

Chapter 64 Unified Development Code

Contents

Article 10 Submittal Requirements— Applications and Plans

Sec. 64-10-1	Applicability.....	202
Sec. 64-10-2	Application Documentation.....	202
Sec. 64-10-3	Plans.....	203
Sec. 64-10-4	Rezoning.....	207
Sec. 64-10-5	Planned Developments	208
Sec. 64-10-6	Conditional Uses	208
Sec. 64-10-7	Zoning Variances and Administrative Appeals	209
Sec. 64-10-8	Special Exceptions.....	211
Sec. 64-10-9	Sign Permits.....	212
Sec. 64-10-10	Fees	214

Article 10 Submittal Requirements— Applications and Plans

Sec. 64-10-1 Applicability

A. Generally. This Article establishes the information required for:

- 1.** Planning Commission and Board of Zoning Adjustment applications in order to be considered complete for review;
- 2.** Building Plans, Concept Plans, Lighting Plans, Shared Parking Plans, Site Plans, Tree and Landscape Plans; and
- 3.** Sign Permits, Nonconforming Documentation

Sec. 64-10-2 Application Documentation

A. Applications for Planning Commission or Board of Zoning Adjustment applications must include the following information:

- 1.** Project Description. The proposal for development which would include/illustrate quantitative and qualitative information that could also be represented on a concept or site plan, including time frame for development, hours of operation, and the future location of easements which may be required for site access, drainage, or utilities.
- 2.** Applicant Information. The applicant's name(s), mailing addresses, telephone numbers, and email addresses. Business name(s), if applicable, are also required.
- 3.** Owner Information. The owner's name(s), mailing addresses, telephone numbers, and email addresses. Business name(s), if applicable, are also required.
- 4.** Design Professional. The design professional's name(s), mailing addresses, telephone numbers, and email addresses. Business name(s), if applicable, are also required;
- 5.** Notification Requirements.
 - (a)** Notification Distance.
 - (1)** Standard Notification Requirements. Notification list with the names and complete addresses of owners of property lying within 300 feet of the property, as shown by the records of the Mobile County Probate Court Office.
 - (2)** Above Ground Storage Tank Notification Requirements. Notification list with the names and complete addresses of owners of property lying within 3000 feet of the property, as shown by the records of the Mobile County Probate Court Office.
 - (b)** Notification format.

Article 10 Submittal Requirements

- (1)** Notification Verification. All property ownership information provided for notification must be verified by the applicant through the Probate Court records.
 - (2)** Each name and address must be typed on a standard size (1" x 2 5/8") white self-adhesive label.
 - (3)** This list must include one (1) label with the applicant's name and address, and one (1) label with the Owner's name and address (if the applicant and owner differ).
 - (4)** If an electronic submission is used, the complete notification list, with the applicant and owner's name and address must be submitted in a proper format as approved by the Director.
- 6.** Legal Description. A complete legal description of the property encompassed by the application. If an existing lot of record or proposed lot of record contains multiple zoning districts, the legal description shall encompass the entirety of the property to be rezoned to a single zoning district.
 - 7.** Parcel Identification. List of all tax parcels included in the legal description.
 - 8.** Location. Address and / or brief description of property location;
 - 9.** Zoning. Existing zoning districts (all applications) and proposed zoning district (for rezoning applications only); and
 - 10.** Tree and Landscape. The locations, species and diameter breast height (DBH) of existing heritage trees and heritage live oak trees indicating those to be retained, and those heritage live oak trees to be removed, and whether they are to be counted as part of the landscaping requirements. The location and dimensions of the proposed landscape areas within the parking area(s) including a description and location of new trees and plant materials to be placed within the landscape area.
 - (a)** Conditional Use, Planned Development and Variance applications: An indication of how healthy existing trees proposed to be retained will be protected during construction.

B. Traffic Impact Studies (TIS)

The Traffic Engineer shall prescribe the requirements and contents of traffic impact studies.

Sec. 64-10-3 Plans

All plans shall be submitted in a format approved by the Director.

A. Building Plans

A building plan must include the following elements unless otherwise exempted by the Director.

- 1.** Drawn to a standard architectural scale, detailed sufficiently to illustrate the following:
 - (a)** Height and area of building(s);
 - (b)** Floor plans and Occupant load(s);
 - (c)** Elevations, Materials, and Architectural Details; and

Article 10 Submittal Requirements

- (d) Any other information necessary to document compliance with the provisions of this Chapter.

B. Concept Plan

A concept plan must include the following elements unless otherwise exempted by the Director.

1. Property boundaries, drawn to a standard engineering scale;
2. Proposed pedestrian and vehicular circulation, including site access, and connectivity to with the surrounding area(s);
3. Proposed development areas with maximum heights and square footage for commercial or mixed use structures, development acreage by use area, and number of dwelling units per use area.
 - (a) Residential
 - (b) Commercial
 - (c) Mixed Use
 - (d) Industrial
 - (e) Civic Space
 - (f) Conservation Areas
 - (g) Other Common Areas, including landscape areas and buffers
4. Parking Areas-estimated number of parking spaces per land use area; and
5. Phasing Plan.

C. Lighting Plan

1. Lighting shall be according to an approved Lighting Plan (photometric plan) prepared by a qualified and registered professional who shall affix their stamp and seal onto the plan providing the following information:
 - (a) All property lines and all adjacent properties' zoning district classifications.
 - (b) The type of lamp to be used in each fixture, including the manufacturer's name, part number, lamp wattage, lumen output, and a copy of the manufacturers lamp specifications.
 - (c) All pole heights and locations.
 - (d) The type of fixtures, including the manufacturer's name and model number, wattage and light loss factor.
 - (e) Point-to-point photometric calculations at intervals of not more than ten (10) feet at ground level demonstrating that the plan will provide a uniform intensity of lighting on surfaces in conformance with Article 3.

Article 10 Submittal Requirements

- (f) The area of each photometric calculation, including an extra calculation to identify the light level produced at the property line, and all data used in each calculation.
- (g) Certification. All required lighting shall be installed and approved prior to issuance of a certificate of occupancy. The registered professional who stamped the plans shall certify by letter that the installation complies with the approved plans. The letter shall specify fixtures, wattages, pole heights, and any special requirements such as rotation, angle, shielding or positioning of critical poles at property lines.

D. Site Plan

A site plan must include the following elements unless otherwise exempted by the Director.

1. Drawn to a standard engineering or architectural scale;
2. Property lines, with dimensions, including overall property size in square feet;
3. Building footprint(s), including:
 - (a) number of stories;
 - (b) maximum overall height;
 - (c) square footage for commercial or mixed use structures;
 - (d) development acreage by use area or building; and
 - (e) number of dwelling units per use area or building.
4. Sidewalks;
5. Streets, driveways and parking, including accessible parking spaces, and loading facilities;
6. Landscape areas, including size and species of tree(s) to be preserved;
7. All easements (existing and proposed);
8. Detention and Common Areas;
9. Dumpster location(s);
10. Fences, buffers and walls;
11. Ground based mechanical equipment (commercial or industrial uses);
12. Free-standing sign locations (existing and proposed); and
13. Any other hardscape site improvements not listed above.

E. Tree and Landscape Plans

The landscape plan shall be drawn at the same scale as the site plan, and shall contain the following information:

1. The date, scale, north arrow, title, and name of owner.

Article 10 Submittal Requirements

2. Placement of note, signed by the owner and dated, stating that “The owner shall maintain the provided tree and landscape areas according to requirements of Article 3 of this Chapter.” The name of the owner shall be printed below the signature.
3. The approximate location of existing boundary lines and dimensions of the building site.
4. The location, species, and size of existing trees and other vegetation that the applicant proposes to remain on the site and have made a part of the landscape development.
5. The approximate center line of existing watercourses.
6. The approximate location of significant drainage features.
7. The location and size of:
 - (a) Existing or proposed freestanding signage;
 - (b) Existing overhead powerlines in the adjacent right-of-way or crossing the site;
 - (c) Existing and proposed streets and alleys;
 - (d) Existing and proposed utility easements on or adjacent to the building site; and
 - (e) Existing and proposed sidewalks adjacent to streets.
8. The location and size, in square feet, of proposed landscaped areas.
9. The location, number, size, and name of proposed landscape material.
10. Statistics verifying the minimum percentage of landscaping required under this section will be met:
 - (a) Total Landscape Area provided in Square Feet;
 - (b) Total Front Landscape Area provided in Square Feet;
 - (c) Number and Type of Overstory Frontage Trees;
 - (d) Number and Type of Overstory Perimeter Trees;
 - (e) Number and Type of Understory Perimeter Trees; and
 - (f) Number and Type of Understory Parking Trees.
11. The locations, species and DBH of existing heritage trees and heritage live oak trees:
 - (a) Indicating those to be retained; and
 - (b) Those heritage live oak trees to be removed; and
 - (c) Whether they are to be counted as part of the landscaping requirements.
12. An indication of how healthy, existing trees proposed to be retained will be protected during construction.

Article 10 Submittal Requirements

13. The location and dimensions of the proposed landscape areas within the parking area(s) including a description and location of new trees and plant materials to be placed within the landscape area.
14. An indication, using written or graphic information, of how the applicant plans to protect existing trees and other vegetation, which are proposed to be retained, from damage during construction.
15. The proposed irrigation type and design.
16. Certification that the landscape plan satisfies all purposes, objectives and requirements of this section prepared and signed by one of the following:
 - (a) Licensed landscape architect;
 - (b) Licensed engineer;
 - (c) Licensed architect; and
 - (d) Certified landscape professional.

F. Shared Parking Plan

1. Engineer's / Surveyor's plans showing the location of the uses or structures for which off-street parking facilities are required;
2. Engineer's / Surveyor's plans showing the location at which the off-street parking facilities are proposed to be located (in relation to the use), and including all required and proposed improvements;
3. Legal descriptions;
4. Parcel numbers of all properties involved;
5. Narrative describing the project;
6. Development Name; and
7. Location of Use.

Sec. 64-10-4 Rezoning

A. Required Applications

1. If more than one application is required to be heard by the Planning Commission, the applications should be filed concurrently.
2. A separate rezoning application is required for each zoning district requested.

B. Information Required

1. This Section establishes the information that applications must include in order to be considered complete.

Article 10 Submittal Requirements

- (a) Application Documentation as set forth in Application Documentation, Article 10Sec. 64-10-2;
- (b) Boundary Plat.
- (c) If, due to the complexity of the proposed project, or at the Planning Commission's request, a concept plan or a site plan may be required.
- (d) Justification for Rezoning as required in Article 5; and
- (e) If a Neighborhood meeting is required (see Article 5), the submission of all documentation listed therein.

C. Traffic Impact Studies (TIS)

The Traffic Engineer shall prescribe the requirements and contents of traffic impact studies.

Sec. 64-10-5 Planned Developments

A. Information Required

This section establishes the information that Planned Development applications must include in order to be considered complete.

1. Application Documentation as set forth in Article 10Sec. 64-10-2;
2. Submission of all Dimensional and Design Standards as set forth in Article 2.
3. Submission of a Concept Plan as set forth in Article 10Sec. 64-10-3B.
4. The submission of a site plan may be required due to the complexity or scope of the proposed project, as set forth in Article 10Sec. 64-10-3D.
5. Justification for the Planned Development, illustrating how the project cannot feasibly comply with the standards in any of the other zoning districts;
6. Detailed narrative of how the design and dimensional standards and concept plan, illustrate a high degree of design quality or fulfillment of an important public purpose(s).
7. If a Neighborhood meeting is required by Article 5 the submission of all Neighborhood Meeting Documentation.

B. Traffic Impact Studies (TIS)

The Traffic Engineer shall prescribe the requirements and contents of traffic impact studies.

Sec. 64-10-6 Conditional Uses

A. Concurrent Applications

If more than one application is required to be heard by the Planning Commission, the applications should be filed concurrently.

B. Information Required

This section establishes the information that Conditional Use applications must include in order to be considered complete.

Article 10 Submittal Requirements

1. Application Documentation as set forth in Article 10Sec. 64-10-2.
2. A site plan as set forth in Article 10Sec. 64-10-3D.
3. Provision of detailed justifications and documentation of compliance with Approval Criteria for Conditional Uses as required in Article 5.
4. If a Neighborhood meeting is required by Article 5, the submission of all Neighborhood Meeting Documentation.

C. Traffic Impact Studies (TIS)

The Traffic Engineer shall prescribe the requirements and contents of traffic impact studies.

Sec. 64-10-7 Zoning Variances and Administrative Appeals

A. Information Required for Use Variance

This section establishes the information that a Use Variance application must include in order to be considered complete.

1. Application Documentation as set forth in Article 10Sec. 64-10-2.
2. A site plan as set forth in Article 10Sec. 64-10-3D.
3. A building plan as set forth in Article 10Sec. 64-10-3A unless otherwise waived by the Director;
4. A detailed description of the proposed use, including activity (identify operations which involve use of equipment or machinery which will generate excessive noise, odors, or air pollution, as well as excessive traffic), days and hours of operation, number of employees, number of customers per day, gross square footage, and parking requirements;
5. Statements and supporting evidence explaining:
 - (a) why the property cannot be used in compliance with the Zoning Regulations;
 - (b) how this property is different from neighboring properties;
 - (c) how the applicant proposes to eliminate any negative impacts on surrounding properties;
 - (d) how the variance will not be contrary to the public interest;
 - (e) why the variance is needed to resolve special conditions, and
 - (f) why or how a literal enforcement of the provisions of this Chapter will result in unnecessary hardship.

B. Information Required for Bulk or Site Variance

This section establishes the information that a Bulk or Site Variance application must include in order to be considered complete.

1. Application Documentation as set forth in Article 10Sec. 64-10-2;
2. A site plan as set forth in Article 10Sec. 64-10-3D.;

Article 10 Submittal Requirements

3. A building plan as set forth in Article 10Sec. 64-10-3A., unless otherwise waived by the Director;
4. A detailed description of the proposed improvements, including specific information regarding the requested variance (e.g. setbacks and yards required and provided, site coverage allowed and provided, parking spaces required and provided, and similar improvements);
5. Statements and supporting evidence explaining:
 - (a) why the property cannot be used in compliance with the Zoning Regulations;
 - (b) how this property is different from neighboring properties;
 - (c) how the applicant proposes to eliminate any negative impacts on surrounding properties;
 - (d) how the variance will not be contrary to the public interest;
 - (e) why the variance is needed to resolve special conditions, and
 - (f) why or how a literal enforcement of the provisions of this Chapter will result in unnecessary hardship.

C. Information Required for Administrative Appeal

This section establishes the information that an Administrative Appeal application must include in order to be considered complete.

1. Application Documentation as set forth in Article 10Sec. 64-10-2;
2. A site plan as set forth in Article 10Sec. 64-10-3D.;
3. A building plan as set forth in Article 10Sec. 64-10-3A., unless otherwise waived by the Director;
4. A detailed description of:
 - (a) The alleged error in any order, requirement, decision or determination made by an administrative official;
 - (b) How the applicant contends the decision was the result of an arbitrary or capricious interpretation of this Chapter; and
 - (c) How the applicant contends the decision was an incorrect interpretation of this chapter.

D. Information Required for Sign Variance

This section establishes the information that a Sign Variance application must include in order to be considered complete.

1. Application Documentation as set forth in Article 10Sec. 64-10-2;
2. A site plan including the following information:
 - (a) Drawn to a standard engineering or architectural scale;

Article 10 Submittal Requirements

- (b) Property lines, with dimensions;
 - (c) Building(s) footprint(s), with existing and proposed building signs, including the location, height and size of all building signs;
 - (d) Streets, parking areas and drives;
 - (e) All existing trees or landscape items impacting a proposed sign;
 - (f) All easements (existing and proposed); and
 - (g) Free-standing sign locations (existing and proposed).
3. Current use of the property;
 4. Whether the applicable lot(s) includes a single owner or tenant, or multiple owners or tenants;
 5. Seven (7) to ten (10) photographs showing the existing buildings, all wall and free-standing signs, and areas in which any proposed signs are to be located;
 6. Statements and supporting evidence explaining:
 - (a) why the signage cannot be provided in compliance with the Zoning Regulations;
 - (b) how this property is different from neighboring properties;
 - (c) how the applicant proposes to eliminate any negative impacts on surrounding properties;
 - (d) how the variance will not be contrary to the public interest;
 - (e) why the variance is needed to resolve special conditions, and
 - (f) why or how a literal enforcement of the provisions of this Chapter will result in unnecessary hardship.
 7. Sign Elevations including:
 - (a) A sketch of the front and side views of the structure(s) with dimensions;
 - (b) Any existing or proposed signs, with applicable dimensions; and
 - (c) A sketch or drawing of all free-standing signs, with all applicable dimensions.

Sec. 64-10-8 Special Exceptions

- A. **Information Required.** This section establishes the information that Special Exception applications must include in order to be considered complete.
 1. Application Documentation as set forth in Article 10, Section 64-10-2.
 2. A site plan as set forth in Article 10, Section 64-10-3D.

Article 10 Submittal Requirements

3. Provision of detailed justifications and documentation of compliance with Approval Criteria for Special Exceptions as set forth in Article 5, Section 64-5-12D.1.
 4. If applicable, provision of detailed justifications and documentation of compliance with the Criteria by Use as set forth in Article 5, Section 64-5-12D.1.
- B. Traffic Impact Studies.** The Traffic Engineer shall prescribe the requirements and contents of any traffic impact study that may be required.

Sec. 64-10-9 Sign Permits

1. An application for a sign permit shall include the following information:
 - (a) Sign location (address and parcel number);
 - (b) Name and contract information for sign fabrication contractor and sign installation contractor;
 - (c) Name and contact information of sign owner and all property owners;
 - (d) Type of business;
 - (e) The type of sign, based on the sign classifications described in the sign regulations of Article 4 and as defined in Article 8;
 - (f) Sign dimensions, including:
 - (1) Height from ground level to top of sign;
 - (2) Height from ground level to bottom of sign;
 - (3) Width and height of sign face; and
 - (4) Sign area (total and for each sign face).
 - (g) Drawings
 - (1) Location Sketch;
 - (2) Plan Analyst print-out, or plans signed and sealed by a properly licensed professional engineer, documenting the new or enlarged sign structure complies with the currently adopted International Building Code. ;
 - (3) A scaled drawing showing the sign complete with dimensions and renderings
 - (4) For freestanding signs, a site plan showing:
 - a. the sign location;
 - b. setbacks from the public right-of-way and front property line;
 - c. sign orientation;
 - d. distance from all streets, rights of way, and other structures on the site; and

Article 10 Submittal Requirements

- e. location of any existing or proposed trees within 15-feet.
- (5) For wall signs, a sketch and square footage of building front.
- (h) Total cost of the sign Including materials, labor, and installation;
- (i) If the contract(s) valuation is over \$50,000, a State of Alabama General Contractor's Specialty License, with contract valuation will including labor, materials, and sign costs;
- (j) If any electrical permit is required by the currently adopted National Electrical Code, the required electrical permit must be obtained prior to the issuance of a Sign Permit. This includes the submission of Underwriters Laboratory (UL) file number of Fabricator, UL file number of sign, nits (if electronic) and Electrical Permit number:
 - (1) Illuminated signs/Electronic Message Centers:
 - (2) All off-premise electronic or digital signs, including the conversion of any existing billboard to electronic or digital technology, shall require permits as follows:
 - (3) Application for a sign permit shall be made to the Director, and shall be accompanied by such drawings, plans, specifications, and engineering designs as may be necessary to fully advise and acquaint the department personnel with the proposed sign and sign location. The application shall be accompanied with the deed, lease, or other agreement by which the applicant has the right to erect, use or maintain the proposed sign at the stated location. Further, said application shall contain the following information: distance from proposed sign to closest off-premise sign on the same side of the street and on the opposite side of the street; distance from proposed sign to closest residentially zoned (R-1, R-2, or R-3) property; location of all other digital billboard signs within a radius of one mile of the proposed location; written certification from the sign manufacturer certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this subsection, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method; and an identification of the signs that will be removed within six (6) months of the issuance of the building permit as required by this section.
 - (4) The sign permit shall become null and void unless construction of the sign has been substantially completed within six (6) months from the date on which the permit was issued. In the event a permit becomes null and void after the expiration of six (6) months, the permittee shall be required to reapply for a permit for that site and pay another permit application fee. If, however, the permittee provides evidence that good cause prevented substantial completion within the six (6) months, and such evidence is accepted by the building official, then said permit may be extended one (1) time for an additional three (3) months.
 - (5) A permit application fee of two hundred fifty dollars (\$250.00) per structure shall be paid by each person or corporation seeking a sign permit under this section. This fee shall be in addition to, and not in lieu of, any other fees or licenses required.
 - (6) Electrical permits are also required.
- (k) In the Springhill Overlay, Downtown Development District, and historic districts:

Article 10 Submittal Requirements

- (1) How the sign will be mounted;
- (2) Sign materials;
- (3) Type of sign lighting;
- (4) Linear front footage of principle building;
- (5) Scaled colored renderings of the requested sign;
- (6) Photographs with dimensions and photographs of the building;
- (7) Certificate of Appropriateness is required for all signs in historic districts; and
- (8) Approval of Consolidated Review Committee for signs in the Downtown Development District.

Sec. 64-10-10 Fees

- A. **Zoning Regulations.** Fees for approvals required by **this Chapter** (including **Rezoning, Text Amendments, Conditional Use Permit, Applications to the Board of Zoning Adjustment** and sign permits are established by resolution of the city Council