



Minutes of the City of Calera Council Meeting October 18, 2021

The Council of the City of Calera met in the Council Chambers of the City Hall at 7901 Highway 31 on Monday, October 18, 2021, at 6:30 p.m., in a regular meeting. Mayor Graham presiding.

Mayor and Council Members Present:

Jon G. Graham, Mayor
Philip Busby, Council Member
Kenny Dale Cost, Council Member
Ernest Montgomery, Council Member
Calvin Morgan, Council Member
Kay Snowden Turner, Council Member
Alan Watts, Council Member

Guests:

Sean Kendrick, James Fuller, Bill Hilyer, David Hyche, Jackie Batson, Bill and Ann Davis, Chris Pappas, Alison Powers, Debbie and Richard Byers, Dawn Griggs, Reggie Darden, Seth Gandy, Markus Snowden, Jeff Putman

Mayor Graham called the meeting to order at 6:30 p.m.

Word of Prayer and Pledge of Allegiance:

Calvin Morgan opened the meeting with prayer and the Pledge of Allegiance.

Approval of Minutes:

Council Member Cost made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – October 4, 2021
Work Session – October 4, 2021

Council Member Morgan seconded said motion and upon vote, the results were as

follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed

Old Business:

Ordinance No. 2021-09 – Beeswax Investment, LLC – Parcel 22 8 34 0 000 007.001 Rezoning Request from A1 to B2 – Public Hearing

Council Member Watts moved Ordinance No. 2021-09 be adopted. Council Member Morgan seconded said motion and upon vote the results was as follows:

AYES: Cost, Graham, Montgomery, Morgan, Watts

NAYS: Busby, Turner

Motion Passed – Adopted this 18th day of October 2021

Ordinance No. 2021-06 – Amending Zoning Ordinance Article 5 Establishment of Districts Sections 5.1 thru Sections 5.11.2 – Public Hearing

Council Member Cost moved Ordinance No. 2021-06 be adopted. Council Member Morgan seconded said motion and upon vote the results was as follows:

AYES: Cost, Graham, Montgomery, Morgan, Watts

NAYS: Busby, Turner

Motion Passed – Adopted this 18th day of October 2021

David Hyche, Police Chief - East Central Alabama Highway Safety Office Traffic Enforcement Agreement (See Attached)

Council Member Watts made a motion to authorize Mayor Graham to sign the East Central Alabama Highway Safety Office Traffic Enforcement Agreement. Council Member Turner seconded said motion and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed

New Business:

Municipal Board Appointments – Zoning Board of Adjustments

Recommendations:

Debbie Byers and Greg Harper – Alternate Members – Term Expires November 2023

Howard Kaplan replacing Sandy Roberson – Term Expires October 2023

Resignations:

Sandy Roberson and Brianne Gilliland

Council Member Montgomery made a motion to appoint Debbie Byers, Greg Harper and Howard Kaplan to the Zoning Board of Adjustments. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed

Ordinance No. 2021-11 – 2022 Severe Weather Preparedness Tax Holiday – February 25 - 27, 2022

Council Member Cost moved unanimous consent of the Council is given for immediate action upon said Ordinance. Council Member Turner second said motion and upon vote the results was as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Cost moved Ordinance No. 2021-11 be adopted. Council Member Watts seconded said motion and upon vote the results was as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Motion Passed – Adopted this 18th day of October 2021

Resolution No. 2020-41 Placing a Six Month Hold on Applications for Residential Preliminary Plats - Motion to remove the hold

Council Member Cost made a motion to remove the hold on Applications for Residential Preliminary Plats. Council Member Morgan seconded said motion and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Watts

NAYS: Turner

Motion Passed October 18, 2021 Hold Lifted

Resolution No. 2020-07 Placing a One Year Hold on Applications for and Approvals of RT and RG Rezonings – Motion to remove the hold

Council Member Cost made a motion to remove the hold on Applications for and Approvals of RT and RG Rezonings. Council Member Morgan seconded said motion and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Watts

NAYS: Turner

Motion Passed October 18, 2021 Hold Lifted

Moratorium on Gas Stations and Convenience Stores

Council Member Turner made a motion to have a moratorium on gas stations and convenience stores for the next 60 days. No second given

Maintenance of Detention / Retention Ponds – Responsibility of the Developer and the HOA

Council Member Cost made a motion that the developers and HOA's will be responsible for the maintenance of detention / retention ponds in any new subdivision moving forward. Council Member Busby seconded said motion and upon the vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Watts, Turner

NAYS: None

Motion Passed

Guests:

Jeff Putman discussed the recent flooding in the Summerchase Subdivision

Council Member Busby made a motion to adjourn the meeting at 7:00 p.m.

Approved this 1st day of November 2021.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

To view our City Council Meeting please click the link below:

<https://www.youtube.com/watch?v=izLs97HqxsY>

Second Reading

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2021-09

WHEREAS, the Planning Commission of the City of Calera, Alabama conducted a public hearing on **September 7, 2021** and has recommended changes in the City of Calera zoning map, and advises that said zoning is in compliance with the City of Calera Comprehensive Plan, and

WHEREAS, the Council of the City of Calera, Alabama has conducted a public hearing after proper legal and actual notice to landowners to consider changes in the zoning map recommended by the Planning Commission.

IT IS THEREFORE ORDAINED BY THE MAYOR AND
COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

That the zoning request of property described in **Exhibit A** be rezoned as follows:

From: A1 (Agriculture) District

To: B2 (General Business) District

Council Member Watts moved that Ordinance No. 2021-09 be adopted. Council Member Morgan seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Graham, Morgan, Cost

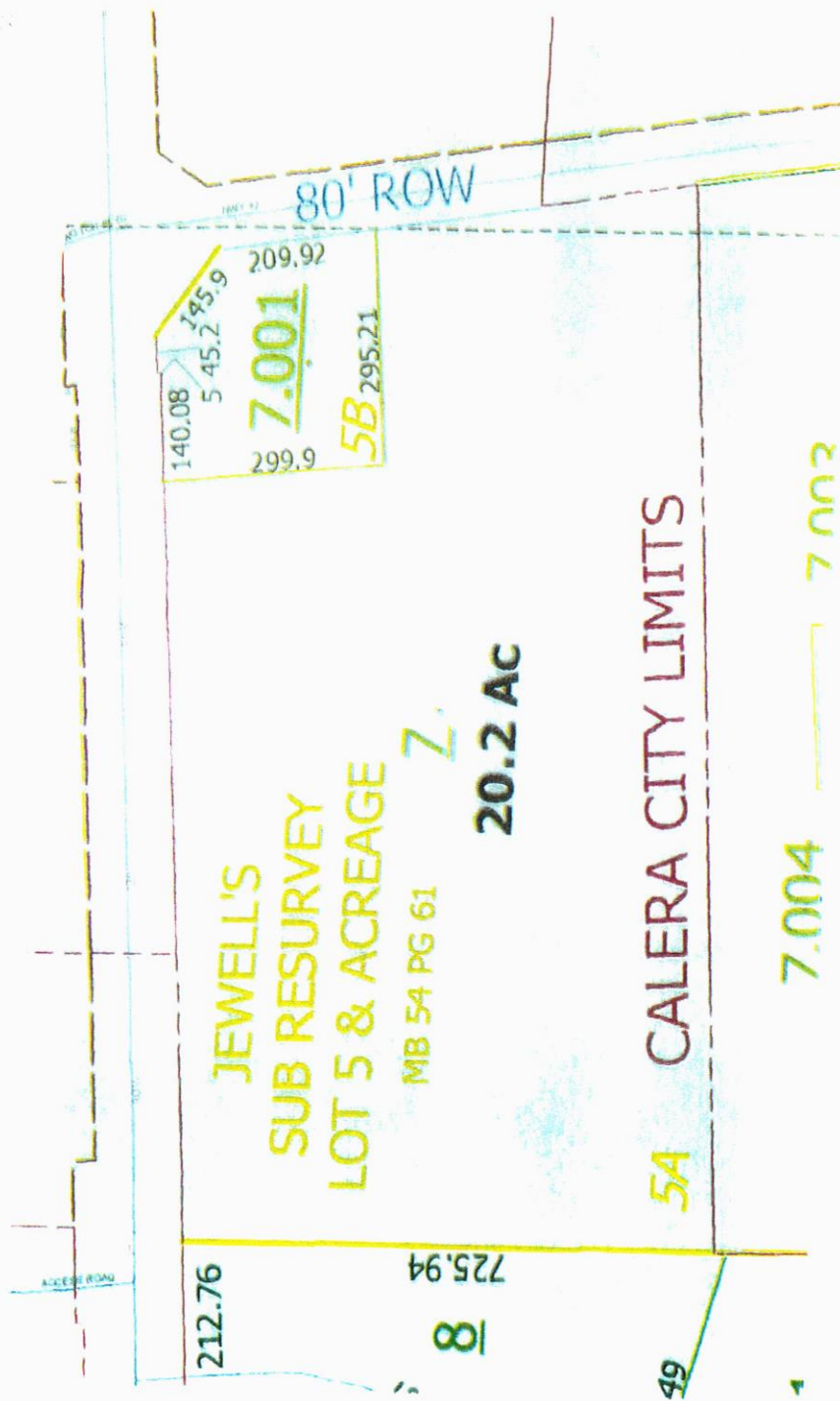
NAYS: Busby, Turner

Mayor Graham declared Ordinance No. 2021-09 adopted.

Adopted this 18th day of October 2021.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor



Second Reading

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2021-06

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

- (1) **WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending the Zoning Ordinance Article 5 Establishment of Districts by:

Deleting:

Article 5 ESTABLISHMENT OF DISTRICTS

In order to carry out the intent and purpose of this Zoning Ordinance, the City of Calera is hereby divided into the following districts. The location, boundaries and area of which are and shall be, as shown and depicted upon the official zoning map. The said districts are to be as follows:

E-1	Single family Residential (Estate) District
R-1	Single family Residential District
R-2	Single family Residential District
R-2-A	Single family Residential District
R-3	Single family (Affordable Housing) Residential District
R-3-A	Manufactured Home Subdivision District
R-3-B	Manufactured Home Park District
R-4	Multi-family Residential District
RG	Garden Home Residential District
RT	Townhouse Residential District
A-1	Agricultural District
O&I	Office and Institutional District
B-1	Neighborhood Commercial District
B-2	General Business District
B-3	Historical Business District
M-1	Light Industrial District
M-2	Heavy Industrial District
M-3	Heavy Industrial District
MR	Municipal Reserve District

Questions concerning the exact location of district boundary lines shall be decided by the ZBA, as outlined in [§2.5](#) Interpretation of District Boundaries. The zoning district regulations are supplemented by the following Articles and provisions of this Ordinance:

Administration and Review Procedures, Art. 2

Definitions, Art. 3

General Regulations, Art. 4

Supplemental Regulations, Art. 6

Use Specific Regulations, Art. 7

Off-street Parking and Loading Regulations, Art. 8

Landscaping Regulations, Art. 9

Buffer Requirements, [§9.2 Buffers](#).

The District regulations are as described following.

E-1 Single family Residential (Estate) District

Intent. To provide areas suitable for detached single family residences on large lots, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: One (1) acre

Minimum Lot Width: 100 ft

Minimum Yard Setbacks:

Front: Fifty (50) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline

Rear: Fifty (50) ft

Side: Fifteen (15) ft *Long Branch is 12'

Maximum Height: Thirty-five (35) ft or 2-1/2 stories

Minimum Livable Floor Area: 1,300 sf of heated space, ground level or above

Corner Lot setbacks shall be the same on both streets.

R-1 Single family Residential District

Intent. To provide areas for medium density detached single family residences, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 15,000 sf

Minimum Lot Width: 100 ft

Minimum Yard Size:

Front: Thirty-five (35) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline

Rear: Forty (40) ft

Side: Ten (10) ft

Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See figure below.

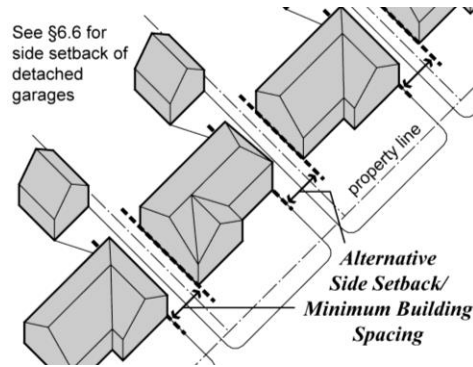


Figure 5-2: Alternative Side Setback/Minimum Building Spacing

Maximum Height: Thirty-five (35) ft or 2-1/2 stories

Minimum Floor Area: 1,200 sf of heated space ground level or above

Corner Lot setbacks shall be the same on both streets.

R-2 Single family Residential District

Intent. To provide areas for medium density single family residences along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 12,000 sf

Minimum Lot Width: Seventy-five (75) ft

Minimum Yard Setbacks:

Front: Thirty-five (35) ft

Secondary front (for Standard Corner Lots): twenty (20) ft

Rear: Forty (40) ft

Side: Ten (10) ft

Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See [Figure 5-2](#).

Maximum Height: Thirty-five (35) ft or 2-1/2 stories

Minimum Floor Area: 1,200 sf of heated space ground level or above

For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

R-2-A Single family Residential District

Intent. To provide areas suitable for medium density detached single family residences, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 10,000 sf

Minimum Lot Width: Sixty-five (65) ft

Minimum Yard Setback:

Front: Thirty-five (35) ft

Secondary front (for Standard Corner Lots): twenty (20) ft

Rear: Thirty (30) ft

Side: Ten (10) ft

Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See [Figure 5-2](#).

Maximum Height: Thirty-five (35) ft or 2-1/2 stories

Minimum Livable Floor Area: 1,000 sf of heated space ground level or above

For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

R-3 Single family (Affordable Housing) Residential District

Intent. To provide areas suitable for medium density detached single family residences, along with manufactured homes, duplexes and selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 8,000 sf

Minimum Lot Width: Sixty (60) ft

Minimum Yard Size:

Front: Twenty-five (25) ft

Secondary front (for Standard Corner Lots only): 20 ft

Rear: Thirty (30) ft

Side: Ten (10) ft

Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See [Figure 5-2](#).

Maximum Height: Thirty-five (35) ft or 2 1/2 stories

Minimum Floor Area: 600 sf, of heated space ground level or above

For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

R-3A Manufactured Home Subdivision District

Intent. To provide areas for Manufactured Home Subdivision Development, free from other uses which are incompatible with the character and intent of this district.

Use Regulations. Refer to [Table 5.1](#).

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 7,500 sf [15,000 sf if septic tanks and field lines are required]

Minimum Lot Width: Fifty (50) ft

Minimum Yard Setbacks:

Front: Thirty-five (35) ft

Rear: Thirty-five (35) ft

Side: Eight (8) ft

Corner Lots: Setbacks shall be the same on both streets

Manufactured Home Standards

Only Class A Manufactured Homes, as defined in [§3.5 Uses Defined](#), shall be permitted.

Each manufactured home shall be provided with two (2) off-street parking spaces, with all streets and parking spaces in complete compliance with the Calera Subdivision Regulations relative to street standards.

All manufactured homes shall be installed according to all requirements of the City Building Code and shall be completely skirted within thirty (30) days from the date the home is moved on a lot with weather resistance material. Skirting shall be adequately vented.

Procedure for Plat Approval. Layout plans for all manufactured home subdivisions shall be prepared by a Registered Engineer and submitted to the Commission for review and approval of construction. This site plan shall include the following:

Area and dimensions of the site

Number of lots, dimensions and layout of all lots

Location, size and layout of all utilities and streets

Assessment of drainage conditions by a Registered Engineer, including all proposed measures needed to rectify problems, where they exist

Street plan, including all off-street parking

Assessment of traffic conditions, including all proposed measures needed to rectify problems where they exist

Location and type of all street lighting

Location of all fire hydrants

Additional Regulations

All manufactured homes shall be individually owned.

The subdivisions shall be in accordance with all applicable Sections of the City's Subdivision Regulations.

All access points shall be as approved by the City Engineer in accord with the Public Works Manual.

The subdivision shall be served with water, sanitary facilities, and adequate drainage facilities and such plans shall be submitted to both the City Engineer and the Commission for review and approval.

R-3-B Manufactured Home Park District

Intent. To provide areas for Manufactured Home Parks, free from other uses which are incompatible with the character and intent of this district.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

The following uses shall be permitted: Class A and B Manufactured Homes, management office, manager's residence, service facilities such as laundromats, garbage pick-up areas, accessory structures and buildings, outdoor storage yards, recreational areas and facilities along with retail convenience sales intended to serve the residents of the park and their guests.

Site Standards. A site plan shall be prepared and submitted for each manufactured home park, and:

The minimum site area for the manufactured home park shall be twenty (20) contiguous acres of land with access to a public street of not less than fifty (50) ft in width.

Each manufactured home space shall have a minimum of 5,000 sf and have a minimum width of forty-five (45) ft at the front lot line.

Each manufactured home space shall be set back a minimum of thirty-five (35) ft from any park boundary line and ten (10) ft from any other lot line.

Minimum Yard Setbacks:

Front Yard: Twenty-five (25) ft, or if fronting on undedicated road: sixty (60) ft from the centerline

Rear Yard: Ten (10) ft

Side Yard: Ten (10) ft

No manufactured home may be located closer than twenty (20) ft to another such home on an adjacent lot.

The maximum density shall be six (6) manufactured homes per gross tract acre, if not served by public water and sewer. A lower density may be required by the County Health Department.

Location and type of street lighting as recommended by the Alabama Power Company or comparable engineering data.

Location and type of fire hydrants to be coordinated with City of Calera Fire Department.

Each manufactured home park shall be provided with a park and recreational area having a minimum area of 100 sf per manufactured home space. Such areas shall be consolidated into usable areas.

Installation. All manufactured homes shall be installed according to all requirements of the City Building Code; and, be completely skirted within thirty (30) days from the date the home is moved into the park with a weather resistant material. Skirting shall be adequately vented.

Storage Facilities, Accessory Uses and Structures. A maximum of 100 sf of storage area shall be provided for each space. Alternatively, park management may provide common storage lockers at an equivalent capacity. Permitted accessory structures on manufactured home spaces shall include all accessory structures permitted on the lots of single family residences, except for private swimming pools and satellite dish antennas. Such accessory uses shall not be permitted closer than five (5) ft from the rear and side boundaries of each space. Carports may be permitted in the front yard but shall not be permitted within five (5) ft of the front building line. However, such shall not be permitted within five (5) ft of the rear and side boundaries of each space and twenty-five (25) ft from front lot lines; and, in the case of a corner lot, twenty-five (25) ft from the lot lines adjacent to a street.

Off-street parking and Streets. Two-way private, paved streets (maintained by the park management) shall be installed to furnish convenient access to all manufactured home spaces within the park and such streets shall be in complete conformance with City street standards. No manufactured (mobile) home shall have its own access into a public street. Dead-end streets shall have turn-arounds in conformance with City street standards and each manufactured home shall have two (2) paved, off-street parking spaces. In addition, the location of all driveways shall be shown on the required site plan and approved by the Commission.

Service Facilities. Common recreational facilities and laundromats shall be provided for the use of park residents and their guests only. Garbage collection and disposal shall be the responsibility of park management and common garbage pick-up points shall be provided and screened as required in [§9.4 Screening](#).

Required park and recreational areas shall be provided in one or more centrally located, usable areas easily accessible to all park residents. Such space shall be maintained in a usable and sanitary condition.

Every Manufactured Home Park of ten (10) or more spaces shall be provided with above- or below-grade storm shelters, which shall:

- have a minimum floor area of ten (10) sf for each Manufactured Home space.

- Be designed by a licensed structural engineer or architect and built in accord with plans as approved by the Building Official.

- Be designed and constructed to meet the minimum lighting, ventilation and exiting requirements of the Building Code, Mechanical Code, Plumbing Code and Electrical Code, where applicable.

- Be designed and constructed to meet all applicable requirements of the Americans with Disabilities Act (ADA).

- Be located no farther than 1,320 linear ft from the furthest Manufactured Home space on-site.

Buffer Requirements. See [§9.2 Buffers](#).

Signs. Internal signs shall be in conformance with park management policy. If no such policy exists, the same signs permitted in other single family districts shall apply.

Landscaping. All required yards shall be permanently landscaped and maintained with ground cover, trees and shrubs.

Deck/Patio. Each Manufactured Home should be provided with a deck or patio of at least 200 sf.

Ownership. All Manufactured Homes are to be leased or rented only and are not to be sold individually.

Fences. Fences shall be in accordance with the provisions of [§6.4 Fences and Walls](#).

R-4 Multi-family Residential District

Intent. To provide areas for multi-family residential development along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#) and the provisions herein:

Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Maximum Building Height: three (3) stories

Regulations for Multi-family Uses, Assisted and Independent Living Facilities:

- Minimum Lot Area: None specified, although the maximum density shall be twenty (20) units per acre

- Minimum Lot Width: 200 ft

- Corner Lots shall have the same setbacks on both streets

- Minimum Livable Floor Area: 500 sf of heated space per unit, ground level or above

- All principal buildings shall be set back from parking areas and driveways by not less than twenty (20) ft.

- Minimum Open Space shall be as required per [§7.7](#) for Assisted Living Facilities and per [§7.15](#) for Multi-Family developments and Independent Living Facilities.

For multi-family buildings (one building per lot):

- Minimum Yard Setbacks:

 - Front: Fifteen (15) ft

 - Rear: Thirty (30) ft

 - Side: None, except as required by the Building and Fire Code.

- Off-street parking shall be to the side or the rear.

For multi-family complexes, assisted living facilities and independent living facilities, no building shall be nearer a dedicated street than thirty-five (35) ft. All multiple dwelling buildings shall be separated by not less than:

- Forty (40) ft front to front
- Fifteen (15) ft front to end
- Thirty (30) ft front to end
- Fifty (50) ft front to back
- Twenty (20) ft end to end
- Any other situations: Ten (10) ft

Requirements for Other Uses.

Public Buildings. See [§7.16](#).

Places of Assembly, Group Care Homes, Boarding Houses and Duplexes shall comply with the following setbacks:

- Front: Twenty-five (25) ft
- Rear: Thirty (30) ft
- Side: Ten (10) ft

Additional Regulations

For multi-family complexes and any other permitted use with multiple buildings, A Site Development Plan is required, which provides for:

Convenient vehicular servicing of the buildings, satisfactory circulation of traffic in the parking areas, and no undue interference with through traffic in gaining ingress and egress from the proposed site

A preliminary plan or engineering report providing for the site grading, storm drainage, sanitary sewerage and water supply prepared by a Registered Engineer

Suitable entrance and exit points adjoining public streets serving the proposed development, which shall be properly illuminated to reduce traffic safety hazards

Garbage and refuse collection facilities shall be the responsibility of apartment management and shall be screened as required in [§9.4 Screening](#).

RG Residential Garden Home District

Intent. To provide areas suitable for the development of residential garden homes along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

Use Regulations. Refer to [Table 5.1](#).

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Area: 6,000 sf

Minimum Lot Width: sixty (60) ft

Minimum Yard Setbacks:

- Front: Twenty (20) ft
- Rear: Twenty-five (25) ft
- Side: Ten (10) ft

Corner Lots shall have the same setbacks on both streets.

No building in an RG District shall be located less than twenty-five (25) ft from any boundary of the RG Development abutting single family residential zoning districts.

Alternative setback provisions for new subdivisions: When required parking is provided within a detached structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, the side yard is sized to accommodate, at a minimum, the width of the driveway.

Minimum Floor Area:

One story: 1,000 sf

Two story: 850 sf on first floor

Additional Regulations (When Applicable)

No fence shall be permitted forward of the front corner of the house.

No Garden Home site shall share the same block frontage with detached single-family dwellings or duplexes unless separated by an alley, watercourse or buffer.

All utilities shall be placed underground or in an alley for rear-loaded lots.

All lots shall be served by water and sewer.

There shall be two (2) paved, off-street parking spaces for each unit

Customary accessory buildings or structures, one (1) per parcel or lot, shall not exceed 200 sf. That portion of a detached accessory structure devoted to required parking shall not be counted against this allowance.

RT Residential Townhouse District

Intent. To provide areas suitable for Townhouse Residential Dwellings

Use Regulations. Refer to [Table 5.1](#).

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Maximum Density: Ten (10) units per gross tract acre, including common area

Minimum Lot Width: Eighteen (18) ft for townhouses; otherwise the minimum lot width shall be as necessary to provide fire separation in accordance with the Fire/Building Code

Minimum Yard Setbacks:

Front: Townhouses shall be set back no less than ten (10) ft from the front lot line. Where the front yard is less than fifteen (15) ft, the ground floor of the unit shall be no less than two (2) ft above grade level at the sidewalk. If front-loaded, units shall be setback thirty-five (35) ft from the front lot line.

Rear: For dwellings, the minimum rear yard setback shall be thirty (30) ft. Where an alley is present at the rear of the lot, the minimum rear yard setback for accessory buildings shall be twelve (12) ft from the alley centerline.

Side: Zero (0) ft for townhouses; as required by the Fire/Building Code in all other cases

Townhouse dwellings shall be located at least fifteen (15) ft from the RT District boundary as depicted on the site development plan; twenty (20) ft from an E-1, R-1, R-2, R-3 or R-G District.

Corner Lots: Shall have the same setbacks on both streets.

Maximum Height: Thirty-five (35) ft or 2 1/2 stories

Minimum Livable Floor Area:

One (1) story Townhouse: 1,000 sf

One and one-half (1 1/2) or two (2) story Townhouse: 500 sf on the first floor

Total minimum for townhouse: 1,000 sf

Eave Overhangs: Cornices or eaves may extend into adjoining property when allowed by properly executed and recorded covenants between property owners. All such cornices and eaves shall be fire-proof.

Building Groups. No less than three (3) nor more than eight (8) Townhouses shall be located within a continuous building group and no interconnection or overlapping between individual dwelling units shall be permitted.

A Site Development Plan is required which provides for:

Convenient vehicular servicing of the buildings, satisfactory circulation of traffic in the parking areas, and no undue interference with through traffic in gaining ingress and egress to the proposed site.

A preliminary plan or engineering report providing for the site grading, storm drainage, sanitary sewerage and water supply, prepared by a Registered Engineer.

Suitable entrance and exit points adjoining public streets serving the proposed development, which shall be properly illuminated to reduce traffic hazards.

Additional Regulations (When Applicable)

Parking.

For front setbacks less than twenty-five (25) ft, all required parking shall be within a front-loaded garage or within common or individual parking areas accessed at the rear of units by an alley or common drive.

The minimum depth of off-street parking spaces shall be measured from back of sidewalk, if front-loaded. No parking shall be permitted on a driveway less than twenty (20) ft in depth from the sidewalk to the building line. Any lots for semi-detached or detached dwellings less than sixty (60) ft wide shall be rear-loaded.

Required parking spaces shall not be permitted along existing streets.

No Townhouse site shall share the same block frontage with detached single-family dwellings or duplexes unless separated by an alley, watercourse or buffer.

Building groups shall be planned so that all units on the same block frontage are either front-loaded or rear-loaded.

Adequate provisions for emergency access from the rear of lots may be required by the Fire Marshal for lots less than sixty (60) ft in width.

A sidewalk of at least thirty-six (36) inches in width shall be provided connecting from the front entrance of each unit to the rear of the building group for unobstructed access to the rear of each unit. Where units are set back no more than twenty (20) ft from the sidewalk along the street, such sidewalk may be used as a part of this required access. Where such access must cross lots, an easement of five (5) ft in width shall be provided.

An easement appurtenant across lots shall be provided where a property owner must cross an adjoining property to reach his or her own property with gates provided if fence extends to the property line.

The applicant shall provide for and establish an organization or other legal entity for the ownership and maintenance of any commonly owned areas designated as such on the site development plan (see also [§6.11](#)). Such organization shall be created by covenants running with the land and such deed restrictions or covenants shall be duly recorded in the Office of the Probate Judge.

No fences shall be allowed in the front yard for front-loaded units.

Private swimming pools are prohibited on individual townhouse lots in the RT District but may be placed in a common area.

All utilities shall be placed underground or in an alley for rear-loaded lots.

All lots shall be served by water and sewer.

Garbage and refuse collection and disposal shall be the responsibility of management and such collection facilities shall be screened as required in [§9.4 Screening](#).

Table 5.1 Permitted Uses for Residential Districts

	E-1	R-1	R-2	R-2A	R-3	R-3A	R-3B	R-4	RG	RT
<i>Agricultural Uses</i>										
Hobby Farms, §7.2	Y									
<i>Residential Uses</i>										
Accessory Dwellings, §7.17	SE	SE	SE	SE	SE					
Boarding Houses					Y			Y		
Duplexes					Y			Y		
Conservation Subdivisions, §7.19	Y	Y	Y	Y	Y					
Cottage Subdivisions, §7.20				Y	Y					
Family Day Care Homes, §7.21	Y	Y	Y	Y	Y	Y	Y		SE	SE
Garden Homes									Y	
Group Care Home (4 or less residents)			Y	Y				Y		
Group Care Home (10 or less residents)			SE	SE				Y		
Home Occupations, §7.9	Y	Y	Y	Y	Y	Y			Y	Y
Independent Living Facilities, §7.15								Y		
Manufactured, Modular Homes					Y	Y				
Manufactured Home Parks							Y			
Manufactured Home Subdivisions						Y				
Multi-family Dwellings, §7.15					Y	Y		Y		
Single-family Dwellings, Detached	Y	Y	Y	Y	Y					Y
Single-family Dwellings, Semi-detached										Y
Townhouses										Y
<i>Residential Accessory Uses</i>										
Customary Accessory Structures, §6.6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Garage Sales, §6.9	Y	Y	Y	Y	Y	Y		Y	Y	Y
Private Swimming Pools, §6.10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Private Tennis Courts, §6.10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Satellite Dish Antennas, §6.7	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<i>Institutional Uses</i>										
Assisted Living Facilities, §7.7								SE		
Cemeteries, §7.8	Y									
Country Clubs	Y	Y	Y							
Group Care Home (more than 10 residents)								SE		
Parks	Y	Y	Y	Y	Y			Y		
Places of Assembly	SE	SE	SE	SE	SE			SE	SE	SE
Public Buildings, §7.16	Y	Y	Y	Y	Y			Y	Y	Y
Public Utility Facilities	SE	SE	SE	SE	SE			SE	SE	SE
Public Utility Services	Y	Y	Y	Y	Y			Y	Y	Y
Schools	C	C	C	C	C			C		
<i>Commercial Uses</i>										
Bed and Breakfasts, §7.18			Y		Y					
<i>Telecommunications Uses</i>										
Wireless Facilities, §7.11	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Y – The use is permitted by right subject to any limitations of the applicable district. Similar uses to those listed may also be permitted subject to [§2.6](#) Interpretation of Uses and [§2.7](#) Unclassified Uses.

SE – Special Exception Use, requires approval by ZBA (see [§2.8](#)). May also be subject to district limitations.

C – Conditional Use, requires approval by the Commission (see [§2.9](#)). May also be subject to district limitations.

A use followed by a numeric cross-reference is also subject to the regulations referenced.

A blank cell indicates that the use is not permitted.

A-1 Agricultural District

Intent. This district consists primarily of undeveloped lands where agricultural and related pursuits may occur within the City and where agriculture support centers may serve outlying areas beyond the City. Further, the intent of the A-1 District is to preserve these areas in agriculture, forestry, rural residential and other limited, yet compatible land uses until such time as a higher density development pattern may be desired and City services can be expanded to accommodate this development.

Use Regulations. Refer to [Table 5.2](#) and the provisions herein.

Those institutional uses listed herein as permitted or as Special Exception Uses shall be limited to medium intensity as provided in [§3.5.3](#) unless approved by the Commission as a Conditional Use.

Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Size: 20,000 sf

Minimum Yard Size:

Front: Forty (40) ft

Rear: Forty-five (45) ft

Side: Fifteen (15) ft

Maximum Height: Thirty-five (35) ft or 2-1/2 stories

In the A-1 Agricultural District, no structure housing livestock or fowl of any kind shall be located any closer than 100 ft from any property line of a district other than an A-1 Agricultural District. In any event, no such structure shall be located any closer than 300 ft from the nearest then existing residence other than that of the owner of the property.

Regulations for Manufactured Homes. Manufactured homes shall be permitted subject to the following requirements:

All manufactured homes, as located on the proposed site, shall be at least seventy-five (75) ft from the nearest residential structure, excluding another such home.

Water and sanitary facilities must be approved by the City, as well as the County Health Department.

Site Requirements:

Minimum Lot Width: 100 ft

Minimum Lot Area: 15,000 sf

Yard Requirements:

Front: Thirty-five (35) ft

Undedicated street: Sixty (60) ft from centerline

Side: Fifteen (15) ft

Rear: Thirty-five (35) ft

Parcel and adjacent property, under the same ownership, will allow the following:

One (1) home: 15,000 sf

Two (2) homes: One (1) acre minimum

Only two additional homes, three including the principal structure, shall be permitted.

(2) **WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending the Zoning Ordinance Article 5 Establishment of Districts by:

Adding:

Article 5 ESTABLISHMENT OF DISTRICTS

In order to carry out the intent and purpose of this Zoning Ordinance, the City of Calera is hereby divided into the following districts. The location, boundaries and area of which are and shall be, as shown and depicted upon the official zoning map. The said districts are to be as follows:

E-1	Single family Residential (Estate) District
R-1	Single family Residential District
R-2	Single family Residential District
R-2-A	Single family Residential District
R-3	Single family (Affordable Housing) Residential District
R-3-A	Manufactured Home Subdivision District
R-3-B	Manufactured Home Park District
R-4	Multi-family Residential District
RG	Garden Home Residential District
RT	Townhouse Residential District
A-1	Agricultural District
O&I	Office and Institutional District
B-1	Neighborhood Commercial District
B-2	General Business District
B-3	Downtown District
M-1	Light Industrial District
M-2	Heavy Industrial District
M-3	Heavy Industrial District
MR	Municipal Reserve District
MXD	Mixed-Use District

Questions concerning the exact location of district boundary lines shall be decided by the ZBA, as outlined in §2.5 Interpretation of District Boundaries. The zoning district regulations are supplemented by the following Articles and provisions of this Ordinance:

1. Administration and Review Procedures, Art. 2
2. Definitions, Art. 3
3. General Regulations, Art. 4
4. Supplemental Regulations, Art. 6
5. Use Specific Regulations, Art. 7
6. Off-street Parking and Loading Regulations, Art. 8
7. Landscaping Regulations, Art. 9
8. Buffer Requirements, §9.2 Buffers.

Note: As of the date of the adoption of this zoning ordinance, any proposed subdivision of land that has already obtained any of the following shall be “grandfathered” and governed by the City’s zoning ordinance in effect as of the latest to occur of the following: (1) preliminary plat approval; (2) final plat approval; (3) issuance of a building permit; and/or (4) any extension or renewal of the foregoing. Provided, however, this “grandfather” exemption shall lapse and expire as to an exempt unimproved property if a permit for the construction of improvements on that property, or some portion thereof, has not been requested from the City for a continuous period of 12 months from the later of the date of approval of the latest of the foregoing events, or from the date of expiration of the last building permit obtained on that property, or some portion thereof. Additionally, if any lot shown in a preliminary or final plat is ever altered, or if unplatted land referenced in such a plat is hereafter proposed to be subdivided, such new lots will not have the foregoing “grandfather” exemption. Instead, such new lots shall conform to the provisions of the zoning ordinance then in effect.

The District regulations are as described following:

§5.1. E-1 Single family Residential (Estate) District

Intent. To provide areas suitable for detached single family residences on large lots, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.1.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.1.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: One (1) acre
2. Minimum Lot Width: 150 ft
3. Minimum Yard Setbacks:
 - a. Front: Seventy-five (75) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline
 - b. Rear: Seventy-five (75) ft
 - c. Side: Twenty-five (25) ft
4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Livable Floor Area:
 - a. One story: 2,400 sf
 - b. More than one story: 1,800 sf on first floor, 2800 sf total
6. Corner Lot setbacks shall be the same on both streets.

§5.2. R-1 Single family Residential District

Intent. To provide areas for medium density detached single family residences, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.2.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.2.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 20,000 sf
2. Minimum Lot Width: 100 ft
3. Minimum Yard Size:
 - a. Front: Fifty (50) ft, or if fronting on undedicated road: Sixty (60) ft from the centerline
 - b. Rear: Fifty (50) ft
 - c. Side: Fifteen (15) ft
 - d. Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See figure below.

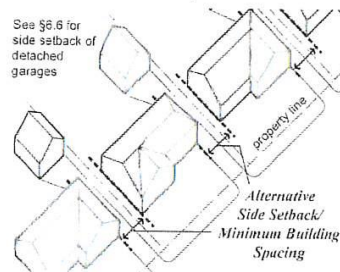


Figure 5-2: Alternative Side Setback/Minimum Building Spacing

4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Floor Area:
 - a. One story: 2,000 sf
 - b. More than one story: 1,500 sf on first floor, 2400 sf total
6. Corner Lot setbacks shall be the same on both streets.

§5.3. R-2 Single family Residential District

Intent. To provide areas for medium density single family residences along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.3.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.3.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 15,000 sf
2. Minimum Lot Width: Seventy-five (75) ft

3. Minimum Yard Setbacks:

- a. Front: Thirty-five (35) ft
- b. Secondary front (for Standard Corner Lots): twenty (20) ft
- c. Rear: Forty (40) ft
- d. Side: Ten (10) ft
- e. Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See Figure 5-2.

4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories

5. Minimum Floor Area:

- a. One story: 1,600 ft
- b. More than one story: 1,200 sf on first floor, 2,200 sf total

6. For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

§5.4. R-2-A Single family Residential District

Intent. To provide areas suitable for medium density detached single family residences, along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.4.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.4.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 10,000 sf
2. Minimum Lot Width: Seventy-five (75) ft
3. Minimum Yard Setback:
 - a. Front: Thirty-five (35) ft
 - b. Secondary front (for Standard Corner Lots): twenty (20) ft
 - c. Rear: Thirty (30) ft
 - d. Side: Ten (10) ft
 - e. Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See Figure 5-2.
4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Livable Floor Area:
 - a. One story: 1,500 sf
 - b. More than one story: 1,500 sf on first floor, 2,200 sf total
6. For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

§5.5. R-3 Single family (Affordable Housing) Residential District

Intent. To provide areas suitable for medium density detached single family residences, along with manufactured homes, duplexes and selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.5.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in

§3.5.3 unless approved by the Commission as a Conditional Use.

5.5.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 10,000 sf
2. Minimum Lot Width: Seventy (70) ft
3. Minimum Yard Setbacks:
 - a. Front: Thirty (30) ft
 - b. Secondary front (for Standard Corner Lots only): 20 ft
 - c. Rear: Thirty (30) ft
 - d. Side: Ten (10) ft
 - e. Alternative setback provisions for new subdivisions: When required parking is provided within a structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft. In such cases and when front-loaded, a minimum building spacing of twenty (20) ft shall be required instead of a side yard setback. See Figure 5-2.
4. Maximum Height: Thirty-five (35) ft or 2 1/2 stories
5. Minimum Floor Area:
 - a. One story: 1,500 sf
 - b. More than one story: 1,500 sf on first floor, 2,200 sf total
6. For non-standard Corner Lots, front yard setbacks shall be the same on both streets.

§5.6. R-3A Manufactured Home Subdivision District

Intent. To provide areas for Manufactured Home Subdivision Development, free from other uses which are incompatible with the character and intent of this district.

5.6.1. Use Regulations. Refer to Table 5.1.

5.6.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 7,500 sf [15,000 sf if septic tanks and field lines are required]
2. Minimum Lot Width: Sixty (60) ft
3. Minimum Yard Setbacks:
 - a. Front: Thirty-five (35) ft
 - b. Rear: Thirty-five (35) ft
 - c. Side: Ten (10) ft
 - d. Corner Lots: Setbacks shall be the same on both streets

5.6.3. Manufactured Home Standards

1. Only Class A Manufactured Homes, as defined in §3.5 Uses Defined, shall be permitted.
 2. Each manufactured home shall be provided with two (2) off-street parking spaces, with all streets and parking spaces in complete compliance with the Calera Subdivision Regulations relative to street standards.
 3. All manufactured homes shall be installed according to all requirements of the City Building Code and shall be completely skirted within thirty (30) days from the date the home is moved on a lot with weather resistance material. Skirting shall be adequately vented.
- 5.6.4. Procedure for Plat Approval. Layout plans for all manufactured home subdivisions shall be prepared by a Registered Engineer and submitted to the Commission for review and approval of construction. This site plan shall include the following:
1. Area and dimensions of the site
 2. Number of lots, dimensions and layout of all lots

3. Location, size and layout of all utilities and streets
4. Assessment of drainage conditions by a Registered Engineer, including all proposed measures needed to rectify problems, where they exist
5. Street plan, including all off-street parking
6. Assessment of traffic conditions, including all proposed measures needed to rectify problems where they exist
7. Location and type of all street lighting
8. Location of all fire hydrants

5.6.5. Additional Regulations

1. All manufactured homes shall be individually owned.
2. The subdivisions shall be in accordance with all applicable Sections of the City's Subdivision Regulations.
3. All access points shall be as approved by the City Engineer in accord with the Public Works Manual.
4. The subdivision shall be served with water, sanitary facilities, and adequate drainage facilities and such plans shall be submitted to both the City Engineer and the Commission for review and approval.

§5.7. R-3-B Manufactured Home Park District

Intent. To provide areas for Manufactured Home Parks, free from other uses which are incompatible with the character and intent of this district.

5.7.1. Use Regulations. Refer to Table 5.1 and the provisions herein:

1. The following uses shall be permitted: Class A and B Manufactured Homes, management office, manager's residence, service facilities such as laundromats, garbage pick-up areas, accessory structures and buildings, outdoor storage yards, recreational areas and facilities along with retail convenience sales intended to serve the residents of the park and their guests.

5.7.2. Site Standards. A site plan shall be prepared and submitted for each manufactured home park, and:

1. The minimum site area for the manufactured home park shall be twenty (20) contiguous acres of land with access to a public street of not less than fifty (50) ft in width.
 2. Each manufactured home space shall have a minimum of 7,500 sf and have a minimum width of sixty (60) ft at the front lot line.
 3. Each manufactured home space shall be set back a minimum of thirty-five (35) ft from any park boundary line and ten (10) ft from any other lot line.
 4. Minimum Yard Setbacks:
 - a. Front Yard: Thirty-five (35) ft, or if fronting on undedicated road: sixty (60) ft from the centerline
 - b. Rear Yard: Thirty-five (35) ft
 - c. Side Yard: Twenty (20) ft
 5. The maximum density shall be six (6) manufactured homes per gross tract acre, if not served by public water and sewer. A lower density may be required by the County Health Department.
 6. Location and type of street lighting as recommended by the Alabama Power Company or comparable engineering data.
 7. Each manufactured home park shall be provided with a park and recreational area having a minimum area of 150 sf per manufactured home space. Such areas shall be consolidated into usable areas.
 8. Location and type of fire hydrants to be coordinated with City of Calera Fire Department.
 9. Each manufactured home park shall be provided with a park and recreational area having a minimum area of 100 sf per manufactured home space. Such areas shall be consolidated into usable areas.
- 5.7.3. Installation. All manufactured homes shall be installed according to all requirements of the City Building Code; and, be completely skirted within thirty (30) days from the date the home is moved into the park with a weather resistant material. Skirting shall be adequately vented.

- 5.7.4. Storage Facilities, Accessory Uses and Structures. A maximum of 100 sf of storage area shall be provided for each space. Alternatively, park management may provide common storage lockers at an equivalent capacity. Permitted accessory structures on manufactured home spaces shall include all accessory structures permitted on the lots of single family residences, except for private swimming pools and satellite dish antennas. Such accessory uses shall not be permitted closer than five (5) ft from the rear and side boundaries of each space. Carports may be permitted in the front yard but shall not be permitted within five (5) ft of the front building line. However, such shall not be permitted within five (5) ft of the rear and side boundaries of each space and twenty-five (25) ft from front lot lines; and, in the case of a corner lot, twenty-five (25) ft from the lot lines adjacent to a street.
- 5.7.5. Off-street parking and Streets. Two-way private, paved streets (maintained by the park management) shall be installed to furnish convenient access to all manufactured home spaces within the park and such streets shall be in complete conformance with City street standards. No manufactured (mobile) home shall have its own access into a public street. Dead-end streets shall have turn-arounds in conformance with City street standards and each manufactured home shall have two (2) paved, off-street parking spaces. In addition, the location of all driveways shall be shown on the required site plan and approved by the Commission.
- 5.7.6. Service Facilities. Common recreational facilities and laundromats shall be provided for the use of park residents and their guests only. Garbage collection and disposal shall be the responsibility of park management and common garbage pick-up points shall be provided and screened as required in §9.4 Screening.
1. Required park and recreational areas shall be provided in one or more centrally located, usable areas easily accessible to all park residents. Such space shall be maintained in a usable and sanitary condition.
 2. Every Manufactured Home Park of ten (10) or more spaces shall be provided with above- or below-grade storm shelters, which shall:
 - a. have a minimum floor area of ten (10) sf for each Manufactured Home space.
 - b. Be designed by a licensed structural engineer or architect and built in accord with plans as approved by the Building Official.
 - c. Be designed and constructed to meet the minimum lighting, ventilation and exiting requirements of the Building Code, Mechanical Code, Plumbing Code and Electrical Code, where applicable.
 - d. Be designed and constructed to meet all applicable requirements of the Americans with Disabilities Act (ADA).
 - e. Be located no farther than 1,320 linear ft from the furthest Manufactured Home space on-site.
- 5.7.7. Buffer Requirements. See §9.2 Buffers.
- 5.7.8. Signs. Internal signs shall be in conformance with park management policy. If no such policy exists, the same signs permitted in other single family districts shall apply.
- 5.7.9. Landscaping. All required yards shall be permanently landscaped and maintained with ground cover, trees and shrubs.
- 5.7.10. Deck/Patio. Each Manufactured Home should be provided with a deck or patio of at least 200 sf.
- 5.7.11. Ownership. All Manufactured Homes are to be leased or rented only and are not to be sold individually.
- 5.7.12. Fences. Fences shall be in accordance with the provisions of §6.4 Fences and Walls.

§5.8. R-4 Multi-family Residential District

Intent. To provide areas for multi-family residential development along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

- 5.8.1. Use Regulations. Refer to Table 5.1 and the provisions herein:
1. Those institutional uses listed as permitted or as Special Exception Uses shall be limited to low intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.
- 5.8.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required (see also §7.15 Multi-family Dwellings for requirements applicable to all Multiple-family development types):
1. Maximum Building Height: three (3) stories
 2. Regulations for Multi-family Uses, Assisted and Independent Living Facilities:

- a. Minimum Lot Area: None specified, although the maximum density shall be ten (10) units per acre
- b. Minimum Lot Width: 200 ft
- c. Corner Lots shall have the same setbacks on both streets
- d. Minimum Livable Floor Area:
 - (1) Two-family dwelling – same as the R-2 District
 - (2) Multiple dwellings – 800 sf per dwelling
 - (3) Independent living facility – 500 sf per dwelling unit
 - (4) No minimum floor area for assisted living units
- e. All principal buildings shall be set back from parking areas and driveways by not less than twenty (20) ft.
- f. Minimum Open Space shall be as required per §7.7 for Assisted Living Facilities and per §7.15 for Multi-Family developments and Independent Living Facilities.

3. For multi-family buildings (one building per lot):

- a. Yard Setbacks:
 - (1) Front: Fifteen (15) ft minimum, thirty-five (35) ft maximum
 - (2) Rear: Three (3) ft minimum, thirty (30) ft maximum
 - (3) Side: None, except as required by the Building and Fire Code.
- b. Off-street parking shall be to the side or the rear.

4. For multi-family complexes, assisted living facilities and independent living facilities:

- a. No building shall be nearer a dedicated street than thirty-five (35) ft.
- b. All multiple dwelling buildings shall be separated by not less than 20 ft, unless a more restrictive separation is required to comply with the International Building Code, as amended, and the International Fire Code.
- c. Sidewalks, of at least five (5) ft, shall be provided throughout the development for interconnectivity of buildings, parking areas and common areas.

5. Requirements for Other Uses.

- a. Public Buildings. See §7.16.
- b. Places of Assembly, Group Care Homes, Boarding Houses and Duplexes shall comply with the following setbacks:
 - (1) Front: Twenty-five (25) ft
 - (2) Rear: Thirty (30) ft
 - (3) Side: Ten (10) ft

5.8.3. Additional Regulations

- 1. For multi-family complexes and any other permitted use with multiple buildings, A Site Development Plan is required, which provides for:
 - a. Convenient vehicular servicing of the buildings, satisfactory circulation of traffic in the parking areas, and no undue interference with through traffic in gaining ingress and egress from the proposed site
 - b. A preliminary plan or engineering report providing for the site grading, storm drainage, sanitary sewerage and water supply prepared by a Registered Engineer
 - c. Suitable entrance and exit points adjoining public streets serving the proposed development, which shall be properly illuminated to reduce traffic safety hazards
 - d. Garbage and refuse collection facilities shall be the responsibility of apartment management and shall be screened as required in §9.4 Screening.

§5.9. RG Residential Garden Home District

Intent. To provide areas suitable for the development of residential garden homes along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

5.9.1. Use Regulations. Refer to Table 5.1.

5.9.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Area: 7,000 sf
2. Minimum Lot Width: seventy (70) ft
3. Yard Setbacks:
 - a. Front: Twenty-five (25) ft minimum, thirty-five (35) ft maximum
 - b. Rear: Twenty-five (25) ft
 - c. Side: Ten (10) ft one side, twenty (20) ft to accommodate a driveway
 - d. Corner Lots shall have the same setbacks on both streets.
 - e. No building in an RG District shall be located less than twenty-five (25) ft from any boundary of the RG Development abutting single family residential zoning districts.
 - f. Alternative setback provisions for new subdivisions: When required parking is provided within a detached structure to the rear of the dwelling, the front yard setback may be reduced by five (5) ft.
4. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
5. Minimum Floor Area:
 - a. One story: 1,500 sf
 - b. More than one story: 1,500 sf on first floor, 2,200 total
6. Building Facades.
 - a. All buildings shall maintain a public entrance, accessible by public sidewalk along the street on which the building fronts. Additional entries are permitted, as necessary.
 - b. Building facades must use durable materials. Durable materials include brick, stucco (EIFS is not permitted within 36 inches of finished grade), heavy timber, wood, slate, metal, and tile roofing. Vinyl and cementitious siding may be used as an accent material and shall be limited to thirty percent (30%) of all exterior walls. The percent calculation shall be based on the total area of all exterior walls, excluding openings for windows and doors.

5.9.3. Parking Standards.

1. Parking shall be located to the side or rear of the unit. Vehicle should use an alley for access where available.
2. There shall be four (4) paved, off-street parking spaces for each unit. Spaces in garages do not count toward this requirement.

5.9.4. Open Space Requirements.

1. The following uses are permitted:
 - a. Environmental Corridors/ greenways
 - b. Pocket parks
 - c. Neighborhood parks
 - d. Playgrounds
 - e. Storm water retention/detention facilities (where incorporated into one of the above)
2. No less than fifteen (15) percent of the site area shall be improved and maintained as Common Open Space for the recreational use of tenants. At least twenty-five (25) percent of the Open Space shall be dedicated, designed, and improved as a Common Open Space for the recreational use of residents. Such space shall be no less than forty (40) ft in width along its narrowest dimension. Shade must be provided for 1/3 of the area at minimum.
3. Open space must be built when the final plat is approved. Amenities provided within the open space, such as benches, planters, art, and water features will be maintained by the owner for the life of the project in accordance with §6.11 Ownership and Management of Common Open Spaces and Facilities.
4. Common open space and other permitted uses may require additional parking, beyond the required number of parking spaces per unit as determined by the City Engineer.
5. The Common Open Space shall not include steep grades, areas with poor drainage or other constraints to its recreational

use.

5.9.5. Additional Regulations (When Applicable)

1. No fence shall be permitted forward of the front corner of the house.
2. No Garden Home site shall share the same block frontage with detached single-family dwellings or duplexes unless separated by an alley, watercourse or buffer.
3. All utilities shall be placed underground or in an alley for rear-loaded lots.
4. All lots shall be served by water and sewer.
5. Customary accessory buildings or structures, one (1) per parcel or lot, shall not exceed 200 sf. That portion of a detached accessory structure devoted to required parking shall not be counted against this allowance.

§5.10. RT Residential Townhouse District

Intent. To provide areas suitable for Townhouse Residential Dwellings

5.10.1. Use Regulations. Refer to Table 5.1.

5.10.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Maximum Density: Eight (8) units per gross tract acre, including common area
2. Minimum Lot Width: Twenty-four (24) ft for townhouses; otherwise the minimum lot width shall be as necessary to provide fire separation in accordance with the Fire/Building Code
3. Yard Setbacks:
 - a. Front: Townhouses shall be set back no less than ten (10) ft from the front lot line. Where the front yard is less than fifteen (15) ft, the ground floor of the unit shall be no less than two (2) ft above grade level at the sidewalk. If front-loaded, units shall be setback at least twenty-five (25) ft, but no more than thirty-five (35) ft from the front lot line.
 - b. Rear: For dwellings, the minimum rear yard setback shall be twenty-five (25) ft. Where an alley is present at the rear of the lot, the minimum rear yard setback for accessory buildings shall be twelve (12) ft from the alley centerline.
 - c. Side: Zero (0) ft for interior units and ten (10) ft for end units.
 - d. Townhouse dwellings shall be located at least fifteen (15) ft from the RT District boundary as depicted on the site development plan; twenty (20) ft from an E-1, R-1, R-2, R-3 or R-G District.
 - e. Corner Lots: Shall have the same setbacks on both streets.
4. Maximum Height: Thirty-five (35) ft or 2 1/2 stories
5. Minimum Livable Floor Area:
 - a. One (1) story Townhouse: 1,500 sf
 - b. More than one story: 1,500 sf on first floor, 2,200 sf total
6. Building Groups. No less than three (3) nor more than eight (8) Townhouses shall be located within a continuous building group and no interconnection or overlapping between individual dwelling units shall be permitted.
7. Building Facades. Where in conflict, these standards superseded those of Article 6 Supplemental Regulations.
 - a. Eave Overhangs: Cornices or eaves may extend into adjoining property when allowed by properly executed and recorded covenants between property owners. All such cornices and eaves shall be fire-proof.
 - b. The front façade of each dwelling unit shall have a covered porch, covered stoop, or balcony over the main entrance.
 - (1) Finish floor elevation: eighteen (18) inches above grade at front façade
 - (2) Porch depth: six (6) ft of clear space, exclusive of railings, pillars, columns, or other porch features.
 - (3) Stoop depth: three (3) ft to six (6) ft deep
 - (4) Covered porches and stoops may encroach into the front yard up to six (6) ft.
 - c. All buildings shall maintain a public entrance, accessible by public sidewalk, along the street on which the building fronts. Additional entries are permitted, as necessary.
 - d. Building facades must use durable materials. Durable materials include brick, stucco (EIFS is not permitted within 36

inches of finished grade), heavy timber, wood, slate, metal, and tile roofing. Vinyl and cementitious siding may be used as an accent material and shall be limited to thirty percent (30%) of all exterior walls. The percent calculation shall be based on the total area of all exterior walls, excluding openings for windows and doors.

5.10.3. Parking Standards.

1. Spaces required. A minimum of two off-street parking spaces shall be provided each unit. In addition, visitor parking spaces must be provided in a paved area within the development site at a rate of 50% of the total number of units in the development.
2. Parking Location: Individual parking may be provided on the lot, or in a commonly owned and maintained parking area accessed at the rear of the units by an alley or common drive; provided that the parking area is easily accessible and of a reasonable distance from the townhouse that it serves.
 - a. For front setbacks less than twenty-five (25) ft, all required parking shall be accessed at the rear of the units by an alley or common drive.
 - b. The minimum depth of off-street parking spaces shall be measured from back of sidewalk, if front-loaded. No parking shall be permitted on a driveway less than twenty-two (22) ft in depth from the sidewalk to the building line. Any lots for semi-detached or detached dwellings less than sixty (60) ft wide shall be rear-loaded.
3. Garages in the RT Residential Townhouse District:
 - a. A detached garage may be placed at the rear of the lot.
 - b. A front-accessed garage attached to a front-loaded townhouse shall be recessed a minimum of two (2) ft behind the front façade (not including porches, stoops, balconies, and other architectural treatments).
 - c. The maximum allowable driveway width facing the street is eighteen (18) ft per dwelling unit.
 - d. If located in the front, two adjacent garages shall share one driveway when individual parking would otherwise be separated by less than twenty (20) feet. When a driveway serves more than one lot, an access and maintenance easement to benefit each lot shall be provided.
 - e. If an alley adjoins a lot, then garage access from the street is prohibited.

5.10.4. Open Space Requirements.

1. The following uses are permitted:
 - a. Environmental Corridors/ greenways
 - b. Pocket Parks
 - c. Neighborhood parks
 - d. Playgrounds
 - e. Stormwater retention/detention facilities (where incorporated into one of the above)
2. For developments containing more than 10 units, a minimum of fifteen (15) percent of the site area shall be improved and maintained as Common Open Space for the recreational use of tenants. At least twenty-five (25) percent of the Open Space shall be dedicated, designed, and improved as a Common Open Space for the recreational use of residents. Such space shall be no less than forty (40) ft in width along its narrowest dimension. Shade must be provided for 1/3 of the area at minimum.
3. Open space must be built when the final plat is approved. Amenities provided within the open space, such as benches, planters, art and water features will be maintained by the owner for the life of the project in accordance with §6.11 Ownership and Management of Common Open Spaces and Facilities.
4. Common open space and other permitted uses may require additional parking, beyond the required number of parking spaces per unit as determined by the City Engineer.
5. The Common Open Space shall not include steep grades, areas with poor drainage or other constraints to its recreational use.

5.10.5. A Site Development Plan is required which provides for:

1. Convenient vehicular servicing of the buildings, satisfactory circulation of traffic in the parking areas, and no undue interference with through traffic in gaining ingress and egress to the proposed site.
2. A preliminary plan or engineering report providing for the site grading, storm drainage, sanitary sewerage and water supply,

prepared by a Registered Engineer.

3. Suitable entrance and exit points adjoining public streets serving the proposed development, which shall be properly illuminated to reduce traffic hazards.

5.10.6. Additional Regulations (When Applicable)

1. No Townhouse site shall share the same block frontage with detached single-family dwellings or duplexes unless separated by an alley, watercourse or buffer.
2. Building groups shall be planned so that all units on the same block frontage are either front-loaded or rear-loaded.
3. Adequate provisions for emergency access from the rear of lots may be required by the Fire Marshal for lots less than sixty (60) ft in width.
4. A sidewalk of at least thirty-six (36) inches in width shall be provided connecting from the front entrance of each unit to the rear of the building group for unobstructed access to the rear of each unit. Where units are set back no more than twenty (20) ft from the sidewalk along the street, such sidewalk may be used as a part of this required access. Where such access must cross lots, an easement of five (5) ft in width shall be provided.
5. An easement appurtenant across lots shall be provided where a property owner must cross an adjoining property to reach his or her own property with gates provided if fence extends to the property line.
6. The applicant shall provide for and establish an organization or other legal entity for the ownership and maintenance of any commonly owned areas designated as such on the site development plan including front yards and common areas including alleys, common parking areas, fencing, open space, landscaping, amenities and buffers (see also §6.11 Private Swimming Pools and Tennis Courts). Such organization shall be created by covenants running with the land and such deed restrictions or covenants shall be duly recorded in the Office of the Probate Judge.
7. No fences shall be allowed in the front yard for front-loaded units.
8. Private swimming pools are prohibited on individual townhouse lots in the RT District but may be placed in a common area.
9. All utilities shall be placed underground or in an alley for rear-loaded lots.
10. All lots shall be served by water and sewer.
11. Garbage and refuse collection and disposal shall be the responsibility of management and such collection facilities shall be screened as required in §9.4 Screening.

Table 5.1 Permitted Uses for Residential Districts										
	E-1	R-1	R-2	R-2A	R-3	R-3A	R-3B	R-4	RG	RT
<i>Agricultural Uses</i>										
Hobby Farms, §7.2	Y									
<i>Residential Uses</i>										
Accessory Dwellings, §7.17	SE	SE	SE	SE	SE					
Boarding Houses					Y			Y		
Duplexes					Y			Y		
Conservation Subdivisions, §7.19	Y	Y	Y	Y	Y					
Cottage Subdivisions, §7.20				Y	Y					
Family Day Care Homes, §7.21	Y	Y	Y	Y	Y	Y	Y		SE	SE
Garden Homes									Y	
Group Care Home (4 or less residents)			Y	Y				Y		
Group Care Home (10 or less residents)			SE	SE				Y		
Home Occupations, §7.9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Independent Living Facilities, §7.15								Y		
Manufactured, Modular Homes					Y	Y				
Manufactured Home Parks							Y			
Manufactured Home Subdivisions						Y				
Multi-family Dwellings, §7.15					Y	Y		Y		
Single-family Dwellings, Detached	Y	Y	Y	Y	Y					Y
Single-family Dwellings, Semi-detached										Y
Townhouses										Y

<i>Residential Accessory Uses</i>										
Customary Accessory Structures, §6.6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Garage Sales, §6.9	Y	Y	Y	Y	Y	Y		Y	Y	Y
Private Swimming Pools, §6.10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Private Tennis Courts, §6.10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Satellite Dish Antennas, §6.7	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
<i>Institutional Uses</i>										
Assisted Living Facilities, §7.7								SE		
Cemeteries, §7.8	Y									
Country Clubs	Y	Y	Y							
Group Care Home (more than 10 residents)								SE		
Parks	Y	Y	Y	Y	Y			Y		
Places of Assembly	SE	SE	SE	SE	SE			SE	SE	SE
Public Buildings, §7.16	Y	Y	Y	Y	Y			Y	Y	Y
Public Utility Facilities	SE	SE	SE	SE	SE			SE	SE	SE
Public Utility Services	Y	Y	Y	Y	Y			Y	Y	Y
Schools	C	C	C	C	C			C		
<i>Commercial Uses</i>										
Bed and Breakfasts, §7.18			Y		Y					
<i>Telecommunications Uses</i>										
Wireless Facilities, §7.11	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE

Y – The use is permitted by right subject to any limitations of the applicable district. Similar uses to those listed may also be permitted subject to §2.6 Interpretation of Uses and §2.7 Unclassified Uses.

SE – Special Exception Use, requires approval by ZBA (see §2.8). May also be subject to district limitations.

C – Conditional Use, requires approval by the Commission (see §2.9). May also be subject to district limitations.

A use followed by a numeric cross-reference is also subject to the regulations referenced.

A blank cell indicates that the use is not permitted.

§5.11. A-1 Agricultural District

Intent. This district consists primarily of undeveloped lands where agricultural and related pursuits may occur within the City and where agriculture support centers may serve outlying areas beyond the City. Further, the intent of the A-1 District is to preserve these areas in agriculture, forestry, rural residential and other limited, yet compatible land uses until such time as a higher density development pattern may be desired and City services can be expanded to accommodate this development.

5.11.1. Use Regulations. Refer to Table 5.2 and the provisions herein.

1. Those institutional uses listed herein as permitted or as Special Exception Uses shall be limited to medium intensity as provided in §3.5.3 unless approved by the Commission as a Conditional Use.

5.11.2. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

1. Minimum Lot Size: 3 acres
2. Minimum Yard Setback:
 - a. Front: Fifty (50) ft
 - b. Rear: Fifty (50) ft
 - c. Side: Fifteen (15) ft
3. Maximum Height: Thirty-five (35) ft or 2-1/2 stories
4. Minimum Livable Floor Area:
 - a. One story: 1,500 sf
 - b. More than one story: 1,500 sf on first floor, 2,200 sf total
5. In the A-1 Agricultural District, no structure housing livestock or fowl of any kind shall be located any closer than 100 ft from any property line of a district other than an A-1 Agricultural District. In any event, no such structure shall be located any closer than 300 ft from the nearest then existing residence other than that of the owner of the property.
6. Regulations for Manufactured Homes. Manufactured homes shall be permitted subject to the following requirements:
 - a. All manufactured homes, as located on the proposed site, shall be at least seventy-five (75) ft from the nearest residential structure, excluding another such home.
 - b. Water and sanitary facilities must be approved by the City, as well as the County Health Department.
 - c. Site Requirements:
 - (1) Minimum Lot Width: 100 ft
 - (2) Minimum Lot Area: 15,000 sf

Yard Requirements:

- (3) Front: Thirty-five (35) ft
- (4) Undedicated street: Sixty (60) ft from centerline
- d. Side: Fifteen (15) ft
- e. Rear: Thirty-five (35) ft
- f. Parcel and adjacent property, under the same ownership, will allow the following:
 - (1) One (1) home: 15,000 sf
 - (2) Two (2) homes: One (1) acre minimum
- g. Only two additional homes, three including the principal structure, shall be permitted.

Council Member Cost moved that Ordinance No. 2021-06 be adopted, which motion was seconded by Council Member Morgan and upon vote, the results were as follows:

AYES: Montgomery, Watts, Graham, Cost, Morgan

NAYS: Busby, Turner

Adopted this 18th day of October 2021.

Mayor Graham declared Ordinance No. 2021-06 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

EAST CENTRAL ALABAMA HIGHWAY SAFETY OFFICE

700 FOX TRAIL • OPELIKA, AL 36801 • PHONE # 334-705-5455

Traffic Enforcement Agreement

Fiscal Period: October 01, 2021 – September 30, 2022

This agreement is entered by the City of Opelika as the fiscal agent. All of the Traffic Enforcement grants' programmatic issues are managed by East Central Alabama Highway Safety Office (ECAHSO) as per federal guides outlined by National Highway Traffic Safety Administration (NHTSA) and the state procedures issued by Alabama Department of Economic Community Affairs (ADECA), and the governing entity of the law enforcement department of the following: **Calera Police Department**, hereinafter referred to as "AGENCY", for official participation in the City of Opelika grant and/or grants, and are at allowable rates of pay, plus allowable FICA fringe, for traffic safety enforcement. The term of this agreement is for all grants awarded for the period from **October 01, 2021, through September 30, 2022.**

The Agency will use the CORE reporting system for the grant/grants awarded to the City of Opelika. The CORE system will provide information such as the grant's/grants' name, number, CFDA number, authorized spending allocations and authorized spending periods will be made available to the AGENCY through the CORE website, for this Traffic Enforcement Agreement managed by the ECAHSO.

NO AGENCY will be approved to receive traffic enforcement funding without having entered into this agreement. NO AGENCY will be approved to receive enforcement funding without having an overtime payment policy or a completed ECAHSO Overtime questionnaire.

The AGENCY's grant funds may be rescinded at any time, even without voluntary release of such funds by the AGENCY, due to non-compliance, non-expenditure, lack of submitted reimbursement claims, or for any other reason deemed necessary by ECAHSO.

Each agency will be responsible for keeping on file ALL paperwork pertaining to each grant for which any reimbursement claim is filed. ADECA reserves the right to audit any agency at any time to assure that all documents that have been submitted are correct. Documents that should be kept on file by the agency are as follows; **(1.)** Traffic Enforcement Agreement with City of Opelika, **(2.)** CORE Project Reimbursement Form, **(3.)** CORE Roll-Up form, **(4.)** CORE signed contact report(s) for each person claiming reimbursement hours on the grant, **(5.)** copy or electronic image of every citation and warning citation claimed on the grant, **(6.)** time sheets or timecards identifying regular hours worked and overtime hours worked on traffic grant, **(7.)** City or County overtime policy or the ECAHSO overtime policy questionnaire. The above-mentioned paperwork should be kept on file by each agency for current fiscal year plus the three (3) fiscal years from the date of the grant enforcement period. Each agency will be notified if a file audit is requested. Any agency that is unable to produce ALL forms required to verify the claims that have been submitted to the ECAHSO for ADECA, will be required to refund ANY or ALL funds that were reimbursed on the grant in question to the City of Opelika.

Reimbursement claims (CORE forms) are encouraged to be submitted to ECAHSO as least once per month.

The Chief Law Enforcement Official will serve as the AGENCY Representative unless he or she delegates the responsibility. The Chief Law Enforcement Official may appoint a department representative to be the AGENCY Representative if he or she chooses. The AGENCY Representative will also serve as the primary contact person for communications and correspondence between the AGENCY and ECAHSO.

The AGENCY is solely and exclusively responsible for all expenditure documentation submitted to ECAHSO and shall ensure the accuracy of all such documentation and reports submitted, such hours reported, computation of pay rates for reimbursement and documentation of allowable contacts reported.

The AGENCY, in performance of its operations and obligations, shall not be deemed to be an agent of the City of Opelika, but shall be an independent contractor in every respect. The AGENCY is solely responsible for the acts and omissions of its employees and agents. The City of Opelika assumes no responsibility by the way or means by which the AGENCY performs its activities pursuant to this agreement.

Subject to the terms of the grant, the City of Opelika agrees to reimburse the AGENCY, for the actual traffic enforcement worked under a City of Opelika grant project, provided the activity is documented in accordance with program requirements, and with final approval by ADECA, and in accordance with funding guidelines. All commitments for reimbursement shall be limited to the availability of grant funds.

The funds for this agreement are awarded by NHTSA and are passed through ADECA and the City of Opelika. Therefore, all expenditures are subject to all federal, state, and city laws, guidelines, and regulations. This includes ADECA/LETS policy letters.

"Termination for Cause. If, through any cause, the AGENCY shall fail to fulfill in a timely manner its obligations under this Agreement, or if the AGENCY shall violate any of the covenants, agreements or stipulations of this Agreement, and such failure or violation is not corrected immediately, this agreement will be terminated. The ECAHSO will notify the AGENCY of such termination by written notice (email, etc.).

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE CITY OF CALERA, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE LISTED WEEKEND IN FEBRUARY, 2022, AS AUTHORIZED BY ACT 2012-256, GENERALLY REFERRED TO AS THE STATE SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY LEGISLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF CALERA, ALABAMA, AS FOLLOWS:

Section 1. In conformity with the provisions Act 2012-256 enacted by the Alabama Legislature during the 2012 Regular Session, providing for a State Severe Weather Preparedness Sales Tax Holiday, the City of Calera, Alabama, exempts “covered items” from municipal sales and use tax during the same period, beginning at 12:01 a.m. on Friday, February 25, 2022 and ending at twelve midnight the following Sunday (February 27, 2022).

Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2012-256, except that the time period shall only be as specified in Section 1 above **and not for all years thereafter**.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Calera, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This ordinance shall become effective on October 18, 2021.

Council Member Cost moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Turner seconded said motion and upon vote the results were:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Cost moved that Ordinance No. 2021-11 be adopted, which motion was seconded by Council Member Watts and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Adopted this 18th day of October, 2021.

Mayor declared Ordinance No. 2021-11 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Motion to Remove the Hold on Resolution No. R- 2020-07

Resolution No. 2020-07 Placing a One Year Hold on Applications for and Approvals of RT and RG Rezonings – Motion to remove the hold

Council Member Cost made a motion to remove the hold on Applications for and Approvals of RT and RG Rezonings. Council Member Morgan seconded said motion and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Watts

NAYS: Turner

Motion Passed October 18, 2021 - Hold Lifted

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2020-07

A RESOLUTION PLACING A ONE-YEAR HOLD ON APPLICATIONS FOR AND APPROVALS OF RT AND RG REZONINGS

WHEREAS, the City of Calera has experienced a proliferation of high-density residential development, including garden homes (Zoning District RG) and residential townhomes (Zoning District RT); and

WHEREAS, the City Council finds that the over development of RG and RT districts is detrimental to the City's overall development and effectively limits the ability of the City to provide diverse types of housing, while straining the City's infrastructure; and

WHEREAS, it is in the best interests of the overall development of the City to provide for orderly growth and balance in the development of residential areas in order to have a diverse and stable economy and to provide a variety of housing options; and

WHEREAS, the City through its Planning Commission is proceeding to update its master comprehensive plan, including consideration of RG and RT zones, although it is expected that significant work on the updated plan will not commence until later in 2020 due to the schedule of the City's plan consultant; and

WHEREAS, the City Council finds that it is necessary and proper for the promotion of the prosperity and welfare of the citizens and in the best interest of the City to place a hold on rezoning applications requesting RG or RT zones while the City researches, studies and develops the updated master plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calera, 05120019.1

Alabama, that there is hereby placed a hold on applications for and approvals of requests to rezone property to RG or RT zones for a period of one year from the effective date of this resolution. During the period of the hold, applications for the aforementioned rezonings shall not be accepted and such rezonings will not be approved by the Council.

This hold does not apply to property currently zoned RG or RT.

Council Member Busby moved that Resolution No. R-2020-07 be adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Busby, Turner

NAYS: None

ABSTAIN: Turner

Mayor Graham declared Resolution No. R-2020-07 adopted.

Adopted this 17th day of February, 2020.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

Motion to Remove the Hold on Resolution No. R- 2020-41

Resolution No. 2020-41 Placing a Six Month Hold on Applications for Residential Preliminary Plats - Motion to remove the hold

Council Member Cost made a motion to remove the hold on Applications for Residential Preliminary Plats. Council Member Morgan seconded said motion and upon vote the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Watts

NAYS: Turner

Motion Passed October 18, 2021 - Hold Lifted

Mayor Pro Tem Montgomery introduced the following Resolution:

RESOLUTION NO. R-2020-41

A RESOLUTION PLACING A SIX-MONTH HOLD ON APPLICATIONS FOR RESIDENTIAL PRELIMINARY PLATS

WHEREAS, it is in the best interests of the overall development of the City to provide for orderly growth and balance in the development of residential areas in order to have a diverse and stable economy and to provide a variety of housing options; and

WHEREAS, the City through its Planning Commission is proceeding to update its master comprehensive plan and make related changes to the Zoning Ordinance, which are a result of the findings of the master comprehensive plan update; and

WHEREAS, the City Council finds that it is necessary and proper for the promotion of the prosperity and welfare of the citizens and in the best interest of the City to place a hold on preliminary plat applications for all residential zoning classifications while the City researches, studies and develops the updated master comprehensive plan and related zoning ordinance sections; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calera, Alabama, that there is hereby placed a hold on applications for preliminary plats for all residential zoning classifications for a period of six months from the effective date of this resolution. During the period of the hold, applications for the aforementioned residential preliminary plats shall not be accepted and such preliminary plats will not be approved by the Planning Commission.

This hold does not apply to property with a currently approved Preliminary Plat.

Council Member Morgan moved that Resolution No. R-2020-41 be adopted. Council Member Cost seconded said motion and upon vote, the results were as follows:

AYES: Busby, Cost, Graham, Montgomery, Morgan, Turner, Watts

NAYS: None

Mayor Pro Tem Montgomery declared Resolution No. R-2020-41 adopted.

Adopted this 21st day of December, 2020.

Ernest Montgomery, Mayor Pro Tem

ATTEST:

Connie B. Payton, City Clerk



REQUEST TO BE ADDED TO THE CITY COUNCIL AGENDA

Form must be completed and returned to the City Clerk cpayton@calera.org
no later than 5:00 p.m. on the Wednesday prior to the council meeting

SPEAKING POLICY REQUIREMENTS

1. All individuals wishing to address the Council must complete the request form.
2. Verbal comments and interruptions from the floor will not be allowed.
3. Each speaker will be limited to five (5) minutes. For groups of individuals that wish to address the Council on the same topic, they will be limited to three (3) minutes per speaker. In cases where there are multiple speakers on the same topic, speakers are encouraged not to repeat the same information presented by previous speakers.

Date of Request: 10-11-21

Meeting Date: 10-18-21

Speaker's Name: Jeff Putman

Speaker's Address: 314 Summerchase Dr.

Speaker's Telephone Number: 205-516-0719

Please give your description of the subject(s) you wish to address. You will not be able to discuss matters that are not listed on your request.

The flooding issue in Summerchase
subdivision,