



CITY OF SPANISH FORT

7361 Spanish Fort Blvd.
Spanish Fort, Alabama 36527
(251) 626-4884
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Michael M. McMillan
Mayor
Rebecca A. Gaines
City Clerk/Treasurer

City Council

Carl L. Gustafson, Jr.
Robert Curtis Smith
Shane M. Perry
Clewis W. Smith, Jr.
Mary W. Brabner

PUBLIC NOTICE

The Spanish Fort City Council adopted the following ordinances at its April 3, 2023, City Council meeting:

Ordinance No. 630-2023-----An Ordinance Amending Ordinance No. 51-96 of the City of Spanish Fort, Alabama

Ordinance No. 631-2023-----An Ordinance Amending Ordinance No. 51-96 of the City of Spanish Fort, Alabama

Ordinance No. 632-2023-----An Ordinance Amending Ordinance No. 51-96 of the City of Spanish Fort, Changing the Zoning Classification of Certain Real Property Located at 0 Old Mobile Road, Spanish Fort, Alabama, from R-1 to B-3

Ordinance No. 633-2023----- An Ordinance Amending Ordinance No. 51-96 of the City of Spanish Fort, Changing the Zoning Classification of Certain Real Property Located at 10284 US Highway 31, Spanish Fort, Alabama, from R-1 to B-1

Persons who have questions may contact the City Clerk at (251)626-4884. Copies of the adopted Ordinance are attached hereto and are available for review at the Spanish Fort Community Center, 7361 Spanish Fort Blvd, Spanish Fort, Alabama 36527, or at www.cityofspanishfort.com.

ORDINANCE NO. 630-2023

AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT, ALABAMA

WHEREAS, it has been determined that the Table of Permitted Uses of the Zoning Ordinance should be amended in order to add uses related to go-kart tracks in the B-3, General Business District, and the B-4, Major Business District; and

WHEREAS, the Planning Commission of the City of Spanish Fort held a public hearing on March 13, 2023, and the City Council of the City of Spanish Fort held a meeting on April 3, 2023, for the purpose of receiving public comments on proposed amendments to Ordinance No. 51-96, as amended, the Zoning Ordinance of the City of Spanish Fort; and

WHEREAS, the City Council has determined that said Zoning Ordinance should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Section 6.4, Table of Permitted Uses and Conditions, of Ordinance No. 51-96, as amended, is hereby amended by adding the provisions contained in the attached Exhibit A which is incorporated herein by reference.

SECTION 2. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 51-96, as amended, shall remain in full force and effect.

SECTION 3. If any part, section or subdivision of this Ordinance shall be held unconstitutional invalid for any reason, such holding should not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 4. This Ordinance shall become effective upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this _____ day of _____, 2023.

Michael M. McMillan
Mayor

Rebecca A. Gaines
City Clerk

EXHIBIT ‘A’
6.4 - TABLE OF PERMITTED USES AND CONDITIONS

	R-1	R-2	R-3A	R-3B	R-3C	R-3D	R-4	B-1	B-2	B-3	B-4	B-5	M-1	T-1	C-1
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 (the Planning Commission shall have the right and authority to impose conditions and restrictions upon such use and /or location of improvements or structures to provide for the aforementioned concerns or protections):															
Amusement Park													S		
Amusement arcade.										P	R				R
Archery range										P	P				
Baseball batting range										P	P				
Billiard or pool hall										P	P				
Bowling alley										P	P				
Fairgrounds, circus or carnival										P	P				
Go-Kart track (1) (approval for electric powered go-karts only)										P	P				
Go-Kart track (2) (approval for gas or electric powered go-karts)										P	P				
Golf course	P	P	P	P	P	P	P	P	P	P	P				
Golf course, miniature										P	P				
Golf driving range										P	P				
Pistol or rifle range, enclosed within a structure										P	P				
Racquetball or tennis courts, indoor										R	R	R			
Skating rink - indoor										R	R				
Tennis courts, outdoor.	P	P	P	P	P	P	P	P	P	P	P	P			
Theater, indoor										R	R				
Theater, outdoor/drive-in.															

R = BY RIGHT; P = PLANNING COMMISSION APPROVAL; S = SPECIAL EXCEPTION; PC = PLANNING COMMISSION + CITY COUNCIL APPROVAL

ORDINANCE NO. 631-2023

AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT, ALABAMA

WHEREAS, it has been determined that the Parking Requirements for all Districts of the Zoning Ordinance should be amended in order to add parking requirements related City fire and public works uses and storage; and

WHEREAS, the Planning Commission of the City of Spanish Fort held a public hearing on March 13, 2023, and the City Council of the City of Spanish Fort held a meeting on April 3, 2023, for the purpose of receiving public comments on proposed amendments to Ordinance No. 51-96, as amended, the Zoning Ordinance of the City of Spanish Fort; and

WHEREAS, the City Council has determined that said Zoning Ordinance should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Section 7.6 PARKING REQUIREMENTS FOR ALL DISTRICTS of Ordinance No. 51-96, as amended, is hereby amended by adding the following sections:

7.629 CITY OF SPANISH FORT GOVERNMENT/SERVICE FACILITIES:

- | | |
|--|---|
| a. Fire Station, Fire Training Facility,
Fire Equipment and Apparatus Storage | One (1) space for each 400 sq. ft. of floor area, excluding fire equipment bays or storage areas, unless reduced parking requirements are approved in the discretion of the Planning Commission based on recommendations made by the City Engineer and the Fire Chief |
| b. Public Works Facility,
Public Works Equipment Storage | One (1) space for each 400 sq. ft. of floor area, excluding equipment bays or storage areas, unless reduced parking requirements are approved in the discretion of the Planning Commission based on recommendations made by the City Engineer and the Public Works Director |

7.630 Any use not specified by these Regulations shall require one parking space for each 300 square feet of gross floor area in the building. Where the use is mixed, total requirements for off-street parking shall be the sum of the requirements for the various uses computed separately.

SECTION 2. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 51-96, as amended, shall remain in full force and effect.

SECTION 3. If any part, section or subdivision of this Ordinance shall be held unconstitutional invalid for any reason, such holding should not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 4. This Ordinance shall become effective upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this _____ day of _____, 2023.

Michael M. McMillan
Mayor

Rebecca A. Gaines
City Clerk

ORDINANCE NO. 632-2023

AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT 0 OLD MOBILE ROAD, SPANISH FORT, ALABAMA, FROM R-1 TO B-3

WHEREAS, the owner of the property made the subject of this change in zoning classification has requested that the zoning classification on the property be changed from R-1 to B-3; and

WHEREAS, the Planning Commission of the City of Spanish Fort, Alabama, held a meeting on Monday, March 13, 2023, and the City Council of the City of Spanish Fort held a meeting on April 3, 2023, for the purpose of receiving public comments on the proposed change in zoning classification.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Change in Zoning Classification.

Ordinance No. 51-96, as amended, of the City of Spanish Fort, Alabama, is hereby amended by changing the zoning classification of certain property located at 0 Old Mobile Road, bearing tax parcel numbers 05-32-05-22-0-000-050.004 and 05-32-05-21-0-000-002.011, and being more particularly described in Exhibit 1 which is attached hereto and made a part of this Ordinance as though set forth fully herein, from R-1, Single Family Low Density Residential District, to B-3, General Business District. A map of the subject property is attached as Exhibit 2.

SECTION 2. Change in Zoning Map.

The official zoning map for the City of Spanish Fort is hereby amended, changed or altered to reflect the change in zoning classification from R-1, Single Family Low Density Residential District, to B-3, General Business District, on the above referenced property.

SECTION 3. Repealer Clause.

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 51-96, as amended, shall remain in full force and effect.

SECTION 4. Severability Clause.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. Effective Date.

This Ordinance shall become effective upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this ____ day of _____, 2023.

Michael M. McMillan
Mayor

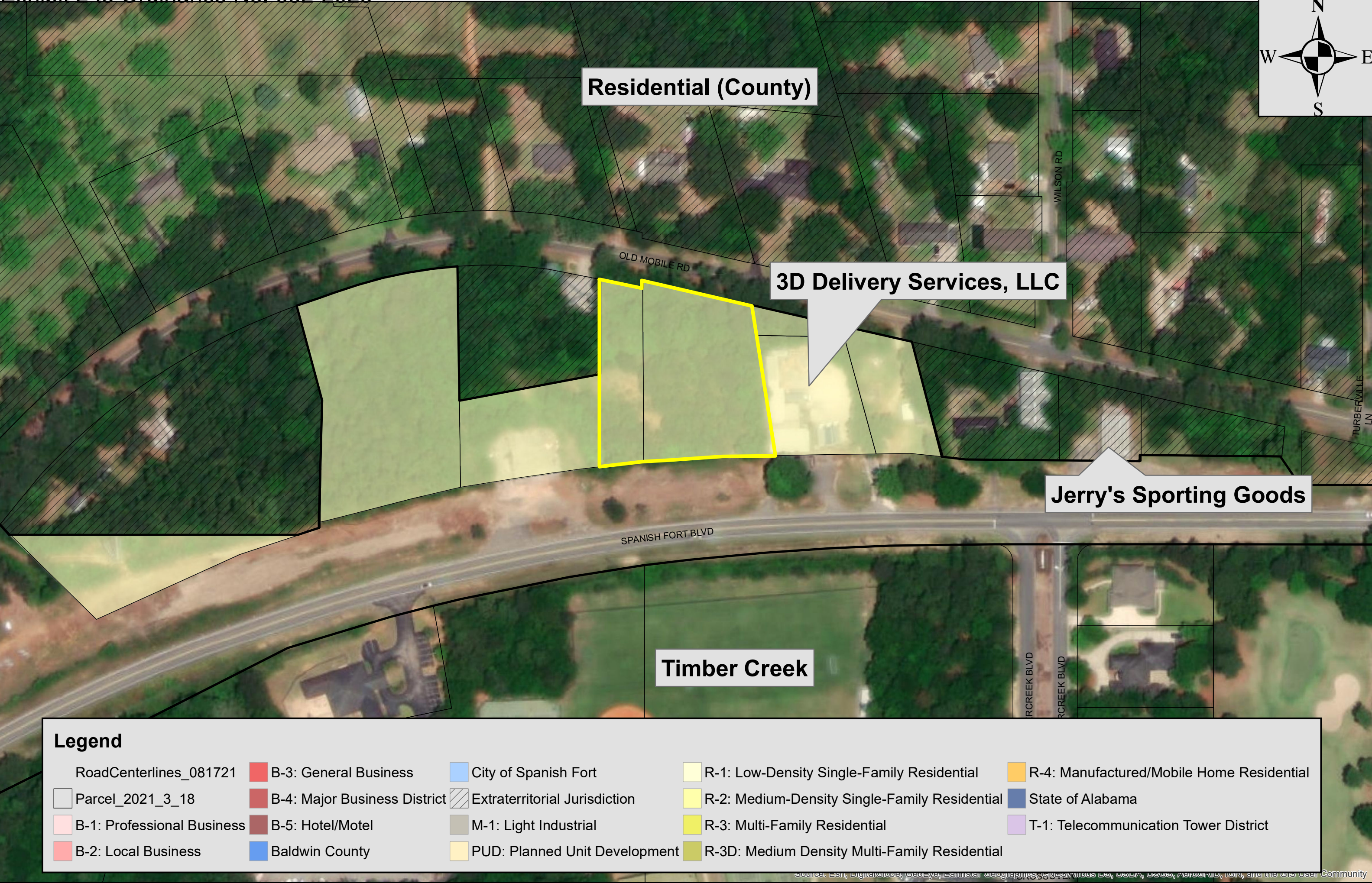
ATTEST:

Rebecca A. Gaines
City Clerk

EXHIBIT “1” TO ORDINANCE NO. 632-2022

LEGAL DESCRIPTION:

Commence at a point on the North margin of the right-of-way of U. S. Highway 31, as the same is presently staked out and constructed, said point being situated 50 feet from centerline of said Highway, measured at right angles to said center line, and said point being situated 294.3 feet, more or less, West of the Southeast corner of Section 21, Township 4 South, Range 2 East, and said point is situated 632.3 feet West of Highway centerline station number 172+65.6 (as measured along the Section line): From said point run Eastwardly along the North margin of U. S. Highway 31 a distance of 210 feet to the Southeast corner of that property described in Deed Book 448 at Page 147 for a POINT OF BEGINNING of the property herein described; thence run Eastwardly along the North margin of said U. S. Highway 31 a distance of 261 feet; thence run North 16.00 degrees West a distance of 225 feet; thence run Eastwardly a distance of 138 feet to a point which is 18 feet South of the margin of Old Mobile Road; thence run North 16.00 degrees West a distance of 18 feet to a point on the South margin of Old Mobile Road; thence run Westwardly along said highway a distance of 367 feet; thence run South 00 degrees 23 minutes East a distance of 312 feet to the POINT OF BEGINNING. Parcel contains approximately 2.0 acres, more or less, and lies partly in the Southeast 1/4 of Section 21 and partly in the Southwest 1/4 of Section 22, Township 4 South, Range 2 east, Baldwin County, Alabama.



Residential (County)

3D Delivery Services, LLC

Jerry's Sporting Goods

Timber Creek

Legend

- | | | | | |
|----------------------------|------------------------------|-------------------------------|---|---|
| RoadCenterlines_081721 | B-3: General Business | City of Spanish Fort | R-1: Low-Density Single-Family Residential | R-4: Manufactured/Mobile Home Residential |
| Parcel_2021_3_18 | B-4: Major Business District | Extraterritorial Jurisdiction | R-2: Medium-Density Single-Family Residential | State of Alabama |
| B-1: Professional Business | B-5: Hotel/Motel | M-1: Light Industrial | R-3: Multi-Family Residential | T-1: Telecommunication Tower District |
| B-2: Local Business | Baldwin County | PUD: Planned Unit Development | R-3D: Medium Density Multi-Family Residential | |

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ORDINANCE NO. 633-2023

AN ORDINANCE AMENDING ORDINANCE NO. 51-96 OF THE CITY OF SPANISH FORT CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT 10284 U.S. HIGHWAY 31, SPANISH FORT, ALABAMA, FROM R-1 TO B-1

WHEREAS, the owner of the property made the subject of this change in zoning classification has requested that the zoning classification on the property be changed from R-1 to B-1; and

WHEREAS, the Planning Commission of the City of Spanish Fort, Alabama, held a meeting on Monday, March 13, 2023, and the City Council of the City of Spanish Fort held a meeting on April 3, 2023, for the purpose of receiving public comments on the proposed change in zoning classification.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Change in Zoning Classification.

Ordinance No. 51-96, as amended, of the City of Spanish Fort, Alabama, is hereby amended by changing the zoning classification of certain property located at 10284 U.S. Highway 31, bearing tax parcel number 05-32-07-26-0-000-018.000, and being more particularly described in Exhibit 1 which is attached hereto and made a part of this Ordinance as though set forth fully herein, from R-1, Single Family Low Density Residential District, to B-1, Professional Business District. A map of the subject property is attached as Exhibit 2.

SECTION 2. Change in Zoning Map.

The official zoning map for the City of Spanish Fort is hereby amended, changed or altered to reflect the change in zoning classification from R-1, Single Family Low Density Residential District, to B-1, Professional Business District, on the above referenced property.

SECTION 3. Repealer Clause.

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict. Except as expressly amended herein, all terms and provisions contained in Ordinance No. 51-96, as amended, shall remain in full force and effect.

SECTION 4. Severability Clause.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. Effective Date.

This Ordinance shall become effective upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this ____ day of _____, 2023.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines
City Clerk

EXHIBIT “1” TO ORDINANCE NO. 633-2022

LEGAL DESCRIPTION:

Beginning at a point where the South line of the paved highway known as U.S. Highway Number 31 intersects the West line of the Northeast Quarter of the Northwest Quarter of Section 26, Township 4 South of Range 2 East, and run thence South 140 yards to a point on the West line of the said Northeast Quarter of the Northwest Quarter; thence East and parallel with the North line of the said section 70 yards to a point; thence North 140 yards, more or less, to a point on the South line of the said highway; thence West 70 yards, more or less, to the point of beginning, containing 2 acres, more or less, LESS AND EXCEPT an undivided one-half interest in and to all oil, gas and minerals, which the undersigned reserves unto herself, her heirs and assigns.

