NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, Junes 13, 2016, at the regular City Council meeting, which begins at 4:00 p.m., in the Council Chambers of the Gulf Shores City Hall, to consider a proposed amendment to Zoning Ordinance No. 1584, adopted on January 1, 2010. The proposed amendment(s) shall read as follows:

AN ORDINANCE
TO AMEND ORDINANCE NO. 1584
(ZONING ORDINANCE) ADOPTED JANUARY 1, 2010,
AT ARTICLE 10: OVERLAY DISTRICTS
SECTION 10-4. BUSINESS AND INDUSTRIAL PARK
OVERLAY ZONE AND AT THE TABLE OF SETBACKS
FOR BUSINESS AND INDUSTRIAL PARK BY CHANGING CERTAIN
LANGUAGE AND REWRITING AS REQUIRED
(ZA2014-03)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULF SHORES, ALABAMA, WHILE IN REGULAR SESSION ON JUNE 13, 2016, as follows:

Section 1. That Ordinance No. 1584 (Zoning Ordinance) adopted January 1, 2010 be and it is hereby amended at Article 10: Overlay District, Section 10-4. Business and Industrial Park Overlay Zone, modifying Table 10-4, Setbacks for Business and Industrial Park, by changing certain language and rewriting as follows:

Article 10: Overlay District

Section §10-4. Business and ~~Industrial~~ Aviation Park Overlay Zone.

A. Definitions.

1. Authority: The Airport Authority of the City of Gulf Shores.
2. Park: The Gulf Shores Business and ~~Industrial~~Aviation Park, which includes the property described in §10-4B hereof.
3. Building Site: Each Lot or the combination of Lots as conveyed by lease or sale by the Authority and which is a part of the Park.
4. Occupant: An Entity, which owns, leases or otherwise occupies and/or uses any Building site or has the right to occupy and/or use any Building site.

B. Property Subject to this Overlay Zone. The property which is subject to these Development Standards is the Commercial/Industrial Subdivision known as the "Gulf Shores Business and Industrial Park, Phases I and II", and any subsequent amendments thereto (excluding lots 34, 35, and 36), located on the south side of the Jack Edwards Airport in Gulf Shores, Alabama.

C. District Regulations. It is the intent of these provisions that all properties within said business and ~~industrial~~aviation park comply with all applicable provisions and development regulations of the City, including the Zoning Ordinance, the Jack Edwards Noise Overlay District, the Jack Edwards Height Zoning Overlay District, and the provisions of this overlay zone unless modified by the approving authority.

D. Permitted Uses. ~~Uses within the park shall be governed by the Gulf Shores Business and Industrial Park Land Use Map.~~ All uses shall have a principal building The specific uses allowed and their definitions are listed below:

1. Lots 31-33 and 37-50 shall be restricted to Aviation Related uses only: Businesses that require the core use of aircraft to conduct commerce or that provide services related to the production, operation, maintenance, or repair of aircraft.
2. Lots 1-30 shall be restricted to the following uses:
   a. Aviation
   b. Technology & Research: Businesses engaged in science, engineering, and technology including but not limited to computer technologies, software development, communications, electronics, biotechnology, and educational research businesses.
   c. Wholesaling: Places of business primarily engaged in the selling of goods in large quantities to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers.
   ~~a.~~ Warehouse. ~~Businesses used for the reception, storage and distribution of goods and merchandise and their associated offices.~~ A building used for the reception and storage of raw materials and/or manufactured goods before their export or distribution for sale~~,~~ or warehousing accessory to a permitted use.
   ~~b.~~d. Manufacturing: Businesses whose primary purpose is the assembly, fabrication or processing of goods or materials predominantly from previously prepared materials into other finished products including medical equipment and biotechnology companies.
   ~~c.~~e. Commercial Services: Businesses whose primary purpose is to provide commercial services to the general public and other businesses including but not limited to landscaping, building, plumbing and electrical contractors; pest control companies; Laundering, Dry-cleaning or Dyeing Plants; printing, engraving or other reproduction services, medical services; and other similar uses but excluding all retail uses.

~~d.~~f. Professional Office: Corporate offices, data centers, b~~B~~usinesses providing commercial services that require special or advanced education and skill; i.e., law, engineering, surveying, title abstract,~~.~~

~~2. Caretaker Dwellings may be approved by Conditional Use Permit. Said residences shall be limited to one resident and be fully contained within the Principal Building.~~

E. Prohibited Uses.

1. The discharge, burial, or other unlawful disposal of any liquid waste, solid waste, fumes, gases or airborne particulate matter, defined as hazardous by federal, state, county, or local law is prohibited. The occupant shall not, or permit any person to, bring any pollutants, contaminants, toxic or hazardous waste, or any other substance regulated by law or which might create a hazard to health and safety onto the property; except any such hazardous substances that are used in the ordinary course of the contemplated businesses to be conducted on the property and that are handled, stored, used and disposed of in accordance with applicable Building and Fire Codes of the City and applicable environmental laws.

2. Outdoor storage as a principal use. Outdoor storage is only allowed as an accessory to a principle use in accordance with §10-4 G.

3. Personal storage and mini-storage facilities.

~~2.~~4. The occupant shall restrict the height of Structures, objects of natural growth, and other obstructions on the property to such a height so as to comply with Federal Aviation Regulations, Part 77.

~~3.~~5. The occupant shall prevent the use of the property, which would interfere or adversely affect the operation or maintenance of the airport, or otherwise constitute an airport hazard.

~~4.~~6. The occupant shall be subject to any ordinances, rules or regulations that have been, or may hereafter be adopted by, the Authority or City pertaining to the airport, park, or both.

F. Specific Development Standards. All sites shall receive Site Plan Review as required by §3-3 Site Plan Review except as stated herein. Those lots with direct frontage onto the Jack Edwards Airport (lots ~~26~~31-33 and 37-50) as shown on the most recent recorded plat and as may be amended hereinafter, shall receive Administrative Site Plan Review and approval through the CDD. The final decision of the CDD in performing this review shall rest with the Zoning Official. The applicant may choose at any time, via written request, to waive the Administrative Site Plan Review process in favor of Site Plan Review as required by §3-3 Site Plan Review or appeal such review to the Council.

1. Building/Site Plans:

a. At a minimum all Building sites shall meet requirements of the IND Zoning District. Setback requirements shall be as listed below ~~and as indicated on the final plat of the Gulf Shores Business and Industrial~~Aviation ~~Park and any revisions thereto~~:

* * * *

Table 10-4: Setbacks for Business and ~~Industrial~~ Aviation Park

Table 10-4: Setbacks for Business and ~~Industrial~~Aviation Park			
	Min. Front Setback	**Min. Rear Setback**	**Min. Side Setback**
Lots 1-10	35 ft	70 ft	15 ft
Lots 11, 20-30	35 ft	30 ft	15 ft
Lots 12-19	30 ft	30 ft	15 ft
Lots 31-33, 37-50	35 ft	70 ft*	15 ft
* Aviation-related Lots may have Rear Setback reduced upon written approval of the Airport Authority.			

a. Building Façades and external materials shall be governed as stated in this Ordinance. For Buildings located on Lots identified as "aviation related" and located more than 300 ft from a Thoroughfare ROW Line, such Façades shall not be mandatory, but may be required through the ~~Administrative Site Plan or Site Plan Review~~approval process.

b. Bay doors and loading docks shall be located and/or reasonably screened so as to minimize adverse visual impact from public thoroughfares.

c. Color schemes shall be harmonious and compatible with adjacent developments; accent colors shall be compatible with the main color theme. In all cases, bright, neon, or fluorescent colors shall be prohibited. Earth tone colors are encouraged.

d. Colored elevations and representative floor plans shall be submitted for ~~the Administrative Site Plan or the~~ Site Plan Review. Elevations shall identify external materials and colors for all sides of each Structure.

2. Parking.

a. All required parking spaces, Driveways, aisles, and any other parking areas shall be paved as required in §14-1 Required Off-street Parking except as modified herein. Such parking areas are intended to be sited forward of the Principal Building and any Screening or security fences.

b. Parking areas or parking lots provided above and beyond what is required by this Ordinance may have the paving requirement waived at the discretion of the approving authority if the parking area is located behind any required fencing and/or is not visible from any public ROWs. In these instances, an all-weather, non-dust surface is required.

For Lots designated as aviation-related, parking areas shall be paved as required by in §14-1 Required Off-street Parking unless modified by the Airport Authority.

c. No parking or vehicular areas, exclusive of Driveways, shall be permitted within ten (10) ft of the Front Lot Line and within five (5) ft of the Side and Rear Lot Lines except as noted herein. This requirement shall extend to the entire Lot.

For Lots designated as aviation-related, parking or vehicular areas located behind fencing will not be required to observe the above Setback requirements.

d. Airplane hangars accessory to a Principal Use of the site will not be required to provide parking spaces for the hangar.

e. Airplane hangars serving as the Principal Use of the site shall provide two (2) parking spaces per plane stored in the hangar.

3. Lighting. Parking and site lighting shall be Shielded so as not to illuminate Adjacent property or public Thoroughfares. No lighting shall interfere with or disrupt the operation of the airport. A lighting plan including typical light pole(s) and fixture detail(s) and a photometric plan in accordance with §6-12 Outdoor Lighting Standards shall be submitted and approved by the Airport Authority.

4. Landscaping. All portions of a site not occupied by Buildings or other Structures and all required parking lots and maneuvering spaces, irrespective of location, shall be landscaped according to the regulations of §12-1 Landscaping except as noted herein.

a. Areas proposed for Outdoor Storage of materials or vehicles, or similar non-public uses may at the discretion of the approving authority have the Side and Rear Perimeter Landscaping requirement modified to require the planting of trees only, so long as the area is not visible from a public Thoroughfare or Adjacent property.

b. The minimum Landscape Setback requirement of ten (10) ft along any Thoroughfare ROW shall not be allowed to be reduced as provided in §12-1 Landscaping.

c. For Lots designated as aviation-related, the Landscape requirements stated in §12-1 Landscaping will not be required for areas located behind required fencing.

5. Fences.

a. No fence shall be located forward of the front Façade of the Building or behind the required ten (10) ft Setback line.

b. The location of fences to the rear and side of the forward-most Building located on the Building site are not subject to Setback lines and may be located on the Rear and Side Lot Lines.

c. Perimeter fencing Adjacent to public Thoroughfares shall be opaque and of wood or masonry construction. Materials and treatments used should complement the primary Building and contribute to the appearance of the park. Details and/or elevations that identify the materials of the perimeter fencing shall be submitted for the Administrative Site Plan or the Site Plan Review.

d. For Lots designated as aviation-related, all fencing, vehicle and personnel gates, and gate mechanisms are subject to approval by the Airport Authority and must be compatible with Airport Security. Elevations and detail drawings of all proposed fences, gates, and gate mechanisms shall be submitted to them for approval.

e. Airport Authority approval and approved details and/or elevations of required fencing shall be submitted for the ~~Administrative Site Plan or the~~ Site Plan Review. Fences will not be allowed to be constructed until approved by the Airport Authority.

6. Signs.

a. A Master Signage Plan shall be included as part of the ~~Administrative Site Plan or~~ Site Plan submittal. Individual freestanding signs shall be consistent in material and design with the entry signs used to identify the Park.

b. Freestanding signs within the park shall be "monument" or "low profile" in style and limited to one (1) sign per Building site. Maximum Sign Area shall not exceed thirty-two (32) sf and be restricted to a maximum height of six (6) ft.

c. Signs shall use universal symbols to provide information to emergency personnel in regards to chemicals stored and used on site and other hazardous conditions.

d. All exterior lighting shall be Shielded and directed away from Adjacent Thoroughfares and property.

~~d.~~e. Attached signs facing the airport which are not visible from a public right-of-way shall be reviewed and approved by the Airport Authority.

7. Drainage.

a. Applicable Best Management Practices (BMP's) to prevent discharge of polluted storm water shall be implemented by the developer of each Lot.

b. The drainage plan is subject to approval by the Public Works Department. For Lots designated as aviation-related, additional approval is required by the Airport Authority.

8. Permits: All outside agency approvals and permits, as applicable, shall be submitted to the CDD prior to issuance of a Building Permit.

G. Storage. The right of an owner or lessee or occupant to use any Building shall not be construed to permit the keeping of articles, goods, materials, incinerators, storage tanks, dumpsters or like equipment in the open or exposed to public view. If it shall become necessary to store or keep such materials or equipment in the open, said storage shall be limited to the Rear Yard and Screened from public view or incompatible uses with an opaque fence or wall of permanent construction per §10-~~4E4~~ F5 above and of a design and of materials approved through the Site Plan Review process.

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Section 2. That this Ordinance shall become effective upon its adoption and publication as required by law.

Further, notification is given that any citizen or interested party may appear before Council on said date and will be given an opportunity to be heard, or may direct written comments to the City Clerk, City Hall, P O Box 299, Gulf Shores, AL 36547, prior to the meeting.

Wanda Parris, MMC
City Clerk
City of Gulf Shores, Alabama