:

Mobile Homes and any use permitted in an R-1 Residential district provided that the County Health Officer must approve the site for a septic tank system before the Building Inspector may issue a building permit.

Truck gardening, orchards, nurseries, commercial forests, greenhouses and general farming provided that no structure, pen, corral, or feed lot for the keeping of livestock or poultry is maintained within 300 feet of any structure intended for the use or habitation of humans.

Uses Permitted on Appeal:

Any use permitted on appeal in a R-1 Residential District.

Section 4-2: Use Regulations for Business and Industrial Districts.

Within the business and manufacturing districts and subject to all requirements and conditions of this ordinance, land and buildings may only be used for uses listed in the "Table of Permitted Uses for Non-Residential Districts" which follows herein.

Uses permitted by right in the various districts are indicated by an "X" and uses permitted on appeal are indicated by an "A" in the appropriate columns of the table.

A. *B-1 Central Business District*

This district is the central shopping area of the city. It is intended as a small but intensively developed retail and service area. It is pedestrian oriented and intended to provide a variety of commercial activities in a compact area.

Within a B-1 Business District, a building or land shall be used only for the following purposes:

Uses Permitted:

Any use indicated as permitted on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "X".

Uses Permitted on Appeal:

Any use indicated as permitted on appeal on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "A".

Re-building, reconstruction, or replacement of a damaged or destroyed structure otherwise qualifying as a non-conforming use, under Sections 1-9 herein, provided that such a structure is of similar size, construction and use as the original structure, and further provided that such reconstruction is commenced within one year and completed within two years after such damage or destruction.

B. B-2 General Business District

This district is designed to provide for the protection and development of general business districts. It recognizes that most new business located outside the central business district are oriented to the automobile. These districts provide for development of such areas with a minimum of traffic and parking congestion.

Within a B-2 General Business District, a building or land shall be used only for the following purposes:

Uses Permitted:

Any use indicated as permitted on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "X".

Uses Permitted on Appeal:

Any use indicated as permitted on appeal on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "A".

Re-building, reconstruction, or replacement of a damaged or destroyed structure otherwise qualifying as a non-conforming use, under Sections 1-9 herein, provided that such a structure is of similar size, construction and use as the original structure, and further provided that such reconstruction is commenced within one year and completed within two years after such damage or destruction.

C. M-1 Manufacturing District

This district is intended for industrial uses, which are not offensive to nearby commercial or residential uses, and for business uses which generally support and are integrated with these industrial uses.

Within a M-1 Manufacturing District, a building or land shall be used only for the following purposes:

Uses Permitted:

Any use indicated as permitted on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "X", except animal fertilizer manufacture, reduction or storage of dead animal offal or refuse, the manufacture or storage of gun powder, fireworks, or other explosives, and chemical manufacture, and in general, those uses which may be noxious or offensively by reason of the omission of odor, dust, smoke, vibration, or noise, all of which are hereby prohibited.

Uses Permitted on Appeal:

Any use indicated as permitted on appeal on the Table of Permitted Uses For Non-Residential Districts, herein by being marked with an "A".

Re-building, reconstruction, or replacement of a damaged or destroyed structure otherwise qualifying as a non-conforming use, under Sections 1-9 herein, provided that such a structure is of similar size, construction and use as the original structure, and further provided that such reconstruction is commenced within one year and completed within two years after such damage or destruction.

**TABLE OF PERMITTED USES
FOR NON-RESIDENTIAL DISTRICTS**

PERMITTED USES	Business		Manufacturing M-1
	B-1	B-2	
Advertising Signs and Billboards			
Advertising Signs which are an incidental part of an establishment located on the same premises	X	X	X
Signs and billboards which are not an incidental part of an establishment on the same premises			X
Churches and similar places of worship and their normally associated structures	X	X	X
Agencies and dealers for the sale, rental service, repair and otherwise handling of:			
Automobiles	X	X	X
Boats and Marine Craft		X	X
Mobile Homes		X	X
Farm Equipment		X	X
Construction and Industrial Equipment		X	X
Automobile Junk Yards			A
Cemeteries		A	A
Clubs, Lodges and Fraternal and Social Organizations	X	X	X
Drive-In Theatres		X	X
Funeral Homes		A	X
Entertainment and Recreational Establishment, such as:			
Theatres, museums and Exhibit Halls Billiard Rooms, Pool Halls and Similar establishments.	X	X	X
Bowling Alleys, Rollerskating rinks, miniature golf, swimming pools, and similar establishments		X	X
Golf courses, riding stables, fairgrounds, fishing lakes and similar large scale establishments occurring primarily outside of enclosed structures.		X	X
Highway oriented service establishments to include service stations, motels and hotels, drive-in or take-out restaurants, and similar establishments.	X	X	X
Lumber and building supply yards, offices, yards for storage of contractors equipment and supplies outdoor storage of materials, supplies or equipment.		X	X

**TABLE OF PERMITTED USES
FOR NON-RESIDENTIAL DISTRICTS
(Continued)**

PERMITTED USES	Business		Manufacturing
	B-1	B-2	M-1
Manufacturing and Industrial Uses			
Light manufacturing or industrial operations not obnoxious, offensive or detrimental to neighboring property by reason of dust, smoke vibrations, odors, emissions, or effluents			X
Heavy manufacturing or industrial operations which by reason of dust, smoke, vibrations, odor, emissions or effluents may be obnoxious, offensive or detrimental to neighboring property but not a large portion of the city			A
Any manufacturing or industrial use and subject to such conditions and safeguards as the Board of Adjustment may require to preserve and protect any portion of the city which could otherwise be affected to a considerable degree			A
Utilities: Structure and sites for the distribution, services, processing or otherwise providing the following:			
Electrical power	A	X	X
Natural Gas		A	X
Water	X	X	X
Sewer			A
Solid Waste			A
Gasoline or other volatile fuels			X
Mining Operations			
Newspaper Publishing, mapping, Printing and similar establishments	X	X	X
Public Buildings of a governmental nature			
City Halls and governmental office	X	X	X
Libraries	X	X	X
Fire Stations	X	X	X
Police Stations and jails	X	X	X
Health Clinics	X	X	X
Hospitals		X	X
Nursing Homes		X	X
Radio and television stations		X	X
Residences, provided that R-2 Residential District use requirements are met.	A	X	X
Retail stores and markets including the following types of stores; Food, general merchandise, apparel, furniture, household and hardware, appliances, drugs, and sundries, jewelry and gifts, florists, sporting goods, pet shops and similar types.	X	X	X

**TABLE OF PERMITTED USES
FOR NON-RESIDENTIAL DISTRICTS
(Continued)**

PERMITTED USES	Business		Manufacturing M-1
	B-1	B-2	
Service and repair establishments, including automobile service stations, garages.	X	X	X
Service establishments such as restaurants, dry cleaners and laundries, barber and beauty shops, television and radio repair, shoe repair, offices, banks, theatres, professional & business offices, clinics, and similar establishments	X	X	X
Schools, both public and private, kindergarten, nursery schools and day care centers		X	X
Shopping Centers		X	X
Meat, poultry and fish packing and processing plants			X
Stockyards			A
Transportation Terminals			
Airports			X
Bus Passenger Terminals		X	X
Bus Barns			X
Railroad yards and terminals			X
Trucking Terminals	A	A	X
Taxi Dispatcher & Terminals	X	X	X
Veterinary Clinics, kennels and animal hospitals		X	X
Warehouses			
Warehouses where all goods are stored within enclosed structures	A	X	X
Warehouses which include goods stored in open yards		X	X
Wholesale Operations	A	A	X

Section 4-3: Area and Dimension Requirements

Area, Yard, Height, and Dimension requirements for the various zones shall be as specified in the following table. These provisions shall be mandatory except where modified by other provisions of this ordinance or relaxed by the Board of Adjustment under the provisions of Article III, Section 3-2(3). For the purpose of this section multiple-unit structures such as shopping centers, apartments, duplexes, and townhouses in one structure or with common sidewalls shall be considered one building and a unit shall be that portion or portions of a building occupied by one household or one business establishment. All yards abutting a street shall be measured from the street right-of-way. Where the right of way line is less than 10 feet from the street pavement edge all yard dimension shall be measured from the street edge and required depth or width increased by 10 feet.

TABLE 1: AREA AND DIMENSION

Zone District	Maximum Building Height (Ft.)	Minimum Lot Area (Sq. Ft.)	Additional Lot Area for each Dwelling Unit over one (Sq. Ft.)	Minimum Lot Width at Bldg. Line	Minimum Yard Requirements				Street Side*
					Front	Rear	Interior Side*	Street Side*	
R-1	50	15,000	15,000	75 Ft.	30	40	10	25	25
R-2	50	7,500	4,000	60 Ft. - 1 unit	20	20	10	20	20
R-R	None	15,000	15,000	100 Ft.	60	100	15	30	30
B-1	None	None	None	None	None	None	None	None	None
B-2	65	None	None	None	25	15	None	10	10
M-1	65	None	None	None	25	15	10	20	20

* Interior Side - A side yard not abutting a street right of way.

* Street Side - A side yard abutting a street right of way.

Section 4-5: Flood Plain Regulations

This district is created in order to provide appropriate land use regulations for areas which have a one percent probability for flooding in any year, the one hundred year flood plain. It is intended to permit only those uses and structures in such areas which will not adversely affect the hydraulic characteristics of the floodway and will not result in loss of life or heavy property damage at time of high water. Unlike other zoning districts created by this article, a Flood Plain District may overlap the boundaries of a different district, providing a set of additional restrictions in the overlapping area.

In considering any petition to the Board of Adjustment for Uses Permitted by Special Permit, the burden of proof shall be on the petitioner to show, by competent engineering data prepared by a registered engineer, that the danger from flood water has been eliminated for the proposed use. The regulations for this district are based on Section 1910.3 of *Rules and Regulations* published in Federal Register of September 10, 1971.

DISTRICT

USE REGULATIONS

FW
(Floodway)

A Floodway District is established to meet the needs of the flood-prone area of Greensboro to carry abnormal flows of water in time of flood, to prevent encroachments into the district which will unduly increase flood heights and damage, and to prevent the loss of life and excessive damage to property in the area of greatest flood hazard. Within the Floodway District, the following provisions shall apply:

USES PERMITTED: The following uses are permitted subject to approval of the Board of Adjustment and to such conditions as the Board of Adjustment may specify to protect the public interest, and which do not conflict with uses permitted in the overlapped districts, if any. Open-type uses, such as loading and unloading areas, parking lots, used car lots, billboards, and gardens auxiliary to uses permitted in any adjoining district. Storage yards for equipment and material not subject to major damage by floods, and which would not float away, provided such use is auxiliary to uses permitted in an adjoining district and materials do not include inflammables such as gasoline. Open-type public and private recreation facilities such as public parks, golf courses and driving ranges, drive-in theaters, fishing lakes, and boat docks. Circus, carnival, and similar transient amusement enterprises. Agricultural uses, including farming, grazing, and livestock raising. Utilities, road and railroad bridges, electric and other transmission lines, but not transformer stations. Any other uses customarily accessory or incidental to the above uses.

USES PERMITTED: The following uses are specifically prohibited in the Floodway District. Structures designed for or utilized for human habitation. Structures which could be floated away and thus further restrict bridge openings and other restricted sections of the stream. Filling of land or dumping of debris. Storage of materials, such as logs, lumber, tanks, etc., which could be floated away and restrict bridge openings. Storage of toxic chemicals or inflammables such as gasoline.

SPECIAL PROVISIONS: No permit shall be issued for the construction of any building or any use within the Floodway District until the plans for such construction or use have been submitted to the Board of Adjustment and approval is given in writing for such construction or use. The Board of Adjustment may make its approval subject to such conditions necessary to carry out the purpose of this district. In its review of plans submitted, the Board of Adjustment shall be guided by the following standards, keeping in mind that the purpose of this district is to prevent encroachment into the floodway which will unduly increase flood heights, and endanger life and property. Any uses permitted shall be a type not appreciably damaged by flood waters. Any structures permitted shall be designed, constructed, and placed so as to offer the minimum obstruction to the flow of water. Where, in the opinion of the Board of Adjustment, there is need for topographical data, engineering studies or other information to determine the effects of flooding on a proposed structure or the effect of the structure on the flow of water, the Board of Adjustment may require the applicant to submit such information. The granting of approval of any structure or use shall not constitute a representation, guarantee, or warranty of any kind or nature by the City or the Board of Adjustment or by any officer or employee of either thereof,

of the practicality of safety of any structures or use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result pursuant thereto.

DISTRICT

USE REGULATIONS

FF
(Floodway
Fringe)

USE PERMITTED: The following uses shall be permitted within the Floodway Fringe District to the extent that they are not prohibited by any other ordinance and are otherwise allowed by this ordinance in the overlapped District, if any:

Any open use permitted in Section 4-5, Floodway District.

Any other non-structural use provided it is elevated above the regulatory flood protection elevation and a determination is made by the city engineer or other designated city employee that the use will not unduly restrict the capacity of the channels or floodway of tributaries to the main street, drainage ditches, or any other drainage facilities or streams.

Structures constructed on fill provided the first floor or basement floor is above the regulatory flood protection elevation. The fill shall be at a point no lower than one (1) foot below the regulatory flood protection elevation for the particular area and shall extend at such elevation at least fifteen (15) feet beyond the limits of any structure or building erected thereon.

SPECIAL PROVISIONS: The following uses and structures are permitted only upon approval of the Board of Adjustment and subject to the following provisions:

Structures, if adequately flood proofed or otherwise protected to a point above the regulatory flood protection elevation.

The enforcement of Section 4-5 Floodway and Floodway Fringe Regulations will commence upon the receipt of the *Flood Insurance Rate Map* from the Federal Insurance Administrator, Department of Housing and Urban Development. Structural and use regulations can not be enforced until the Flood Insurance Rate Map delineates the Floodway and Floodway Fringe Districts and provides surface elevations for the 100 year flood.

Section 4-4: Parking Requirements

Amended - see Attachment

No structure, whether residential, business, industrial or for any other use permitted hereunder, shall hereafter be erected or constructed upon a lot, unless and until adequate off-street parking shall be provided on said lot sufficient to accommodate the use made or to be made upon such lot; and except for residential buildings or structures having four (4) units or less, no parking space shall be: (1) located in required front yards or upon street rights of way; (2) no space shall be less than nine (9) feet wide and twenty (20) feet in length; (3) no aisle or entrance drive shall be less than twenty (20) feet wide; and (4) all surfaces shall be improved with pavement material of a standard not less than double bituminous treatments; and (5) no parking space shall be located or designed so as to require or encourage backing into a public street. This section shall not apply to rebuilding or replacing a structure existing at the time of enactment of this ordinance with a structure of similar size, construction, and use.

ARTICLE V GENERAL PROVISIONS

Section 5-1: Reduction in Lot Area Prohibited

No lot shall be permitted to be subdivided or reduced in size so that it will no longer meet the required minimum standards for yards and open space.

Section 5-2: Corner Visibility

In the R-1, R-2, and R-R Residence Districts, in the B-2 General Business District, and in the M-1 Manufacturing District, no obstructions to vision, such as fences, walls, shrubbery, signs or other structures, higher than two and one-half feet (2½) feet shall be allowed within a triangular area at the corner of each intersection of two streets, which area is formed by the intersecting right of way lines and straight line joining said right of way line at points which are twenty (20) feet distant from the point of intersection of the right of way lines measured along the right of way lines.

Section 5-3: Billboards

Signs and billboards shall be prohibited in all residential areas.

Any sign or billboard which uses lights or other electrical devices and is adjacent to a residential area, shall be constructed so as to not cause a nuisance to the residential area. No sign or billboard shall be erected upon trees or other natural features and shall not be allowed to become unsightly or dilapidated. No sign or billboard shall be built upon or protrude into any public street right of way except in the B-1 Central Business District.

The terms "Sign" and "Billboard" do not include street and traffic signs, do not include temporary signs, such as "For Sale", "Sold", or other related titles and do not include permanent historical markers. These terms also do not include permanent signs of a directional nature, such as to churches and schools, provided such sign does not violate any provisions of this ordinance, is no larger than six (6) square feet in area, and is permanently affixed upon a proper post. No paper or cardboard signs are allowed.

Section 5-4: Accessory Structure Restrictions

Accessory structures in residential districts shall not be more than two (2) floors in height, shall not be erected in any required yard area, and shall not violate the dimension requirements of Section 4-3.

Section 5-5: Erection of more than one Principal Structure on a Lot.

In any district, more than one structure housing a permitted or permissible use may be erected on a single lot, provided that yards, dimension and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.

Section 5-6: Exceptions to Height Regulations

The height limitations contained in this ordinance do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

**ORDINANCE NO. 2010-02
AN ORDINANCE AMENDING
GREENSBORO ZONING
ORDINANCE ARTICLE IV SECTION 4-4**

Section 4-4: Parking Requirements.

No structure, whether residential, business, industrial or for any other use permitted hereunder, shall hereafter be erected or constructed upon a lot, unless and until adequate off-street parking shall be provided on said lot sufficient to accommodate the use made or to be made upon such lot; and except for residential buildings, no parking space shall be: (1) located in required front yards or upon street rights of way; (2) no space shall be less than nine(9) feet wide and twenty (20) feet in length; (3) no aisle or entrance drive shall be less than twenty (20) feet wide; and (4) all surfaces shall be improved with pavement material of a standard not less than double bituminous treatments; and (5) no parking space shall be located or designed so as to require or encourage backing into a public street.

This ordinance is effective immediately upon the approval by the City Council and its proper publication as required by law.

ADOPTED THE 28th DAY OF SEPTEMBER, 2010

Section 5-7: Structures to Have Access

Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street so as to provide safe and convenient access for servicing fire protection and required off street parking.

Section 5-8: Parking and Storage of Certain Vehicles

Abandoned automotive vehicles or Automotive vehicles or trailers of any kind without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

ARTICLE VI DEFINITIONS

- 1 - ACCESSORY STRUCTURE - A building or structure located on the same lot as and incidental to the operation or principle use of the main structure on that lot.
- 2 - APARTMENT - A structure comprised of at least three (3) separate and independent dwellings, units with each dwelling designed to house one family unit.
- 3 - BUILDING OR STRUCTURE - A roofed structure used for the shelter, housing protection or enclosure of persons and/or property.
- 4 - BUILDING PERMIT - A written permit from the Building Inspector for the occupancy, use, erection, alteration, or modification of any structure or lot that ascertains that the provisions of this ordinance have been satisfied.
- 5 - CLUB, PRIVATE - Those organizations of a fraternal or social character, not operated for profit in their services or operations.
- 6 - COMMERCIAL USE - Those uses of land and property that pertain to the offering of services or the exchange of goods through purchase and sale.
- 7 - DISTRICTS - Those sections of the city designated to encompass certain uses and maintain special characteristics through planned development.
- 8 - DISTRICT BOUNDARY - That imaginary line or existing street or other structure which is specified as the division between two districts. (Article I, Section 6)
- 9 - DUPLEX - A residential structure designed for two dwelling units.
- 10 - DWELLING UNIT - A facility for one family unit that provides complete living accommodations.
- 11 - ELECTRICAL SUBSTATION - An assemblage of equipment through which electric energy in bulk is passed for the purpose of switching or modifying characteristics.
- 12 - HEIGHT - The vertical distance from the ground level of a structure to its highest point, not including chimneys, spires, elevator housing units, antennas and smokestacks.
- 13 - HOME OCCUPATION - An occupation conducted within a dwelling unit by the family members, taking up no more than 25% of the living space of the dwelling, not creating more traffic than normally would occur at that dwelling unit, and having no advertising sign visible from a public street.
- 14 - HOTEL OR MOTEL - A structure providing eight (8) or more bedroom units for temporary occupancy, with the exception of one dwelling unit for the resident manager.
- 15 - INDUSTRIAL USE - Those uses of land and structures delegated to such activities as manufacturing and industry.
- 16 - LOT - Any parcel or plot of land occupied or intended to be occupied by a building and/or its specific uses.

- 17 - MOBILE HOME - A portable dwelling unit, including house trailers and modular homes.
- 18 - NONCONFORMING USE - A existing structure or parcel of land that legally does not conform to the zoning ordinance.
- 19 - NON-COMMERCIAL PARKS - An open area of land, possibly with facilities for recreation, operated by a private organization or the government, not for profit.
- 20 - RESIDENTIAL USE - Land or structure intended for the housing and protection of individuals and family units.
- 21 - SETBACK - The distance measured from the front of a lot to the front building line.
- 22 - SHALL - the term "shall" is always mandatory.
- 23 - SHOPPING CENTER - A commercial development built in a unified architectural plan on a tract of land which includes four (4) or more retail or service establishments and providing common parking facilities for customers.
- 24 - SINGLE FAMILY DWELLING - A dwelling designed for occupancy by a single family, to include however a residence containing an apartment provided the apartment is incidental to the occupation of such residence as a single family dwelling and provided that the structure has all of the outward physical characteristics and appearance of a single family dwelling.
- 25 - YARD - An open space on the same lot as a building or structure.
- a. *Front Yard* - That area of the yard extending from the front line of the structure to the front line of the lot.
 - b. *Side Yard* - That area of the yard on either side of the structure extending to the rear lot line.
- 26 - BUILDING INSPECTOR - That person designated by proper authority to approve plans and issue building permits and enforce the zoning ordinance.

ARTICLE VII AMENDMENT PROCEDURE

The regulations, restrictions and boundaries established by this ordinance may be amended, supplemented, changed, modified or repealed by the municipal governing body. No amendment shall become effective until the proposed amendment has been published at least once a week for two consecutive weeks in advance of its passage in a newspaper of general circulation within the municipality, or if no newspaper then by posting in four conspicuous places, together with a notice stating time and place where all people who desire may voice opinions of such amendment. The provisions of Title 11, Chapter 52, Article 4, Section 76-78, 1975 Code of Alabama as the same may be amended, shall apply to all changes and amendments.

ARTICLE VIII LEGAL STATUS PROVISION

Section 8-1: Interpretation and Purpose

In their interpretation and application the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of the public health, safety, convenience, order, prosperity and general welfare of the community. Where other ordinances and regulations adopted hereafter impose greater restrictions than those herein, compliance with these latter ordinances and regulations is mandatory.

Section 8-2: Saving Clause

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not in and of itself invalid or unconstitutional.

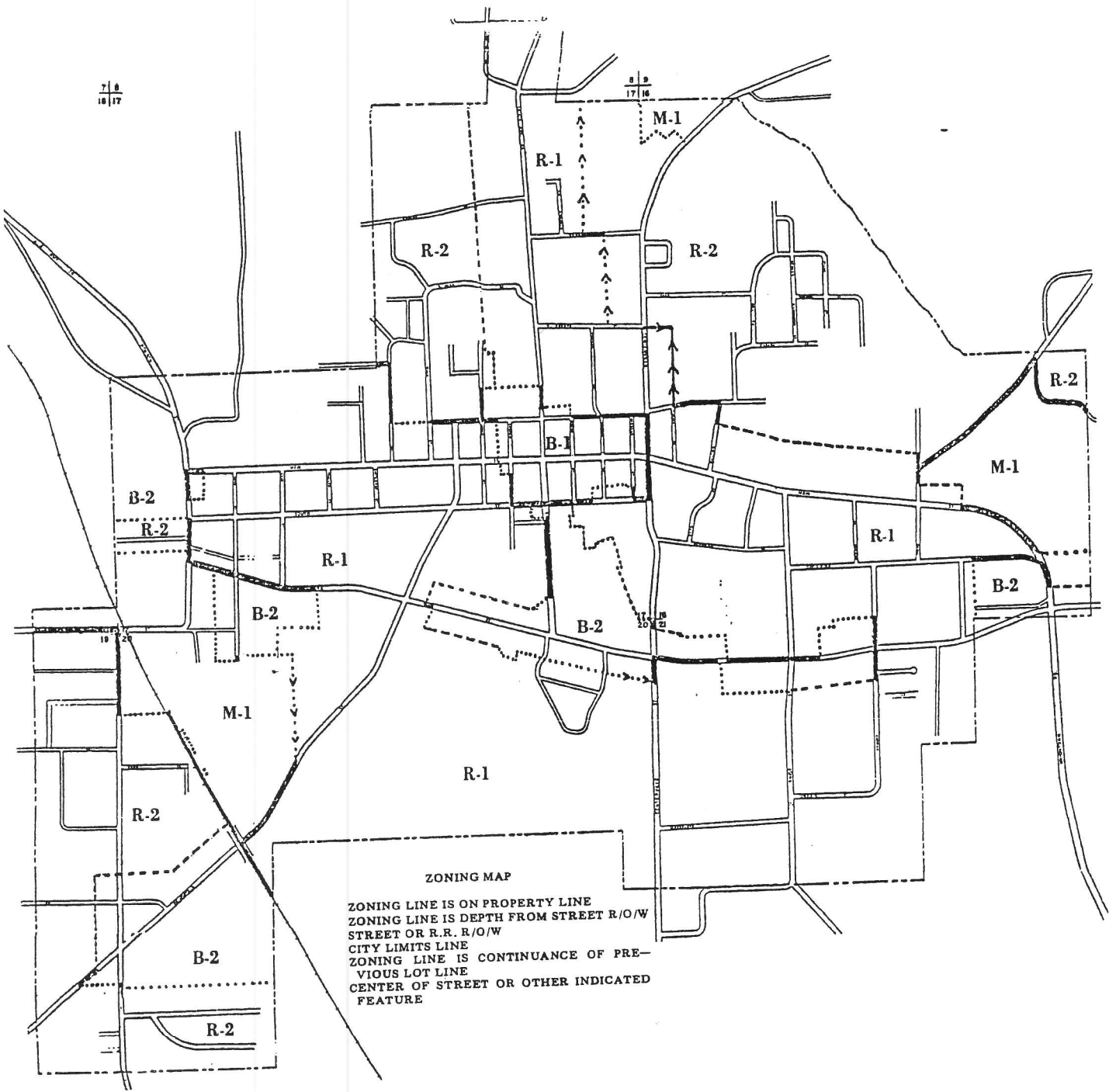
Section 8-3: Effective Date

This ordinance shall be effective and in full force from and after the date of its passage.

Section 8-4: Repeal of Existing Zoning Ordinance

All provisions of the zoning ordinance of the City of Greensboro enacted February 26, 1944, as amended, which are not re-enacted herein, are hereby repealed.

7/8
18/17



SAMPLE ZONING MAP
Official map on file at
Greensboro City Hall