

ORDINANCE NO. 02-2014

AN ORDINANCE TO AMEND THE ZONING ORDINANCE
FOR THE CITY OF ATMORE, ALABAMA

BE IT ORDAINED by the City Council for the City of Atmore, Alabama as follows:

SECTION 1. That the Code of Ordinances, City of Atmore, Alabama, is hereby amended by adding a section to Article V of the Zoning Ordinance, to be numbered Section 5.18, which section reads as follows:

“5.18 DBD DOWNTOWN BUSINESS DISTRICT

The purpose of this district is to establish uses compatible with a vibrant commercial and retail center and a downtown area suitable for restaurants and family friendly entertainment. Uses which are not compatible with this purpose are restricted to other areas of the city.”

SECTION 2. That the Code of Ordinances, City of Atmore, Alabama, is hereby amended by amending and restating Article VI of the Zoning Ordinance as follows:

“6.1 GENERAL.

The following limitations and requirements are placed on uses in each district established under the authority of this Ordinance, in accordance with the intent of the Ordinance.

Any use requiring a building permit is subject to review and permit approval by the Building Official.

Any special exception is subject to approval of the Board of Adjustment. Each application to the Board of Adjustment for approval of a use permitted by special exception shall be accompanied by a site plan prepared by the applicant or his agent.

In any case where a requested use is not specifically listed in the Table of Permitted Uses section of this Ordinance, its status shall be determined by the Board of Adjustment by reference to the most clearly analogous use or uses that are specifically referred to in the Table of Permitted Uses. When the status of a use has been so determined by the Board of Adjustment, such determination shall thereafter have general application to all uses of the same type.

In general, any higher use may be permitted as a Special Exception in a lower use district, but no lower use shall be permitted in a higher use district, except as

otherwise noted in the Table of Permitted Uses or where such use exists at the time of enactment of this Ordinance, in which case it is subject to the requirements of the Non-Conformance section of this Ordinance.

Every use in any district, except in the M-1 and M-2 districts, shall be conducted entirely within a completely enclosed structure unless expressly exempted from enclosure requirements in this Ordinance by Special Exception or as may be otherwise allowed by this Ordinance.

It shall be the responsibility of the owner/developer to show (prove) compliance with the requirements of this Ordinance.”

“6.2 PERMITTED USES AND CONDITIONS.

Permitted uses are listed in the Permitted Use Table of this Article.

6.21 Uses by Right. Uses in the Tables identified by (R) are permitted by right, subject to the conditions specified in the Tables or elsewhere in this Ordinance.

6.22 Special Exceptions - Conditional Uses. Uses in the Tables identified by (S) require approval by the board of adjustment pursuant to Code of Alabama §11-52-80. These uses are generally compatible within a designated district but because of their nature must be reviewed and approved before a building permit is issued.

6.23 Variances. Variances from the terms of the Zoning Ordinance may be granted by the board of adjustment in conformity with Code of Alabama § 11-52-80.

6.24 Compliance with District Requirements. Except for approved variances and special exceptions, any use must comply with the requirements of the district in which it is located unless approved under the Planned Unit Development (PUD) provisions of the Subdivision Ordinance.

6.241 Other provisions of this Ordinance notwithstanding, any tracts of farmland under cultivation or pastureland and timberland presently being used for such purposes may continue to be used for such purposes regardless of the zoning district in which they may be located.

6.242 Undeveloped land or land used for agricultural purposes or timber growing shall automatically be rezoned for single-family use.

6.25 Uses Prohibited. Where any use or analogous use has blank spaces under any zones listed in the headings of the Tables of Permitted Uses, such use is specifically prohibited in such zones.

6.26 Group Homes. Any provision of this Ordinance notwithstanding, the provisions of Code of Alabama §11-52-75.1 shall apply to any application for a group home. Any provision of this Ordinance notwithstanding, any federal law or regulation regulating or permitting a group home shall apply to any application for a group home.”

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Accessory buildings and uses, including home occupations and home swimming pools, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met.	R	R	R	R	R	R	R	
Agriculture and related farming operations, including horticulture, plant nurseries, market gardening, field crops and orchards.	S	S	S	R	R	R	R	
Air conditioning sales and service.				R	R	R	R	R
Airport and/or crop dusting-spraying service; need not be enclosed within a structure.				S	S	S	S	
Ambulance/EMS service.				R	R	R	R	S
Amusement and recreation services: Must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:								
Amusement park				R	R	R	R	
Amusement arcade, kiddieland						S	S	
Archery range				S	S	S	S	S
Baseball batting cage				S	S	S	S	
Billiard or pool hall				R	R	R	R	
Bowling alley				S	S			
Fairgrounds, circus or carnival				R	R	R	R	
Golf course	S			R	R	R	R	
Golf course, miniature				R	R	R	R	
Golf driving range				R	R	R	R	
Pistol or rifle range								

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Racquetball or tennis courts, indoor				R	R	R	R	
Skating rink-indoor				R	R	R	R	
Tennis courts, outdoor; need not be enclosed within a structure.				R	R	R	R	
Animal clinic/kennels for small animals when used as an accessory use to an approved principal use.				R	R	R	R	
Animal raising, small animal breeding; need not be enclosed within a structure.				S	S	S	S	
Antique store, not including repairing and refinishing.				R	R	R	R	R
Apparel and accessory store.				R	R	R	R	R
Appliance store.				R	R	R		R
Apothecary, limited to the sale of pharmaceuticals and medical supplies.				R	R	R	R	R
Art gallery or museum.				R	R	R	R	R
Art supplies.				R	R	R		R
Asphalt products manufacture.						R	R	
Auditoriums, stadiums, coliseums, and other such places of public assembly.				S	S			R
Automobile laundry, where the primary function is washing automobiles, but not including trucks or trailers; operations shall be conducted only within a completely enclosed structure, and all wastes shall be discharged directly into the sewer.				R	R	R	R	
Automobile manufacture.						S	S	
Automobile parts sales, except used parts.				R	R	R	R	R
Automobile storage, including parking lots; need not be enclosed in a structure.				S	S	S	S	S
Automobile, travel trailer, camper, farm equipment and implements and mobile home sales (new and used); need not be enclosed within a structure, but any mechanical or body repair must be done entirely within a structure which shall not have any opening facing the residential district other than a stationary window within 100 feet of a residential district.					R	R	R	
Automobile and truck laundry, including steam laundry.				R	R	R	R	

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Automobile and truck repair garage, mechanical and body; must be conducted in a structure which shall not have any opening, facing the residential district other than a stationary window, within 100 feet of a residential district, and which shall not store or otherwise maintain any parts or waste materials outside such structures.				R	R	R	R	S
Automobile and truck sales and service; but not including commercial wrecking, dismantling, or auto salvage yard; need not be enclosed within a structure provided the unenclosed part shall comply with the requirements for maintenance of off-street parking facilities.				R	R	R	R	R
Automobile and truck service station including minor repair, subject to the requirements listed under Special Provisions, where the primary function is retail sale of gasoline, oil, grease, tires, batteries and accessories and where services are limited to installation of the items sold, washing, polishing, tire changing, greasing and minor repairs, but not including commercial wrecking, dismantling or auto salvage yard, major mechanical overhauling or body work; fuel pumps need not be enclosed within a structure.				R	R	R	R	R
Bait store or sales (live bait); need not be enclosed within a structure.				R	R			
Bakery, retail.				R	R	R	R	R
Bakery, wholesale.				R	R	R	R	R
Bank, including drive-in window.				R	R	R	R	R
Barber shop or beauty parlor.				R	R	R	R	R
Barber and beauty supplies and equipment sales.				R	R	R	R	R
Bed and Breakfast. Owners must reside in dwelling. Dwelling may not have more than six (6) guest bedrooms.	S	S			S	S		
Bicycle, lawnmower sales, service and repair.				R	R			R
Bird and wildlife sanctuary.	S	S	S	S	S	S	S	
Blueprinting and Photostatting shop.				R	R	R	R	R
Boat construction, storage, service and repair, major; need not be enclosed within a structure.						S	S	
Boat sales, accessories and service.				R	R	R	R	R
Boat storage, service and repair, minor. May include dry storage in an enclosed structure.					R	R	R	

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Book store.				R	R	R	R	R
Bottling works.						R	R	
Building materials supply, provided that major storage areas are screened from view and that any machine operations are conducted entirely within an enclosed structure with no opening other than a stationary window within 100 feet of a residential district.				R	R	R	R	
Bus and railroad terminal facilities.				R	R	S	S	S
Business machines sales and service.				R	R	R	R	
Business school or college.				R	R	R	R	
Butane and other liquefied petroleum gas products sales; need not be enclosed within a structure.				R	R	R	R	
Cabinet or carpenter shop.				R	R	R	R	
Café, grill, lunch counter and restaurant but no including night club, bar, tavern and drive-in restaurant.				R	R	R	R	R
Camera and photographic supply store.				R	R	R	R	R
Candy, nut and confectionery store.				R	R	R		R
Canvas products manufacture.				R	R	R	R	
Carting, express, crating, hauling, storage.						R	R	
Catering shop or service.					R	R	R	R
Cemetery, subject to requirements of the Special Provisions.	S	S	S	S	S	S	S	
Chemical manufacture or processing (heavy, industrial)						S	S	
Churches and related accessory buildings.	S	S	S	R	R	R	R	R
City hall, police station, fire stations, courthouse, federal office building and similar public building.	S	S	S	S	S	S	S	S
Clay and clay products manufacture; need not be enclosed within a structure.						S	S	
Clinic, dental, medical or psychiatric for humans.				R	R	R	R	R
Clothing manufacture.						R	R	

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Club or lodge, fraternal, civic, charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a business but not including an organization which sells alcoholic beverages for off-premises consumption or which allows alcohol to be brought in for on-premises consumption and charges individual admission fees for events held on the premises	S	S	S	R	R	R	R	S
Club, country club, golf, swimming or tennis club or the like, privately owned and operated community club or association, athletic field, park, recreation area, and similar uses of a recreational nature, provided that no building for such purposes is located within 100 feet of any property line.		S	S		S	R	R	
Cold storage plant.						R	R	
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line.	S	S	S	S	S	S	S	
College sorority or fraternity house.			S	S	S	S		
Concrete and concrete products manufacture; need not be enclosed within a structure.					S	S	S	
Contractors storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided.				R	R	R	R	
Convenience store. (NEIGHBORHOOD)				R	R	R	R	
Dairy equipment sales.				R	R	R	R	
Dairy product sales.				R	R	R	R	
Delicatessen.				R	R	R	R	R
Department store.				R	R	R	R	R
Drive-in restaurant.				R	R	R	R	R
Drug store.				R	R	R	R	R
Dry cleaning shop, including self service.				R	R	R	R	R
Dry goods or fabric store.				R	R	R	R	R
Dwelling, single-family.	R	R	R	R	R	R		R
Dwelling, two family.		R	R	R	S	S		

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Dwelling, multi-family.			R	R	R	R		
Electric power generating plant.					S	S	S	
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen.	S	S	S	S	S	S	S	
Electric repair shop.				R	R	R	R	R
Electric supply store.				R	R	R	R	R
Elevator maintenance service.					R	R	R	
Employee credit union office.				R	R	R	R	R
Exterminator service office.				R	R	R	R	R
Farm and garden equipment and supply store.				R	R	R	R	R
Farmers market.				R	R	R	R	S
Fix-it shop, including small appliance repair.				R	R	R	R	R
Fixture sales.				R	R	R	R	R
Floor covering sales and service.				R	R	R	R	R
Floral shop.				R	R	R	R	R
Food locker plant including rental of lockers for the storage of food; cutting and packaging of meats and game, but not the slaughtering of animals or fowl.					R	R	R	
Food products processing plant.						S		
Food products, wholesale storage and sales.						R	R	
Freight depot, railway or truck.						R	R	
Frozen food manufacture and packaging.						R	R	
Fruit and produce, retail.				R	R	R	R	R
Funeral home, mortuary or undertaking establishment.				R	R			
Furniture and home furnishing store, including office furniture and equipment.				R	R	R	R	R
Furniture repair, including upholstering and refinishing.				R	R	R	R	R
Gas regulator stations.	S	S	S	S	S	S	S	S
Gift shop.				R	R	R	R	R
Glass products manufacture.					S	R	R	
Grocery store, retail.				R	R	R	R	R
Gymnasium, commercial.				R	R	R	R	
Hardware store, retail.				R	R	R	R	R
Hardware store, wholesale, storage and sales.				R	R	R	R	R
Hatchery, poultry or fish.				S	S	S	S	

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Heating and plumbing equipment, supplies and service.				R	R	R	R	R
Hiking and nature trail.	R	R	R	R	R	R	R	
Hobby shop and supply store.			S	R	R	R	R	R
Home occupation.	S	S	S	S	S	S	S	
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans.					R	R	R	
Hotel, motel or tourist home.				R	R	R	R	
Ice plant.				R	R	R	R	
Industrial park.						R	S	
Institution for children or the aged, day care.					R	R	R	
Interior decorating shop.				R	R	R	R	R
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.	S	S	S	R	R	R	R	
Laboratory, scientific.				R	R	R	R	R
Laboratory, medical or dental.				R	R	R	R	R
Landscape garden sales; need not be enclosed within a structure.				R	R	R	R	R
Laundry, self service.				R	R	R	R	R
Laundry and dry cleaning pick up station.				R	R	R	R	R
Laundry and dry cleaning plant.					R	R	R	
Laundry, linen supply or diaper service.						R	R	
Leather goods or luggage.				R	R	R	R	R
Library.	S	S	S	R	R	R	R	S
Liquor, wine or beer sales not to be consumed on premises and meeting local and state requirements.				R	R	R	R	
Livestock (cattle, horses, sheep and goats)								
Livestock (swine)								
Loan office.				R	R	R	R	R
Locksmith.				R	R	R	R	R
Lodging, boarding or rooming houses.	S	S		S	S			
Lumber yards and building materials; need not be enclosed within a structure.				R	R	R	R	
Machine shop.						R	R	
Machinery, tools and construction equipment, sales and service.					R	R	R	
Mail order house.				R	R	R	R	R
Manufactured Home			R					

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Manufactured Home Park			S					
Manufacturing, repair, assembly or processing establishments of a light industrial nature, including but not limited to, the following:								
Confectionary, food, frozen desert and milk products processing and manufacturing.						R	R	
Clothing and garment manufacturing.						R	R	
Laboratories for testing materials, chemical analysis, photographic processing.						R	R	
Musical instruments and parts manufacturing.						R	R	
Scientific, optical and electronic equipment assembly and manufacturing.						R	R	
Souvenirs and novelties manufacturing.						R	R	
Toy, sporting goods and athletic goods manufacturing.						R	R	
Manufacturing, extractive, including all natural mineral deposits except oil and gas.								
Manufacturing, general: the processing, fabrication, repair and servicing of any commodity of product.						S	S	
Marine stores and supplies.						R	R	
Metal products fabrication.					R	R	R	
Millwork and similar wood products manufacture.						R	R	
Mobile Home.			R					
Mobile Home subdivision.			S					
Modular Home.			R					
Modular Structure.				S	S	S	S	
Motorcycle sales, service and repair.				R	R	R	R	R
Music store.				R	R			R
Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails, outdoor camping site and similar uses.	S	S	S	S	S	S	S	
News stand.				R	R	R	R	R

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Night club, bar, tavern and cocktail lounge when separate from a restaurant defined as an establishment which primarily serves alcoholic beverages for on-premises consumption and which does not have a full-service food menu and kitchen and seated food service.				S	R	R	R	
Novelty and souvenir manufacture.						R	R	
Office.				R	R	R	R	R
Office equipment and supplies, retail.				R	R	R	R	R
Office equipment and supplies, manufacture.					R	R	R	
Oil and gas exploration and production activities.							S	
Oil well equipment, supplies and machinery; need not be enclosed within a structure.						R	R	
Optician.				R	R	R	R	R
Paint and wallpaper store.				R	R	R	R	R
Painting and decorating contractor.				R	R	R	R	R
Paper supplies, wholesale.					R	R	R	R
Park or playground including recreation centers; need not be enclosed within a structure.	S	S	S	S	S	S	S	S
Passenger depot, railway or bus.						R	R	R
Pawn shop.				R	R	R	R	R
Pet shop.					R	R	R	R
Petroleum and petroleum products, manufacture, processing or storage.						S	S	
Photographic studio and/or processing.				R	R	R	R	R
Picture framing and/or mirror silvering.				R	R	R	R	R
Pipe storage; need not be enclosed within a structure.						R	R	
Planned Unit Development, fixed dwelling.	S	S	S					
Planned Unit Development, mobile home.	S	S	S					
Plastic fabrication.						R	R	
Plastic manufacture.						S	S	
Plumbing shop.				R	R	R	R	
Police substation, including Highway Patrol.	S	S	S	S	S	S	S	S
Post Office.	S	S	S	S	S	S	S	R
Poultry live raising.								
Printing, blueprinting, bookbinding, Photostatting, lithographing and publishing establishment.				R	R	R	R	R
Public utility production and maintenance building with proper screening.					S	S	S	
Public utility substation with proper screening.	S	S	S	S	S	S	S	S

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Radio and television station and transmitting tower.				S	S	R	R	
Radio and television sales, service and repair store.				R	R	R	R	R
Reducing exercise, karate, gymnastic or other body fitness type salon.				R	R	R	R	R
Restaurant defined as an establishment which does not primarily serve or sell alcoholic beverages and which has a full-service food menu and kitchen as well as seated food service.				R	R	R	R	R
Restaurant supplies and sales.				R	R	R	R	R
Riding academy; need not be enclosed within a structure.								
Roofing and sheet metal shop.				R	R	R	R	
Rooming house and boarding house.		S	S	R	R	R	R	
Rug and/or drapery cleaning service.				R	R	R	R	R
Sand and gravel storage yard; need not be enclosed within a structure but must be screened.						S	S	
Sawmill, planing mill, or timber storage.					S	S	S	
Schools, public and/or private, elementary and/or secondary meeting the requirements of the education laws of the State of Alabama.	S	S	S	S	S	S	S	
Seafood store, retail.				R	R	R	R	R
Sewage disposal plant; need not be enclosed within a structure.		S	S	S	S	S	S	
Shoe repair shop.				R	R	R	R	R
Shoe store, retail.				R	R	R	R	R
Sign shop.					R	R	R	R
Silviculture and related forestry operations; need not be enclosed within a structure.						R	R	
Small engine repair shop.				R	R	R	R	R
Sporting goods store.				R	R	R	R	R
Stockyard; need not be enclosed within a structure.								
Stone monument sales, retail.						R	R	
Stone cutting and processing merchandise sold at retail.						R	R	
Studio for professional work or teaching of fine arts, such as photography, drama, speech, painting.				R	R	R	R	R
Studio for dance or music.				R	R	R	R	R
Surgical or dental supplies manufacture.						R	R	

CITY OF ATMORE	USE DISTRICTS							
6.2 TABLE OF PERMITTED USES AND CONDITIONS	R-1	R-2	R-3	B-1	B-2	M-1	M-2	DBD
Surgical or dental supplies retail.				R	R	R	R	R
Tailor shop.				R	R	R	R	R
Tattoo and Body Piercing Establishment						R	R	
Taxi terminal/storage and repair of vehicles.						R	R	
Taxidermy shop.				R	R	R	R	R
Teen club or youth center.				S	S	S	S	
Telephone exchange.		S	S	S	S	S	S	
Telephone equipment storage including shops and garage; need not be enclosed within a structure but must provide adequate screening.						R	R	
Temporary uses, including the sale of Christmas trees, seasonal fruit and vegetables from roadside stands, and similar uses. Farmers Market only.					R	R	R	S
Tobacco store.				R	R	R	R	R
Tower telecommunication facilities.				S	S	S	S	
Toy store.				R	R	R	R	R
Trade school or college.				S	S	S	S	S
Transit vehicle storage and servicing; need not be enclosed within a structure.						R	R	
Utility company storage facility; need not be enclosed within a structure but must provide adequate screening.					S	R	R	
Variety store.				R	R	R	R	R
Veterinary service.				R	R	R	R	
Warehouse and storage facilities, major.						R	R	
Warehouse and storage facilities, minor; mini type (400 sq. ft. per unit or less) do-it-yourself storage facilities; facilities must not open to the street; screening and landscaping is required.				R	S			S
Water storage; need not be enclosed within a structure.		S	S	S	S	S	S	S
Water or sewage pumping station.	S	S	S	S	S	S	S	S
Welding shop.				R	R	R	R	
Well drilling company					R	R	R	
YMCA, YWCA and similar institutions.	S	S	S	S	S	S	S	S

SECTION 4. That the Code of Ordinances, City of Atmore, Alabama, is hereby amended by amending and restating Section 11.3 and Section 11.4 of the Zoning Ordinance as follows:

“11.3 DUTIES AND POWERS OF THE PLANNING COMMISSION.

- 11.31 The Planning Commission shall hold public hearings and take action on matters which require Planning Approval as may be required by the Code of Alabama. (This includes subdivisions and comprehensive plans and amendments to each.)
- 11.32 The Planning Commission shall adopt subdivision regulations pursuant to Code of Alabama §11-52-31.
- 11.33 The Planning Commission shall make recommendations to the City Council on all requests for Zoning Amendments.
- 11.34 The Planning Commission shall take action on all major projects as defined in this Ordinance.
- 11.35 The Planning Commission shall approve or disapprove subdivision plats pursuant to Code of Alabama § 11-52-32.

11.4 PROCEDURE FOR COMING BEFORE THE PLANNING COMMISSION.

- 11.41 An application to approve a subdivision plat should be submitted in writing to the office of the Zoning Administrator at least thirty (30) days prior to the regularly scheduled meeting of the City Planning Commission. The application must be on official City forms and must be accompanied by data, maps and plans that are adequate, in the opinion of the Zoning Administrator, to support the application.
- 11.42 The application shall come before the Planning Commission at its next regular meeting following receipt of a correctly completed application and staff report on same.
- 11.43 Before acting on any application requiring a public hearing, the Planning Commission shall ensure that proper legal notice is given.
- 11.44 The Planning Commission shall take action on applications for a subdivision plat within thirty (30) days from the date of submission of the plat.
- 11.45 Any application may be withdrawn prior to action thereon by the Planning Commission at the discretion of the applicant initiating the request upon written notice to the Zoning Administrator.

11.46 A property owner, or his appointed agent, shall not initiate action affecting the same parcel of land more often than once every twelve (12) months.”

SECTION 5. This ordinance shall become effective immediately upon its adoption and publication is required by law.

ADOPTED AND APPROVED this 21st day of April 2014.

Mayor

ATTEST:

City Clerk