Chapter 64 Unified Development Code

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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, Landscape Plans; and

3. Sign Permits, Nonconforming Documentation.

Sec. 64-10-2 Application Documentation

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

1. Project Description. The proposal for development should include/illustrate quantitative and qualitative information both in a narrative and depicted on a concept or Site plan, a time frame for development, hours of operation and the 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, email addresses and business name(s), if applicable.

3. Owner Information. The property owner's name(s), mailing addresses, telephone numbers, email addresses and business name(s), if applicable.

4. Design Professional. The design professional's name(s), mailing addresses, telephone numbers, email addresses and business name(s), if applicable.

5. Notification Requirements.

(a) Notification Distance.

(1) Standard Notification Requirements. Notification list with the names and complete mailing addresses of owners of property lying within three hundred (300) feet of the property, as shown by the records of the Mobile County Revenue Commission and verified via the Mobile County Probate Court Office.

(2) Above Ground Storage Tank Notification Requirements. Notification list with the names and complete mailing addresses of Owners of property lying within three thousand (3000) feet of the property, as shown by the records of the Mobile County Revenue Commission and verified via the Mobile County Probate Court Office.

(b) Notification format.

(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 property Owner's name and address (if the Applicant and property Owner differ).

(4) If an electronic submission is used, the complete notification list, with the Applicant and property Owner's name and mailing 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. List of existing zoning district(s) (all Applications) and proposed zoning district (for rezoning Applications only).

10. Landscape. For Site plan or use specific approvals, such as Conditional Use Permits, Planned Developments and Variance Applications, the locations, species and diameter breast height (DBH) of existing Heritage Trees indicating those to be retained and those to be removed. The location and dimensions of the proposed landscape areas and proposed new trees.

B. Traffic Impact Studies (TIS). The Traffic Engineer shall prescribe the requirement and content of traffic impact studies.

Sec. 64-10-3 Plans

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

B. Building Plan. 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.

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

C. 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, industrial or mixed use structures; number of dwelling units per use area and development by acreage by use areas (a)-(g) below.

(a) Residential;

(b) Commercial;

(c) Mixed Use;

(d) Industrial;

(e) Civic Space;

(f) Conservation Areas; and

(g) Other Common Areas, including landscape areas and buffers.

4. Parking Areas-estimated number of parking spaces per land use area.

5. Phasing Plan.

D. 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.

(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 Plan. 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.

E. 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).

13. Any other hardscape Site improvements not listed above.

F. 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 property owner.

2. Placement of note, signed by the property owner and dated, stating that "The property owner shall maintain the provided tree and landscape areas according to requirements of Article 3 of this Chapter." The name of the property 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 Landscaped Area provided in square feet;

(b) Total front landscape area provided in square feet;

(c) Number and type of frontage trees (Overstory and Understory);

(d) Number and type of perimeter trees (Overstory and Understory); and

(e) Number and type of parking trees (Overstory and Understory).

11. The locations, species and DBH of existing Heritage Trees:

(a) Indicating those to be retained; and

(b) Those Heritage 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.

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 Professional Engineer;

(c) Licensed Architect; or

(d) Certified landscape professional.

G. Shared Parking Plan. The Shared Parking Plan shall be drawn at the same scale as the Site plan and shall contain the following information.

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 Rezonings

A. Application

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. This Section establishes the information that a Rezoning Application must include in order to be considered complete.

1. Application Documentation as set forth in Application Documentation, Sec. 64-10-2 above;

2. Boundary Plan illustrating the overall property with dimensions, angles and bearings and street frontages including right-of-way widths;

3. A Concept Plan or Site Plan may be required due to the complexity of the proposed project, or at the Planning Commission's request;

4. Statement of Justification for Rezoning as required in Article 5; and

5. If a Neighborhood Meeting is required (see Article 5), the submission of all documentation listed therein.

C. Traffic Impact Studies (TIS). The Traffic Engineering 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 10 Sec. 64-10-2, above;

2. Submission of all Dimensional and Design Standards as set forth in Article2.

3. Submission of a Concept Plan as set forth in Sec. 64-10-3. C. above.

4. A Site Plan may be required due to the complexity or scope of the proposed project, as set forth in Sec. 64-10-3.E. above or at the Planning Commission’s request.

5. Justification for the Planned Development, illustrating how the project cannot feasibly comply with the standards in any of the other zoning districts;

6. Concept Plan and a detailed narrative of how the design and dimensional standards illustrate a high degree of design quality or fulfillment of an important public purpose(s).

7. Submission of all required Neighborhood Meeting Documentation, as required by Article 5.

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. Application. 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.

1. Application Documentation as set forth in Sec. 64-10-2, above.

2. A Site plan as set forth in Sec. 64-10-3. E. above.

3. Provision of detailed justifications and documentation of compliance with Approval Criteria for Conditional Uses as required in Article 5.

4. Submission of all required Neighborhood Meeting Documentation, as required by Article 5.

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 Sec. 64-10-2, above.

2. A Site Plan as set forth in Sec. 64-10-3. E. above.

3. A Building Plan as set forth in Sec. 64-10-3. B. above., 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 this Chapter;

(b) how this property is different from neighboring properties;

(c) how the Applicant proposes to eliminate any negative impacts to 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 Sec. 64-10-2, above.

2. A Site Plan as set forth in Sec. 64-10-3. E. above.

3. A Building Plan as set forth in Sec. 64-10-3. B. above., 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 this Chapter;

(b) how this property is different from neighboring properties;

(c) how the Applicant proposes to eliminate any negative impacts to 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 Sec. 64-10-2, above.

2. A Site Plan as set forth in Sec. 64-10-3. E. above.

3. A Building Plan as set forth in Sec. 64-10-3. B. above., 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 Sec. 64-10-2, above.

2. A Site Plan including the following information:

(a) Drawn to a standard engineering or architectural scale;

(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 this Chapter;

(b) how this property is different from neighboring properties;

(c) how the Applicant proposes to eliminate any negative impacts to 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 Sec. 64-10-2, above.

2. A Site Plan as set forth in Sec. 64-10-3. E. above.

3. Provision of detailed justifications and documentation of compliance with Approval Criteria for Special Exceptions as set forth in Article 5.

4. If applicable, provision of detailed justifications and documentation of compliance with the Criteria by Use as set forth in Article 5.

B. Traffic Impact Studies (TIS). The Traffic Engineer shall prescribe the requirements and contents of any traffic impact study that may be required.

Sec. 64-10-9 Sign Permits

A. Application. An Application for a Sign Permit shall include the following information:

1. Sign location (address and parcel number);

2. Name and contact information for Sign fabrication contractor and Sign installation contractor;

3. Name and contact information of Sign Owner and all property Owners;

4. Type of business;

5. The type of Sign, based on the Sign classifications described in this Chapter (Articles 4, 13 and Appendix A), and as defined in Article 8;

6. Sign dimensions, including:

(a) Height from ground level to top of Sign;

(b) Height from ground level to bottom of Sign;

(c) Width and height of Sign face; and

(d) Sign area (total and for each Sign face).

7. Drawings

(a) Location Sketch;

(b) Submission of documentation certifying that the new or enlarged sign structure complies with the currently adopted International Building Code (IBC), which may require the submission of plans signed and sealed by a properly licensed Professional Engineer.

(c) A scaled drawing showing the entire Sign and support structure, with dimensions and renderings.

(d) For Freestanding Signs, a Site plan showing:

(1) The Sign location;

(2) Setbacks from the public right-of-way and front property line;

(3) Sign orientation;

(4) Distance from all Streets, rights of way and other structures on the Site; and

(5) location of any existing or proposed trees within fifteen (15) feet.

(e) For Wall Signs, a sketch and square footage of building wall.

8. Total cost of the Sign including materials, labor and installation.

9. If the contract(s) valuation is over fifty thousand dollars ($50,000), a State of Alabama General Contractor's Specialty License must be provided.

10. If an 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.

11. 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.

B. Illuminated Signs/Electronic Message Centers

1. In addition to the requirements of Section A above, the following information is required:

(a) Site Plan depicting the straight line distance between the proposed sign and residentially zoned property.

(b) Submission of documentation that the sign is equipped with an ambient light monitor.

(c) Written certification from the sign manufacturer certifying that the light intensity of the sign is compliant with Article 4.

C. Off-Premise Signs. This includes electronic or digital Off-Premise Signs, and the conversion of any existing Off-Premise Sign to electronic or digital technology.

1. In addition to the requirements of Sections A and B above, the following information is required:

(a) Copy of a deed, lease or other agreement by which the Applicant has the right to erect, use or maintain the proposed Sign at the stated location.

(b) The distance from the proposed Sign to closest Off-Premise Sign on the same side of the street and on the opposite side of the street.

(c) Distance from proposed Sign to closest residentially zoned (R-1, R-2 or R-3) property.

(d) If the proposed sign is an Electronic Sign, the location of all other Electronic Off-Premise Signs within a radius of one mile of the proposed location, must be provided.

(e) If the proposed sign is an Electronic Sign, 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 Section, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method is required.

(f) Identification of the Signs that will be removed within six (6) months of the issuance of the Sign Permit as required by this Section.

(g) 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.

D. Springhill Overlay, Downtown Development District, and Historic Districts

1. In addition to the requirements of Section A above, the following information is required:

(a) How the Sign will be mounted.

(b) Sign materials.

(c) Type of Sign lighting.

(d) Linear front footage of principle building.

(e) Scaled colored renderings of the requested Sign.

(f) Photographs with dimensions and photographs of the building.

(g) Certificate of Appropriateness is required for all Signs in Historic Districts.

(h) Approval of Consolidated Review Committee for Signs in the Downtown Development District.

Sec. 64-10-10 Fees

A. Fees required by this Chapter (including Rezonings, Text Amendments, Conditional Use Permit, Applications to the Board of Zoning Adjustment and Sign Permits) are established by Ordinance adopted by the City Council.