



FdSWeMMMS` VdMAdVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eMIVWMD_ WfS^
fa fZMf [` fMMfeaXfZWbgT^U
MM[a` e*Z) S` V% Z#SZ& Q

Review

FdSWeMMMS` VdMAdVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eMIVWMD_ WfS^
fa fZMf [` fMMfeaXfZWbgT^U
MM[a` e*Z) S` V% Z#SZ& Q

Request for

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

FdSWeMMMS` VdMAdVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eMIVWMD_ WfS^
fa fZMf [` fMMfeaXfZWbgT^U
MM[a` e*Z) S` V% Z#SZ& Q

FdSWeMMMS` VdMAdVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eMIVWMD_ WfS^
fa fZMf [` fMMfeaXfZWbgT^U
MM[a` e*Z) S` V% Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZWI [eVIVWMI_ WfS^
fa fZVIVf [fVIVfeaXZVbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZWI [eVIVWMI_ WfS^
fa fZVIVf [fVIVfeaXZVbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

✓ License Type: Dispensary

Facility Information

Facility Information

✓ Facility Type: Dispensary

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZM [eVTWMMd_ WfS^
fa fZMTWf [fMMfeaXZWbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZM [eVTWMMd_ WfS^
fa fZMTWf [fMMfeaXZWbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZM [eVTWMMd_ WfS^
fa fZMTWf [fMMfeaXZWbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZM [eVTWMMd_ WfS^
fa fZMTWf [fMMfeaXZWbgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

FdSWeWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eVIVWMd_ WfS^
fa fZVIVf [fWVfeaxfZWbgT`U
NMM[a` e*Z) S` V%(Z#SZ&! Q

FdSWeWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eVIVWMd_ WfS^
fa fZVIVf [fWVfeaxfZWbgT`U
NMM[a` e*Z) S` V%(Z#SZ&! Q

FdSWeWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eVIVWMd_ WfS^
fa fZVIVf [fWVfeaxfZWbgT`U
NMM[a` e*Z) S` V%(Z#SZ&! Q

FdSWeWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eVIVWMd_ WfS^
fa fZVIVf [fWVfeaxfZWbgT`U
NMM[a` e*Z) S` V%(Z#SZ&! Q

FdSWeMMMS` VdMbdVefZWW[eUaegdW
aXl ZlZi ag`VafZMl [eMlVWMMl_ WfS^
fa fZMlVf [fMMfeaxZVbgT^U
MMl[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMbdVefZWW[eUaegdW
aXl ZlZi ag`VafZMl [eMlVWMMl_ WfS^
fa fZMlVf [fMMfeaxZVbgT^U
MMl[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMbdVefZWW[eUaegdW
aXl ZlZi ag`VafZMl [eMlVWMMl_ WfS^
fa fZMlVf [fMMfeaxZVbgT^U
MMl[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMbdVefZWW[eUaegdW
aXl ZlZi ag`VafZMl [eMlVWMMl_ WfS^
fa fZMlVf [fMMfeaxZVbgT^U
MMl[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMAdVefZVW[eUaegdW
aXl Z[Uzi ag`VafZVW [eVWVWVd_ WfS^
fa fZVWVf [` fVWVfaXfZVWbgT^U
NMM[a` e*ZS) S` V%Z#SZ&! Q

FdSWeMMMS` VdMAdVefZVW[eUaegdW
aXl Z[Uzi ag`VafZVW [eVWVWVd_ WfS^
fa fZVWVf [` fVWVfaXfZVWbgT^U
NMM[a` e*ZS) S` V%Z#SZ&! Q

FdSWeMMMS` VdMAdVefZVW[eUaegdW
aXl Z[Uzi ag`VafZVW [eVWVWVd_ WfS^
fa fZVWVf [` fVWVfaXfZVWbgT^U
NMM[a` e*ZS) S` V%Z#SZ&! Q

FdSWeMMMS` VdMAdVefZVW[eUaegdW
aXl Z[Uzi ag`VafZVW [eVWVWVd_ WfS^
fa fZVWVf [` fVWVfaXfZVWbgT^U
NMM[a` e*ZS) S` V%Z#SZ&! Q

FdSWeWMS` VdWadVefZW[eUaegdW
aXi Z[Uzi agVafZWI [eWVWWD_ WfS^
fa fZVIVf [fWVfeaXZVbgT^U
NMM[a` e*Z) S` V% Z#SZ& Q

FdSWeWMS` VdWadVefZW[eUaegdW
aXi Z[Uzi agVafZWI [eWVWWD_ WfS^
fa fZVIVf [fWVfeaXZVbgT^U
NMM[a` e*Z) S` V% Z#SZ& Q

FdSWeWMS` VdWadVefZW[eUaegdW
aXi Z[Uzi agVafZWI [eWVWWD_ WfS^
fa fZVIVf [fWVfeaXZVbgT^U
NMM[a` e*Z) S` V% Z#SZ& Q

FdSWeMMMS` VdMAdVefZWJdUaegdW
aX Z|Uzi ag^VafZM [eMTWMM_ WfS^
fa fZMTWf [fMMfeaxZWbgT^U
NMM[a` e*Z) S` V% Z#SŽ& Q

FdSWeWMS` VdMadVefZW[eJaeqdW
aXi Z[Uzi ag^VafZM [eMIVWML_ WfS^
fa fZMf [fMfeaxZVbgT^U
MM[a` e*Z) S V% Z#SZ& G

FdSWeWMS` VdMadVefZW[eJaeqdW
aXi Z[Uzi ag^VafZM [eMIVWML_ WfS^
fa fZMf [fMfeaxZVbgT^U
MM[a` e*Z) S V% Z#SZ& G

FdSWeWMS` VdMAdVefZW[eJaeqdW
aXi Z[Uzi ag^VafZM [eWVWMD_ WIS^
fa fZVWf |` fWVfeaxZVbgT|U
MWF[a` e*Z) S V%Z#SZ&G

FdSWeWMS` VdMadVefZW[eJ'agdw
aXi Z[Uzi ag^VafZVd [eVWVWd_ WfS^
fa fZVWf [fVWfeaxZWbgT^U
NMF[a` e*Z) S` V% Z#SZ& Q

Exhibit 1 – Resume or Curriculum Vitae for Individuals with Ownership Interest

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would be a competitive advantage

Printed Name of Verifying Individual

Owner

Title of Verifying Individual

Trade secret and records the disclosure of which would be a competitive advantage

Signature of Verifying Individual

12/25/2022

Verification Date

FORM A: OWNERSHIP RESUME / CURRICULUM VITAE

Guaranteed Dispensary AL LLC

Dispensary

Business License Applicant Name

License Type

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 8-27 and 36-12-40].

51%

Individual with Ownership Interest in Applicant

Individual's Ownership Percentage in Applicant

Residential History

Provide all residential addresses, in reverse chronological order, for 15 years prior to date of application; attach additional form(s) if necessary.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted residential history entry]

City

State

Zip

02/2016

present

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted residential history entry]

City

State

Zip

2005

02/2016

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY).

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

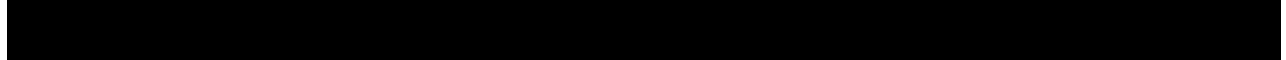
Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Education

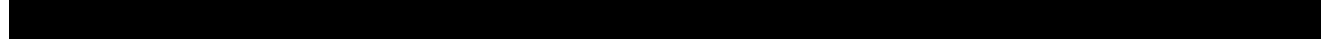
Provide all institutions of higher education attended; attach additional form(s) if necessary.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



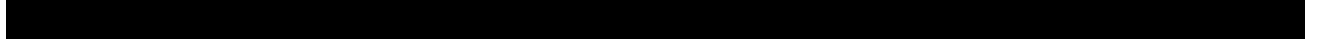
| | | |
|------------------------------|----------------------------|--------------------------|
| <u>08/2019</u> | <u>12/2021</u> | <u>Master of Science</u> |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



| | | |
|------------------------------|----------------------------|----------------------------|
| Institution | City | State |
| <u>09/2011</u> | <u>12/2014</u> | <u>Bachelor of Science</u> |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



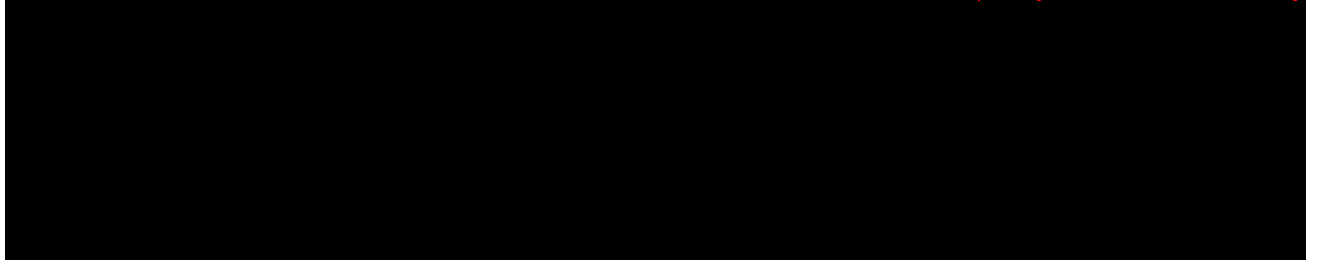
| | | |
|------------------------------|----------------------------|--------------------------|
| Institution | City | State |
| <u>09/1998</u> | <u>06/2000</u> | <u>Associates Degree</u> |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

| | | |
|------------------------------|----------------------------|-----------------|
| Institution | City | State |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

Employment History

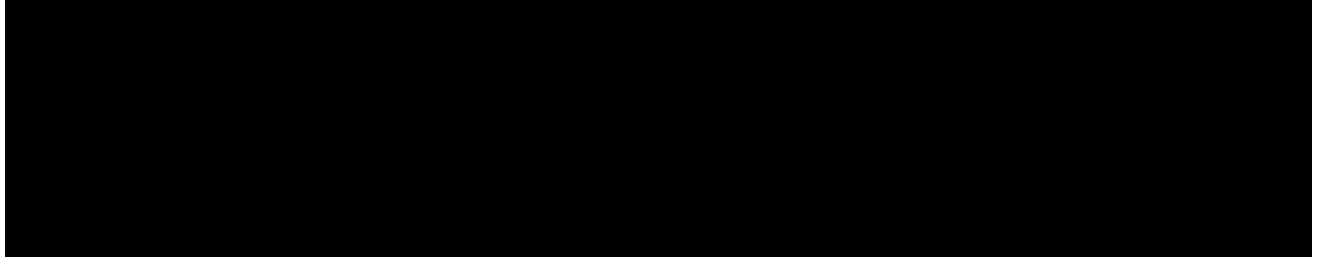
Provide all employers, in reverse chronological order, for 15 years prior to date of application; attach additional form(s) if necessary.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



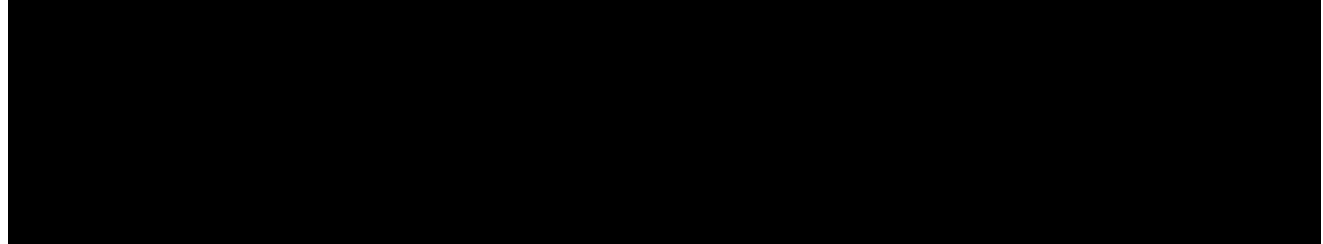
| | | |
|------------------------------|----------------------------|-----|
| City | State | Zip |
| <u>01/2019</u> | <u>present</u> | |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) | |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



| | | |
|------------------------------|----------------------------|-----|
| City | State | Zip |
| <u>12/2017</u> | <u>01/2019</u> | |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) | |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



| | | |
|------------------------------|----------------------------|-----|
| City | State | Zip |
| <u>12/2005</u> | <u>12/2017</u> | |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) | |

| | | |
|-------------------|-------------------------|--------------------|
| _____ Employer | _____ Contact Person | _____ Telephone |
|-------------------|-------------------------|--------------------|

Business Address

| | | |
|---------------------------------------|-------------------------------------|--------------|
| _____ City | _____ State | _____ Zip |
| _____ Date Employed From (MM/YYYY) | _____ Date Employed To (MM/YYYY) | |

| | | |
|-------------------|-------------------------|--------------------|
| _____ Employer | _____ Contact Person | _____ Telephone |
|-------------------|-------------------------|--------------------|

Business Address

| | | |
|---------------------------------------|-------------------------------------|--------------|
| _____ City | _____ State | _____ Zip |
| _____ Date Employed From (MM/YYYY) | _____ Date Employed To (MM/YYYY) | |

| | | |
|----------|----------------|-----------|
| Employer | Contact Person | Telephone |
|----------|----------------|-----------|

Business Address

| | | |
|------|-------|-----|
| City | State | Zip |
|------|-------|-----|

| | |
|------------------------------|----------------------------|
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |
|------------------------------|----------------------------|

| | | |
|----------|----------------|-----------|
| Employer | Contact Person | Telephone |
|----------|----------------|-----------|

Business Address

| | | |
|------|-------|-----|
| City | State | Zip |
|------|-------|-----|

| | |
|------------------------------|----------------------------|
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |
|------------------------------|----------------------------|

| | | |
|----------|----------------|-----------|
| Employer | Contact Person | Telephone |
|----------|----------------|-----------|

Business Address

| | | |
|------|-------|-----|
| City | State | Zip |
|------|-------|-----|

| | |
|------------------------------|----------------------------|
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |
|------------------------------|----------------------------|

| | | |
|----------|----------------|-----------|
| Employer | Contact Person | Telephone |
|----------|----------------|-----------|

Business Address

| | | |
|------|-------|-----|
| City | State | Zip |
|------|-------|-----|

| | |
|------------------------------|----------------------------|
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |
|------------------------------|----------------------------|

FORM A: OWNERSHIP RESUME / CURRICULUM VITAE

Guaranteed Dispensary AL, LLC

Dispensary

Business License Applicant Name

License Type

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12]

49%

Individual with Ownership Interest in Applicant

Individual's Ownership Percentage in Applicant

Residential History

Provide all residential addresses, in reverse chronological order, for 15 years prior to date of application; attach additional form(s) if necessary.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

2005

Present

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY).

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Residential Street Address

City

State

Zip

Date Resided From (MM/YYYY)

Date Resided To (MM/YYYY)

Education

Provide all institutions of higher education attended; attach additional form(s) if necessary.

| | | |
|------------------------------|----------------------------|-----------------|
| _____ | _____ | _____ |
| Institution | City | State |
| _____ | _____ | _____ |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

| | | |
|------------------------------|----------------------------|-----------------|
| _____ | _____ | _____ |
| Institution | City | State |
| _____ | _____ | _____ |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

| | | |
|------------------------------|----------------------------|-----------------|
| _____ | _____ | _____ |
| Institution | City | State |
| _____ | _____ | _____ |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

| | | |
|------------------------------|----------------------------|-----------------|
| _____ | _____ | _____ |
| Institution | City | State |
| _____ | _____ | _____ |
| Date Attended From (MM/YYYY) | Date Attended To (MM/YYYY) | Degree Received |

Employment History

Provide all employers, in reverse chronological order, for 15 years prior to date of application; attach additional form(s) if necessary.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

| | | |
|----------|----------------|-----------|
| Employer | Contact Person | Telephone |
| _____ | _____ | _____ |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

| | | |
|------------------------------|----------------------------|-------|
| City | State | Zip |
| 09/2019 | Present | |
| _____ | _____ | _____ |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) | |

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

Contact Person

Telephone

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted]

City

State

Zip

09/2019

present

Date Employed From (MM/YYYY)

Date Employed To (MM/YYYY)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted]

City

State

Zip

2016

present

Date Employed From (MM/YYYY)

Date Employed To (MM/YYYY)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted]

City

State

Zip

2018

2019

Date Employed From (MM/YYYY)

Date Employed To (MM/YYYY)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[Redacted]

City

State

Zip

2014

2019

Date Employed From (MM/YYYY)

Date Employed To (MM/YYYY)

| | | |
|------------------------------|----------------------------|-------|
| City | State | Zip |
| 2013 | 2018 | |
| _____ | _____ | _____ |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) | |

| | |
|------------------------------|----------------------------|
| 1997 | 2013 |
| _____ | _____ |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |

| | | |
|----------|----------------|-----------|
| _____ | _____ | _____ |
| Employer | Contact Person | Telephone |

Business Address

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| City | State | Zip |

| | |
|------------------------------|----------------------------|
| _____ | _____ |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |

| | | |
|----------|----------------|-----------|
| _____ | _____ | _____ |
| Employer | Contact Person | Telephone |

Business Address

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| City | State | Zip |

| | |
|------------------------------|----------------------------|
| _____ | _____ |
| Date Employed From (MM/YYYY) | Date Employed To (MM/YYYY) |

Exhibit 2 - Residency of Owners

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

FdSWAMMS` VdMAdVefZW[eUaegdW
aX Z[Uzi ag^VafZW [eMTWVWd_ WfS^
fa fZMTWf [fVWfeaxZWbgT^U
NMM[a` e*Z) S` V%Z\$Z& Q

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 2.2.7.7 2017 38

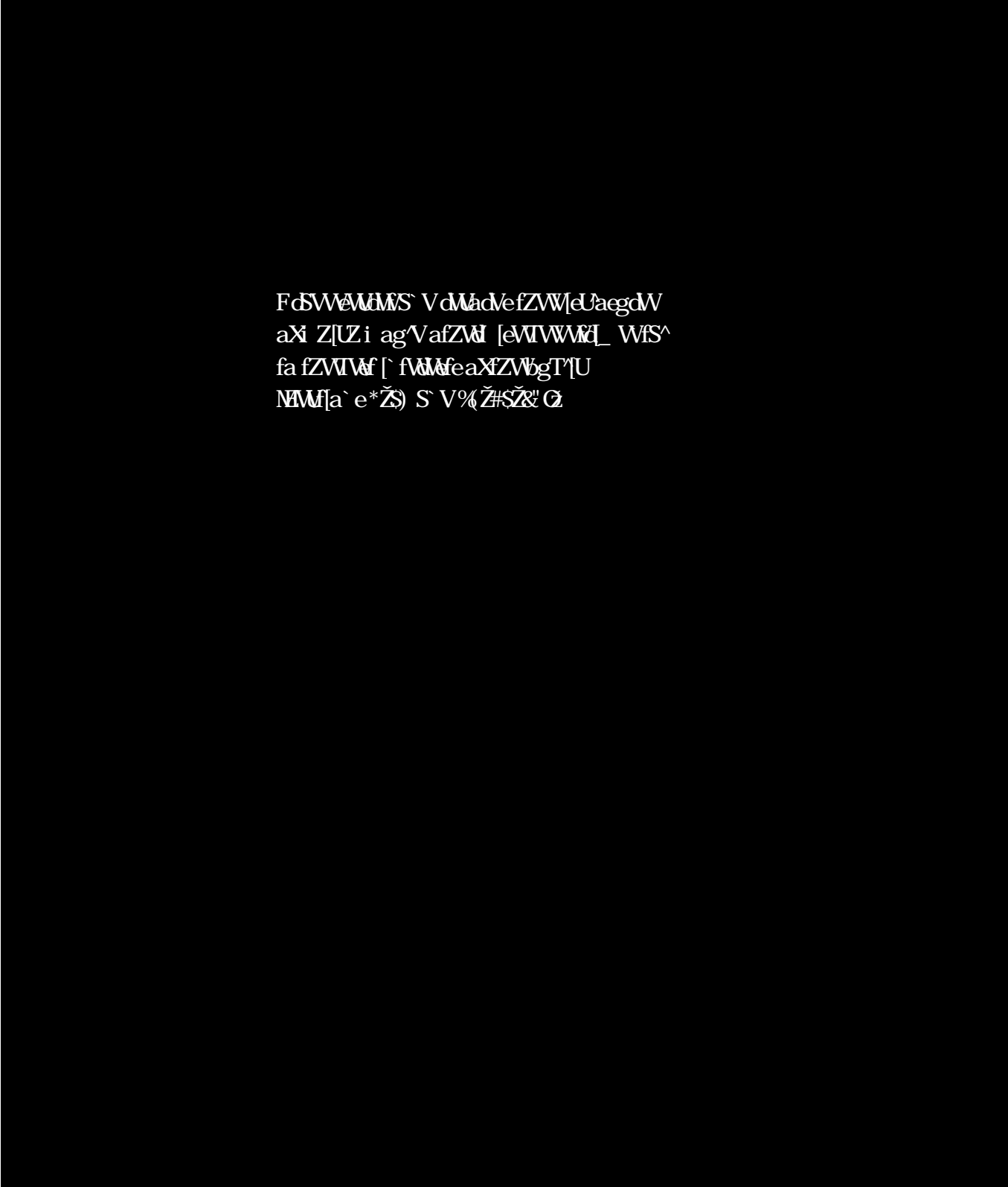
 2.2.7.8 2018 40

 2.2.7.9 2019 42

 2.2.7.10 2020 44

 2.2.7.11 2021 46

2.1 - Summary

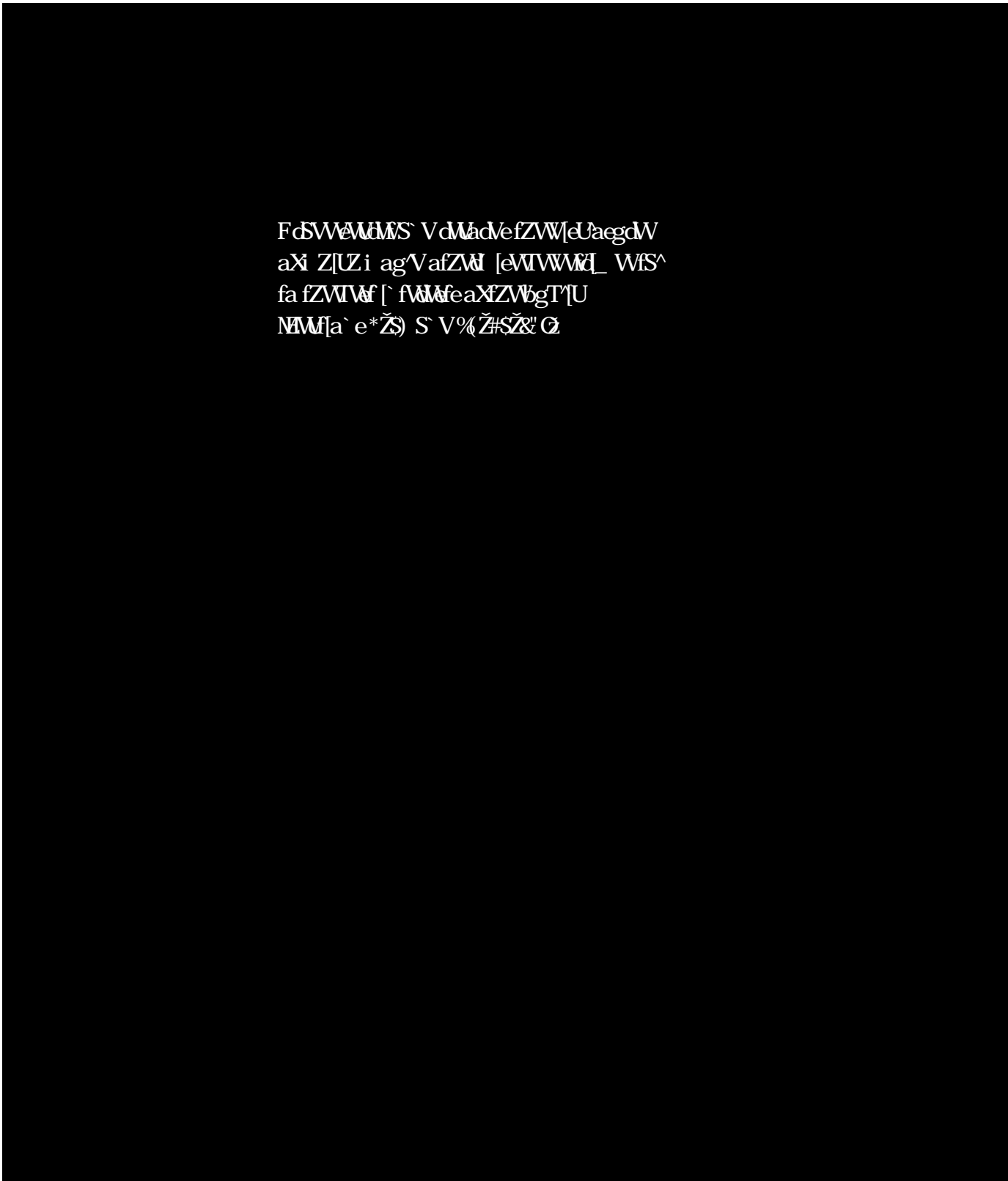


FdSWeWMS` VdMadVefZW[eUaegdW
aX Z|Uzi ag^VafZWI [eMIVWMI_ WfS^
fa fZMIVf [fWfefaXZVbgT^U
NMf[a` e*Z) S` V%Z#S&Z

2.2

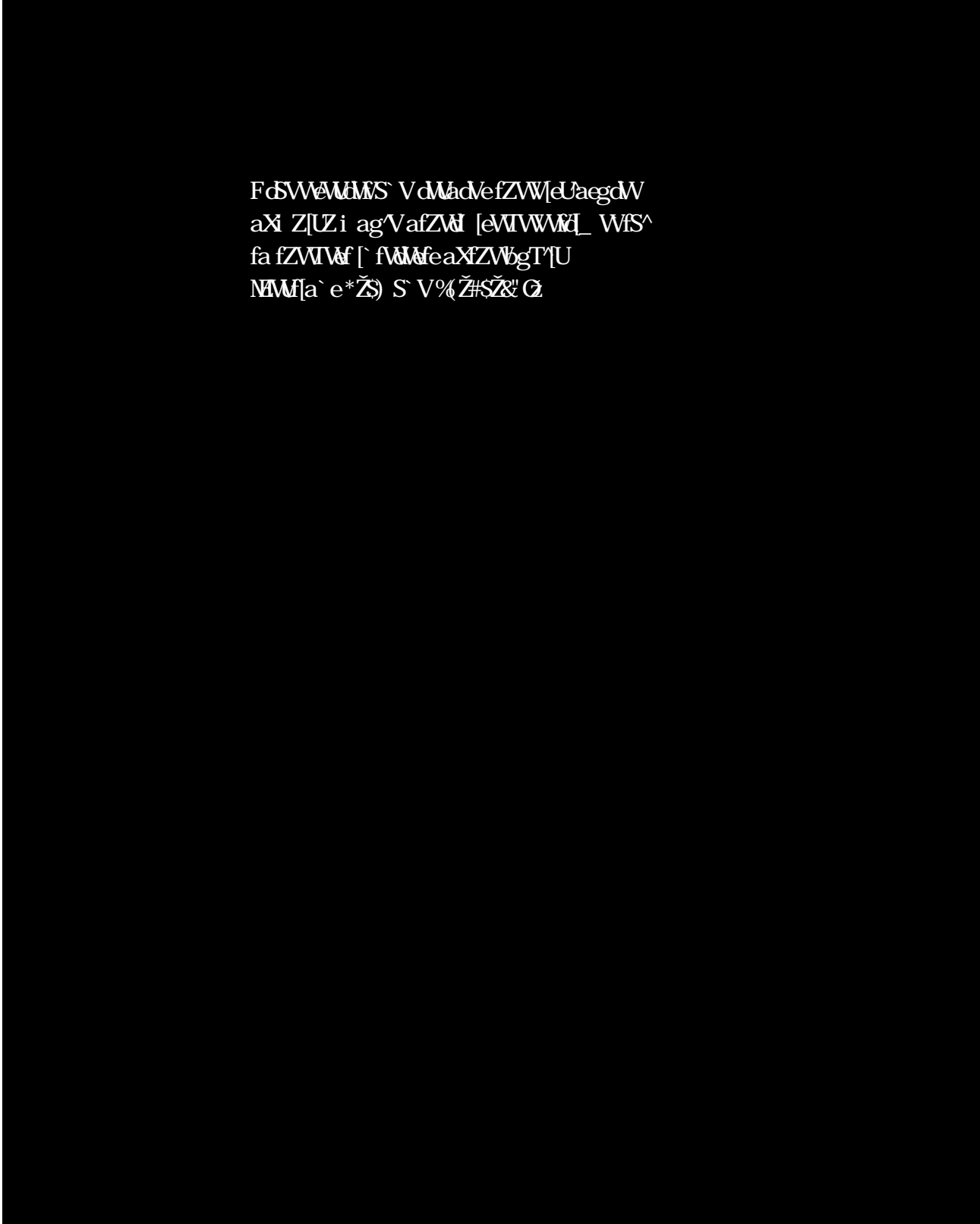


2.2.1 Alabama Driver's Licens



FdSWeMMS` VdWadVefZW[eUaegdW
aX Z|Uzi agVafZW [eMVMWd_ WfS^
fa fZMwf [fMfeaxZWbgT^U
NM[a` e*Z) S` V% Z#S& Q

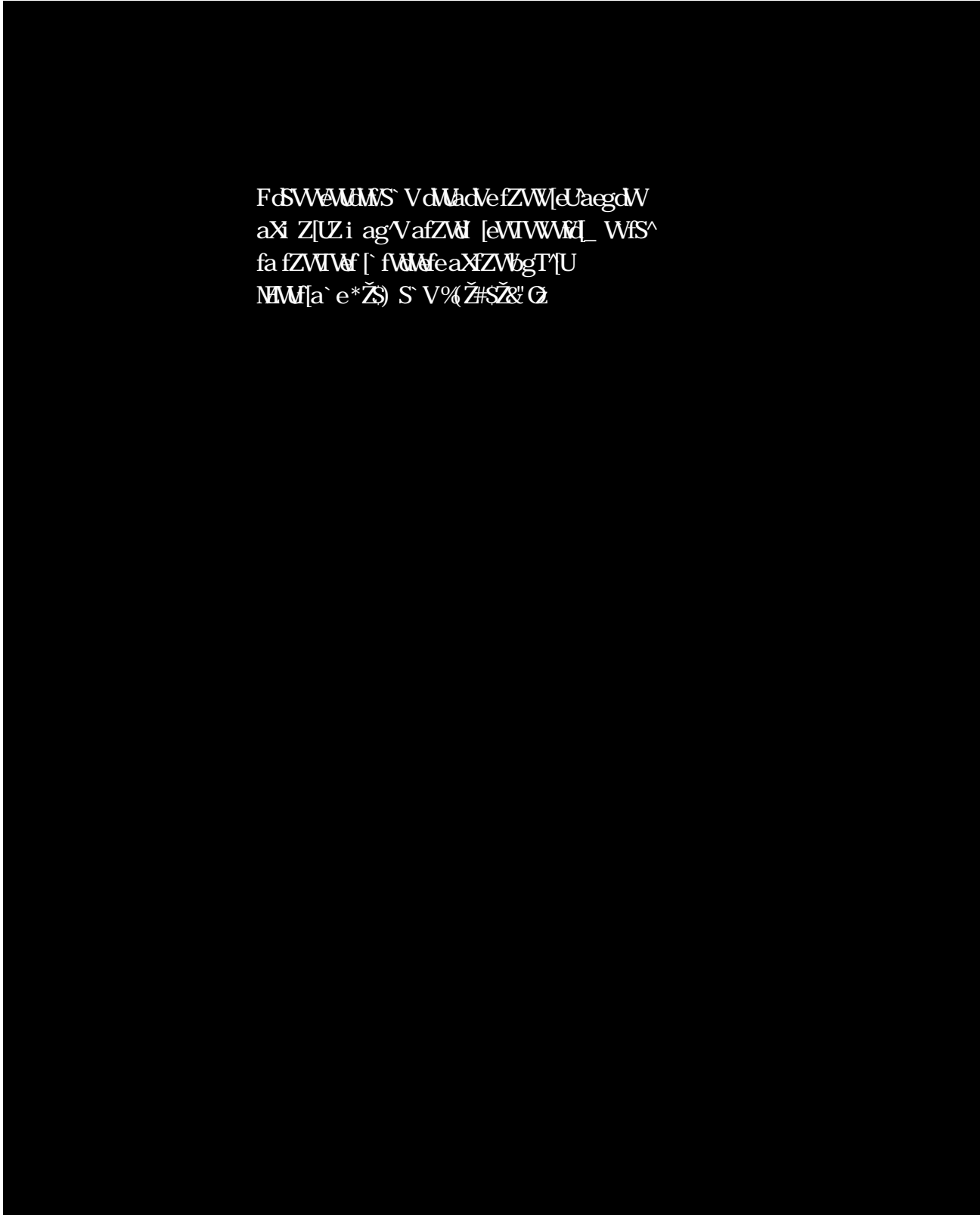
2.2.2 Alabama Law Enforcement Agency Driver's License Division- Lifetime Motor Vehicle Record



FdSWeWMS` VdMaVefZW[eUaegdW
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fa fZVIVaf [fWVfeaxZVbgT[U
NFW[a`e*Z) S` V%Z#S&G

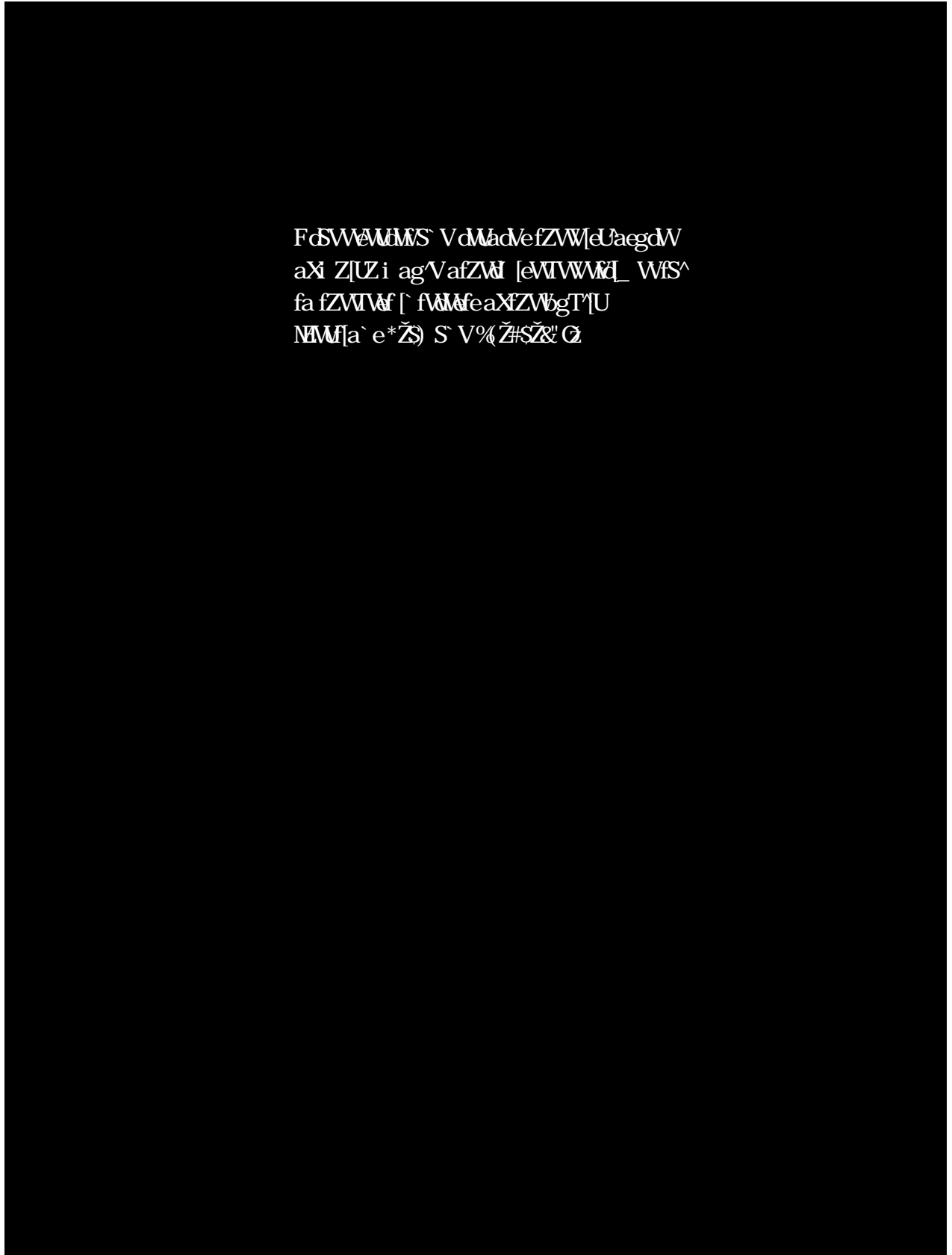
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fa fZWVf [fWVfeaXfZWbgT[U
NW[a` e*Z) S` V%(Z#SZ& Q

2.2.3 Marriage Certificate



FdSWeWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag`VafZM [eVWWM_ WIS^
fa fZVIVf [fVIVfeaXZWgT[U
NM[a` e*Z) S V%Z#S& Q

2.2.4 Probate Court of Jefferson County Name Change Documents

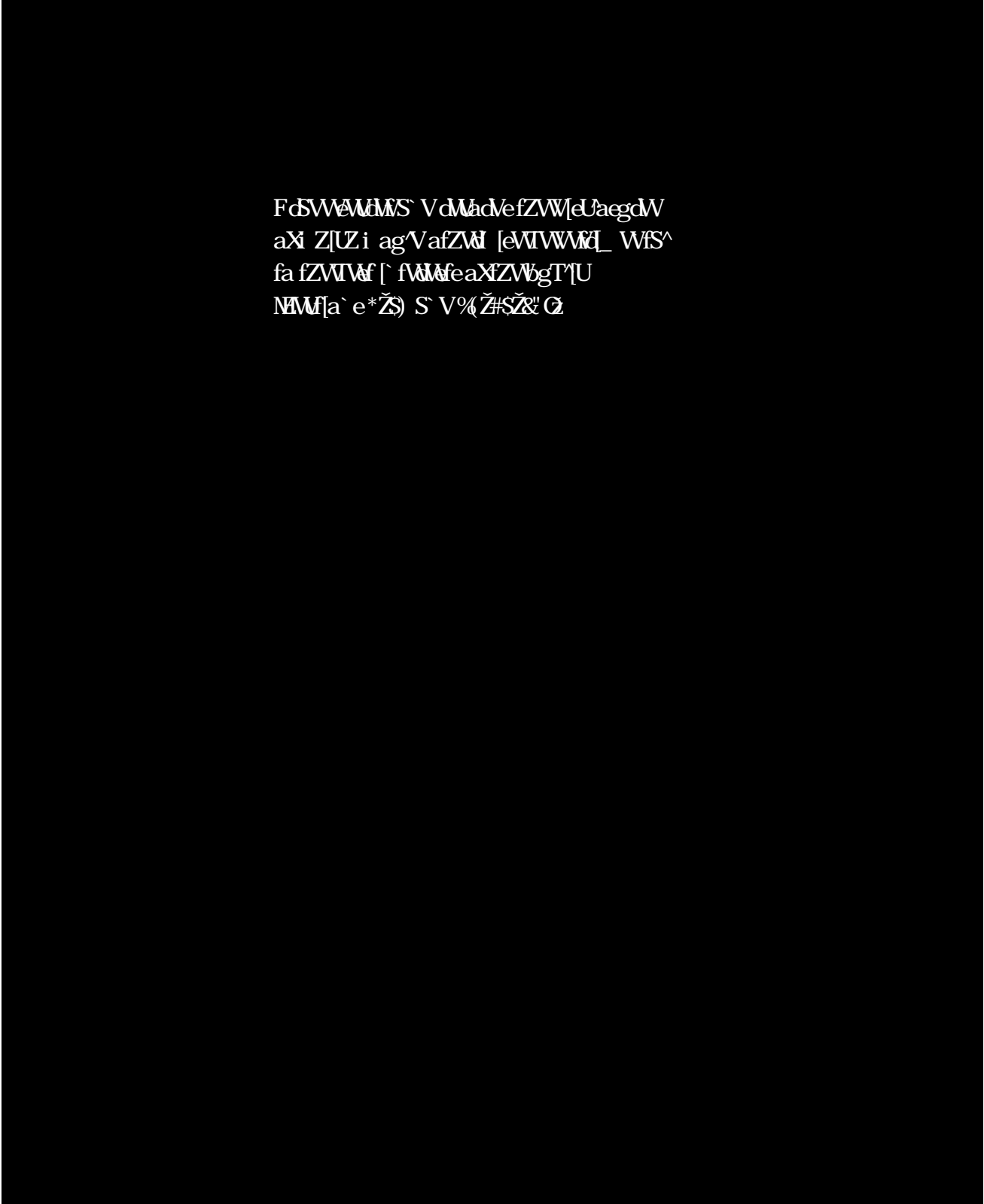


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fa fZMIVaf [fWIVfeaxZVbgT^U
MM[a` e*Z) S` V%Z#S&G

FdSWeMMMS` VdMadVefZW[eUaegdW
aXi Z[UZi ag^VafZM [eMIVWMD_ WfS^
fa fZMIVaf [fMMfeaxfZWbgT^U
MMJa` e*Z) S V%Z#S&G

2.2.5 Property Tax Records

2.2.5.1 2007

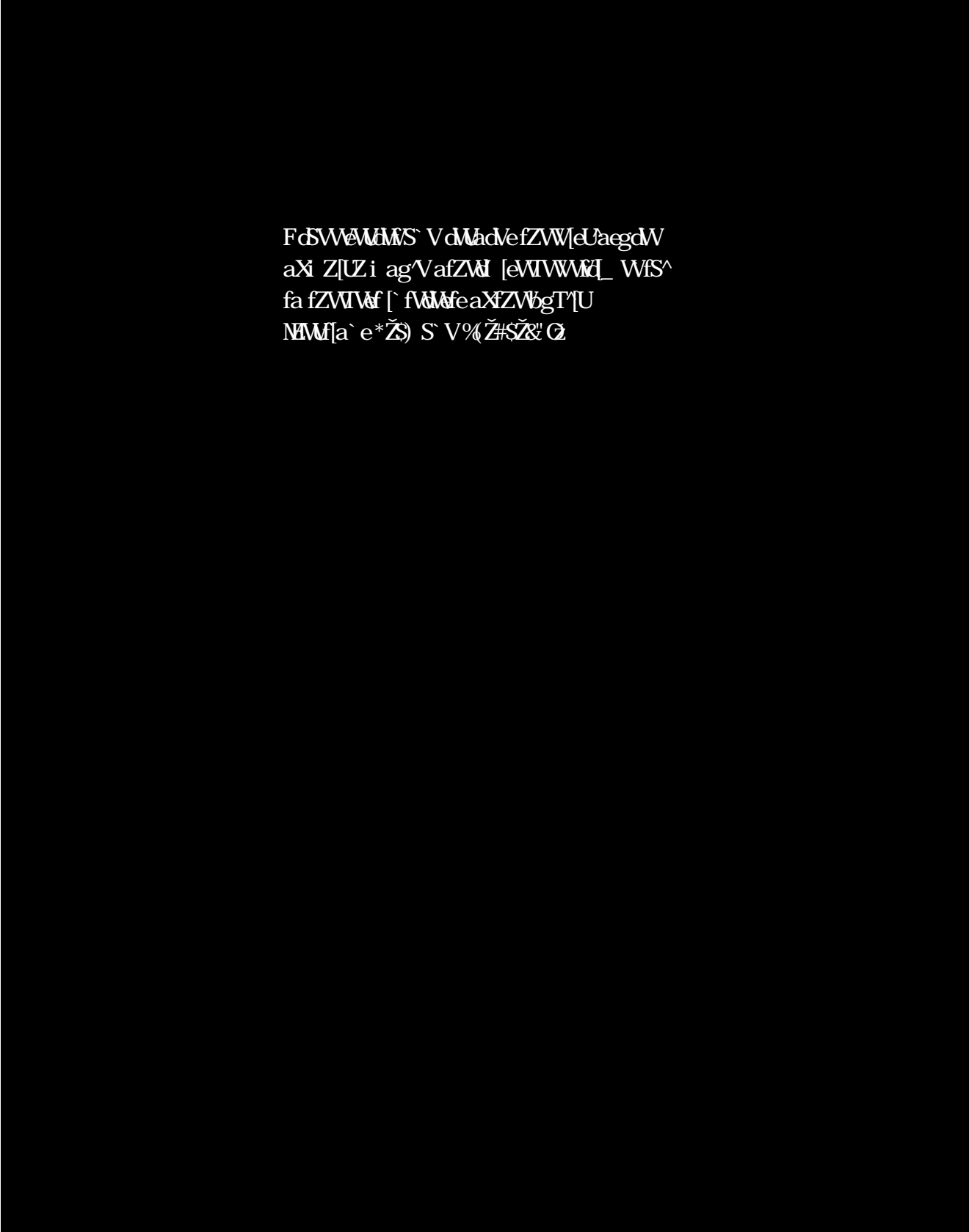


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NW[a` e*Z) S V%Z#Z& Q

2.2.5.2 2008

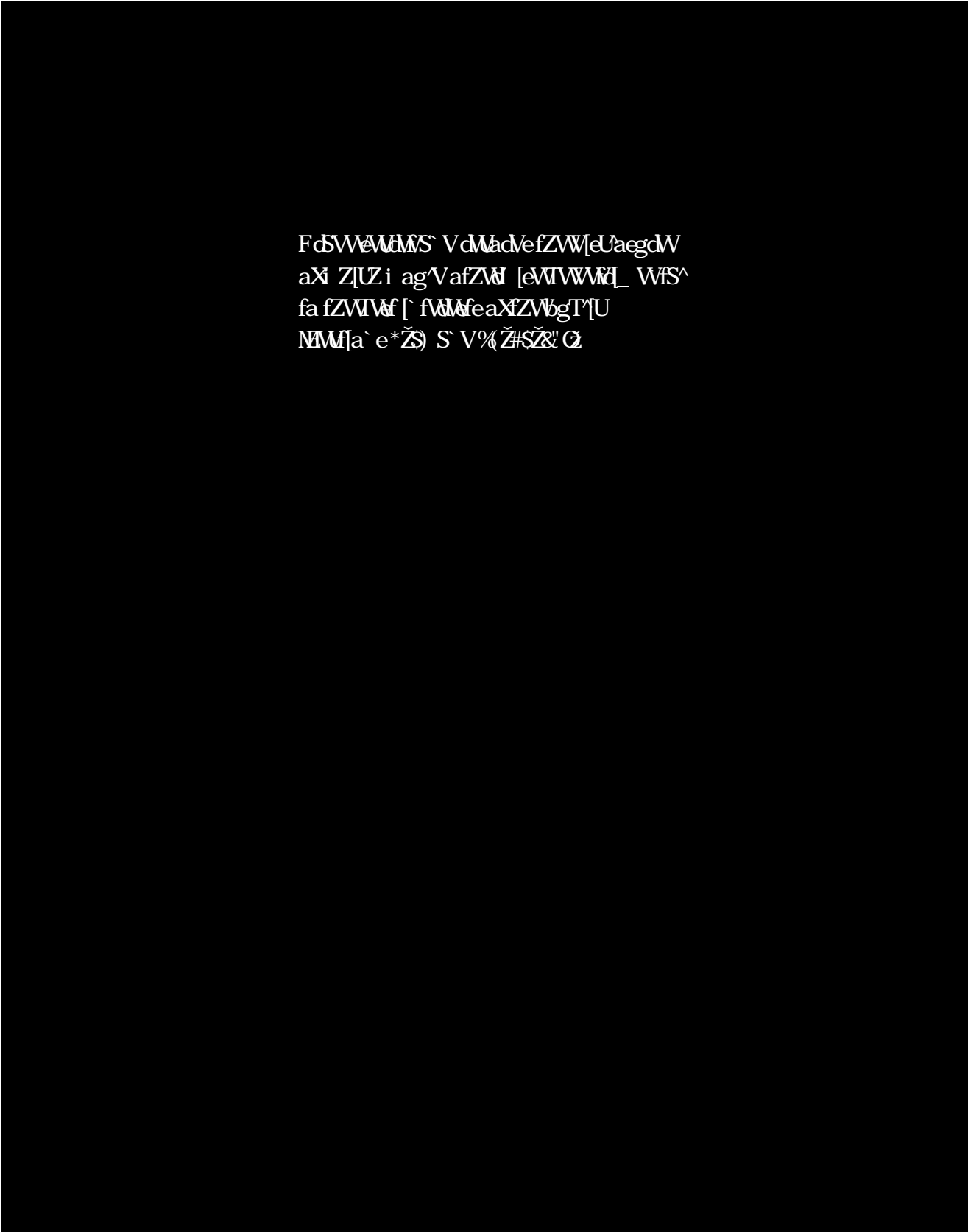
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fa fZVWVf |` fWVWfaXfZVWbgT|U
WVW|a` e*Z) S V%Z#SZ&G

2.2.5.3 2009



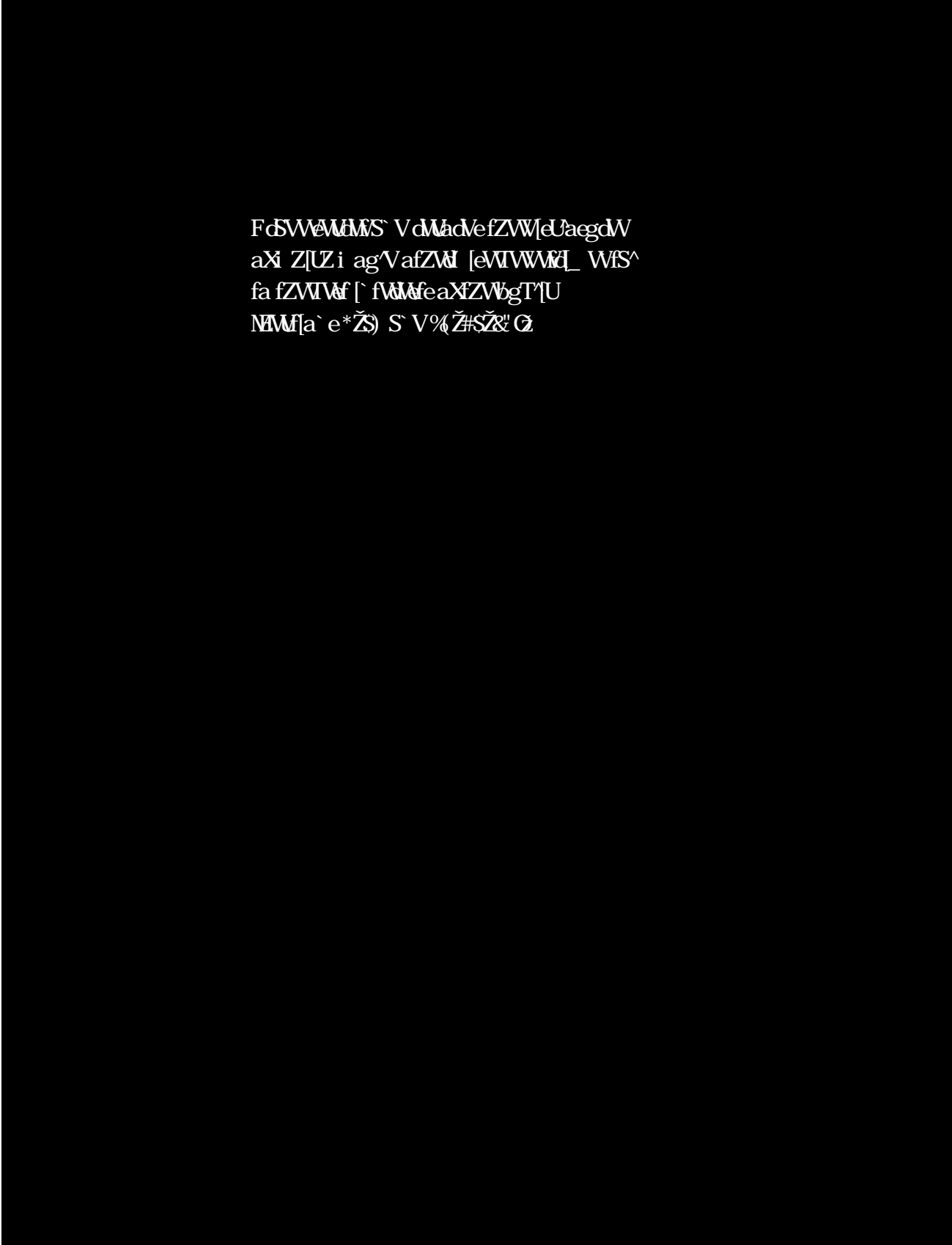
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2.2.5.4 2010



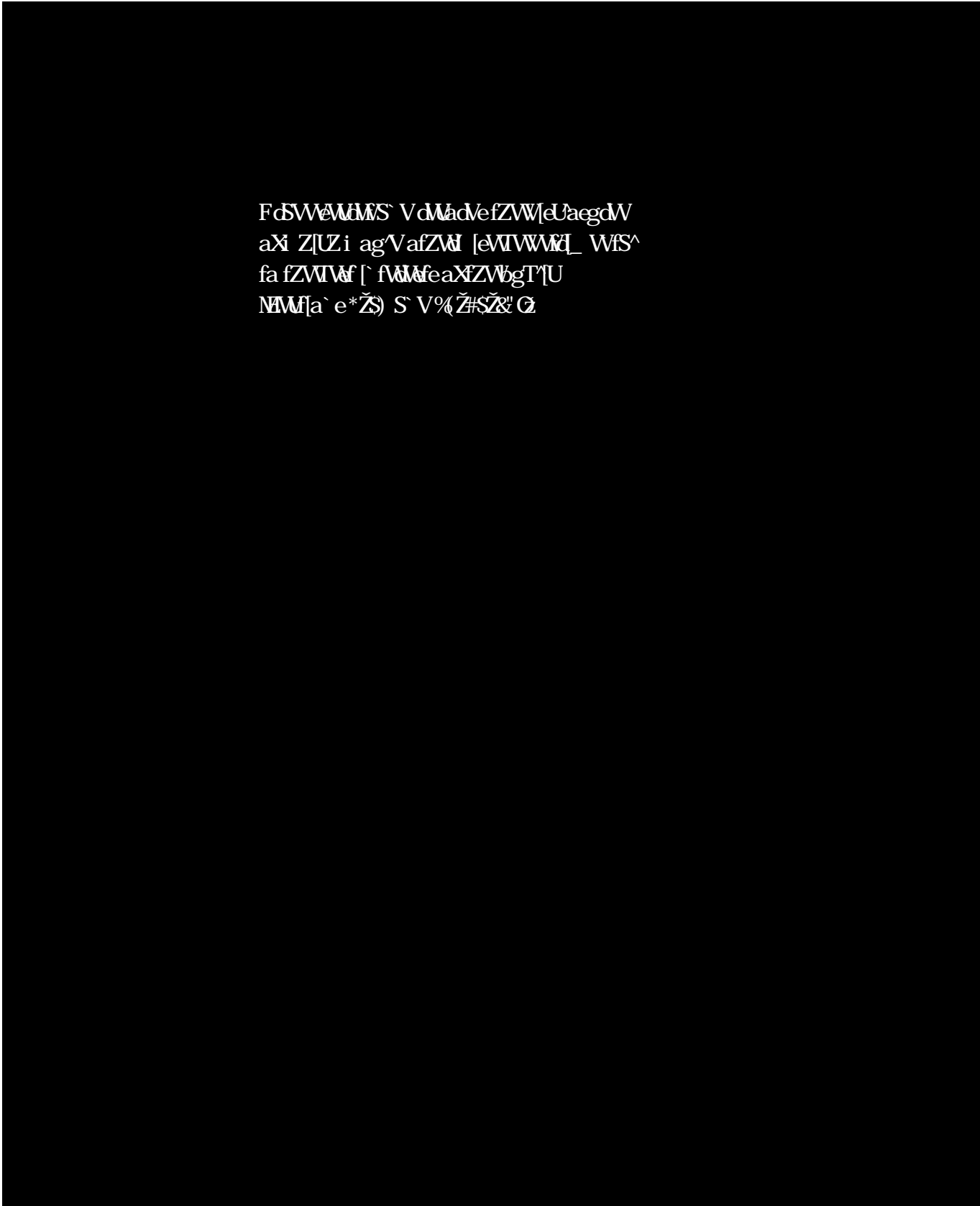
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NMf[a` e*Z) S` V% Z#SZ& G

2.2.5.5 2011



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2.2.5.6 2012



FdSWeWMS` VdWadVefZW[eUaegdW
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NWf[a` e*Z) S` V% Z#SZ' Q

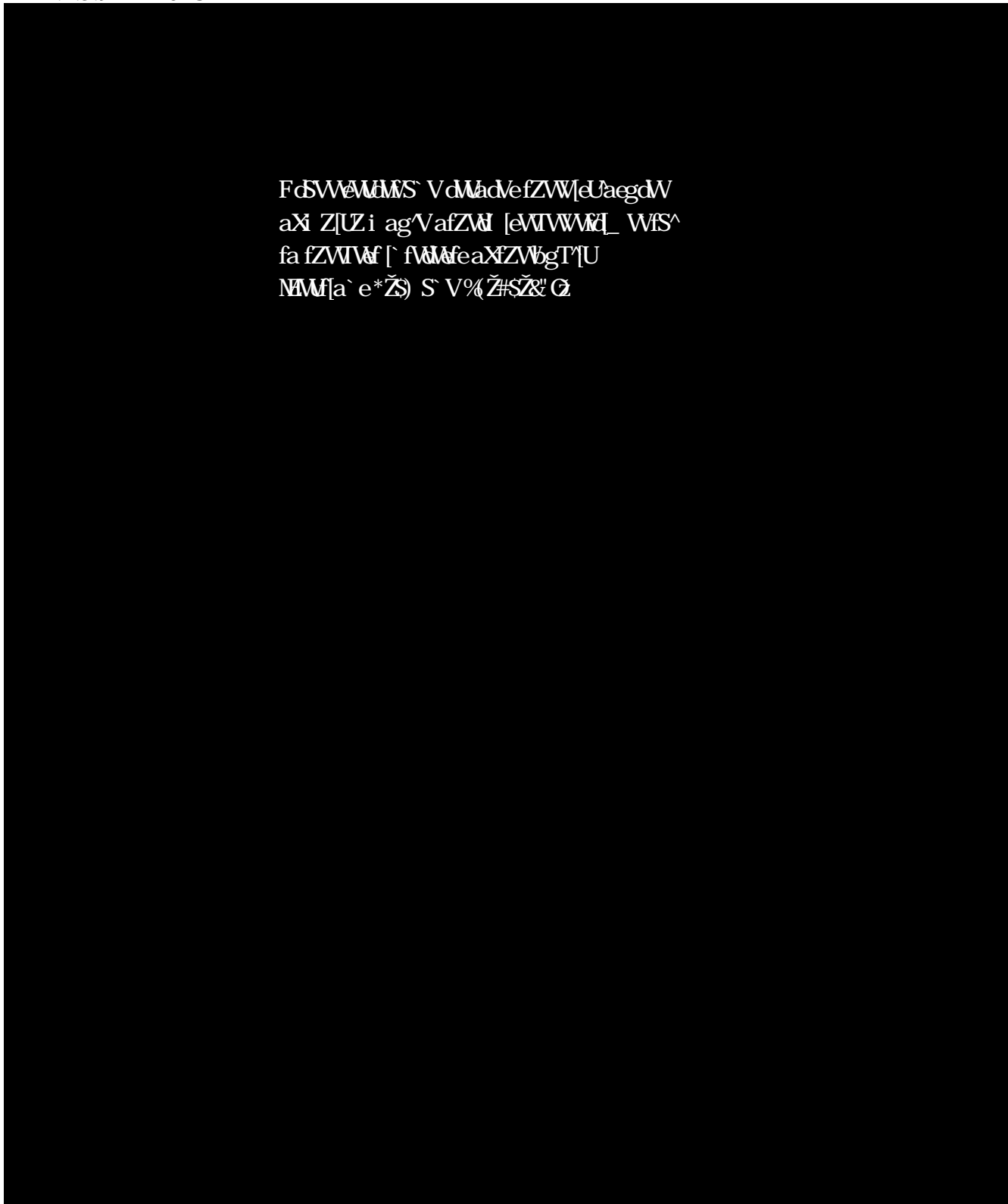
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fa fZVIWf [fWfefaXZWbgT^U
NMF[a` e*Z) S` V%Z#SŽ& G

2.2.5.8 2014

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2.2.5.9 2015



FdSWeWMS` VdMadVefZW[eUaegdW
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MW[a` e*Z) S V%Z#Z&Z

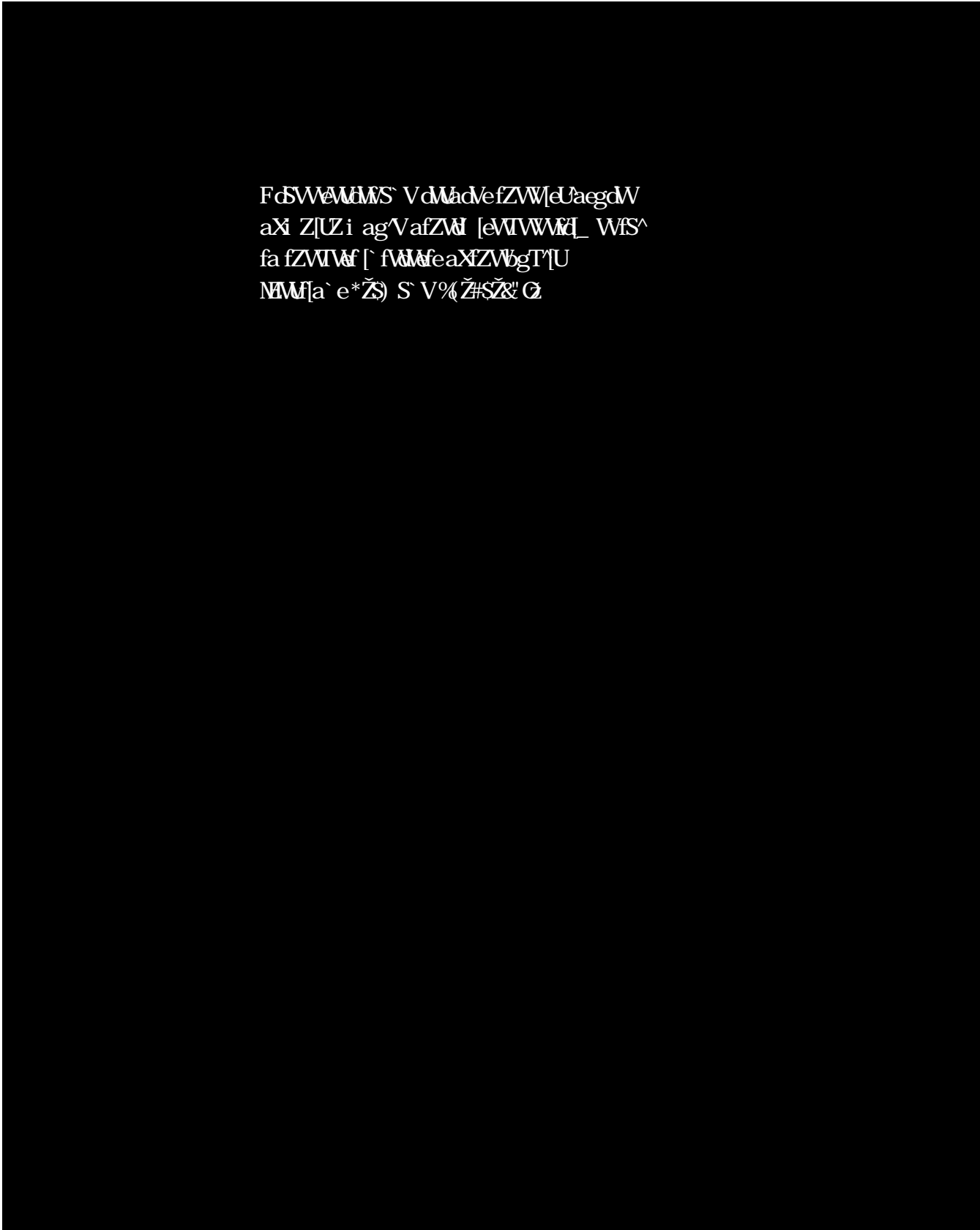
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NMM[a` e*Z) S` V%(Z#SŽ&G

2.2.6 2017

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fa fZVWf [fWfefaXZWbgT^U
NM[a` e*Z) S` V%Z#S&Z Q

2.2.6.1 2018



FdSWeWMS` VdMadVefZW[eUaegdW
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fa fZMf [fMfeaXZWbgT^U
MM[a` e*Z) S` V%Z\$Z&Z

2.2.6.2 2019

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NMf[a` e*Z) S` V%Z#SZ& G

2.2.6.3 2020

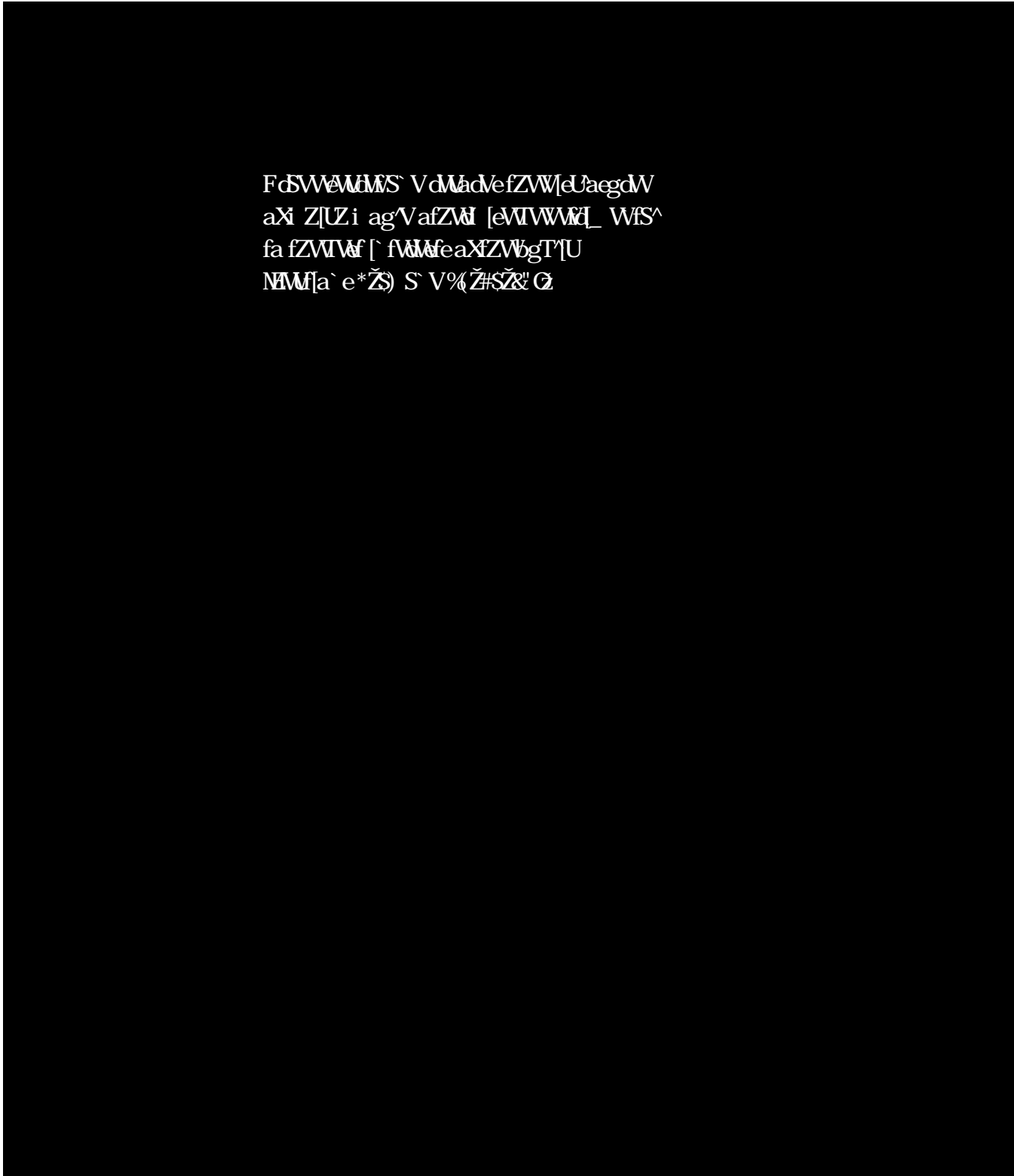
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NMM[a` e*Z) S` V% Z#SZ' Q

2.2.6.4 2021

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2.2.7 Alabama Tax Records

2.2.7.1 2011

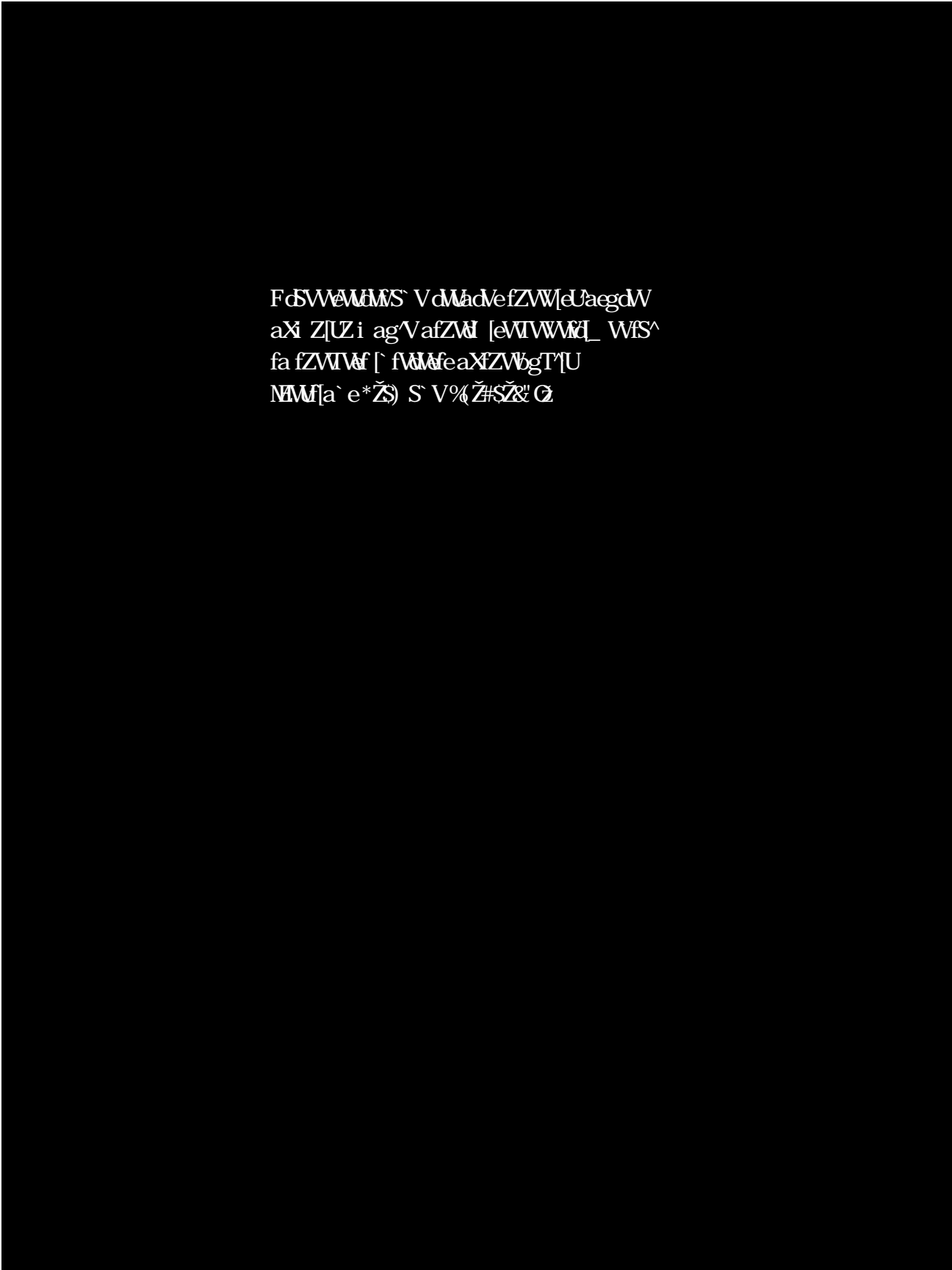


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NMV[a` e*Z) S` V%Z#S& Q

FdSWWMS` VdMadVefZW[eUaegdW
aXi Z[Uzi ag^VafZW [eVWVWd_ WfS^
fa fZVWVf [fVWVeaXfZWbgT^U
NWW[a` e*Z) S` V%Z#SZ& Q

2.2.7.2 2012

FdSWeWMS` VdWadVefZW[eUaegdW
aXi Z[Uzi ag^VafZW [eWVWd_ WIS^
fa fZWVaf [fWVfeaxZWbgT^U
NMM[a` e*Z) S V%Z#S&G



FdSWeMMS` VdMacVefZW[eUaegdW
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fa fZVWf [fWfexZVbgT^U
NWW[a` e*ZS) S` V%Z#SZ& Q

2.2.7.3 2013

FdSWeMMMS` VdMadVefZW[eUaegdW
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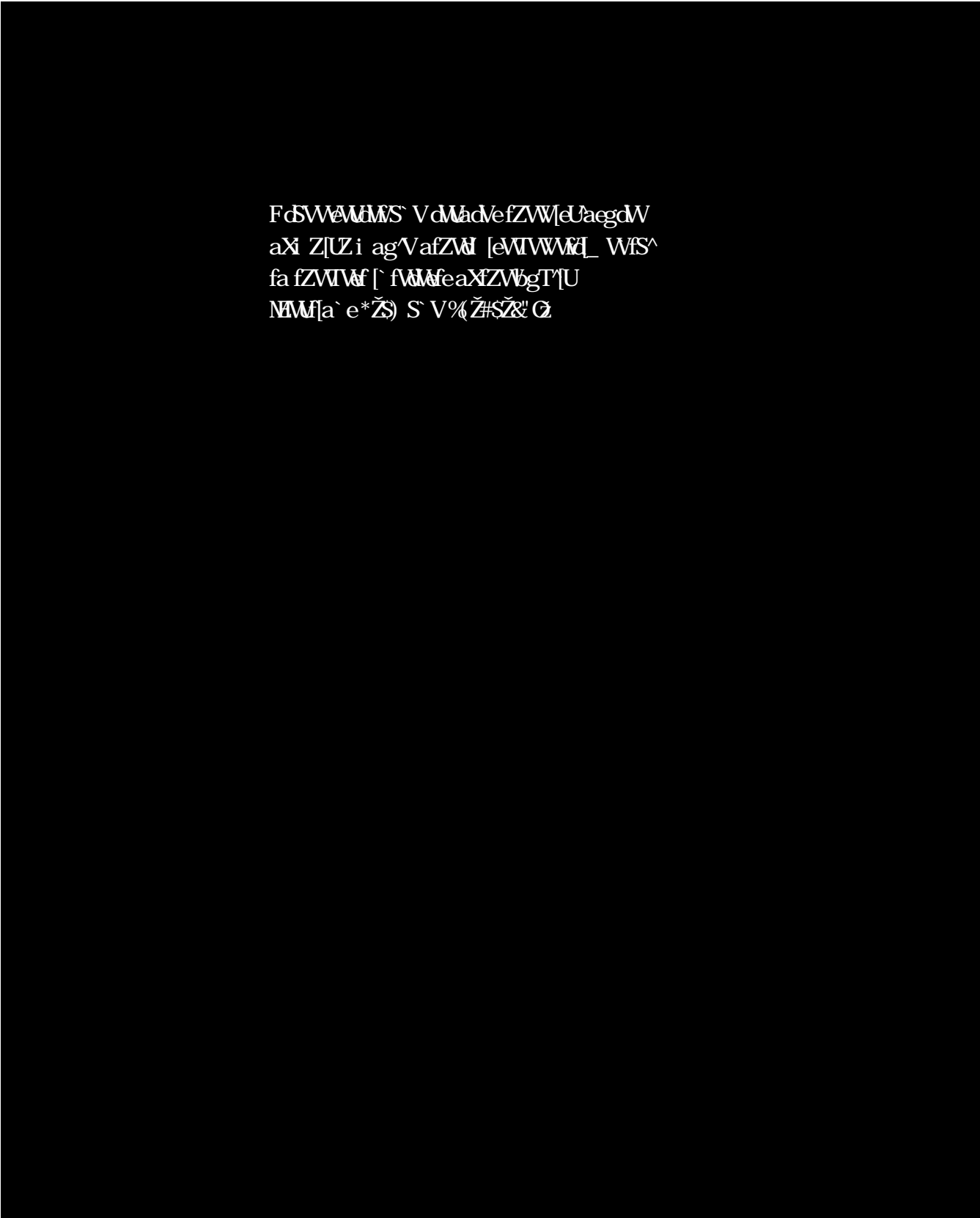
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NWW[a` e*Z) S V%Z#SZ& G

2.2.7.4 2014

FdSWeMMS` VdMadVefZW[eUaegdW
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NM[a` e*Z) S` V%Z#SZ& G

FdSWeWMS` VdMaVefZW[eUaegdW
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fa fZWVaf [fWVfeaxZWbgT^U
NVM[a` e*Z) S` V%Z#S&Q

2.2.7.5 2015



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MM[a` e*Z) S` V%Z#SZ& Q

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fa fZMIVf [fMfeaxfZWbgT^U
NMf[a` e*Z) S` V% Z#SZ& Q

2.2.7.6 2016

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fa fZMf [fMfeaxZWbgT^U
MM[a` e*Z) S` V%Z#SZ& G

2.2.7.7 2017

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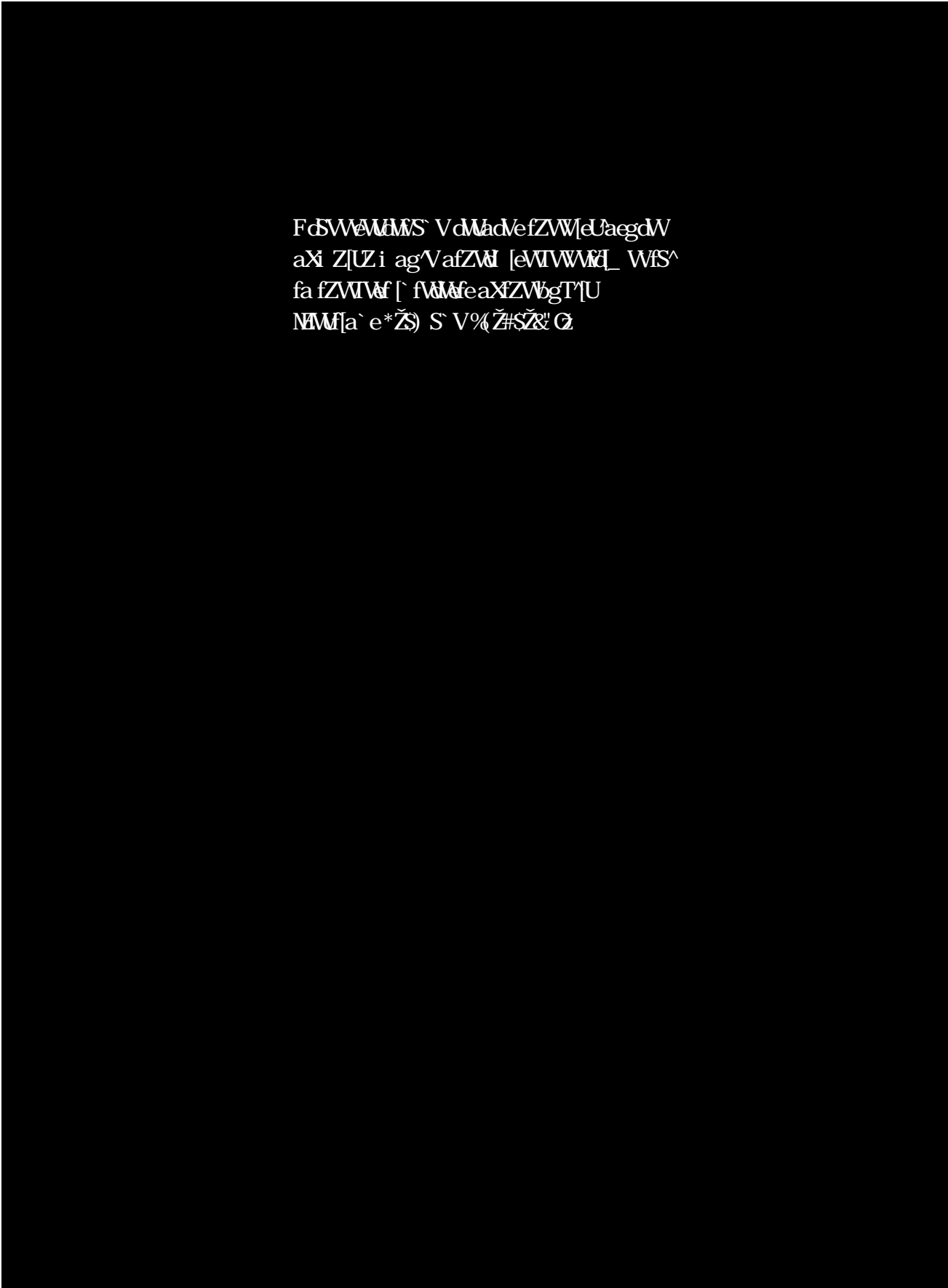
2.2.7.8 2018

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NW[a`e*Z) S V%Z#S&G

FdSWAMMS` VdMadvfZW[eUaegdW
aX Z[Uzi ag^VafZW [eMTWWD_ WfS^
fa fZMTWf [fMfeafZWbgT^U
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2.2.7.9 2019

FdSWAMMS VdMadVefZW[eUaegdW
aX Z[Uzi ag^VafZW [eVVWVd_ WfS^
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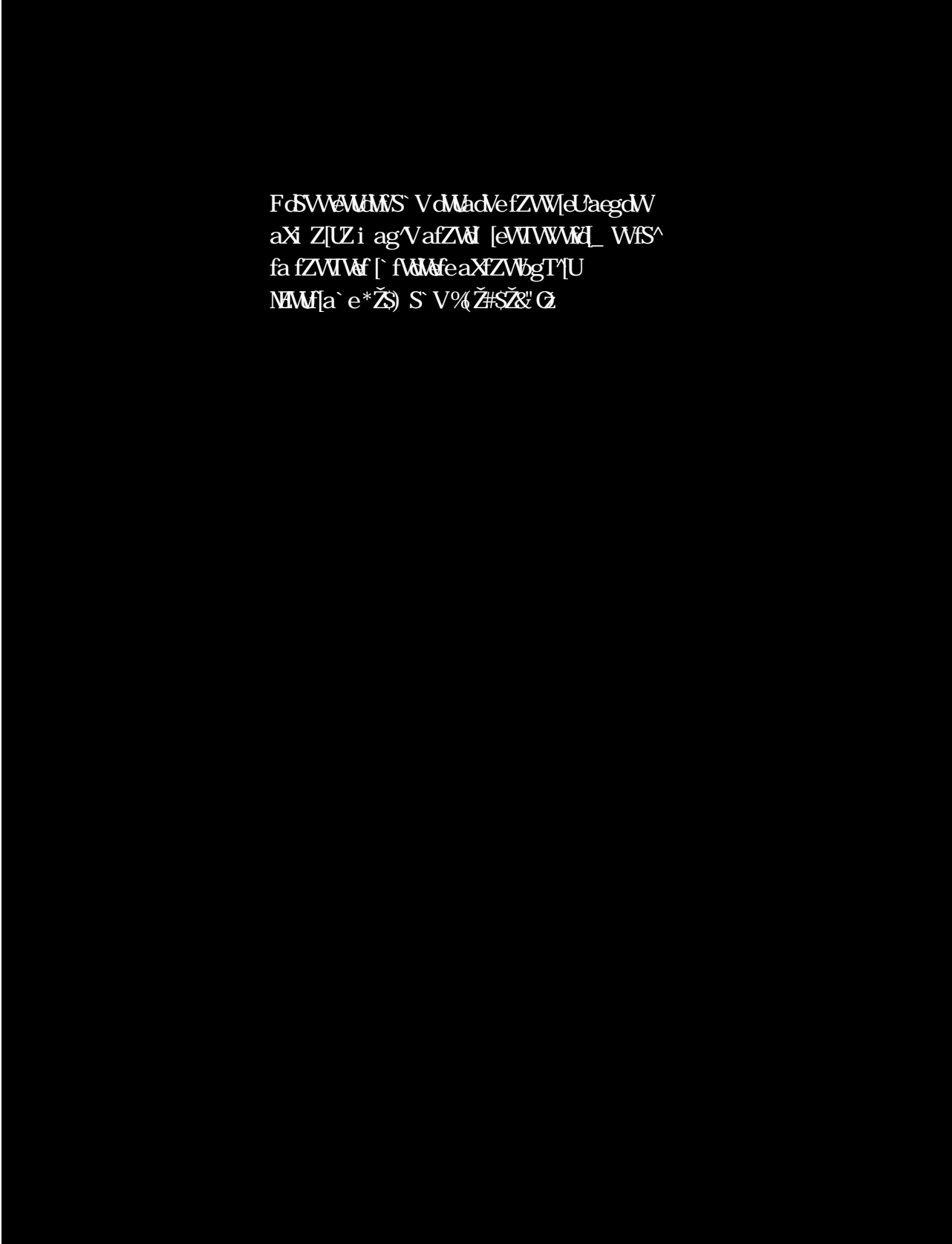
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fa fZWVf [fMfeaXZWbgT^U
NMf[a` e*Z) S` V%Z#S& Q

2.2.7.10 2020

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fa fZWVf [fWVfaXZWbgT^U
NMM[a` e*Z) S` V%Z#SŽ" G

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aX Z[Uzi ag`VafZWI [eMWWMI_ WfS^
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2.2.7.11 2021



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MM[a` e*Z) S V%Z#SZ& G



FdSWeMMs` VdMacVefZW[eUaegdW
aX Z[Uzi ag^VafZW [eVWWMd_ WfS^
fa fZVWf [fMMfeaXZWgT^U
NMM[a` e*Z) S` V%Z#SZ& Q

Exhibit 3 - Criminal Background Check

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would otherwise be deemed

Printed Name of Verifying Individual

Owner

Title of Verifying Individual

Trade secret and records the disclosure of which would otherwise be deemed

Signature of Verifying Individual

12/25/2022

Verification Date

Guaranteed Dispensary AL, LLC

Dispensary

Business License Applicant Name

License Type

Provide the name and title of each individual identified by § 20-2A-55(b), Code of Alabama 1975 (as amended) (i.e., each owner, shareholder, director, board member, and individual with an economic interest in the Applicant). Attach additional forms if necessary.

| NAME | ROLE (select all that apply) |
|-----------------|---|
| [Redacted Name] | <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Shareholder <input type="checkbox"/> Director <input type="checkbox"/> Board Member <input type="checkbox"/> Individual with Economic Interest in Applicant |
| [Redacted Name] | <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Shareholder <input type="checkbox"/> Director <input type="checkbox"/> Board Member <input type="checkbox"/> Individual with Economic Interest in Applicant |
| | <input type="checkbox"/> Owner <input type="checkbox"/> Shareholder <input type="checkbox"/> Director <input type="checkbox"/> Board Member <input type="checkbox"/> Individual with Economic Interest in Applicant |
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| | <input type="checkbox"/> Owner <input type="checkbox"/> Shareholder <input type="checkbox"/> Director <input type="checkbox"/> Board Member <input type="checkbox"/> Individual with Economic Interest in Applicant |
| | <input type="checkbox"/> Owner <input type="checkbox"/> Shareholder <input type="checkbox"/> Director <input type="checkbox"/> Board Member <input type="checkbox"/> Individual with Economic Interest in Applicant |

Applicant Verification: The undersigned hereby verifies that the individuals listed hereinabove (and attached, as necessary) are all of the individuals identified by § 20-2A-55(b), Code of Alabama 1975 (as amended) with respect to the Applicant. The undersigned further verifies that each individual listed hereinabove (and attached, as necessary) has requested a state criminal background check from the Alabama Law Enforcement Agency (ALEA) and a national criminal background check from the FBI.

[Redacted Name]
 Printed Name of Verifying Individual

[Redacted Signature]
 Signature of Verifying Individual

Owner
 Title of Verifying Individual

12.22.2022
 Verification Date

FORM E: BACKGROUND CHECK INDIVIDUAL VERIFICATION

Each individual identified by § 20-2A-55(b), Code of Alabama 1975 (as amended) (i.e., each owner, shareholder, director, board member, and individual with an economic interest in the Applicant) must complete a separate form.

Guaranteed Dispensary AL LLC

Dispensary

Business License Applicant Name

License Type

[Redacted]

Individual's Name

Individual's Role (select all that apply): Owner Shareholder Director Board Member Individual with Economic Interest in Applicant

Verification

The undersigned, as identified above, hereby verifies all of the following:

- That the individual's role(s) in the Applicant's business is one or more of the roles identified by § 20-2A-55(b), Code of Alabama 1975 (as amended).
• That the individual shall, as required by § 20-2A-55(b), Code of Alabama 1975 (as amended), submit to a state and national criminal background check, to be conducted and/or coordinated by the Alabama Law Enforcement Agency.
• That the individual has submitted its completed state criminal background check application form (ALEA SBI Form 46), and all other items required therewith, to ALEA
• That the individual has submitted its national criminal background check form (FBI Identity History Summary Request Form), and all other items required therewith, to the FBI.
• That the individual, on his/her state and national background check forms, has authorized ALEA and the FBI, as applicable, to release any and all criminal history information of the individual to the Alabama Medical Cannabis Commission.
• That the individual will promptly respond to any request from ALEA, the FBI, and/or the Alabama Medical Cannabis Commission regarding the processing of the individual's state and national criminal background checks.
• That the individual has confirmed that his/her name and role(s) have been included, by the Applicant, on the Background Check Applicant Verification Form.

[Redacted]

Signature of Verifying Individual

12.22.2022

Verification Date

FORM E: BACKGROUND CHECK INDIVIDUAL VERIFICATION

Each individual identified by § 20-2A-55(b), Code of Alabama 1975 (as amended) (i.e., each owner, shareholder, director, board member, and individual with an economic interest in the Applicant) must complete a separate form.

Guaranteed Dispensary AL LLC

Dispensary

Business License Applicant Name

License Type

Trade secret and records the disclosure of which would otherwise be detrimental to the best

Individual's Name

Individual's Role (select all that apply): Owner Shareholder Director Board Member Individual with Economic Interest in Applicant

Verification

The undersigned, as identified above, hereby verifies all of the following:

- That the individual's role(s) in the Applicant's business is one or more of the roles identified by § 20-2A-55(b), Code of Alabama 1975 (as amended).
• That the individual shall, as required by § 20-2A-55(b), Code of Alabama 1975 (as amended), submit to a state and national criminal background check, to be conducted and/or coordinated by the Alabama Law Enforcement Agency.
• That the individual has submitted its completed state criminal background check application form (ALEA SBI Form 46), and all other items required therewith, to ALEA
• That the individual has submitted its national criminal background check form (FBI Identity History Summary Request Form), and all other items required therewith, to the FBI.
• That the individual, on his/her state and national background check forms, has authorized ALEA and the FBI, as applicable, to release any and all criminal history information of the individual to the Alabama Medical Cannabis Commission.
• That the individual will promptly respond to any request from ALEA, the FBI, and/or the Alabama Medical Cannabis Commission regarding the processing of the individual's state and national criminal background checks.
• That the individual has confirmed that his/her name and role(s) have been included, by the Applicant, on the Background Check Applicant Verification Form.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 9-27 et

[Redacted Signature]

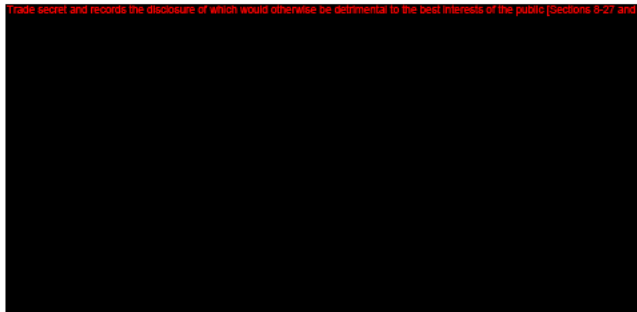
Signature of Verifying Individual

12.22.2022

Verification Date

REDACTED COPY

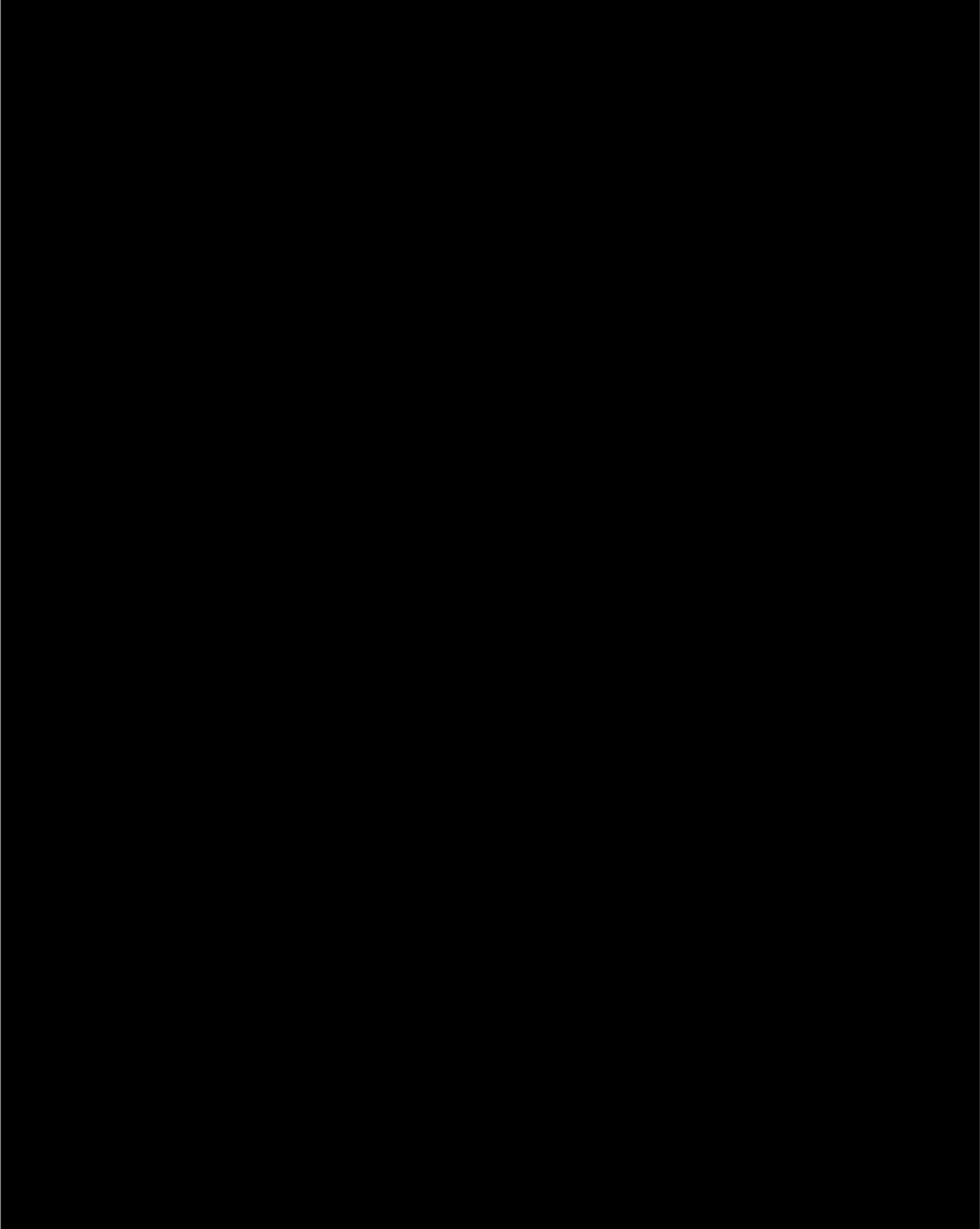
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [sections 5-27 and



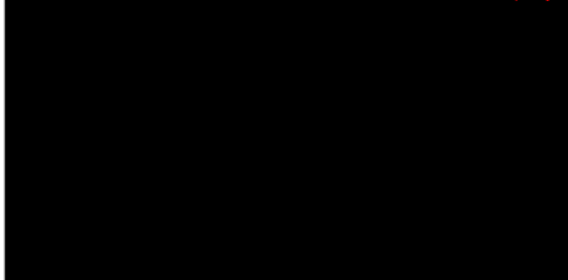
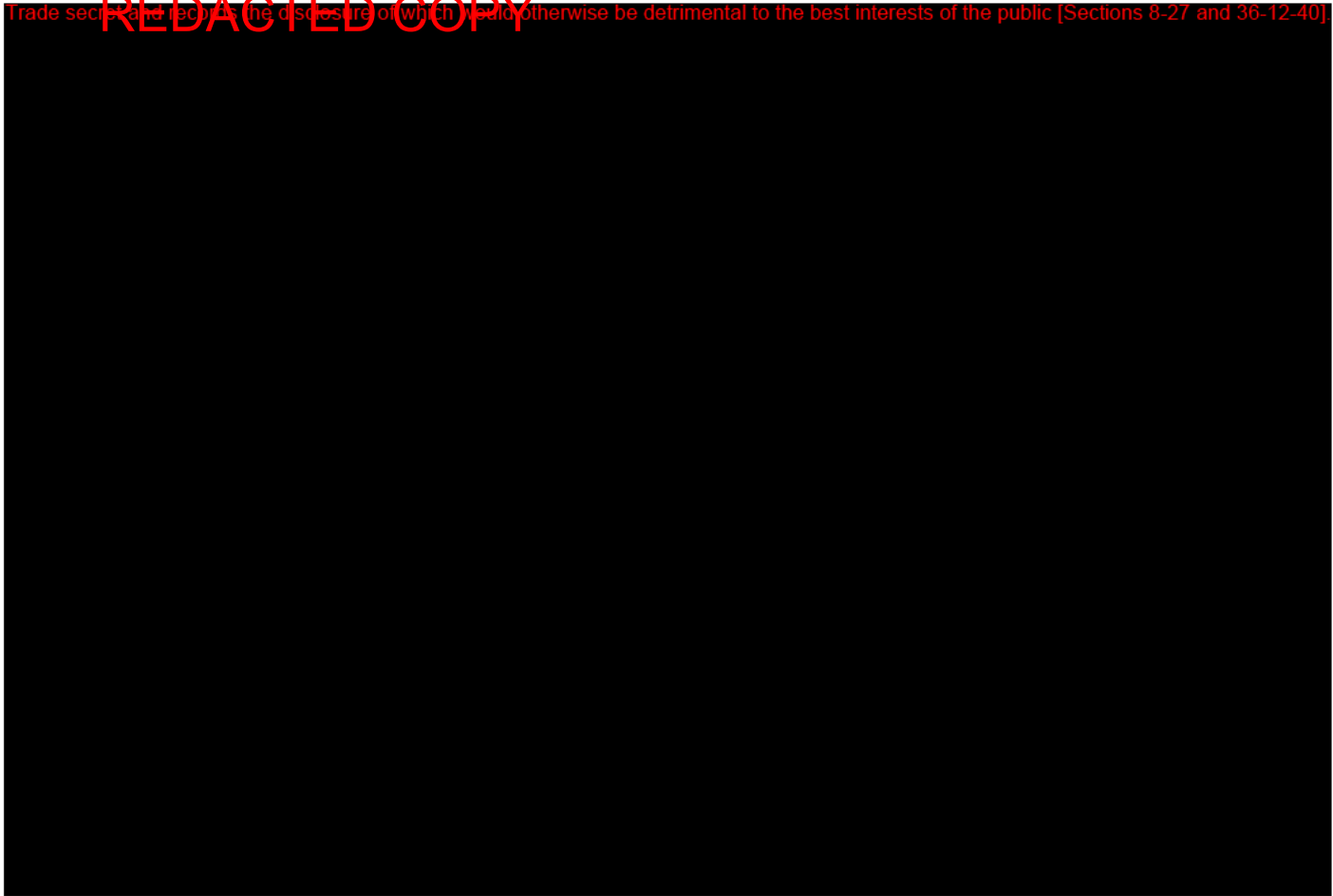
|

||| |

REDACTED COPY



REDACTED COPY



REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

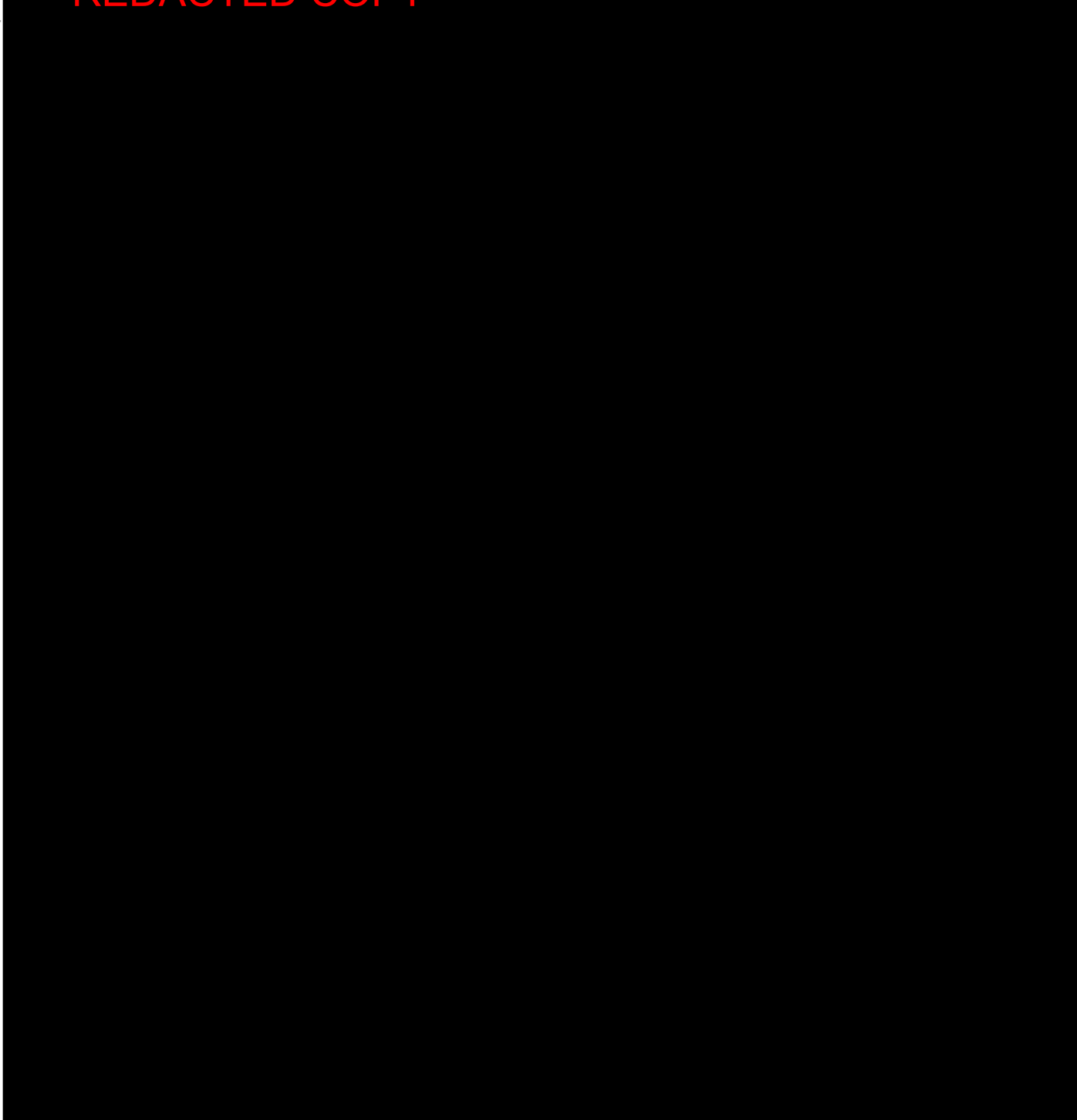


END OF COVER SHEET

|

|

REDACTED COPY



**ALL ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON
FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.**

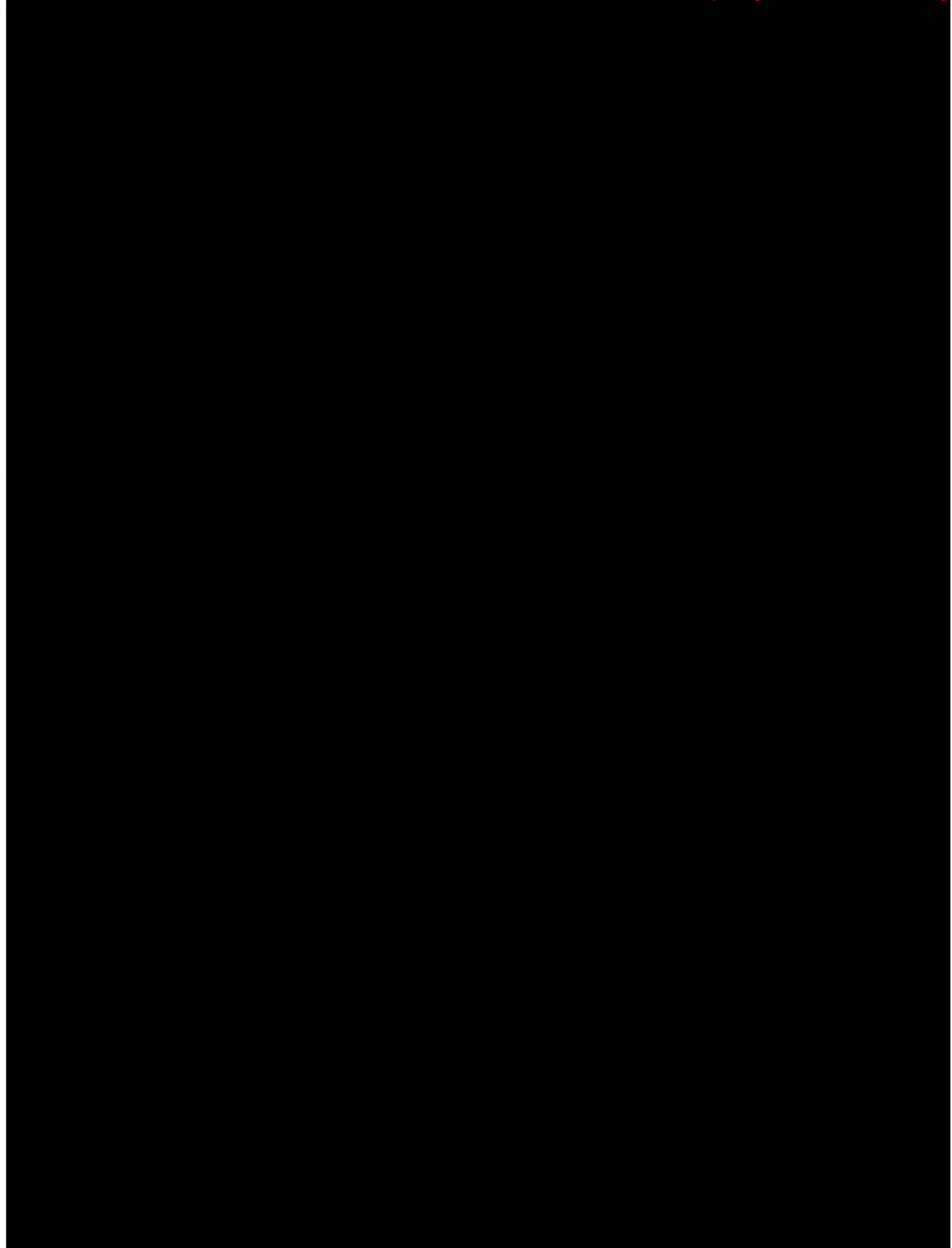
**THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL
USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.**

|

|

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Dispensary Exhibit 4 - Demonstration of Sufficient Capital

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Ahmad Shaban

Printed Name of Verifying Individual

Manager

Title of Verifying Individual

Signature of Verifying Individual

12.29.2022

Verification Date

The Demonstration of Sufficient Capital requirement is completed as of the date of application filing.

The Company has sufficient capital to meet all our financial obligations based on our projected budgets for the first three full years of operations following our initial licensure.

We have developed a three-year pro forma for the Company that includes detailed projections of anticipated revenues and expenses through the end of 2026. These projections are based on our own experiences in standing up medical cannabis businesses. They are set forth in more detail in Exhibit 5.

As projected in our financial models, the Company will require approximately \$5,500,000 in initial capital for build-out costs and other start-up expenses, including renovations of our dispensary facilities, purchase of our dispensary equipment and security systems, as well as operating runway through to solvency. The Company has capital commitments of \$7,228,565 from one of its owners which provides a cushion of nearly forty percent over our forecasted needs. The availability of these additional funds ensures our durability in the event of unforeseen challenges and threats not anticipated in our projections. The Company expects to become cash flow positive in 2024.

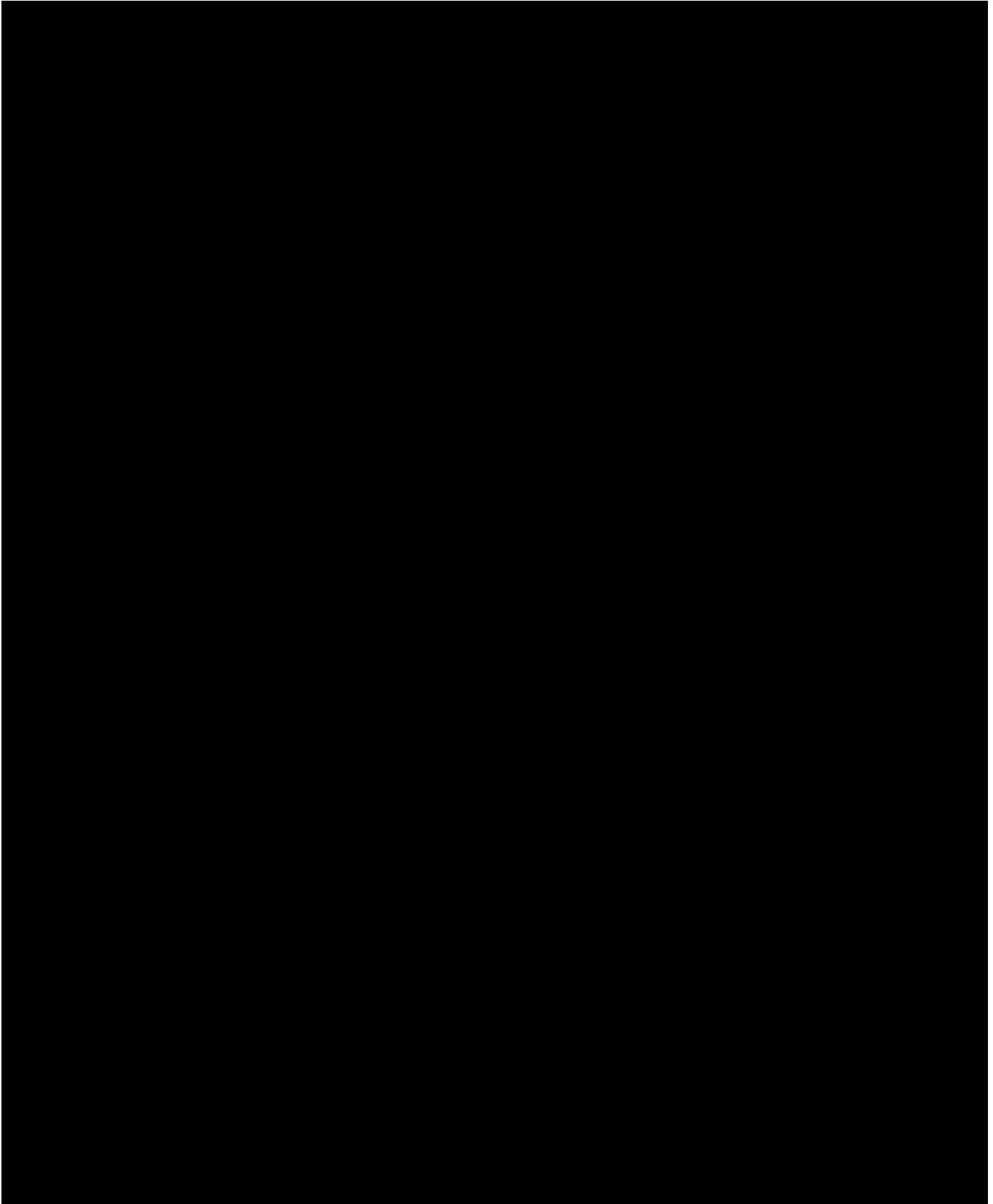
The undersigned, based on the best available information at the date of verification, verify that Ahmad Shaban has committed Sufficient Capital to the Company to meet its operational needs. Sufficient Capital being the total of the Company's projected annual budgets during the first three full years after a licensure.

| | | | |
|------------------|---------------------|--------------|-------------------|
| | <i>Ahmad Shaban</i> | <i>Owner</i> | <i>12/25/2022</i> |
| Signature | Name | Title | Date |

| | | | |
|------------------|-------------|-----------------------|-------------------|
| | | <i>Contact Person</i> | <i>12/25/2022</i> |
| Signature | Name | Title | Date |

| | | | |
|------------------|-------------|------------------------------------|-------------------|
| | | <i>Certified Public Accountant</i> | <i>12/25/2022</i> |
| Signature | Name | Title | Date |

4.1 – Financial Statement



4.2 – Financial Source Agreement

Ahmad Shaban, an individual and owner ("Source"), hereby agrees to serve as Guaranteed Dispensary AL, LLC's financial source for the proposed processor business ("Applicant"), with more than sufficient liquid assets committed to cover the build out and three (3) plus years of operational expenses. based on and exceeding the project budget.

Pursuant to the capital requirements of the Darren Wesley "Ato" Hall Compassion Act (§ 20-2A- 1, *et seq.*, Ala. Code 1975), and the Alabama Medical Cannabis Commission Rules and Regulations, Source has and will retain capital on deposit with one or more financial institutions in one or more accounts owned or controlled by Source to fulfill this Agreement. If awarded a processor license, Source will transfer funds, at the Source's discretion and as required, to another account to cover the Applicant's actual build-out and initial operating expenses, projected to be approximately five million (\$5,000,000.00) US Dollars.

This commitment is exclusively to Applicant. There are no, and shall be no, third party beneficiaries to this Agreement. A summary of accounts owned or controlled by Source has been prepared and is submitted herewith for purposes of satisfying Applicant's requirement to demonstrate the liquid assets available to support this application. Source has made his finances available for verification by a responsible person designated by the Applicant, the Applicant's contact person, and an independent Certified Public Accountant as indicated herewith. For such purposes. undersigned hereby commits to serving as the financial source of Applicant as described.

Signature:

SOURCE: Ahmad Shaban

4.3 – Chart of Liquid Assets

The owner making the capital contribution to the operation has the following liquid assets dedicated to fund operations as appropriate¹:

| Institution | Account Type | Account No. | Amount |
|---------------------------|---------------------|--------------------|----------------|
| Charles Schwab | Investment Account | | \$150,794.33 |
| Capital One | Credit Line | | \$47,935.03 |
| Merrill | Investment Account | | \$74,861.62 |
| Citi | Credit Line | | \$19,700.00 |
| PNC Bank | Checking Account | | \$549,937.04 |
| Bank of America | Trust Account | | \$6,385,337.65 |
| | | | |
| <u>TOTAL VALUE</u> | | | \$7,228,565.67 |

¹ Due to page restrictions, all supporting documentation cannot be provided. The Company will make that supporting documentation available to the AMCC upon request.

Exhibit 5 – Financial Statements

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Ahmad Shaban

Printed Name of Verifying Official

Signature of Verifying Official

Owner

Title of Verifying Official

12/25/2022

Verification Date

SECTION 5.1 – BALANCE SHEET REPORTS

BALANCE SHEET REPORT 1

(as of Commencement of Operations upon Licensure – Approximately July 2023)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

BALANCE SHEET REPORT 2
(as of December 31, 2023 (partial year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

BALANCE SHEET REPORT 3
(as of December 31, 2024 (1st full year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

BALANCE SHEET REPORT 4
(as of December 31, 2025 (2nd full year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

BALANCE SHEET REPORT 5
(as of December 31, 2026 (3rd full year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

SECTION 5.2 – PROFIT AND LOSS REPORTS

PROFIT AND LOSS REPORT 1

(between Company Inception and Commencement of Operations upon Licensure –
Approximately July 2023)

Sensitive Personal Information and records the
disclosure of which would otherwise be detrimental
to the best interests of the public [Section 36-12-40]

PROFIT AND LOSS REPORT 2

(between Commencement of Operations upon Licensure (July 2023) and December 31, 2023 (partial year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

PROFIT AND LOSS REPORT 3
(between January 1, 2024 and December 31, 2024)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

PROFIT AND LOSS REPORT 4
(between January 1, 2025 and December 31, 2025)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

PROFIT AND LOSS REPORT 5
(between January 1, 2026 and December 31, 2026)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

SECTION 5.3 – STATEMENTS OF CASH FLOW

STATEMENT OF CASH FLOW 1

(between Company Inception and Commencement of Operations upon Licensure –
Approximately July 2023)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

STATEMENT OF CASH FLOW 2

(between Commencement of Operations upon Licensure (July 2023) and December 31, 2023 (partial year))

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

STATEMENT OF CASH FLOW 3
(between January 1, 2024 and December 31, 2024)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

STATEMENT OF CASH FLOW 4
(between January 1, 2025 and December 31, 2025)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

STATEMENT OF CASH FLOW 5
(between January 1, 2026 and December 31, 2026)

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Exhibit 6 – Tax Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

Completed. This Tax Plan is completed as of the date of application. All pre-licensure obligations have been met. We will continue to execute this plan in a timely fashion after licensure.

6.1 Tax Team

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

6.2 Accounting and Recordkeeping Systems

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

6.3 Accounting

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

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Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 7 - Business Formation Documents

Verification

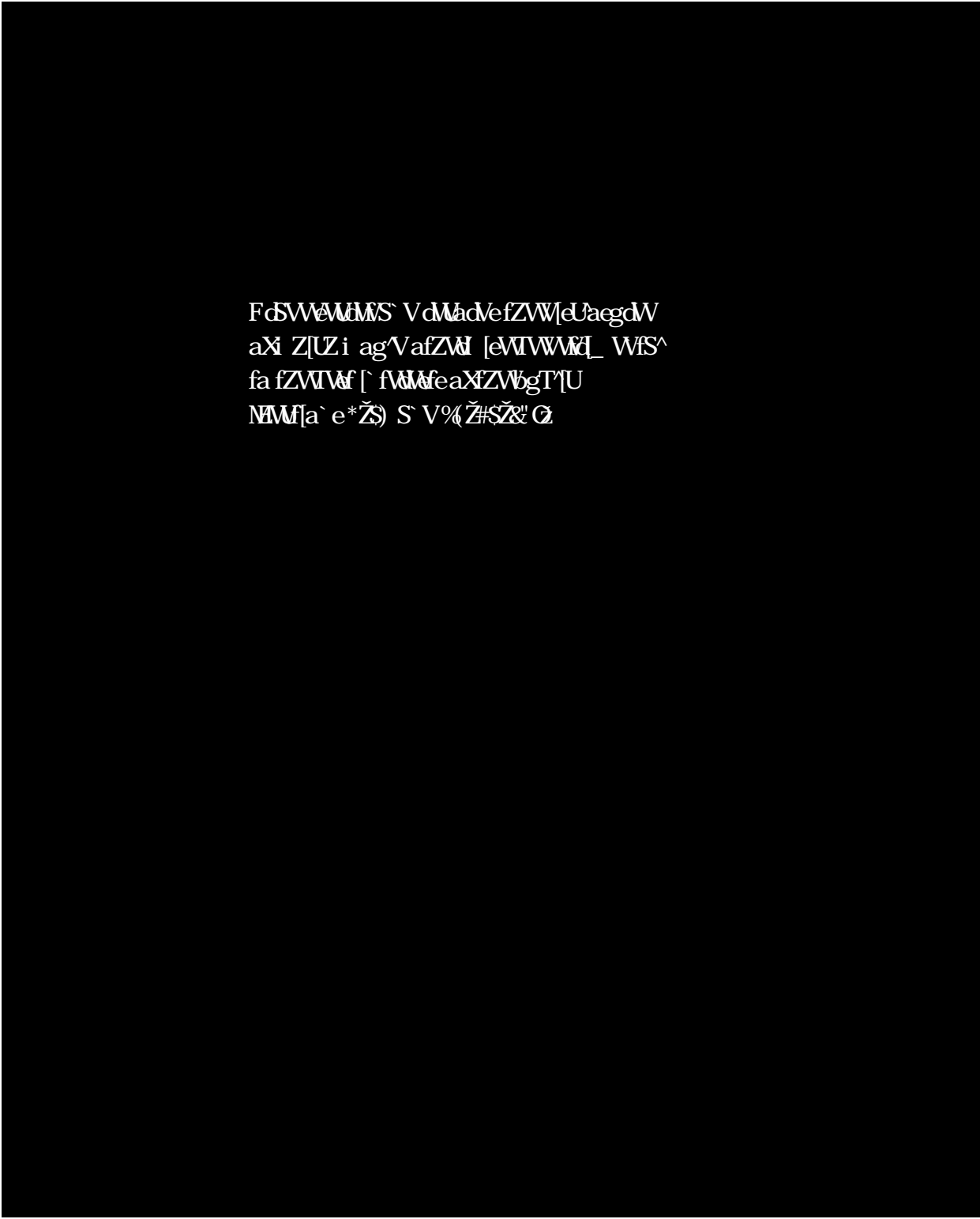
The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

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These Business Formation Documents are completed as of the date of this application filing.

7.1 Formation Documents

7.1.1 Certificate of Formation



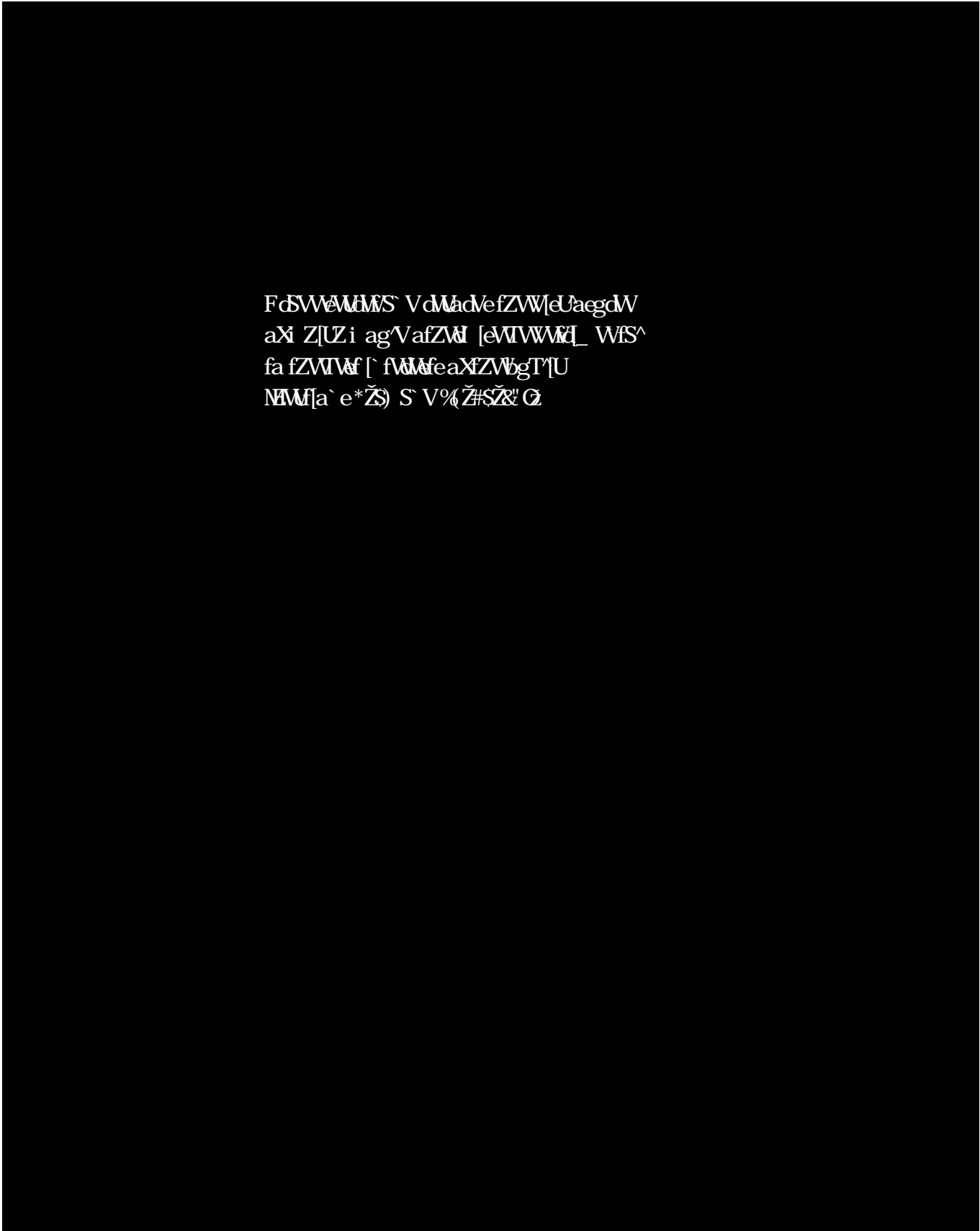
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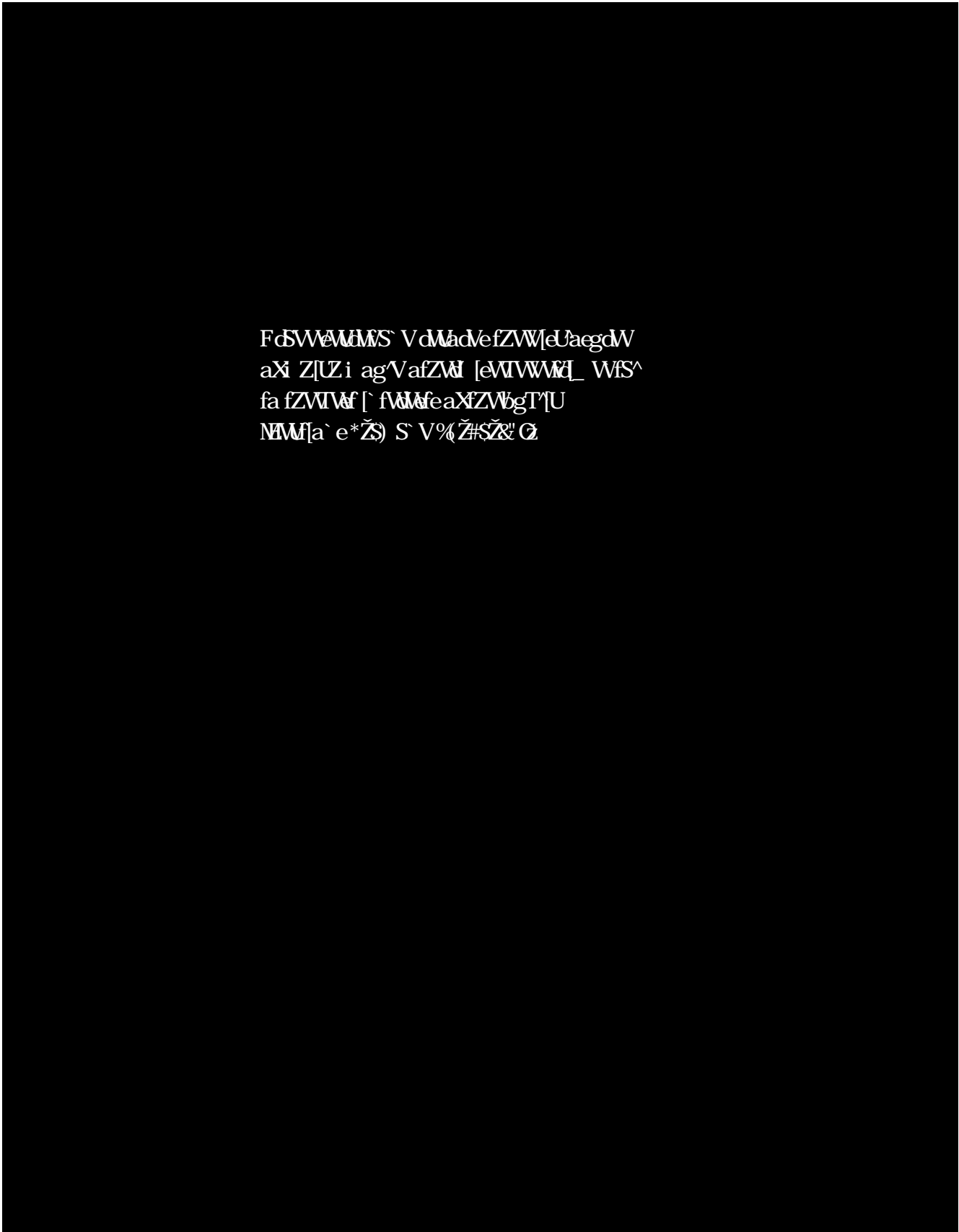
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7.1.2 Certificate of Amendment



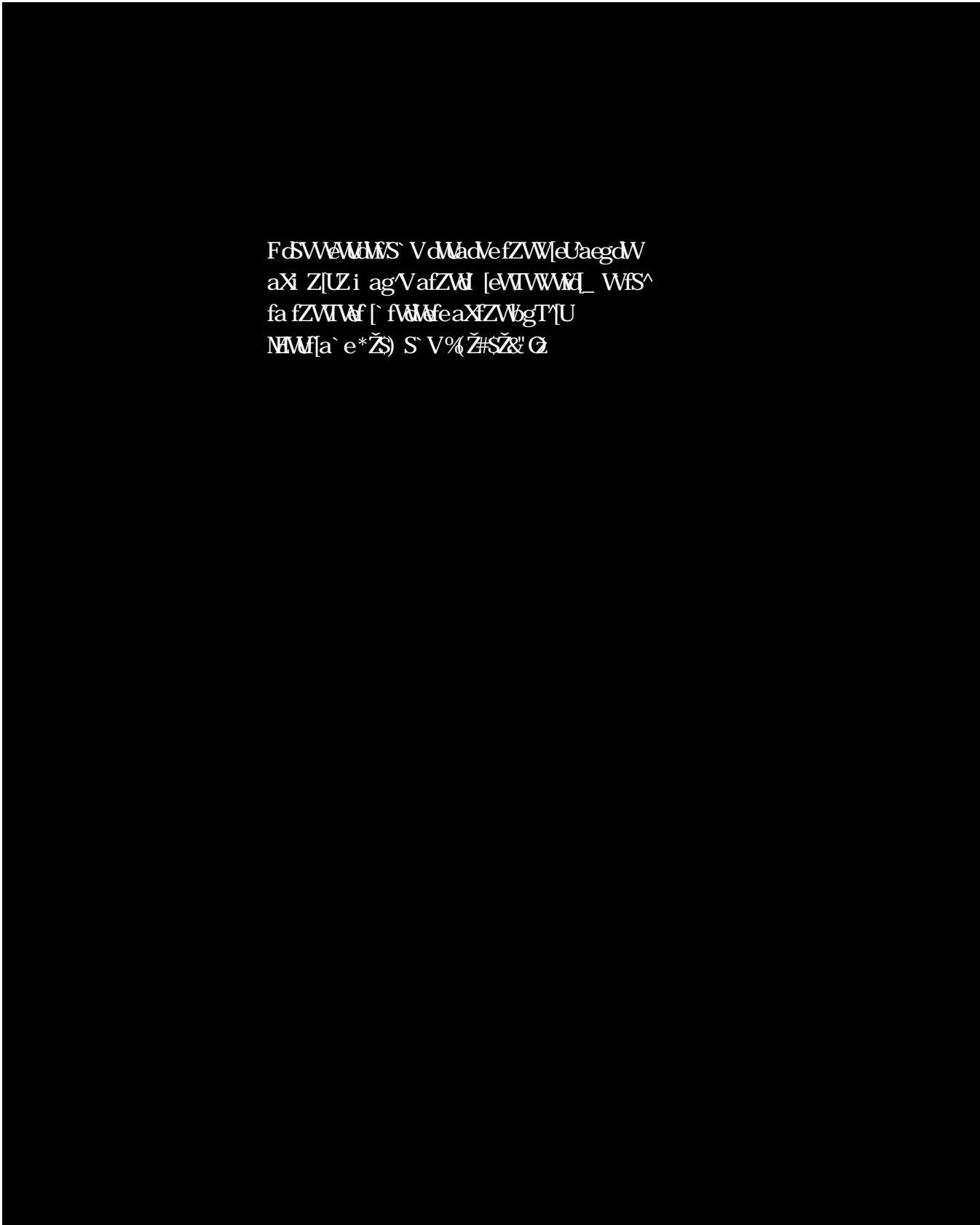
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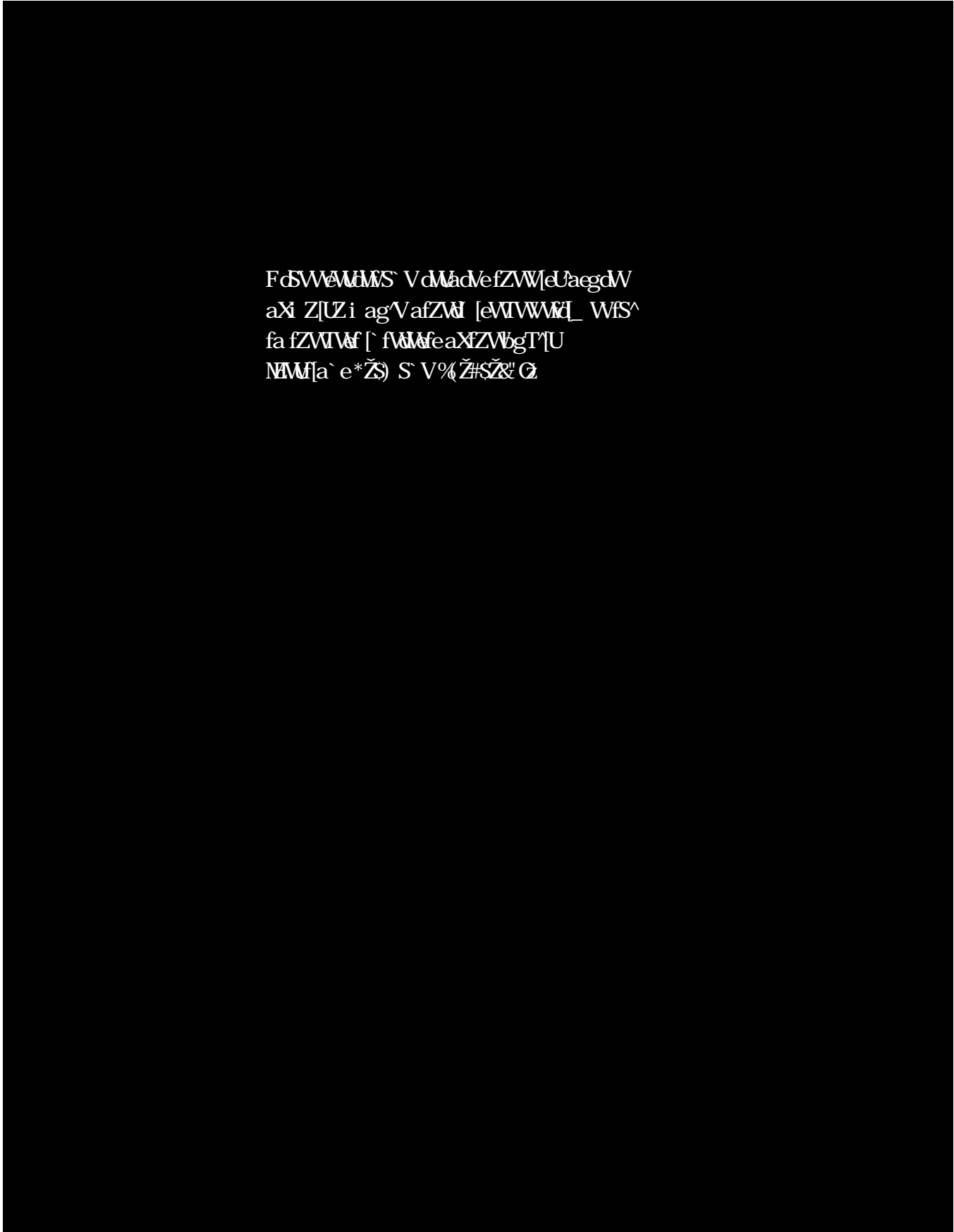


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7.3 Operating Agreement

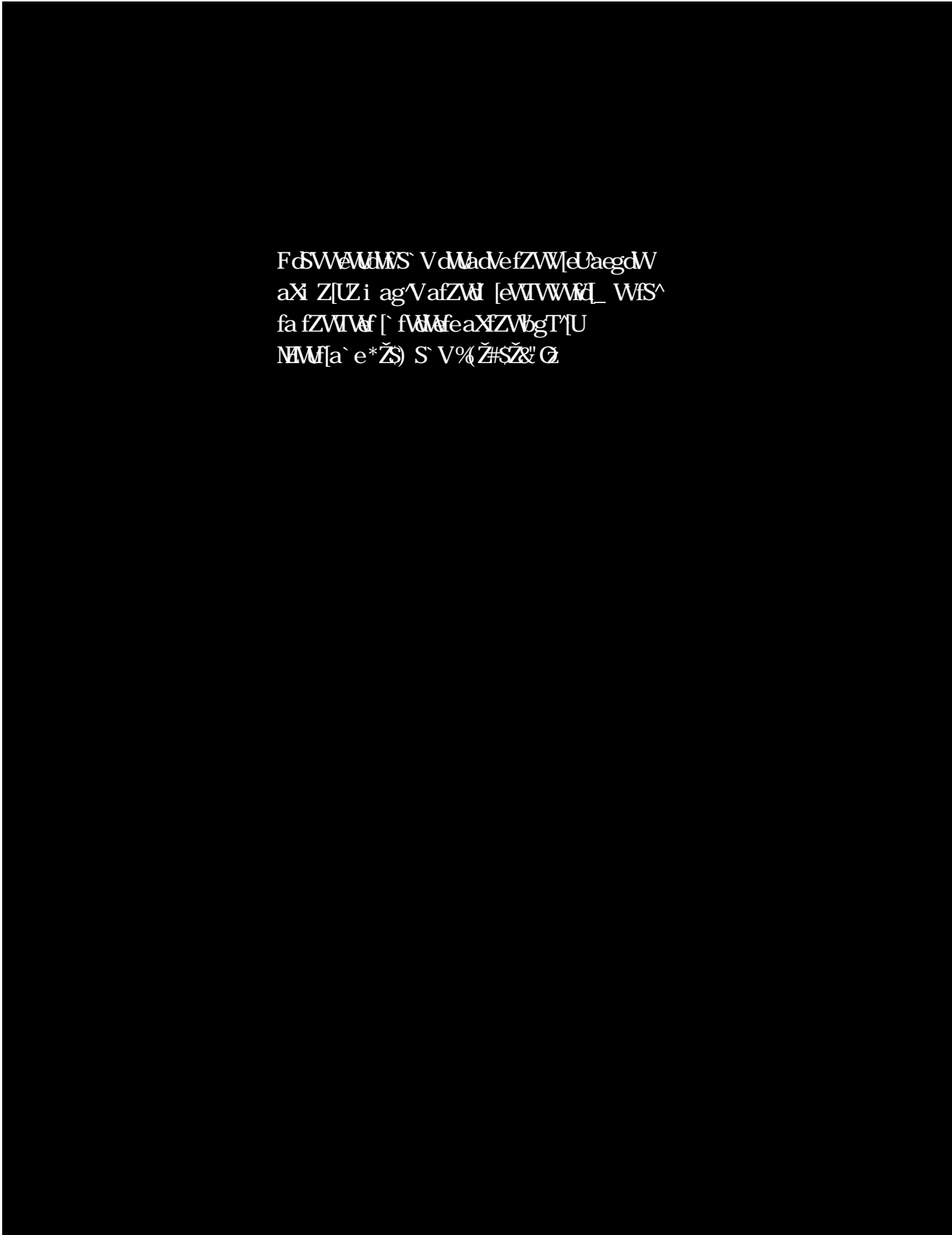


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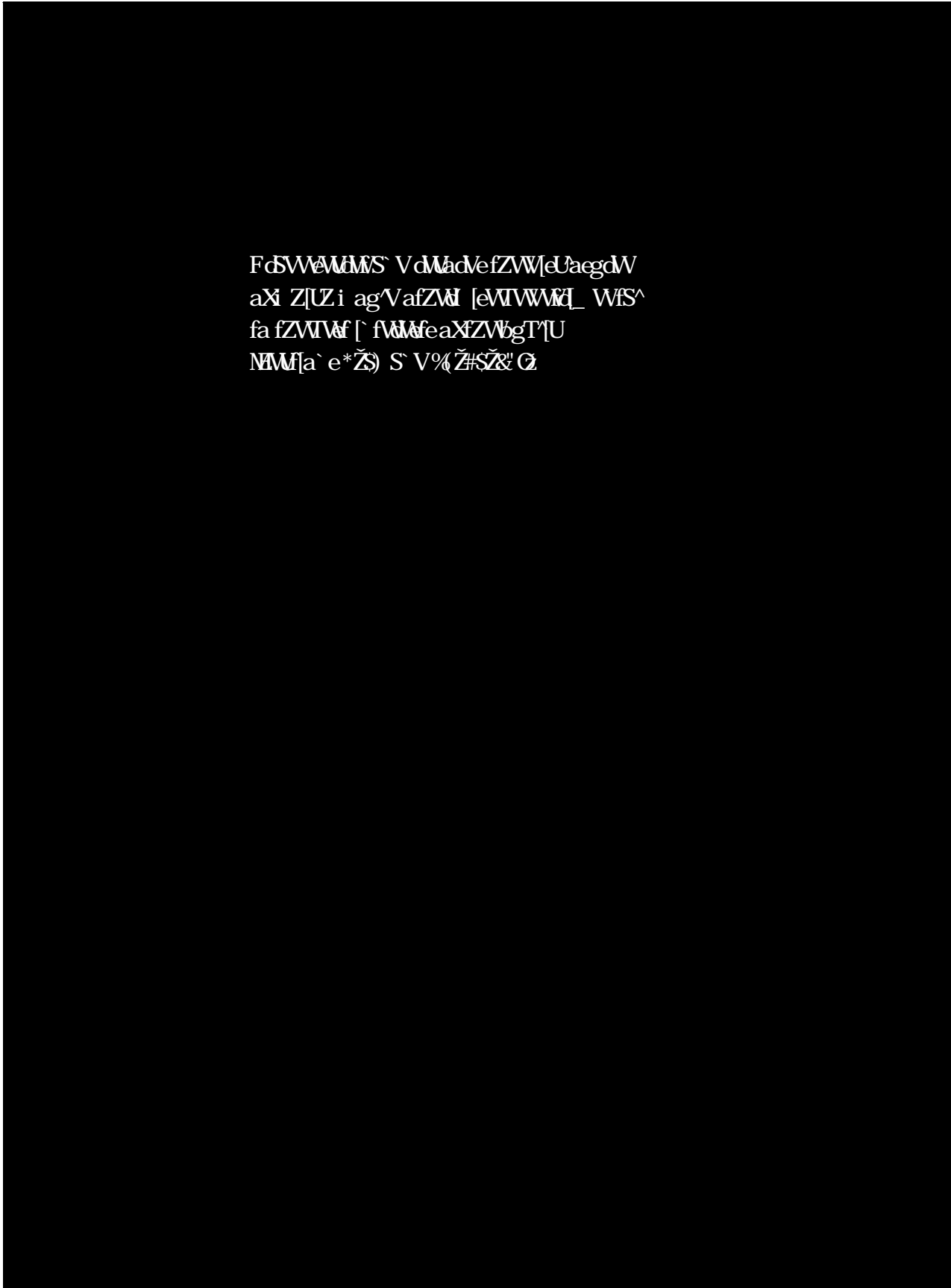
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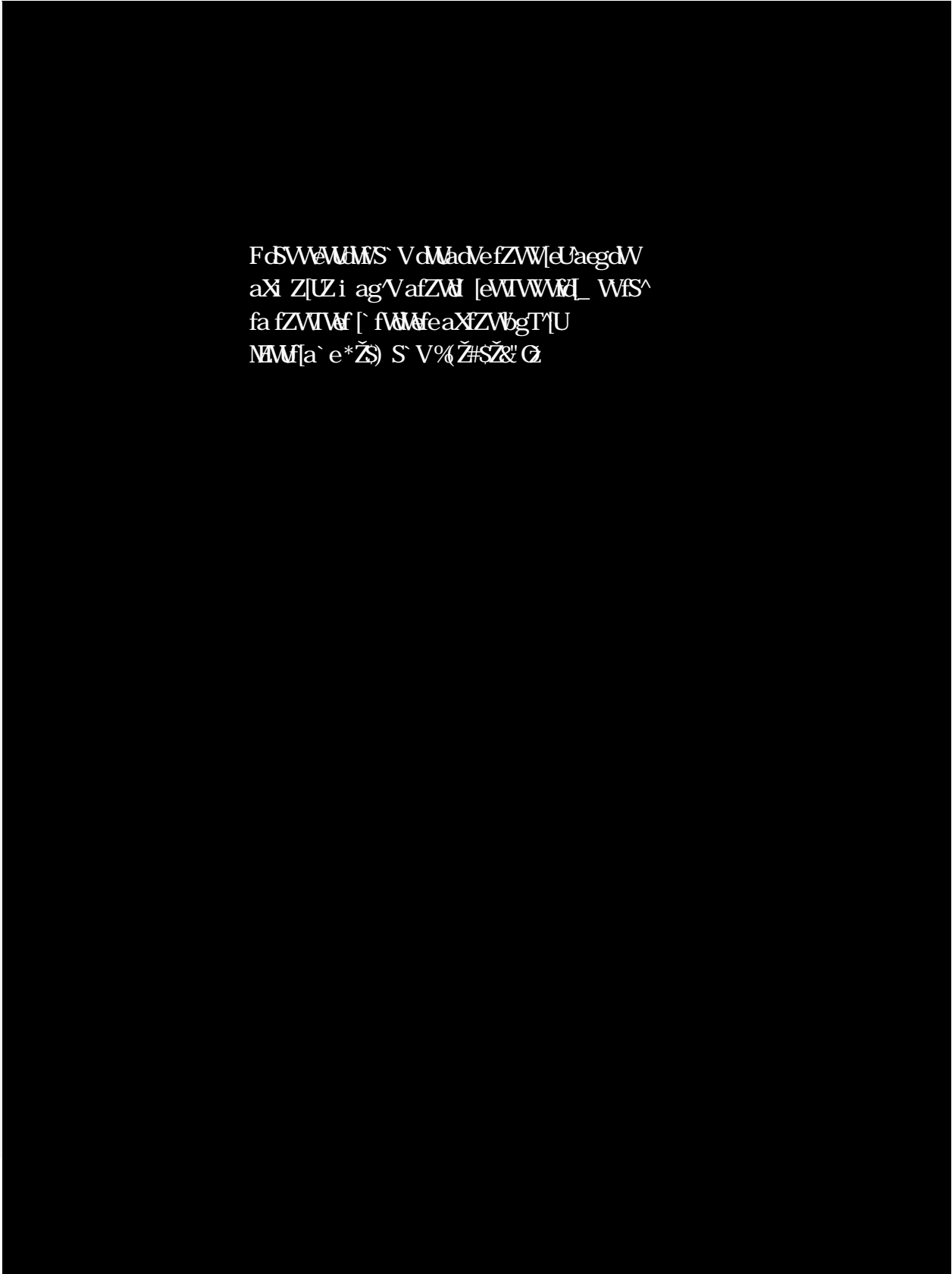
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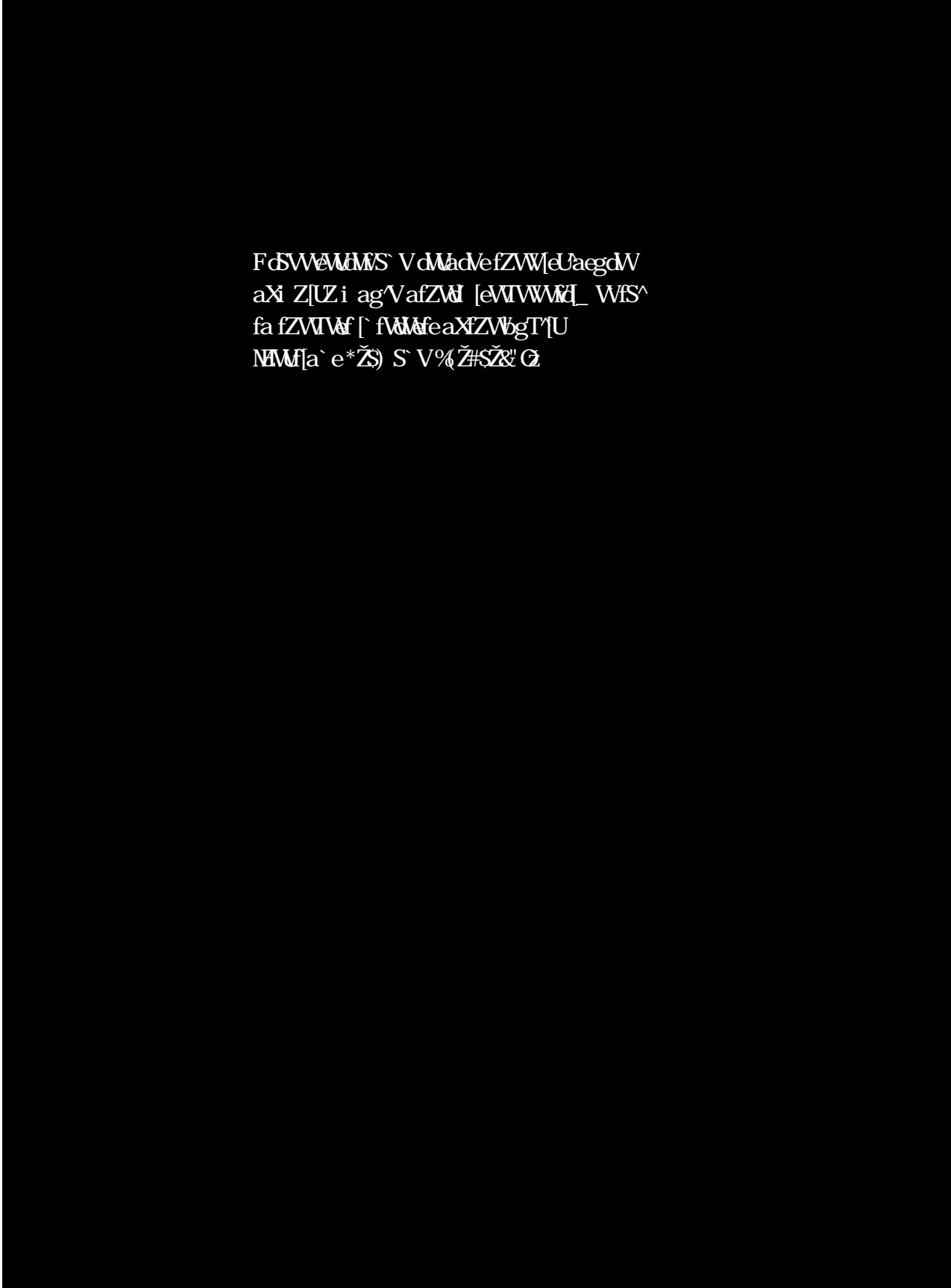
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Exhibit 8 – Business License and Authorization of Local Authorities

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/28/2022

Verification Date

Table of Contents

| | |
|--|---|
| 8.1 Certified Copies of Applicant’s Business License | 2 |
| 8.1.1 Local Cannabis Ordinance | 3 |
| 8.2 Local Resolutions or Ordinances by Local Jurisdictions | 5 |
| 8.2.1 Letter of Approval from Local Municipality | 6 |
| 8.2.2 Current Local Zoning Ordinance | 7 |

Sensitive Personal Information and records
the disclosure of which would otherwise be
detrimental to the best interests of the
public [Section 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the
best interests of the public [Sections 8-27 and 36-12-40]

8.1.1 Local Cannabis Ordinance

ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF JASPER, ALABAMA

Ordinance No.: 2022 – 21

To Authorize the Operation of Medical Cannabis Dispensaries and Businesses Within the Corporate Limits of the City of Jasper, Alabama

WHEREAS, the City Council of the City of Jasper, Alabama, has been presented with information concerning the proposed operation of a medical cannabis dispensary and other medical cannabis concerns, including processors, within the corporate limits of the City of Jasper, Alabama; and

WHEREAS, the Governor of the State of Alabama has, on May 17, 2021, signed into law the Darren Wesley “Ato” Hall Compassion Act (“the Act”); and

WHEREAS, the Act provides for the medical use of cannabis products for patients with a qualifying medical condition and a valid medical cannabis card; and

WHEREAS, the Act provides regulations for the operation of medical cannabis dispensaries, processors, transporters, growers, and integrated facilities; and

WHEREAS, the Act authorizes and requires the Medical Cannabis Commission to heavily regulate all medical cannabis operations, thus providing a method for addressing all health, safety and welfare concerns which may be raised by the citizens of the City of Jasper, Alabama; and

WHEREAS, the Act provides for the operation of a medical cannabis dispensary only in a municipality which has passed an ordinance authorizing the operation of dispensaries within the corporate limits of the municipality; and

WHEREAS, the location of a medical cannabis facility would bring the potential for new employment opportunities to the City of Jasper, as well as additional municipal revenues in the form of business license fees and potential new sales tax revenue;

BE IT HEREBY ORDAINED, by the City Council of the City of Jasper, Alabama, as follows:

Section 1. The operation of medical cannabis dispensaries and other medical cannabis facilities is authorized within the corporate limits of the City of Jasper, Alabama.

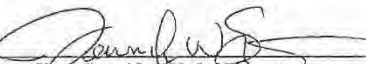
Section 2. The City of Jasper, Alabama, will upon proper application determine whether to issue a business license to a medical cannabis facility, and the operation of any such facility shall be subject to the City of Jasper Zoning Ordinance and other applicable regulations duly adopted by the City of Jasper, Alabama.

Section 3. The provisions of this Ordinance are severable, such that if any portion of the Ordinance is ruled invalid by a court of competent jurisdiction, the remaining portions of said Ordinance shall be unaffected thereby.

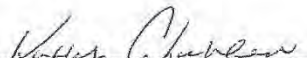
Section 4. This Ordinance shall become effective immediately upon its passage and approval in the manner required by the laws of the State of Alabama.

Adopted and approved this the 20th day of December, 2022.

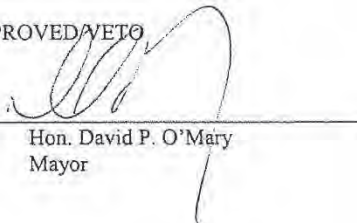
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA

By: 
Hon. Jennifer W. Smith
Council Presiding Officer

ATTEST:

By: 
Kathy Chambless
City Clerk

APPROVED/VETO

By: 
Hon. David P. O'Mary
Mayor

8.2 Local Resolutions or Ordinances by Local Jurisdictions

Sensitive Personal Information and records
the disclosure of which would otherwise be
detrimental to the best interests of the
public [Section 36-12-40]

8.2.1 Letter of Approval from Local Municipality

Sensitive Personal Information and records
the disclosure of which would otherwise be
detrimental to the best interests of the
public [Section 36-12-40]

8.2.2 Current Local Zoning Ordinance

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Jasper, AL Code of Ordinances

APPENDIX A - ZONING

Footnotes:

— (1) —

Editor's note— *The Jasper Zoning Ordinance adopted by Ord. No. 1990-228 on Jan. 2, 1990, is set out herein as Appendix A. The provisions of the zoning ordinance have been set out substantially as enacted and amendatory legislation will be noted by history notation contained in parentheses following a particular amended section. Words added by the editor for clarity shall be included in brackets [].*

Cross reference— *City planning commission, § 17-1 et seq.; as to regional planning commission, see note, Ch. 17; subdivisions, App. B.*

State Law reference— *Zoning authority, Code of Ala. 1975, § 11-52-70 et seq.*

ARTICLE I. - IN GENERAL

Sec. 1. - Short title.

This ordinance shall be known as the *Jasper Zoning Ordinance*.

Sec. 2. - Authority.

The City Council hereby enacts this ordinance according to the authority granted to the City of Jasper by the Legislature of the State of Alabama in Title 11, Chapter 52, Code of Alabama, 1975, as amended.

Sec. 3. - Applicability.

- (a) The City Council hereby divides the territory within its corporate limits into business, industrial and residential zones or districts and may provide the kind, character and use of structures and improvements that may be erected or made within the several zones or districts established and may, from time to time, rearrange or alter the boundaries of such zones or districts and may also adopt such ordinances as necessary to carry into effect and make effective the provisions of this ordinance.
- (b) The City Council may divide the City into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this ordinance, and within such districts, it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in any one district may differ from those in other districts.
- (c) For the purpose of promoting the health, safety, morals, or general welfare, this ordinance may regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the

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Jasper, AL Code of Ordinances

density of population, and the location and use of buildings, structures and land for trade, industry, residence, or other purposes.

- (d) The City Council shall provide for the manner in which these regulations and restrictions and the boundaries of such districts shall be determined, established and enforced and from time to time amended, supplemented or changed and may adopt such ordinances as may be necessary to carry into effect and make effective the provisions of this ordinance.

State Law reference— Establishment, etc. of districts, Code of Ala. 1975, § 11-52-70. Number, etc. of districts; uniformity, Code of Ala. 1975, § 11-52-71;

Regulation of height, etc., of buildings, etc., Code of Ala. 1975, § 11-52-73. Manner of establishment, etc., Code of Ala. 1975, § 11-52-76.

Sec. 4. - Non-discrimination as to housing.

For the promotion of public peace, order, safety or general welfare, the city may, within residential districts established by this ordinance, regulate as to the housing or residence therein of the different classes of inhabitants, but such regulations shall not discriminate in favor of or against any class of inhabitants.

State Law reference— Regulation as to housing, etc., Code of Ala. 1975, § 11-52-75.

Sec. 5. - Purposes and considerations.

- (a) This ordinance shall be prepared in accordance with a comprehensive plan and be designed to:

- (1) Lessen congestion in the streets;
- (2) Secure safety from fire, panic, and other dangers;
- (3) Promote health and the general welfare;
- (4) Provide adequate light and air;
- (5) Prevent overcrowding of land;
- (6) Avoid undue concentration of population; and
- (7) Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements.

- (b) This ordinance shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Jasper.

State Law reference— Purposes and considerations of zoning, Code of Ala. 1975, § 11-52-72.

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Jasper, AL Code of Ordinances

Sec. 6. - Conflicting requirements.

- (a) Wherever this ordinance requires a greater width or size of yards or courts or other open spaces or requires a lower height of buildings or a lesser number of stories or requires a greater percentage of lot to be left unoccupied or imposes other higher standards than are required in any other statute or local ordinance or regulation, the provisions of this ordinance shall govern.
- (b) Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts or other open spaces or require a lower height of buildings or a lesser number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than this ordinance, the provisions of such statute or local ordinance or regulation shall govern.

State Law reference— Conflict between regulations, Code of Ala. 1975, § 11-52-82.

Sec. 7. - Severability.

The provisions of this ordinance are severable and should any provision be held by a court of competent jurisdiction to be invalid, this ordinance in its entirety and remaining parts thereof, other than the part so held to be invalid, shall still be valid.

Sec. 8. - Saving provision.

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in these regulations.

Sec. 9. - Repeal.

On the effective date of this ordinance, all local ordinances or parts of ordinances in conflict with this ordinance, or inconsistent with the provisions of this ordinance, are hereby repealed to the extent necessary to give this ordinance full force and effect.

Sec. 10. - Tom Beville Industrial Park.

All land and developments located within the Tom Beville Industrial Park shall be exempt from the application of these regulations (the Jasper Zoning Ordinance) with the exception of those regulations contained in Article III District Use Regulations.

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Jasper, AL Code of Ordinances

(Ord. No. 1999-651, 6-1-99)

Secs. 11—29. - Reserved.

ARTICLE II. – ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP

Sec. 30. - Zoning districts.

- (a) The City Council hereby divides the City of Jasper into zoning districts which shall be known by the designation, titles, and intent statements which follow:

Agricultural Districts

- (1) *AG Agricultural District.* This district consists primarily of undeveloped lands where agricultural and related pursuits may occur within the City and where agricultural support centers may serve outlying rural areas beyond the City. Further, the intent of the AG District is to hold these lands in agricultural, forestal, outdoor recreational, rural residential, and other limited yet compatible uses until City services can be expanded to accommodate a higher intensity of development.

Residential Districts

- (2) *R-1 Single Family Residence District.* This district consists of areas suitable for single family residences at a very low density. The district is appropriate for residential estate neighborhoods or residential areas not served by public sewer. The R-1 District allows for certain accessory uses customarily associated with single family dwellings. Further, the district provides for institutional uses which are integrally related to single family residential neighborhoods.
- (3) *R-2 Single Family Residence District.* This district consists of areas suitable for single family residences at a low density. The R-2 District allows for certain accessory uses customarily associated with single family dwellings. Further, the district provides for institutional uses which are integrally related to single family residential neighborhoods.
- (4) *R-3 Affordable Housing District.* This district consists of areas suitable for an affordable housing mix—small lot single family residences, patio homes, townhouses, duplexes, multiplexes, and manufactured homes—at a moderate density. The district is appropriate for neighborhoods of low and moderate income families where housing affordability is a primary concern. The R-3 District allows for certain accessory uses customarily associated with housing. Further, the district provides for institutional uses which are integrally related to residential neighborhoods.

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R-P Planned Residential District. This district consists of areas suitable for planned residential developments of single family detached, semi-detached, and attached dwellings—single family residences, patio homes, and townhouses—at a medium density. A minimum site area of five contiguous acres is required to establish this zone, and the development must devote a minimum of 20% of the site to common open space maintained through a homeowners' association or equivalent to common open space maintained through a homeowners' association or equivalent legal entity. At least half of the required common open space must be developed for recreational facilities. The district provides for greater efficiency of land development than in a conventional development of single family housing, thus passing along reduced development costs in the form of savings to the home buyer. Residents also enjoy the sharing of common facilities within the development and less home maintenance than incurred by conventional housing subdivisions. The R-P District also provides for institutional and accessory uses commonly associated with planned residential developments.

- (6) *R-4 Urban Dwelling District.* This district consists of areas suitable for a variety of urban dwelling types—single family residences, patio homes, townhouses, duplexes, and multiplexes—at a moderately high density. The provisions of the district may be applied to neighborhoods where residential infill developments or single family conversions to multi-family uses at a limited density are desired. The R-4 District also provides for certain accessory uses and institutional uses which are integrally related to residential neighborhoods.
- (7) *R-5 Multi-Family Dwelling District.* This district consists of areas suitable for a variety of multi-family and other compatible dwelling types—single family residences, patio homes, townhouses, duplexes, multiplexes, and garden apartments—at a high density. The provisions of the district may be applied to areas of the City where high intensity development is appropriate. The R-5 District also provides for certain accessory uses and institutional uses which are integrally related to residential neighborhoods.

Commercial Districts

- (8) *B-T Transition Business District.* This district consists of certain highway frontage and buffer areas where a transition in land development from low density to a higher density may occur. Compatibility with adjacent, low density development and management of commercial sprawl are encouraged. Commercial uses must be conducted within a fully enclosed building, and limited retail uses may be subject to strict performance standards. The B-T District also allows for a compatible mix of non-commercial land uses—high density residential and institutional—which likewise meet the transitional objectives of the district.
- (9) *B-1 Neighborhood Center District.* This district consists of areas where a wide, yet somewhat limited, range of commercial uses may serve the needs of a large neighborhood. The district, with few exceptions, prohibits outdoor commercial activity and to a moderate degree

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manages the intensity of site development. The underlying objective of the district is to encourage the development of small-scale neighborhood centers for a variety of activities. The B-1 District also allows for a compatible mix of non-commercial land uses—high density residential and institutional—which may contribute to business activities in neighborhood centers.

- (10) *B-2 Community Service District.* This district consists of areas where the widest range of commercial uses are permitted at the highest degree of intensity. The district encourages commercial centers to serve the community or region at-large. Commercial activity may be conducted either indoors or, with few exceptions, outdoors. The B-2 District also allows for institutional uses which are compatible with commercial activities.
- (11) *B-3 Downtown Business District.* This district consists of the downtown area where a wide variety of commercial activities, particularly pedestrian-oriented, are accommodated. The district also provides for downtown housing alternatives, such as multi-story apartments, upper story apartments, loft conversions, and elderly housing, which are attractive to the downtown core. The primary intent of the B-3 District is to encourage the most intensive and attractive use of the downtown core so as to preserve the City's historical center and maintain its vitality.
- (12) *B-4 (I-22 Business Corridor) District.* The purpose of this district is two-fold: (1) To maintain long-term traffic safety by reducing congestion, conflict points and by promoting safe and efficient traffic and pedestrian circulation; and (2) to establish minimum standard for exterior architecture, landscaping and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence and stability which are in the best interest of the citizens of this city.

Industrial Districts

- (13) *M-1 Light Industrial District.* This district consists of areas where limited industrial uses are permitted. The district encourages employment centers with a low degree of environmental impact. Principal industrial activities include light manufacturing; industrial services; research labs; enclosed warehousing, wholesaling, and distribution services; and other limited impact activities. The M-1 District also allows for commercial and institutional uses which are supportive of industrial employment centers.
- (14) *M-2 Heavy Industrial District.* This district consists of areas where heavy industrial uses are permitted. The district encourages employment centers with a potentially high degree of environmental impact. Principal industrial activities include general manufacturing, heavy industry, salvage yards, resource extraction, solid waste disposal, and other heavy impact activities. The M-2 District also allows for commercial and institutional uses which are supportive of industrial activities.
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M-3 Industrial Park District. This district consists of areas in which all permitted uses, conditional uses and special exceptions otherwise allowed by paragraphs (13) and (14) of Section 30(a) shall be deemed to be permitted uses, except that in no event shall a garbage transfer station, as the same is defined by this regulation, be allowed.

(b) The City Council hereby divides the City of Jasper into special purpose zoning districts which shall carry out the special purposes assigned by *Article V, Special Purpose District Regulations*, and shall be known by the designations and titles which follow:

- (1) *PUD Planned Unit Development District.*
- (2) *MR Municipal Reserve District.*
- (3) *F Flood Hazard District.*

(Ord. No. 2001-717, § 1, 2-3-01; Ord. No. 2006-01, § 1, 1-17-06)

Sec. 31. - Zoning map.

- (a) The zoning districts established by this ordinance are bounded and defined by an official zoning map which shall be known as the *Jasper Zoning Map* and which, together with all explanatory materials contained therein, is hereby made a part of this ordinance.
- (b) The official zoning map shall be drawn on durable transparent material from which prints can be made and shall be kept in the office of the Zoning Administrator.
- (c) The Zoning Administrator shall arrange for updating of the official zoning map within thirty days after amendments to it are adopted by the City Council.
- (d) Should the official zoning map or any portion be lost, destroyed, damaged, or difficult to interpret because of the nature or number of revisions, the Zoning Administrator shall have a new map drawn and adopted by resolution of the City Council. The new map may correct drafting or other errors or omissions in the prior map, but no such correction shall have the effect of amending the map. Any map amendment shall follow rezoning amendment procedures contained in this ordinance.

Sec. 32. - Zoning district boundaries.

The rules of this section shall be used to determine the precise locations of any district boundary shown on the Jasper Zoning Map.

- (1) Boundaries shown as following or approximately following any jurisdictional limits shall be construed as following such limits.
- (2) Boundaries shown as following or approximately following streets, alleys, or rights-of-way shall be construed as following such streets, alleys, or rights-of-way.
- (3)

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Boundary lines which follow or approximately follow platted lot lines or other property lines as shown on the Walker County Tax Maps shall be construed as following such lines.

- (4) Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad lines.
- (5) Boundaries shown as following or approximately following shorelines of any lakes or ponds shall be construed to follow the mean high waterlines of such lakes or ponds. In the event of a change in the mean high waterline, the boundaries shall be construed as moving with the actual mean high waterline.
- (6) Boundaries shown as following or approximately following the centerline of streams, rivers, or other continuously flowing water courses shall be construed as following the channel of such water courses taken at mean low water. In the event of a natural change in the location of such streams, rivers, or other water courses, the district boundary shall be construed as moving with the channel centerline.
- (7) Boundaries shown as separated from and parallel or approximately parallel to any of the features listed in paragraphs (1) through (6) above shall be construed to be parallel to such features. In the absence of specific dimensions, the scale of the map shall determine the distance from such features.

Cross reference— See [§ 164](#) for flood hazard district boundaries.

Secs. 33—39. - Reserved.

ARTICLE III. - DISTRICT USE REGULATIONS

DIVISION 1. - GENERALLY

Sec. 40. - Applicability of district use regulations.

Unless otherwise provided, no building, structure, or land shall be used except in the zoning districts indicated by this article and according to the additional regulations of this ordinance and other applicable codes and ordinances. This article gives the uses permitted and permitting procedures within each zoning district, and establishes supplemental standards for some uses. Provisions for special purpose districts may be found in *Article V, Special Purpose District Regulations*.

Sec. 41. - Use limitations due to zoning standards.

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Although a use may be permitted according to specified procedures in a particular district, such use may not necessarily be permitted on every parcel of land in the district. A use may be permitted only if it can meet all of the standards of this ordinance and other applicable codes and ordinances.

Sec. 42. - Accessory and combined uses.

- (a) Unless otherwise prevented by this ordinance, more than one permitted use may be combined on a lot if all of the combined uses are commonly associated with and integrally related to one another. Further, all zoning regulations for each of the combined uses shall be met.
- (b) Whenever an activity, which may or may not be separately listed as a permitted use, is conducted in conjunction with a listed permitted use as an incidental or insubstantial part of the total activity on a lot, the incidental activity shall be permitted as an accessory use if the combined uses are commonly associated with and integrally related to one another.
- (c) For the purpose of this section "*commonly associated*" means that the association of such combined uses takes place with sufficient frequency that there is common community acceptance of their relatedness.

Sec. 43. - Classification of uses.

- (a) Unless otherwise provided in this division and to the furthest practicable extent, all uses shall be classified in one of the uses defined by Section 334, Uses defined, and listed in the Table of Permitted Uses.
- (b) This ordinance recognizes the limitations of a finite listing of use classifications given the infinite variations of essentially similar uses. Therefore, the Zoning Administrator is empowered to make interpretations so as to classify any questioned use within a use classification of most similar impact and characteristics. However, in no case shall the Zoning Administrator interpret a use as falling in one listed use when the use in question is more similar in impact and characteristics to another listed use. Appeal of the Zoning Administrator's use interpretation may be filed with the Zoning Board of Adjustment.

Sec. 44. - Unclassified uses.

In the event the Zoning Administrator finds a new or unusual use that cannot appropriately fit a listed use in the Table of Permitted Uses, the following procedures shall be followed:

- (1) If compatible with the existing zoning district intent, the unclassified use shall be permitted by special exception upon approval and subject to the conditions set by the Zoning Board of Adjustment.
- (2)

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If the unclassified use would not be compatible with the intent of the existing zoning district, the Zoning Administrator shall determine the most appropriate district classification and require the property in question to be rezoned. In addition, the unclassified use shall be permitted in the new district by special exception if granted approval by the Zoning Board of Adjustment.

- (3) Following the final action on the unclassified use, as (1) or (2) above may require, the Planning Commission shall initiate an amendment to this ordinance to list the newly permitted use into the most appropriate district(s).

Sec. 45. - Policies on manufactured housing.

- (a) The intent of this ordinance is to recognize the evolution of manufactured homes as a viable form of affordable housing within certain zones. This ordinance recognizes distinctions among the various types and uses of manufactured homes. Consequently, this ordinance creates certain classes of manufactured homes (i.e., class A and class B manufactured homes); provides for alternative manufactured home developments (on individual subdivided lots, as accessory dwellings, and within manufactured home parks); and restricts these uses to appropriate zones within the city.
- (b) Nothing in this ordinance shall prevent the conversion of a manufacture home for a non-residential use (e.g., a manufactured home used as an office), provided such use occupying the manufactured home is permitted by district regulation.
- (c) Any manufactured home that does not bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development is prohibited within all zones of the city.

Sec. 46. - Condominium development requirements.

It is the express intent of this section to treat residential condominium differently from apartments and other like structures due to the unique nature of condominium ownership whereby separate households, each with a vested ownership in their own dwelling unit, live in close proximity to one another and may be bound together in an association which is responsible or the cooperative maintenance of improvements within the common area of the project. Condominium ownership of non-residential building spaces within commercial or industrial projects shall also be treated differently to insure the long term viability of the project in view of the multiple ownership. Condominium developments are only permitted within appropriate zones within the city that permit multi-family, commercial or industrial uses.

- (1) Condominium. An ownership arrangement, not a land use. It is allowed in any district under the same restrictions are the land uses that it comprises. It is characterized by private ownership of individual units and undivided common ownership and maintenance of designed exterior and interior spaces by a condominium association of unit owners.

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- (2) All such developments shall be served by private streets, roads, and parking areas constructed in accordance with the zoning administrators standards and owned and maintained in common by a landowners association or equivalent legal entity as approved by the city attorney.
- (3) Minimum lot areas and widths shall not apply to individual units but shall apply to condominium developments as a whole.
- (4) The yard requirements for the district shall apply only to the outside perimeter of the development. The perimeter yards shall be maintained as common areas reserved as common open space or common driveways or parking areas.
- (5) Unless otherwise stated, the condominium development shall comply with all applicable development standards of the zoning district in which the development is located.

(Ord. No. 2007-35, 12-4-07)

Secs. 47—49. - Reserved.

DIVISION 2. - PERMITTED USES

Sec. 50. - Table of permitted uses.

- (a) Unless otherwise provided, all uses, as defined by Section 334, Uses defined, shall be permitted as listed in Table I. Table of Permitted Uses. Accessory and combined uses and structures may be permitted subject to Section 42, Accessory and combined uses, and similar uses to those listed may be permitted subject to Section 43, Classification of uses.
- (b) The key to abbreviations used in the Table of Permitted Uses is as follows:

| | |
|------------|---|
| <i>P</i> = | <i>PERMITTED USE</i> . Use permitted subject to appropriate permits being issued in accordance with this ordinance. |
| <i>S</i> = | <i>SPECIAL EXCEPTION USE</i> . Use permitted subject to a special exception use permit being granted by the Zoning Board of Adjustment and further subject to appropriate permits being issued in accordance with this ordinance. |
| <i>C</i> = | <i>CONDITIONAL USE</i> . Use permitted subject to a conditional use permit being granted by the Planning Commission and further subject to appropriate permits being issued in accordance with this ordinance. |

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|------------|---|---|
| <i>N</i> | = | <i>USE NOT PERMITTED.</i> |
| <i>AG</i> | = | <i>AGRICULTURAL DISTRICT.</i> |
| <i>R-1</i> | = | <i>SINGLE FAMILY RESIDENCE DISTRICT.</i> |
| <i>R-2</i> | = | <i>SINGLE FAMILY RESIDENCE DISTRICT.</i> |
| <i>R-3</i> | = | <i>AFFORDABLE HOUSING DISTRICT.</i> |
| <i>R-P</i> | = | <i>PLANNED RESIDENTIAL DEVELOPMENT DISTRICT.</i> |
| <i>R-4</i> | = | <i>URBAN DWELLING DISTRICT.</i> |
| <i>R-5</i> | = | <i>MULTI-FAMILY DWELLING DISTRICT.</i> |
| <i>B-T</i> | = | <i>TRANSITION BUSINESS DISTRICT.</i> |
| <i>B-1</i> | = | <i>NEIGHBORHOOD CENTER DISTRICT.</i> |
| <i>B-2</i> | = | <i>COMMUNITY SERVICE DISTRICT.</i> |
| <i>B-3</i> | = | <i>DOWNTOWN BUSINESS DISTRICT.</i> |
| <i>B-4</i> | = | <i>I-22 BUSINESS CORRIDOR DISTRICT.</i> |
| <i>M-1</i> | = | <i>LIGHT INDUSTRIAL DISTRICT.</i> |
| <i>M-2</i> | = | <i>HEAVY INDUSTRIAL DISTRICT.</i> |
| <i>M-3</i> | = | <i>INDUSTRIAL PARK DISTRICT.</i> |
| <i>*</i> | = | <i>SUPPLEMENTAL USE REGULATIONS. Refer to Division 3, Supplemental Use Regulations within this article.</i> |

Table I. Table of Permitted Uses

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| USE CLASSIFICATION | ZONING DISTRICT | | | | | | | | | | | | | | | |
|------------------------------|-----------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | A | R | R | R | R | R | R | R | B | B | B | B | B | M | M | M |
| | G | 1 | 2 | 3 | P | 4 | 5 | T | 1 | 2 | 3 | 4 | 1 | 2 | 3 | |
| <i>Agricultural Uses</i> | | | | | | | | | | | | | | | | |
| *Farm | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| *Hobby farm | P | P | P | N | N | N | N | N | N | N | N | N | N | N | N | N |
| *Kennel | P | S | S | S | S | S | S | N | N | P | N | N | N | N | N | N |
| <i>Residential Uses</i> | | | | | | | | | | | | | | | | |
| *Accessory apartment | S | S | S | S | S | S | S | N | N | N | N | N | N | N | N | N |
| *Accessory cottage | S | S | S | S | S | S | S | N | N | N | N | N | N | N | N | N |
| *Accessory manufactured home | S | N | N | S | N | N | N | N | N | N | N | N | N | N | N | N |
| Combination dwelling | S | S | S | S | S | S | S | S | S | S | S | C | S | S | S | P |
| Duplex | P | N | N | P | N | P | P | P | N | N | P | N | N | N | N | N |
| *Emergency care home | S | N | N | P | N | P | P | C | N | N | N | N | N | N | N | N |
| *Family care home | S | N | N | P | N | P | P | C | N | N | N | N | N | N | N | N |
| *Garden apartment | N | N | N | N | N | N | P | P | P | N | P | N | N | N | N | N |
| *Manufactured home, class A | P | N | N | P | N | N | N | N | N | N | N | | N | N | N | N |

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|----------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Manufactured home, class B | S | N | N | P | N | N | N | N | N | N | N | N | N | N | N | N |
| *Manufactured home park | C | N | N | P | N | N | N | N | N | N | N | N | N | N | N | N |
| *Modular home, class A | P | N | P | P | N | N | N | N | N | N | N | | N | N | N | |
| *Modular home, class B | P | N | N | P | N | N | N | N | N | N | N | | N | N | N | |
| *Multiplex | N | N | N | P | N | P | P | P | N | N | P | C | N | N | N | |
| *Multi-story apartment | N | N | N | N | N | N | N | N | N | N | P | C | N | N | N | |
| *Patio home | N | N | N | P | P | P | P | P | N | N | N | N | N | N | N | |
| *Planned residential development | N | N | N | N | P | N | N | N | N | N | N | N | N | N | N | |
| Single family residence | P | P | P | P | P | P | P | P | N | N | P | N | N | N | N | |
| *Townhouse | N | N | N | P | P | P | P | P | N | N | P | N | N | N | N | |
| Upper-story apartment | N | N | N | N | N | N | N | N | N | N | P | C | N | N | N | |
| <i>Institutional Uses</i> | | | | | | | | | | | | | | | | |
| Airport | C | N | N | N | N | N | N | N | N | N | N | N | C | P | P | P |
| Animal shelter | P | N | N | N | N | N | N | N | N | C | N | N | N | N | N | |
| Boarding house | N | N | N | P | N | N | C | N | P | P | P | N | N | N | N | |
| *Cemetery | P | N | N | P | N | P | P | N | P | P | P | N | N | N | N | |
| Community center | N | N | N | N | N | N | N | C | P | P | P | C | N | N | N | |
| Community service club | N | N | N | N | N | N | N | N | P | P | P | C | N | N | N | |

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| Country club | P | N | N | N | N | N | N | N | P | P | P | N | C | N | N | N |
| Day care center | N | N | N | N | N | N | N | N | C | P | P | P | N | N | N | N |
| Day care home | P | C | C | P | C | P | P | C | P | N | P | N | N | N | N | |
| Domiciliary care facility | N | N | N | P | N | N | C | C | P | P | P | C | N | N | N | |
| Home instruction | P | P | P | P | P | P | P | P | P | N | P | N | N | N | N | |
| Hospital | N | N | N | N | N | N | N | N | N | P | P | C | N | N | N | |
| Military installation | P | N | N | N | N | N | N | N | N | P | P | N | P | P | P | |
| Nursing care facility | N | N | N | N | N | N | C | C | P | P | P | C | N | N | N | |
| Park | P | P | P | P | P | P | P | P | P | P | P | C | P | P | P | |
| Penal institution | N | N | N | N | N | N | N | N | N | N | C | N | N | N | N | |
| Place of worship | P | C | C | P | C | P | P | P | P | P | P | C | N | N | N | |
| Public assembly center | P | N | N | N | N | N | N | N | P | P | P | C | N | N | N | |
| Public facility | P | C | C | C | C | C | C | P | P | P | P | C | P | P | P | |
| Public utility facility | S | S | S | S | S | S | S | S | S | S | S | C | S | P | P | |
| Public utility service | P | P | P | P | P | P | P | P | P | P | P | C | P | P | P | |
| Rehabilitation facility | C | N | N | N | N | N | C | C | P | P | P | N | N | N | N | |
| School | P | C | C | P | C | P | P | P | P | P | P | C | N | N | N | |
| <i>Commercial Uses</i> | | | | | | | | | | | | | | | | |
| Animal hospital | P | N | N | N | N | N | N | N | N | P | P | P | N | N | N | N |

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| Auto body repair facility | | | | | | | | | | | | | P | | | |
| *Bank or financial service | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P | P |
| Broadcast studio | N | N | N | N | N | N | N | N | P | P | P | P | C | P | P | P |
| Business or professional of fice | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P | P |
| Business support service | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P | P |
| *Campground | C | N | N | N | N | N | N | N | N | N | N | N | C | N | N | N |
| Car wash | N | N | N | N | N | N | N | N | N | C | P | P | C | N | N | N |
| *Climate controlled storage facilities | N | N | N | N | N | N | N | N | N | N | P | C | N | P | P | P |
| Clinic | N | N | N | P | N | P | P | P | P | P | P | P | C | N | N | N |
| Commercial parking | N | N | N | N | N | N | N | N | C | P | P | P | C | P | P | P |
| Commercial school | N | N | N | N | N | N | N | N | C | P | P | P | C | P | P | P |
| *Convenience store | N | N | N | N | N | N | N | N | C | P | P | P | P | N | N | N |
| Entertainment, indoor | N | N | N | N | N | N | N | N | N | P | P | P | P | N | N | N |
| Entertainment, outdoor | C | N | N | N | N | N | N | N | N | N | C | P | C | N | N | N |
| Farm support business | C | N | N | N | N | N | N | N | N | N | P | P | C | P | P | P |
| Garden center or nursery | N | N | N | N | N | N | N | N | C | P | P | P | C | N | N | N |
| General retail business, enclosed | N | N | N | N | N | N | N | N | N | P | P | P | P | N | N | N |

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| General retail business, un enclosed | N | N | N | N | N | N | N | N | N | N | P | P | N | N | N | N |
| Funeral home | N | N | N | N | N | N | N | C | P | P | P | C | N | N | N | N |
| *Home occupation | P | P | P | P | P | P | P | P | P | N | P | N | N | N | N | N |
| Home improvement center | N | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P |
| Hotel or motel | N | N | N | N | N | N | N | N | N | P | P | P | N | N | N | N |
| Laundry service | N | N | N | N | N | N | N | N | P | P | P | C | N | N | N | N |
| Liquor lounge | N | N | N | N | N | N | N | N | C | C | P | P | N | N | N | N |
| *Livestock sales | P | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| *Manufactured building sales | | | | | | | | | | | | | N | | | |
| *Manufactured home sales | | | | | | | | | | | | | N | | | |
| Medical support service | N | N | N | N | N | N | N | P | P | P | P | P | N | N | N | N |
| *Mini-warehouse | N | N | N | N | N | N | N | N | N | P | N | P | P | P | P | P |
| *Open air market | S | N | N | N | N | N | N | N | C | C | N | N | | N | N | N |
| Personal service | N | N | N | N | N | N | N | C | P | P | P | P | N | N | N | N |
| Pet cemetery | P | N | N | N | N | N | N | N | N | P | N | N | N | N | N | N |
| *Pet grooming shop | | | | | | | | | | | P | | | | | |
| Recreation, indoor | N | N | N | N | N | N | N | N | P | P | P | P | N | N | N | N |
| Recreation, outdoor | N | N | N | N | N | N | N | N | N | P | P | C | N | N | N | N |

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|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Restaurant, standard | N | N | N | N | N | N | N | N | N | P | P | P | P | P | P | N |
| Restaurant, fast food | N | N | N | N | N | N | N | N | N | N | P | P | P | P | P | N |
| Shopping center, community or regional | N | N | N | N | N | N | N | N | N | N | P | P | P | N | N | N |
| Shopping center, neighborhood | N | N | N | N | N | N | N | N | N | P | P | P | C | N | N | N |
| *Specialty retail center | N | N | N | N | N | N | N | N | C | P | P | P | P | N | N | N |
| *Specialty retail establishment or service | N | N | N | N | N | N | N | N | C | P | P | P | P | N | N | N |
| Stable | P | N | N | N | N | N | N | N | N | N | P | N | N | N | N | N |
| Studio | N | N | N | N | N | N | N | N | P | P | P | P | P | P | P | P |
| Tourist home or bed and breakfast inn | N | N | N | N | N | N | N | N | C | P | P | P | C | N | N | N |
| Vehicle repair service | N | N | N | N | N | N | N | N | N | N | P | P | C | P | P | P |
| Vehicle sales or rental | N | N | N | N | N | N | N | N | N | C | P | P | C | N | N | N |
| Vehicle service station | N | N | N | N | N | N | N | N | N | P | P | P | C | N | N | N |
| <i>Industrial Uses</i> | | | | | | | | | | | | | | | | |
| Construction service | N | N | N | N | N | N | N | N | N | N | C | P | N | P | P | P |
| Heavy industry | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P |
| Maintenance service | N | N | N | N | N | N | N | N | N | N | P | P | N | P | P | P |
| Manufacturing, general | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Manufacturing, light | N | N | N | N | N | N | N | N | N | N | N | N | C | P | P | P |
| *Recycling collection center | | | | | | | | | | | | | N | | | |
| Research lab | N | N | N | N | N | N | N | N | N | N | N | P | C | P | P | P |
| Resource extraction | C | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P |
| Salvage yard | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | P |
| Sanitary landfill | N | N | N | N | N | N | N | N | N | N | N | N | N | N | C | N |
| Transmission tower | S | N | N | N | N | N | N | S | S | P | P | C | P | P | P | |
| Vehicle and equipment repair, major | N | N | N | N | N | N | N | N | N | N | N | N | N | P | P | P |
| Vehicle and equipment sales, major | N | N | N | N | N | N | N | N | N | P | P | C | P | P | P | |
| Warehousing, wholesaling and distribution, enclosed | N | N | N | N | N | N | N | N | N | N | P | C | P | P | P | |
| Warehousing, wholesaling and distribution, open | N | N | N | N | N | N | N | N | N | N | N | N | S | P | P | |
| <i>Temporary Uses</i> | | | | | | | | | | | | | | | | |
| *Garage or yard sales | P | P | P | P | P | P | P | P | N | N | P | N | P | P | P | |
| Seasonal sales | S | S | S | S | S | S | S | S | P | P | P | P | P | P | P | |
| Special event | S | S | S | S | S | S | S | S | S | S | S | P | S | S | P | |

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(Ord. No. 1990-228(235), § 1, 2-20-90; Ord. No. 1990-262, § 1, 9-18-90; Ord. No. 1990-263, § 1, 9-18-90; Ord. No. 1990-264, § 1, 9-18-90; Ord. No. 1990-265, § 1, 9-18-90; Ord. No. 1991-279, § 1, 6-18-91; Ord. No. 1991-280, § 1, 6-18-91; Ord. No. 1991-281, § 1, 6-18-91; Ord. No. 1991-298, § 1, 10-1-91; Ord. No. 1995-508, 5-2-95; Ord. No. 2001-717, § 2, 2-31-01; Ord. No. 2002-42, 10-1-02; Ord. No. 2006-01, § 4, 1-17-06; Ord. No. 2008-07, § 1, 4-1-08; Ord. No. 2008-08, § 1, 4-1-08; Ord. No. 2010-14, § 1, 5-18-10; Ord. No. 2011-09, § 1, 4-5-11; Ord. No. 2012-07, § 1, 3-20-12; Ord. No. 2019-14, § 1, 9-3-19)

Secs. 51—59. - Reserved.

DIVISION 3. - SUPPLEMENTAL USE REGULATIONS

Sec. 60. - Purpose of supplemental use regulations.

This division assigns supplemental standards over and above those imposed by other sections of this ordinance. Although permitted in certain districts, some uses have unique characteristics that require these supplemental standards.

Sec. 61. - Farm.

- (a) The minimum lot area shall be 10 acres.
- (b) Dairy cattle, beef cattle, horses, small animals and poultry shall be housed not less than 200 feet from any adjacent lot not zoned AG.
- (c) The keeping of swine shall be prohibited.
- (d) Temporary sawmills and chippers used in connection with commercial forestry operations shall be set back at least 200 feet from any lot line.
- (e) Temporary or permanent living accommodations for farm tenants performing agricultural labor (farm tenant housing) shall be permitted.
- (f) A booth or stall (farm stand) from which produce and farm products are sold to the general public shall be permitted subject to the following limitations:
 - Sales areas shall be set back from all lot lines so as to meet the district yard requirements.
 - Sales areas shall not occupy any part of a required off-street parking or loading area.
- (g) Offensive animal odors shall not be detectable at the property line.
- (h) Housing for poultry shall not exceed 100 square feet.

(Ord. No. 2003-10, § 1, 4-10-03)

Sec. 62. - Hobby farm.

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- (a) The minimum lot area shall be five acres.
- (b) The keeping of the following farm animals shall be permitted:
 - Poultry;
 - Small livestock, such as sheep and goats; and
 - Horses and similar animals, such as ponies and donkeys.
- (c) The keeping of swine and large livestock shall be prohibited.
- (d) The use shall be subject to the following setback and area requirements:
 - Farm animals shall be housed not less than 100 feet from any adjacent lot not zoned AG.
 - At least one acre of lot area shall be required for each small livestock animal, horse, and similar animal, and a maximum of 20 poultry for every 8,000 square feet of lot area shall be permitted.
- (e) Offensive animal odors shall not be detectable at the property line.

Sec. 63. - Kennel.

- (a) All kennels, where permitted in residential districts, shall have a minimum lot area of 15,000 square feet.
- (b) All kennels shall provide shelters; dog kennels shall provide fenced runs or pens.
- (c) Offensive animal odors shall not be detectable at the property line.

(Ord. No. 2003-10, § 2, 4-10-03)

Sec. 64. - Accessory apartment.

- (a) Occupancy of the apartment shall be limited to household servants, caretakers or immediate family members to the resident of the principal dwelling. Immediate family members include any person who is a naturally or legally-defined offspring, spouse, parent, grandparent, sibling, aunt, uncle, niece, or nephew.
- (b) The apartment shall be attached to the principal dwelling, forming one structure that maintains the exterior appearance of a single family residence.
- (c) Each application for a permit shall include the following materials:
 - A scaled plot plan showing the location and dimensions of property lines, structures, parking, and improvements.

(Ord. No. 2003-10, § 3, 4-10-03)

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Sec. 65. - Accessory cottage.

- (a) Occupancy of the accessory cottage shall be limited to household servants, caretakers, or immediate family members to the resident of the principal dwelling. Immediate family member includes any person who is a naturally or legally-defined offspring, spouse, parent, grandparent, sibling, aunt, uncle, niece, or nephew.
- (b) Location of the cottage on the lot shall be limited to the rear of the principal dwelling or within the upper floor of a garage.
- (c) The floor area of the cottage shall not exceed 50% of the floor area of the principal dwelling.
- (d) Each application for a permit shall include the following materials:
 - A scaled plot plan showing the location and dimensions of property lines, structures, parking, and improvements.

(Ord. No. 2003-10, § 4, 4-10-03)

Sec. 66. - Accessory manufactured home.

- (a) Occupancy of the home shall be limited to household servants, caretakers, or immediate family members to the resident of the principal dwelling. Immediate family member includes any person who is a naturally or legally-defined offspring, spouse, parent, grandparent, sibling, aunt, uncle, niece, or nephew.
- (b) Location of the home shall be limited to the rear of the principal dwelling and be placed so as to avoid objectionable views from the street and surrounding residential properties.
- (c) Each application for a permit shall include the following materials:
 - A scaled plot plan showing the location and dimensions of property lines, structures, parking, and improvements.
 - A description of the methods to be applied, such as screening, landscaping, and careful placement on the site so as to avoid visual incompatibility from the street and surrounding residential properties.
- (d) The manufactured home shall be installed according to all requirements of the Alabama Manufactured Home Commission.
- (e) The manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development.

(Ord. No. 2003-10, § 5, 4-10-03)

Sec. 67. - Emergency care home.

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- (a) The use shall be conducted within a single family residence.
- (b) The building shall maintain the exterior appearance of a single family residence, with no separate outside entrances to individual bedrooms.
- (c) The emergency care home must be sponsored by a public or non-profit organization. State licensing requirements shall be met.
- (d) No emergency care home shall be located within 1,000 feet of another emergency care home as measured between lot lines.

Sec. 68. - Family care home.

- (a) The use shall be conducted within a single family residence.
- (b) The building shall maintain the exterior appearance of a single family residence, with no separate outside entrances to individual bedrooms.
- (c) The family care home must be sponsored by a public or non-profit organization. State licensing requirements shall be met.
- (d) No family care home shall be located within 1,000 feet of another family care home as measured between lot lines.

Sec. 69. - Garden apartment.

- (a) The maximum density shall be 16 dwelling units per acre, and the minimum site area shall be 14,000 square feet.
- (b) All buildings shall be set back at least 15 feet from all parking areas.
- (c) Not more than 16 dwelling units shall be permitted per building.
- (d) Buildings shall be spaced front to front, front to rear, front to side, and rear to rear at least to a distance equal to twice the tallest building height and spaced side to side and side to rear at least to a distance equal to the tallest building height.
- (e) At least 10% of the site area, but not less than 2,500 square feet, shall be improved for the recreational use by the apartment residents.

Sec. 70. - Manufactured home, class A.

- (a) The manufactured home shall have the wheels removed.
- (b) The manufactured home shall meet the same dimensional requirements for a single family residence in the same district.
- (c) The manufactured home shall be multi-sectional with a minimum width of 23 feet.
- (d)

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The manufactured home shall be covered with a non-reflective, exterior material customarily used on a single family residence, such as but not limited to lap siding, plywood, brick, stone, or stucco.

- (e) The manufactured home shall have a 2.5;inch; in 12;inch; minimum pitch roof. The roof shall be covered with non-reflective roof materials, such as but not limited to fiberglass shingles, asphalt shingles, or wood shakes.
- (f) The manufactured home shall be installed according to all requirements of the Alabama Manufactured Home Commission and be completely skirted with a weather-resistant material which resembles a permanent foundation commonly found on a single family residence. Skirting shall be adequately vented.
- (g) The manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development.

(Ord. No. 2003-10, § 6, 4-10-03)

Sec. 71. - Manufactured home, class B.

- (a) The manufactured home shall have the wheels removed.
- (b) The manufactured home shall meet the same dimensional requirements for a single family residence in the same district.
- (c) The manufactured home shall be installed according to all requirements of the Alabama Manufactured Home Commission. Each unit shall be completely skirted with a weather-resistant material that is compatible in texture and color to the siding on the face of the unit. Skirting shall be adequately vented.
- (d) The manufactured home shall bear a seal certifying compliance with the Manufactured Home Construction and Safety Standards Act promulgated by the U.S. Department of Housing and Urban Development.

(Ord. No. 2003-10, § 7, 4-10-03)

Sec. 72. - Manufactured home park.

- (a) *Uses and activities.* The manufactured home park shall be limited to the following uses and activities:
 - Manufactured home;
 - Management office;
 - Manager's residence;

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- Service facilities, such as laundromats, household storage buildings, outdoor storage yards, refuse disposal areas, and similar common service facilities designed and intended to serve only the residents of the park;
- Recreational facilities designed and intended to serve only the residents of the park;
- Retail convenience sales for residents of the park; and
- Residential accessory uses and structures.

- (b) *Site area.* The minimum site area for the manufactured home park shall be 10 contiguous acres.
- (c) *Density.* The maximum density shall be eight manufactured home spaces per gross acre. If not served by public water and sewer, the maximum density shall be two manufactured home spaces per gross acre or a lower density may be set by the County Health Department.
- (d) *Perimeter yards.* No manufactured home space or buildings shall extend into any required yards along the perimeter of the park, as listed below. The perimeter yards shall be reserved for screening and buffering yards and may also be used for common streets, walkways, and passive recreation areas (without structures). The screening and bufferyard standards of this ordinance may require wider perimeter yards, depending on the adjacent uses of land, and may place additional restrictions on the use of the perimeter yards.

—Front yard: 25 feet.

—Rear yard: 15 feet.

—Side yard: 10 feet.

- (e) *Area of manufactured home spaces.* Each manufactured home space shall meet the following area requirements which depend on the size of the unit to be placed on the space. The boundaries of each space shall be clearly marked on the ground by permanent flush stakes.

- (1) For spaces designed for single wide units:

With public sewer and water:

—Minimum area: 4,000 square feet.

—Minimum width at front setback line: 40 feet.

Without public sewer and water:

—Minimum area: 15,000 square feet.

—Minimum width at front setback line: 85 feet.

- (2) For spaces designed for double wide or multi-sectional units:

With public sewer and water:

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- Minimum area: 5,000 square feet.
- Minimum width at front setback line: 50 feet.

Without public sewer and water:

- Minimum area: 15,000 square feet.
- Minimum width at front setback line: 85 feet.

(f) *Setbacks and distancing of manufactured homes.*

- (1) Each manufactured home on a space shall be set back the following distances from the boundaries of each space:
 - Minimum front yard setback from the private street right-of-way which serves the space: 20 feet.
 - Minimum side yard setback: 5 feet.
 - Minimum rear yard setback: 10 feet.
- (2) Accessory buildings, such as storage units, shall not be permitted within the required 20 feet front yard of each space and shall not be permitted within five feet of the rear and side boundaries of each space. Carports shall be permitted within the front yard but shall not be permitted within five feet of the rear and side boundaries of each space.
- (3) No manufactured home shall be closer than 26 feet to any other manufactured home on an adjacent space.

(g) *Installation of manufactured homes.* All manufactured homes shall be installed according to all requirements of the Standard Building Code and be completed skirted.

(h) *Outdoor living area.* A 300 square feet outdoor living area shall be reserved on spaces of less than 7,000 square feet. Not less than 100 square feet, with a minimum dimension of 10 feet, shall be a hard-surfaced patio.

(i) *Storage facilities.*

- (1) A minimum 240 cubic feet storage area shall be provided on each space. The storage area may be under the unit or within an accessory building. Alternatively, the park management may provide common storage lockers at an equivalent capacity.
- (2) Vehicles and recreational equipment exceeding 7,500 pounds gross weight shall not be parked on any manufactured home space. The park management shall maintain a common storage yard. The outdoor storage yard shall be screened to a height of six feet.

(j) *Recreation areas.* At least 8% of the gross area of the park shall be improved for the recreational use of park residents, including active facilities in centralized locations.

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Service facilities.

- (1) Common laundromats may be provided for the use by park residents only.
- (2) Refuse collection and disposal shall be the responsibility of the park management. Common refuse disposal areas shall be provided and be screened to the full height of such facilities.
- (l) *Utilities.* All utility lines shall be placed underground.
- (m) *Parking.* Each manufactured home space shall have at least two side-by-side, dust-free surfaced parking spaces located off the common street right-of-way. Parking spaces shall be either perpendicular to the private street with minimum dimensions of 9 feet by 19 feet or parallel to the private street with minimum dimensions of 8 feet by 22 feet.
- (n) *Private streets and walkways.*
 - (1) Two-way private streets maintained by the park management shall be installed to furnish convenient access to all manufactured home spaces within the park. To the furthest extent practicable, streets shall follow natural land contours and be curvilinear in design. No manufactured home space shall have its own direct access to a public street.
 - (2) Street surfaces shall be asphalt or concrete and shall have minimum surface widths and maximum gradients determined according to the number of manufactured home spaces served by the street, as follows:

| Number of Spaces Served | Surface Width | Gradient |
|-------------------------|---------------|----------|
| 25 spaces | 26 feet | 6% |
| 7—25 spaces | 24 feet | 8% |
| 7 spaces | 22 feet | 12% |

- (3) Curb and gutter shall be required, except where six feet wide shoulders and drainage swales align either side of the street within a common right-of-way. In such cases, street surface widths may be reduced by four feet to not less than 20 feet, but street grades shall not exceed 6%. Street surface widths shall be increased by six feet for each parallel parking lane on either side of the street. Sufficient common right-of-way shall be provided to accommodate streets, drainage ways, walkways along streets (where provided), and utilities, but in no event shall the common right-of-way be less than 24 feet.
- (4) Dead-end streets shall have turnarounds with a minimum radius of 40 feet.
- (5) Minimum three feet wide, dust-free surfaced walkways shall link manufactured home spaces with one another and common park facilities. Required walkways shall be common areas and not extend onto any manufactured home space.

(o) *Drainage and flood controls.*

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- (1) To the maximum practicable extent, the development of the manufactured home park shall conform to the natural contours of the land, keeping natural drainage ways undisturbed. The park drainage system shall connect to adequate drainage channels of surrounding properties and streets.
 - (2) Stormwater management controls shall be provided on-site to prevent the sudden discharge of surface water onto adjacent properties. The quantity and rate of runoff after development shall not exceed the quantity and rate of runoff before development, based on a 25-year storm frequency.
- (p) *Lighting.* Outdoor lighting, where installed, shall be directed to prevent glare on adjacent properties and manufactured homes within the park.
- (q) *Residential accessory uses and structures.* Residential accessory uses within manufactured homes and accessory structures on manufactured home spaces shall be subject to the following provisions:
- (1) Permitted accessory uses within manufactured homes shall include the same accessory uses permitted within single family residences and subject to the same limitations, including day care homes, home instruction, and home occupations.
 - (2) Permitted accessory structures on manufactured home spaces shall include all accessory structures permitted on the lots of single family residences, except for private swimming pools and satellite dish antennae.

(Ord. No. 2003-10, § 8, 4-10-03)

Sec. 73. - Multiplex.

- (a) The maximum density shall be 12 dwelling units per acre, and the minimum site area shall be 11,000 square feet.
- (b) All buildings shall be set back at least 15 feet from all parking areas.
- (c) Not more than four dwelling units shall be permitted per building.
- (d) Buildings shall be spaced front to front, front to rear, front to side, and rear to rear at least to a distance equal to twice the tallest building height and spaced side to side and side to rear at least to a distance equal to the tallest building height.
- (e) At least 10% of the site area shall be improved for the recreational use by the apartment residents.

Sec. 74. - Multi-story apartment.

- (a) The maximum density shall be 24 dwelling units per acre, and the minimum site area shall be 8,000 square feet.
- (b) All buildings shall be set back at least 15 feet from all parking areas.

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- (c) Buildings shall be spaced front to front, front to rear, front to side, and rear to rear at least to a distance equal to twice the tallest building height and spaced side to side and side to rear at least to a distance equal the tallest building height.
- (d) At least 10% of the site area shall be improved for the recreational use by the apartment residents.

Sec. 75. - Patio home.

- (a) Subdivision of lots for patio homes outside of a planned residential development shall be restricted to tracts with a minimum site area of three or more acres. The maximum density shall be seven dwelling units per acre.
- (b) Except within a planned residential development, the patio home shall meet the following dimensional requirements:
 - Minimum lot area: 6,000 square feet
 - Minimum lot width: 50 feet
 - Minimum front yard: 20 feet
 - Minimum side yard: 8 feet
 - Minimum rear yard: 15 feet
 - Maximum building height: 1½ stories
- (c) An attached garage to a dwelling may share a common party wall with an attached garage on an adjacent lot used for a patio home on either side.
- (d) All yard areas behind the front building line shall be fully enclosed by an opaque fence or wall along the side and rear lot lines to form a private yard area of at least 600 square feet. Not less than 100 square feet of the private yard area, with a minimum dimension of 10 feet, shall be a hard-surfaced patio or porch. Patio homes on adjacent lots to the rear or sides may own and maintain common party fences or walls. All living spaces within the dwelling shall open onto the private yard area.
- (e) All utilities shall be placed underground.
- (f) All lots shall be served by public water and sewer.

Sec. 76. - Planned residential development.

- (a) The maximum density of the development shall be six dwelling units per acre, and the minimum site area for the development shall be five contiguous acres.
- (b) The following dimensional requirements shall be met:

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(1) *Single family residence:*

- Minimum lot area: 6,000 square feet
- Minimum lot width: 50 feet
- Minimum front yard: 30 feet
- Minimum front yard: 30 feet
- Minimum side yard: 10 feet
- Minimum rear yard: 20 feet
- Maximum building height: 1½ stories

(2) *Patio home:*

- Minimum lot area: 4,500 square feet
- Minimum lot width: 45 feet
- Minimum front yard: 20 feet
- Minimum side yard: 8 feet*
- Minimum rear yard: 15 feet
- Maximum building height: 1½ stories

*To permit zero lot-line development, one side yard may be reduced to zero, provided a five foot easement of maintenance is reserved on the adjoining lot and buildings are separated by at least 20 feet.

(3) *Townhouse:*

- Minimum lot area—interior unit: 2,000 square feet
- Minimum lot area—end unit: 3,500 square feet
- Minimum lot width—interior unit: 18 feet
- Minimum lot width—end unit: 35 feet
- Minimum front yard: 20 feet
- Minimum side yard—end unit: 15 feet
- Minimum rear yard: 15 feet

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—Maximum building height: 35 feet

- (c) Common open space set aside in a subdivision shall comprise at least 20% of the total site area and not less than 10,000 contiguous square feet. At least 50% of the required open space shall be developed for common recreational purposes.
- (d) The yard requirements for the district shall apply only to the outside perimeter of the development. The perimeter yards shall be maintained as common areas reserved as common open space or common driveways or parking areas.
- (e) All utilities shall be placed underground.
- (f) All lots shall be served by public water and sewer.
- (g) Each dwelling type shall meet all supplemental use regulations established elsewhere by this division, except where the requirements established by this section differ.
- (h) The following example describes the formula which shall be used to calculate the maximum number of dwellings and minimum required open space and recreation space:

| | | |
|---|--|---|
| Step 1. Determine DWELLING TYPE: | | |
| | —Note permitted dwellings types: | single family residence patio house townhouse |
| | —Select desired dwelling type | townhouse |
| Step 2. Calculate SITE AREA of tract: | | |
| | —Take gross area of tract zoned R-P (from an on-site survey): | 35 acres |
| | —Subtract land proposed for another use: | - 15 acres |
| | —Subtract non-contiguous land: | - 3 acres |
| | —Subtract street rights-of-way: | - 2 acres |
| | —Equals total site area: | 15 acres |
| Step 3. Calculate MAXIMUM NUMBER OF DWELLINGS: | | |
| | —Take total site area: | 15 acres |
| | —Multiply by maximum density in dwelling units per acre: | × 6 units per acre |
| | —Equals maximum number of dwellings (rounded to the nearest whole number) | 90 townhouses |
| Step 4. Calculate MINIMUM REQUIRED OPEN SPACE: | | |
| | —Take total site area: | 15 acres |
| | —Multiply by 20%: | × 20% |
| | —Equals minimum required open space in acres (rounded to the nearest tenth): | 3.0 acres |
| Step 5. Calculate MINIMUM REQUIRED RECREATION SPACE: | | |
| | —Take minimum required open space: | 3.0 acres |
| | —Multiply by 50%: | × 50% |

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| | |
|---|-----------|
| —Equals minimum required open space in acres (rounded to the nearest tenth) | 1.5 acres |
|---|-----------|

Cross reference— See § 75 for additional patio home requirements and § 77 for additional townhouse requirements.

Sec. 77. - Townhouse.

- (a) Subdivision of lots for townhouses outside of a planned residential development shall be restricted to tracts with a minimum site area of 9,000 square feet. The maximum density shall be 14 dwelling units per acre.
- (b) Except within a planned residential development, each townhouse shall meet the following dimensional requirements:
 - Minimum lot area—interior unit: 2,500 square feet
 - Minimum lot area—end unit: 4,500 square feet
 - Minimum lot width—interior unit: 22 feet
 - Minimum lot width—end unit: 45 feet
 - Minimum front yard: 20 feet
 - Minimum side yard—end unit: 20 feet
 - Minimum rear yard: 15 feet
 - Maximum building height: 35 feet
- (c) Not more than eight dwelling units shall be permitted per building.
- (d) A 300 square foot fenced or walled private yard area shall be provided on lots of less than 7,000 square feet. Not less than 100 square feet of the private yard area, with a minimum dimension of 10 feet, shall be a hard-surfaced patio or porch. Townhouses on adjacent lots to the rear or sides may own and maintain common party fences or walls. All living spaces within the dwelling shall open onto the private yard area.
- (e) All utilities shall be placed underground.
- (f) All lots shall be served by public water and sewer.

Sec. 78. - Cemetery.

- (a) The minimum site area shall be 5 acres.
- (b)

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Each grave site shall be set back a minimum distance of 50 feet from any property line of the cemetery.

Each columbarium or mausoleum shall be set back a minimum distance of 200 feet from any property line of the cemetery.

- (c) A six foot high protective wall or fence shall be located along all property lines, except at points of vehicular access where gates with locks shall be maintained. The cemetery shall be exempt from any required screening and bufferyard along a public right-of-way.
- (d) No grave site shall be located closer than 150 feet from a water line or underground water supply.

Sec. 79. - Bank or financial service.

Where located in the B-T or B-1 District, no repossessed or acquired items shall be displayed or stored on the premises.

Sec. 80. - Campground.

- (a) *Uses and activities.* The campground shall include individual campsites for travel trailer or tents but may also include following uses and activities:
 - Hotel, motel, or similar guest accommodations;
 - Facilities designed to serve only the park guests, such as restaurants, cafeteria, laundromats, retail concession sales, bathing facilities; recreational facilities, and similar guest facilities; and
 - Accommodations for resident personnel employed by the campground management.
- (b) *Site area.* The minimum site area shall be 10 contiguous acres.
- (c) *Density.* The maximum number of campsites per acre shall be 15.
- (d) *Perimeter yards.* No campsite or building shall extend into any required yards along the perimeter of the park, as listed below. The perimeter yards shall be reserved for screening and buffering yards and may also be used for common streets, walkways, and passive recreation areas (without structures). The screening and bufferyard standards of this ordinance may require wider perimeter yards, depending on the adjacent uses of land, and may place additional restrictions on the use of the perimeter yards.
 - Front yard: 50 feet
 - Rear yard: 30 feet
 - Side yard: 30 feet
- (e) *Dimensions.* The minimum area for each campsite shall be 1,500 square feet with a minimum width of 40 feet. Boundaries shall be clearly marked on the ground by permanent flush stakes.

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- (f) *Pad.* Each campsite shall have a level pad for parking a travel trailer or installing a tent.
- (g) *Recreation space.* At least 15% of the site area of the park shall be devoted to usable recreation space.
- (h) *Restroom facilities.* Common restroom and bathing facilities to meet the needs of park guest at full capacity are required.
- (i) *Streets.* One or two-way private streets shall be provided to furnish access to each campsite and other park facilities. The street surface may be graveled or paved. Surface widths of streets shall be 12 feet per travel lane plus six feet per parallel parking lane on either side. Maximum gradients shall be 12%. Dead end streets shall provide turnarounds with a minimum 40 feet radius.
- (j) *Parking.* One and one-half parking spaces shall be provided in the park for each campsite. One 9 feet by 19 feet space shall be provided on each campsite.
- (k) *Utilities.* All utility lines shall be placed underground.
- (l) *Refuse disposal.* Refuse collection and disposal shall be the responsibility of the campground management. Dumpsters in centralized locations shall be provided.

Sec. 81. - Convenience store.

Where located in the B-T District, the following limitations shall apply:

- (1) No parking space shall occupy a required front yard which shall be kept landscaped and free of signs.
- (2) Sale of automotive fuels shall be prohibited.

Sec. 82. - Home occupation.

- (a) Customary home occupations shall be limited to office, artistic and craft pursuits, fix-it services, and similar limited activities but shall exclude barber shops, beauty shops, clinics, fortune tellers, automobile repair or body shops, automobile sales, storage of contractors' supplies, and similar activities.
- (b) The use shall be conducted entirely within the dwelling and be confined to not more than 25% of the livable floor area.
- (c) Employment shall be limited to residents of the dwelling.
- (d) No customers or clients shall be permitted on the premises. All goods and services shall be delivered to the consumer.
- (e) Not more than one, non-illuminated, wall-mounted sign of two or less square [feet] of area shall be permitted per dwelling.

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Sec. 83. - Livestock sales.

Sales areas shall be set back at least 200 feet from any lot line.

Sec. 84. - Mini-warehouse.

- (a) No storage space shall exceed 400 square feet in area and one story in height.
- (b) Each storage space shall be served by a paved driveway of 15 feet minimum width for each direction of travel.
- (c) The entire site shall be enclosed by security fencing and be kept lit with security lighting throughout.

(Ord. No. 2003-10, § 9, 4-10-03)

Sec. 85. - Open air market.

- (a) Display areas shall not occupy any part of a required off-street parking or loading area.
- (b) Display areas shall be set back from all lot lines so as to meet the district yard requirements.

Sec. 86. - Specialty retail center.

- (a) The center shall have a minimum site area of one acre and maximum site area of less than three acres.
- (b) Where located in the B-T and B-1 Districts, the following limitations shall apply:
 - (1) Permitted uses shall be limited to the following commercial uses:
 - All permitted commercial uses in the B-T or B-1 District.
 - Small retail specialty stores and services such as antique shops, curio shops, hobby shops, gift shops, appliance stores, ice cream stores, import food stores, delicatessens, bakeries, home furnishings stores, import shops, book stores, baby stores, pet stores, sporting goods stores, florists, photo shops, clothing stores, shoe stores, jewelry stores, tobacco stores, candy stores, sporting goods stores, bicycle shops, toy stores, and other retail sales and services determined by the Zoning Administrator to be of an equivalent specialized nature but excluding department stores, variety stores, automotive uses, recreation uses, and uses involving any outdoor display or sales.
 - (2) Each specialty retail use within the center shall occupy no more than 2,000 square feet of gross leasable area.
 - (3) The maximum building height shall be one story.
 - (4)

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No parking space shall occupy a required front yard which shall be kept landscaped and free of signs.

Sec. 86.1. - Reserved.

Editor's note— Ord. No. 2009-08, § 1, adopted April 21, 2009, repealed former § 86.1 in its entirety which pertained to specialty retail establishments or services and derived from Ord. No. 2002-42, adopted Oct. 1, 2002.

Sec. 87. - Resource extraction.

- (a) No soil, sand, gravel, clay, minerals, or similar material shall be removed by surface mining, stripping, or open field mining operations.
- (b) No soil, sand, clay, gravel, minerals, or similar material shall be removed in such a manner as to cause water to collect or as to result in a menace or danger to the public health, safety, or welfare.

Sec. 88. - Garage or yard sales.

Garage or yard sales on the same lot shall not be conducted for more than three days (whether consecutive or not) during any 90-day period.

Sec. 89. - Pet grooming shop.

- (a) Medical or surgical treatment commonly performed by a veterinarian shall be prohibited.
- (b) The breeding or raising of small animals shall be prohibited.
- (c) Holding areas for animals shall be limited to the shop.
- (d) Short term boarding of small animals shall be prohibited in the B-T (Transition Business) zoning district.

(Ord. No. 2009-09, § 2, 4-21-09)

Sec. 90. - Manufactured housing and duplexes within the AG (Agricultural) districts.

- (a) One (1) duplex and/or one (1) manufactured housing unit shall be permitted upon each parcel of property zoned in the AG (Agricultural) Zoning District. Said duplex or manufactured housing Unit may be occupied by persons employed upon the property upon which the duplex or manufactured housing unit is located, together with those persons who reside with said employees as part of one single family unit.
- (b) The subdivision of a parcel of land located in the AG Zoning District shall not cause said subdivided parcel to be considered as multiple parcels for purpose of the placement of multiple dwelling units on said multiple parcels. A parcel of land located in the AG Zoning District and

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subdivided shall, for purposes of the application of this supplemental use regulation, be considered one lot.

(Ord. No. 2007-14, § 1, 4-17-07)

Sec. 91. - Single-family residence within B-4 Zoning District.

- (a) This section applies only to single-family residences which were in existence within a B-4 Zoning District on July 5, 2010.
- (b) A single-family residence within a B-4 Zoning District is a nonconforming use, and may be maintained consistent with the provisions of Division 3 of Article VII of the Jasper Zoning Ordinance.
- (c) In the event of the destruction of a single-family residence within a B-4 Zoning District, notwithstanding the provision of subsection 293(a) and section 294 of Division 3 of Article VII of the Jasper Zoning Ordinance, the same may be replaced; provided, However, that such replacement must be either:
 - (1) Entirely within the "footprint" of the nonconformity as the same existed prior to the destruction of the residence; or
 - (2) Entirely in conformity with the dimensional and setback requirements of the B-4 Zoning District.

(Ord. No. 2010-27, 9-21-10)

Sec. 92. - Gasoline and service stations.

Attached and detached canopies shall not extend closer than 15 feet from the front and side property line in the B-1, B-2, and B-4 zoning districts.

(Ord. No. 2010-15, § 1, 5-18-10)

Secs. 93. - Auto body repair facility in the B-4 (I-22 Business Corridor) district.

Auto body repair facilities are permitted in B-4 (I-22 Business Corridor) district subject to the following:

- (1) All damaged vehicles should be screened from public view either in an enclosed building or minimum of eight-foot fencing. Such fencing shall be of a material approved by the zoning administrator.
- (2) All vehicles associated with towing or towing apparatus shall be kept within an enclosed building or behind required fencing.
- (3) Fence shall be maintained in good condition as not to allow the vehicles or towing apparatus to be seen from public view.

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- (4) All required fencing shall be located to the rear of the building. For double frontage or corner lots, the fencing shall be located in an area to avoid objectionable views.
- (5) In no event shall property/facility be used as a salvage yard, junk yard or recycling collection center.

(Ord. No. 2012-07, § 1, 3-20-12)

Editor's note— Ord. No. 2012-07, § 1, adopted March 20, 2012, amended Appendix A by adding provisions a § 90. In order to avoid conflicts in section numbering the editor has redesignated these provisions as § 93.

Sec. 94. - Climate-control storage facility.

- (a) After receiving conditional use approval, a climate-controlled storage facility can also contain leasable square footage not to exceed 20 percent of the gross square footage of the facility, for meeting rooms, copy rooms and similar ancillary purposes.
- (b) Where it is proposed to accommodate other uses on the same development site, the applicant shall submit an overall master plan for the total development of the site. No storage bay or unit shall be used as a place of business, and no business license shall be approved for the climate-controlled facility other than that for the facility owner/operator.
- (c) No storage bay or unit shall contain plumbing or more than one electrical outlet.
- (d) All cladding materials for structures shall be described in the application and/or the site plan. Building facades that will be visible to a public right-of-way shall consist of natural materials such as wood or stone, or manufactured products such as brick, stucco, or architectural decorative concrete block, or other such materials as may be approved by the Planning Commission. All structural supports, such as columns, for vehicular canopies shall be clad in one or more of the same materials as the building facades.
- (e) One parking space per 20 units shall provided.

(Ord. No. 2011-09, § 2, 4-5-11)

Secs. 95—109. - Reserved.

ARTICLE IV. - DISTRICT DIMENSIONAL REGULATIONS

Sec. 110. - Compliance with district dimensional regulations.

Unless otherwise provided by this ordinance, all uses and activities established after the effective date of this ordinance shall comply with the dimensional requirements established by this article.

Sec. 111. - Dimensional terms defined.

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The following dimensional terms when used in this ordinance shall have the meanings defined by this section.

Building height. The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

Lot area or lot size. The minimum area contained within the property of the individual parcels of land shown on a subdivision plat or survey. Lot area excludes any area within an existing or future street right-of-way or any area devoted to common open space.

Lot width. The minimum distance measured between the side lot lines at the required building setback line. In the case of only one side lot line, lot width is the distance measured between the side lot line and the opposite lot line.

Yard. A minimum open area unobstructed from the ground up on the same lot with a structure, extending along a lot line and inward to the structure. The yard shall be measured as the shortest distance between the structure and a lot line.

Yard, front. A minimum yard between a structure and a front lot line and extending the entire length of the front lot line. In the case of a double frontage lot that fronts on more than one street, the yards extending along all streets are front yards. In the case of a corner lot, the yard extending along the street line of least dimension.

Yard, rear. A minimum yard between a structure and a rear lot line and extending the entire length of the rear lot line. In the case of a double frontage lot, there are no rear yards but only front and side yards.

Yard, side. A minimum yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of an odd-shaped lot, any yard that is not a front or rear yard is a side yard. In the case of a double frontage lot, any yard that is not a front yard is a side yard.

Cross references—See [§ 331](#) for interpretation of definitions, [§ 332](#) for word usage, [§ 333](#) for general terms defined, and [§ 334](#) for uses defined.

Sec. 112. - Minimum lot area.

- (a) Unless otherwise provided by this article or the supplemental use regulations in Article III, all lots in the following districts shall have the minimum lot area indicated in the following table:

Table II. Minimum Lot Area Requirements

| District | Minimum Lot Area |
|----------|--------------------|
| AG | 20,000 square feet |
| R-1 | 14,000 square feet |
| R-2 | 10,500 square feet |

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|-----|-------------------|
| R-3 | 7,000 square feet |
| R-P | 7,000 square feet |
| R-4 | 7,000 square feet |
| R-5 | 7,000 square feet |
| B-T | none |
| B-1 | none |
| B-2 | none |
| B-3 | none |
| M-1 | none |
| M-2 | none |

(b) Any lot not served by public water and sewer shall have a minimum lot area of 20,000 square feet. The County Health Department may set a different minimum lot area requirement to accommodate private wells or septic systems. Where the district dimensional regulations of the table in subsection (a) above or the supplemental use regulations in Article III require a lot area greater than 20,000 square feet or one acre the provisions of the above table or the supplemental use regulations shall apply.

(Ord. No. 1990-260, § 1, 9-18-90; Ord. No. 2004-05, § 1, 1-6-04; Ord. No. 2022-12, § 1, 6-7-22)

Cross references—For special lot/site area requirements, see § 61 for farm, § 62 for hobby farm, § 63 for kennel, § 69 for garden apartment, § 72 for manufactured home park, § 73 for multiplex, § 74 for multi-story apartment, § 75 for patio home, § 76 for planned residential development, § 77 for townhouse, § 78 for cemetery, § 80 for campground, § 86 for specialty retail center, and § 334 for neighborhood and community or regional shopping centers.

Sec. 113. - Minimum lot width.

(a) Unless otherwise provided by this article or the supplemental use regulations in Article III, all lots within each district shall have the minimum widths indicated in the following table:

Table III. Minimum Lot Width Requirements

| District | Minimum Lot Width |
|----------|-------------------|
| AG | 300 feet |
| R-1 | 100 feet |
| R-2 | 75 feet |
| R-3 | 50 feet |
| R-P | 60 feet |
| R-4 | 60 feet |
| R-5 | 60 feet |
| B-T | 125 feet |
| B-1 | 125 feet |

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| | |
|-----|----------|
| B-2 | 0 feet |
| B-3 | none |
| M-1 | 150 feet |
| M-2 | 150 feet |

- (b) *Reduction of lot width in commercial and industrial districts.* Except as provided in the supplemental use regulations in Article V, where a lot within the B-T, B-1, B-2, M-1, or M-2 District fronts a marginal access or local street, the minimum lot width requirement in the above table may be reduced to 50 feet.
- (c) *Flag lots.* Flag lots may be created in accordance with the following provisions:
- (1) The subdivision of a flag lot for a single dwelling unit shall be permitted, only in the following instances:
 - a. Where the flag lot makes it possible to better use irregularly shaped properties with unusual topographic limitations.
 - b. Where the flag lot is used to eliminate residential access to a major collector or arterial street.
 - (2) The flag lot shall comply with the following standards:
 - a. The lot shall have direct access via an improved driveway of 10 feet minimum width to a public street. The driveway shall be located within the narrow portion of the lot (the flag pole) extending from the public street to a parking area. A shared driveway shall have a minimum width of 16 feet.
 - b. The minimum lot width at the street line shall be 25 feet and the maximum shall be 50 feet. The lot width at the street line shall not narrow until the minimum lot width for a standard lot is achieved.
 - c. The front yard for a flag lot shall be a distance equal to the front yard requirement for the district and shall be measured from the point where the standard minimum lot width for the district is met.
 - d. The narrow portion of the lot (the flag pole) shall not be included as part of the lot area in determining the district minimum.
 - e. Two contiguous flag lots may share access provided an easement is granted to each adjoining lot. No more than two flag lots may be contiguous.

(Ord. No. 1992-334, § 1, 6-16-92; Ord. No. 2003-10, § 12, 4-10-03)

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Sec. 114. - Minimum yards.

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Sec. 115. - Maximum building height.

Sec. 116. - Frontage requirement.

Sec. 117. - Traffic visibility at intersections.

Sec. 118. - Dimensional requirements for accessory buildings.

Sec. 119. - Downtown Business District Balconies (B-3 Zoning Districts).

Secs. 120—129. - Reserved,

ARTICLE V. - SPECIAL PURPOSE DISTRICT REGULATIONS

DIVISION 1. - GENERALLY

Sec. 130. - Applicability.

The provisions of this article shall apply to all properties designated by a special purpose zone.

Secs. 131—139. - Reserved.

DIVISION 2. - PUD PLANNED UNIT DEVELOPMENT DISTRICT

Sec. 140. - Purpose of PUD Planned Unit Development District.

This district permits large tracts of five or more acres to be planned and developed as an integral unit under single ownership or control, consisting of a combination of residential and non-residential uses. The district intent is to provide a living, working, and shopping environment within the development that contributes to a sense of community and a coherent living style. Further, the district seeks to:

- (1) Provide a development framework that obtains commercial and industrial business activity that significantly improves the economic development of the community;
- (2) Encourage the preservation and enhancement of the natural amenities of land and protect natural features; and
- (3) Reduce improvement costs through more efficient arrangement of varied land uses, buildings, circulation systems, and infrastructure.

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Sec. 141. - Establishment of PUD Planned Unit Development District.

A Planned Unit Development District may be established for any tract with a minimum site area of five acres. The Planned Unit Development (referred to as *PUD*) shall consist of a combination of residential and non-residential uses planned and developed as an integral unit under single ownership or control.

Sec. 142. - PUD use regulations and development standards.

- (a) A minimum of 25% of the PUD site area shall be developed for single family residences in accord with the requirements of the R-2 Single Family Residence District. Permits for uses other than single family residences shall not be issued until a final subdivision plat for the single family residences is approved by the Planning Commission. The purpose of this limitation is to ensure that the PUD procedure is not used, intentionally or unintentionally, to create higher density residential or non-residential uses except as part of a primarily single family residential development.
- (b) The remaining areas of the PUD may be developed in any combination of the following uses as listed in the Table of Permitted Uses, provided not more than 50% of the PUD site area is developed for non-residential purposes.
 - (1) Any use permitted in the R-P Planned Residential District in accord with the R-P District regulations.
 - (2) Any use permitted in the R-5 Multi-Family Dwelling District in accord with the R-5 District regulations.
 - (3) Any use permitted in the B-2 Community Service District in accord with the B-2 District regulations. Such uses shall not exceed 10% of the PUD site area.
 - (4) Any use permitted in the M-1 Light Industrial District in accord with the M-1 District regulations. Such uses shall not exceed 5% of the PUD site area.

Sec. 143. - PUD application requirements.

A conceptual site plan shall accompany each application for rezoning to the PUD District. Development of the PUD shall be in substantial accord with the approved conceptual site plan. The site plan shall be drawn to scale and dimensioned, prepared by a professional engineer, land surveyor, architect, or landscape architect licensed to practice in the State of Alabama. The site plan shall show, in schematic detail, the concept for use and development of the entire PUD tract, including the location of proposed uses and major buildings, the proposed residential development density, housing types, dimensional standards on all lots, layout of roads, location of all entrances to the tract, and layout and configuration of common open space. Also, a brief narrative text shall accompany the rezoning application, describing the general design and

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architectural policies for the PUD, the treatment of environmentally sensitive land located in the project tract, and the proposed time frame for phased development. Once the PUD zoning is approved, the developer shall also comply with the required site plan and subdivision approval procedures of this chapter.

Cross references—See § 274 for site plan review procedures and §§ 300—309 for rezoning procedures.

Secs. 144—149. - Reserved.

DIVISION 3. - MR MUNICIPAL RESERVE DISTRICT

Sec. 150. - Purpose of MR Municipal Reserve District.

The district serves as an interim zone for newly annexed areas of the municipality. The MR District seeks to protect newly annexed areas prior to the time comprehensive zoning can be enacted.

Sec. 151. - Zoning of annexed property.

On the effective date of annexation all newly-annexed property shall be zoned MR Municipal Reserve District.

Sec. 152. - Rezoning from the MR District.

As soon as practicable following annexation, the Planning Commission shall initiate a petition to rezone property annexed into the City from the MR District to any other district contained within this ordinance. In determining the most appropriate zone, the Planning Commission shall duly consider the following items, among others:

- (1) The comprehensive plan;
- (2) The desires of the property owners subject to rezoning;
- (3) The purposes and considerations of zoning, as required by Section 5 of this ordinance and section 11-52-72 of the Code of Alabama.

Cross reference— See §§ 300—309 for rezoning procedures.

Sec. 153. - Permitted uses and development standards.

All uses in existence at the time of annexation may lawfully continue under the provisions of the MR District, in accord with the R-1 District development standards.

Sec. 154. - Action on annexation ordinances.

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All annexation ordinances enacted by the City shall include the provision that the property shall be temporarily zoned MR. A copy of the annexation ordinance shall be transmitted to the Zoning Administrator and Planning Commission for action.

Secs. 155—159. - Reserved.

DIVISION 4. - FLOOD HAZARD DISTRICT

Sec. 160. - Purpose of F Flood Hazard District.

This district intends to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions.

Sec. 161. - Overlay district concept.

The provisions of this district shall be overlay provisions to the existing underlying zoning districts. All properties within the district shall be designated by the F suffix added to the underlying district prefix, i.e., R-1F. As overlay provisions, the requirements of this district shall serve as a supplement to the underlying zoning district provisions. Where there happens to be any conflict between the provisions of this overlay district and the provisions of the underlying district, the more restrictive provisions shall apply.

Sec. 162. - Compliance with Flood Hazard District regulations.

- (a) No land shall hereafter be developed and no structure shall be located, relocated, constructed, enlarged, converted, or structurally altered except in full compliance with the terms of this district and other applicable regulations.
- (b) The provisions of this district are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these provisions and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (c) The provisions of this district supersede any regulations currently in effect in flood-prone areas. However, any underlying regulations shall remain in full force and effect to the extent that those provisions are more restrictive.

Sec. 163. - Flood hazard terms defined.

The following flood hazard terms when used in this district shall have the meanings defined by this section.

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Base flood or 100-year flood. The flood having a one percent chance of being equaled or exceeded in any given year.

Development. Any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land areas during the 100-year base flood.

Floodplain. A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation during the 100-year base flood; an area subject to the unusual and rapid accumulation or runoff of surface waters from any source during the base flood.

Floodway. The designated area of the floodplain required to carry and discharge flood waters of a given magnitude during the base flood.

Floodway fringe. That area of the floodplain not included in the floodway.

Lowest floor. Includes the lowest enclosed area of a structure (including basement). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this district.

Mean sea level. The National Geodetic Vertical Datum (NGVD) of 1929 or other datum used as a reference for establishing various elevations within the floodplain.

Manufactured home. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Start of construction (includes substantial improvement). The date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or

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foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Structure. Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

Substantial improvement. Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

*Cross references—*See [§ 331](#) for interpretation of definitions, [§ 332](#) for word usage, [§ 333](#) for general terms defined, and [§ 334](#) for uses defined.

Sec. 164. - Flood Hazard District boundaries.

- (a) All properties included within the 100-year floodplain boundary on the Flood Boundary and Floodway Maps and Flood Insurance Rate Maps published by the Federal Emergency Management Agency, effective date June 15, 1981, or as later amended, and areas along all small streams specified by this division shall be included within the F Flood Hazard District boundaries. All designated properties within the Flood Hazard District shall be referred to by a suffix to the underlying zoning district designation (i.e., R-1-F, B-2-F, etc.)
- (b) All Flood Boundary and Floodway Maps and Flood Insurance Rate Maps published by the Federal Emergency Management Agency, dated effective June 15, 1981, and any subsequent revisions, and the Flood Insurance Study, dated December 15, 1980, with supporting data and maps, are hereby adopted by reference and declared to be supplemental to the provisions of this district.
- (c) The delineation of any of the floodplain areas within the Flood Hazard District may be revised by the City Council where natural or man-made changes have occurred or detailed studies conducted or undertaken by the U.S. Army Corps of Engineers or other qualified agency, or an individual document or study indicate the need for revision. Such studies may include, but not be limited to U.S. Soil Conservation Service soil reports, U.S. Geological Survey topographic surveys, or reports of the City Engineer or other qualified consultant. However, prior to any such revision,

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approval must be obtained from the Federal Emergency Management Agency. Upon final approval of the revised delineation of the regulated floodplain, the City shall give notice of the revisions to the Alabama Department of Economic and Community Affairs.

- (d) Where interpretation is needed as to the exact location of boundaries of the Flood Hazard District or any floodplain areas within the district (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Zoning Administrator shall make the necessary interpretation. Should a dispute arise concerning the boundaries of the district, an administrative appeal may be filed with the Zoning Board of Adjustment.

Cross references—See § 32 for determination of precise location of district boundaries and § 278 for appeal of Zoning Administrator's determination.

Sec. 165. - Floodplain areas.

The Flood Hazard District includes various areas subject to flooding. The primary basis for the delineation of these areas shall be the Flood Insurance Study for Jasper, Alabama prepared by the Federal Emergency Management Agency, dated December 15, 1980 and subsequent amendments. The delineations of the floodplain for the purposes of this district shall be as follows:

- (1) *Floodway*. The floodway is delineated using the criteria that a certain areas within the floodplain must be capable of carrying the waters of the 100-year flood without increasing the water surface elevation of that flood at any point. These floodways are more specifically defined in the above-referenced Flood Insurance Study and are shown on the Flood Boundary and Floodway Maps accompanying that study.
- (2) *Floodway fringe*. The floodway fringe shall be that area of the 100-year floodplain not included in the floodway. The basis for the outermost boundary of the floodway fringe shall be the 100-year flood elevations contained in the flood profiles of the above-referenced Flood Insurance Study, and the boundaries are shown on the Flood Boundary and Floodway Maps accompanying that study.
- (3) *Approximated floodplain*. The approximated floodplain shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a 100-year floodplain boundary has been approximated. Such areas are shown on the Flood Boundary and Floodway Maps and Flood Insurance Rate Maps. Where the specific 100-year flood elevation cannot be determined for this area using other sources of data such as the U.S. Army Corps of Engineers Floodplain Information Reports, U.S. Geological Survey Flood Prone Quadrangles, etc., then the applicant for a permit shall have a technical study completed to determine such data.
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Small streams. Small streams exist where no base flood data and no flood boundaries have been provided by the Flood Insurance Study. Floodplain areas along small streams are within a distance of the stream bank equal to five times the width of the stream at the top of bank or twenty feet on each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer determines otherwise.

Sec. 166. - Required permits and certifications.

- (a) *Building permit.* Application for a building permit shall be submitted prior to any development activities within the Flood Hazard District and shall include the following information which shall be maintained as public record by the Zoning Administrator:
 - (1) Elevation (In relation to mean sea level) of the lowest floor (including basement) of new or substantially improved structures, prepared by a registered land surveyor or professional engineer.
 - (2) Elevation in relation to mean sea level to which any structure will be floodproofed, prepared by a registered land surveyor or professional engineer.
 - (3) Where a structure is intended to be floodproofed below the base flood level, a certification from a professional engineer or architect that the structural design, specifications, and plans for construction will meet the flood-proofing criteria of this district and the additional provisions of the Standard Building Code.
 - (4) Description, prepared by a professional engineer, of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- (b) *Certificate of occupancy.* Before the issuance of a certificate of occupancy, during the construction stage of the development, the permit holder shall provide the following certifications which shall be maintained as public record by the Zoning Administrator:
 - (1) The as-built elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, certified by a registered land surveyor or professional engineer.
 - (2) Evidence of flood-proofing of a building, where required, certified by a professional engineer or architect.
- (c) Where additional federal or state permit requirements apply, the Zoning Administrator shall require that copies of such permits be provided and maintained on file with the building permit as public record.
- (d) The Zoning Administrator shall notify adjacent communities and the Alabama Department of Economic and Community Affairs prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (e)

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When base flood elevation data or floodway data have not been provided by the Flood Insurance Study in approximated floodplains or along small streams, the Zoning Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of this section. If no data is available, then the applicant for a permit, shall submit data in accordance with recognized hydrologic and hydraulic engineering techniques. The technical analyses and determination of data shall be undertaken only by professional engineers or others of demonstrated qualifications who shall certify that the technical methods correctly reflect currently accepted technical concepts and consider existing land use and reasonable estimates of ultimate development according to the City's comprehensive land use plan. All technical studies shall be subject to approval by the City Engineer.

Cross references—See § 270 for permit compliance, § 271 for certificate of occupancy, and § 272 for building permit.

Sec. 167. - General flood hazard prevention standards.

The following standards shall apply to all floodplain areas:

- (1) Under no circumstances shall any use, activity, or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.
- (2) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (3) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage and by methods and practices that minimize flood damage.
- (4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (5) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and to minimize or eliminate discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Flammable, explosive, toxic, or otherwise hazardous materials shall not be stored in the floodplain.
- (9)

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Any alteration, repair, reconstruction or improvements to an existing structure which is in compliance with the provisions of this district, shall meet the requirements of new construction.

- (10) New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwater shall be provided.
- (11) Any manufactured home shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is one foot or more above the base flood elevation. It shall be securely anchored to prevent flotation, collapse, or lateral movement in accordance with the Standard Building Code. Such standards shall be in addition to and consistent with applicable state requirements for resisting such forces. The provisions of this subsection shall apply to existing manufactured home parks, subdivisions, and lots where an existing manufactured home is replaced or substantially improved; to any expansion to an existing park or subdivision; and to new parks, subdivisions and installations after the effective date of this ordinance.
- (12) New construction or substantial improvement of any commercial, industrial, institutional or other non-residential structure shall have the lowest floor, including basement, elevated no lower than one foot above the level of the base flood elevation.
- (13) Structures may be floodproofed in lieu of being elevated one foot or more above the base flood provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water. The walls shall use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.
- (14) For all new construction or substantial improvements of elevated buildings that include fully enclosed areas below the lowest floors that are subject to flooding, the following standards shall be certified by a registered professional engineer or architect:
 - a. The enclosed area shall be designed to allow for the automatic entry and exit of floodwaters to equalize hydrostatic flood forces. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; the bottom of all openings shall be no higher than one foot above grade; and openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - b. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.

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- c. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairways or elevator).
- d. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

Sec. 168. - Standards for small streams.

- (a) No encroachments, including fill material or structures shall be located within a distance of the stream bank equal to five times the width of the stream at the top of bank or twenty feet on each side from the top of the bank, whichever is greater, unless certification by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (b) New construction or substantial improvements of structures shall be elevated or floodproofed to elevations established in accordance with this district.

Sec. 169. - Standards for subdivision plats.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (d) Floodplains shall be delineated on all subdivision plats, and base flood elevation data shall be provided for subdivision proposals and other proposed developments (including manufactured home parks and subdivisions) which are either greater than fifty lots or five acres.

Sec. 170. - Floodway standards and use regulations.

- (a) Encroachments, including fill, new construction, substantial improvements and other developments shall be prohibited unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increases in flood levels during occurrence of the base flood discharge. In addition, all development, where permitted, shall comply with the standards applicable to all floodplain areas.
- (b) *Permitted uses.* The following uses and activities are permitted provided they are in compliance with the provisions of the underlying zoning district and do not require structures, fill, or storage of materials and equipment:

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Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, forestry, sod farming, crop farming, and similar uses and activities.

- (2) Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat launching areas, swimming areas, hiking trails, horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges, hunting and fishing areas, and similar uses and activities.
 - (3) Accessory residential uses such as yard areas, gardens, play areas, and loading areas, and similar accessory uses.
 - (4) Accessory industrial, commercial, and institutional uses such as yard areas, parking and loading areas, airport landing strips, and similar accessory uses.
- (c) *Special exception uses.* The following uses and activities are permitted by a special exception use permit granted by the Zoning Board of Adjustment provided that they are in compliance with the provisions of the underlying zoning district:
- (1) Structures (other than manufactured homes) accessory to the permitted uses in (b) above.
 - (2) Certain utilities and public facilities and improvements such as pipe lines, water and sewage treatment plants, and other similar or related uses.
 - (3) Water-related uses and activities such as marinas, docks, wharves, piers, and similar uses.
 - (4) Extraction of sand, gravel, and other materials where no increase in the level of flooding or the velocity of discharge is caused thereby.
 - (5) Storage of materials and equipment provided that they are not buoyant, explosive, toxic, or otherwise hazardous and are not subject to major damage by flooding, or provided that such material and equipment is firmly anchored to prevent flotation or movement, or can be readily removed from the area within the time available after flood warning.
 - (6) Other similar uses and activities provided they cause no increase in flood heights and velocities and are undertaken in strict compliance with the floodproofing and elevation provisions of this district.
- (d) In passing upon an application for a special exception use, the Zoning Board of Adjustment shall consider the review criteria for special exceptions contained in [Section 277](#) and in addition, all technical evaluations, all relevant factors, all standards specified in other sections of this district, and the following criteria:
- (1) The danger that materials may be swept onto other lands to the injury of others.
 - (2) The danger to life and property due to flooding or erosion damage.
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (4) The importance of the services provided by the proposed facility to the community.

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- (5) The requirements of the facility for a waterfront location.
 - (6) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed uses.
 - (7) The compatibility of the proposed use with existing and anticipated development.
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
 - (11) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water system, streets, and bridges.
- (e) *Conditions attached to special exceptions.* Upon consideration of the factors listed above, the Zoning Board of Adjustment may attach such conditions to the granting of special exception use permits as it deems necessary to further the purposes of this district.

Cross reference— See § 277 for special exception procedures.

Sec. 171. - Variances.

- (a) An application for a variance to the standards of this district may be submitted to the Zoning Board of Adjustment in accordance with the administrative provisions of this zoning ordinance. The Board shall refer the variance application to a professional engineer or other qualified person or agency for technical assistance in evaluating the proposal in relation to flood heights and velocities and the adequacy of the plans for protection and other related matters.
- (b) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (d) The Zoning Board of Adjustment shall not approve a variance unless it finds the criteria variances contained within Section 279 and in addition, the following criteria have been satisfactorily determined:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the variance would result in exceptional hardship; and
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, creation of nuisances, fraud on or victimization of the public, or conflict with local laws or ordinances.

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- (e) Any applicant to whom a variance is granted shall be given written notice by the Zoning Administrator that the issuance of the variance to construct a structure below the 100-year flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.
- (f) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in this section and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation.
- (g) The Zoning Administrator shall maintain the records of all variance and administrative appeal actions and shall annually report such actions to the Federal Emergency Management Agency.

Cross reference— See § 279 for variance procedures.

Sec. 172. - Liability.

The degree of flood protection required by this district is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions and flood heights may be increased by manmade or natural causes. Consequently, this district does not imply that land outside the floodplain or uses permitted within such areas will be free from flooding or flood damages. Therefore, this district shall not create liability on the part of the City of Jasper or by any officer or employee thereof for any flood damages that result from reliance on the provisions of this district or any administrative decision lawfully made thereunder.

Secs. 173, 174. - Reserved.

DIVISION 5. - B-4 (I-22 BUSINESS CORRIDOR) DISTRICT

Footnotes:

— (2) —

Editor's note— Ord. No. 2011-14, § 2, adopted May 3, 2011, repealed former Div. 5, § 175 in its entirety and enacted new provisions a herein set out. Former Div. 5 pertained to similar subject matter and derived from Ord. No. 2006-01, § 5, 1-17-06; Ord. No. 2008-02, § 3, 2-5-08.

Sec. 175. - Purpose.

The purpose of this district is two-fold: To maintain long-term traffic safety by reducing congestion, and to establish minimum standards for exterior architecture, landscaping and signage of buildings that contribute to a community image of quality, which are in the best interests of the citizens of this city.

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(Ord. No. 2011-14, § 2, 5-3-11)

Sec. 176. - Building design and orientation.

- (a) Minimum building setback from the I-22 Business Corridor right-of-way shall be 35 feet. Minimum front building setback from other public street right-of-way shall be 35 feet. Minimum side setback shall be 10 feet. Minimum rear setback shall be 35 feet.
- (b) Trash receptacles shall be concealed from public view.
- (c) Building orientation shall be such that loading and service areas do not face I-22 Business Corridor rights-of-way. All loading and service areas shall be screened.
- (d) The following materials shall be used as primary exterior building wall finishes: brick, stone, glass, wood, stucco, imitation stucco, pre-cast concrete, poured concrete and/or split face concrete block, or other material approved by the Zoning Administrator.

(Ord. No. 2011-14, § 2, 5-3-11)

Sec. 177. - Exterior lighting/electrical service.

- (a) All electrical service entrances from the front of building shall be underground.
- (b) Lighting shall have underground electric service, except where the lights, service poles and wires are not visible from public property.
- (c) Wooden light poles are prohibited, except behind buildings.

(Ord. No. 2011-14, § 2, 5-3-11)

Sec. 178. - Fences and walls.

Fences designed to create privacy or separation shall be made of masonry, ornamental metal, durable wood, vinyl which is designed and fabricated to appear as wood, or a combination of these materials. Chain link, plastic or wire fencing is not permitted for fences visible from public property.

(Ord. No. 2011-14, § 2, 5-3-11)

Sec. 179. - Landscaping.

- (a) *Perimeter landscaping.* Parking areas shall be separated from other private property by an eight-foot wide perimeter planting area.
- (b) *Landscape plan requirement.* All landscape plans shall be drawn at an appropriate scale so as to convey the design intent to the planning department. Landscaping of shrub beds and/or tree planting in and around parking areas shall be a minimum of 50 square feet for every 10 parking spaces up to a maximum requirement of 1,000 square feet for 200 or more parking spaces.

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- (c) *Maintenance.* The property owner shall be responsible for the maintenance, repair and replacement of all landscaping materials, barriers and irrigation systems. All plant materials shall be maintained in perpetuity in a healthy growing condition, replaced when dead and kept free of weeds, refuse and debris.
- (d) *Plant Material Standards.* All plant materials shall conform to the American Standard for Nursery Stock, latest editions, published by the American Association of Nurserymen and Standardized Plant Names latest edition, published by The American Joint Committee on Horticultural Nomenclature.

(Ord. No. 2011-14, § 2, 5-3-11)

Sec. 179.5. - Access management.

Access to the I-22 Business Corridors, being defined as roads lying within the B-4 Zoning District, and particularly those roads which intersect I-22 or future I-22 within the city limits of the City of Jasper, Alabama, shall be in accordance with the regulations established in each such instance by the City Engineer.

(Ord. No. 2011-14, § 2, 5-3-11)

ARTICLE VI. - SUPPLEMENTAL DISTRICT REGULATIONS

DIVISION 1. - GENERALLY

Sec. 180. - Compliance.

All uses and activities shall comply with the provisions of this article.

Secs. 181—189. - Reserved.

DIVISION 2. - OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 190. - Purpose of off-street parking and loading regulations.

The primary purpose of these provisions is to reduce traffic congestion on public streets by requiring certain minimum parking and loading areas be provided off-street. Further, these provisions ensure safe and convenient access to and from each site, ensure safe and efficient on-site traffic circulation, and encourage the design of attractive and harmonious facilities.

Sec. 191. - Off-street parking and loading terms defined.

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The following off-street parking and loading terms when used in this article shall have the meanings defined by this section.

Access driveway. That portion of the parking area that consists of a travel lane bounded on either side by an area that is not part of the parking area.

BR. Bedroom or guest accommodations.

DU. Dwelling unit.

Employee. The maximum number of persons employed at the facility regardless of the time period during which this occurs or whether the persons are full-time employees. The major shift may be a particular day of the week or a lunch or dinner period in the case of a restaurant.

GLA. Gross leasable area. The total floor area of a building designed for both tenant occupancy and exclusive use. GLA includes both owned and leased areas but does not include shared or common areas among tenants. Where the total floor area of a building is occupied or where a building has no shared or common area, GLA is the gross floor area measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Inoperative motor vehicle. An unlicensed motor vehicle that is unusable or inoperative due to lack of or defects in component parts, damage from a collision or deterioration, beyond repair and therefore not intended for future use as a motor vehicle, and being retained on the property for the possible use of salvageable parts.

Loading area. That area used to satisfy the requirements of this ordinance for truck loading and unloading.

Loading space. An off-street space or berth used for the unloading or loading of commercial vehicles.

Occupancy load. The maximum number of persons which may be accommodated by the use as determined by its design or by fire code standards.

Parking aisle. That portion of the parking area consisting of lanes providing access to parking spaces.

Parking area. An improved area on a lot exclusively used or designed for use as a temporary storage area for motor vehicles, containing access driveways, parking aisles, and parking spaces.

Parking space. That portion of the parking area set aside for the parking of one vehicle.

sf. Square feet.

(Ord. No. 2003-10, § 17, 4-10-03)

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Cross references—See § 331 for interpretation of definitions, § 332 for word usage, § 333 for general terms defined, and § 334 for uses defined.

Sec. 192. - Required off-street parking spaces.

Unless otherwise provided for, all uses shall conform with the minimum parking space requirements in *Table IV, Required Off-Street Parking Spaces*, below. In situations where the required number of parking spaces is not readily determinable by the below table, the Zoning Administrator is authorized to determine the parking space requirements using the table as a guide.

Table VI. Required Off-Street Parking Spaces

| Agricultural Uses | <i>Required Parking Spaces</i> |
|-------------------|--------------------------------|
| Farm | 1 per 1.5 employees |
| Farm stand | 1 per 100 sf of display area |

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| <i>Residential Uses</i> | Required Parking Spaces |
|---|---|
| Accessory apartment | 1 per BR |
| Combination dwelling | 2 per DU |
| Duplex, manufactured home, patio home, single family residence, townhouse | 2 per DU |
| Elderly apartment | .5 per DU |
| Emergency care home | 1 per residential manager plus 1 per family at occupancy load |

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| Family care home | 1 per resident manager plus 1 per 3 children at occupancy load |
| Garden apartment, multiplex, multi-story apartment, upper story apartment: | |
| —Efficiency or studio | 1.25 per DU |
| —1 BR | 1.5 per DU |
| —2 BR | 1.75 per DU |
| —3 or more BR | 2 per DU |

| <i>Institutional Uses</i> | Required Parking Spaces |
|---------------------------|--|
| Boarding house | 1 per BR |
| Community center | 1 per 300 sf of GLA |
| Community service club | 1 per 100 sf of GLA |
| Country club | 1 per 3 persons at occupancy load |
| Day care center | 1 per employee plus 1 stacking or parking space per 8 persons enrolled at occupancy load |
| Hospital | 1 per 2 patient beds plus 1.5 per emergency room bed plus 1 per employee |

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| Nursing care, domiciliary care, or rehabilitation facility | 1 per 2 residents at occupancy load plus 1 per employee |
| Place of worship | 1 per 6 persons seated in the main sanctuary |
| Post office | 1 per 300 sf of GLA plus 1 per 1.5 employees |
| Public assembly center | 1 per 5 persons at occupancy load |
| Public facility | 1 per 300 sf of GLA |
| School—college or university | 1 per 3 students at occupancy load plus 1 per 1.5 employees |
| School—elementary or middle | 1 per 8 students at occupancy load or 2 per classroom, whichever is greater |
| School—high school or vocational | 1 per 6 students at occupancy load plus 1 per 1.5 employees |

| <i>Commercial Uses</i> | Required Parking Spaces |
|---------------------------|-------------------------|
| Appliance store | 1 per 1,000 sf of GLA |
| Auto body repair facility | 1 per 5,000 sf of GLA |

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| Bank | 1 per 250 sf of GLA plus 2 stacking spaces per drive-in window |
| Bar or liquor lounge | 1 per 100 sf of GLA plus 1 per employee |
| Billiard room, pool hall | 1 per table |
| Barber or beauty shop | 1 per chair plus 1 per employee |
| Bowling alley | 4 per alley |
| Farm support business | 1 per 1.5 employees plus 1 per company vehicle |
| Home improvement center | 1 per 400 sf of GLA |
| Car wash—full service | 2 stacking spaces per bay plus 1 per employee |
| Clinic | 6 per practitioner plus 1 per employee |
| Commercial school | 1 per 3 students at occupancy load plus 1 per 1.5 employees |
| Convenience store | 1 per 250 sf of GLA |
| Dance hall | 1 per 100 sf of GLA |
| Funeral home | 1 per 1.5 employees plus 1 per 3 chapel seats |

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| Furniture store | 1 per 1,000 sf of GLA |
| Furniture repair shop | 1 per 500 sf of GLA |
| Gasoline service station | 2 per 500 sf of GLA |
| General retail business or service establishment | 1 per 300 sf of GLA |
| Grocery store | 1 per 400 sf of GLA |
| Hardware store | 1 per 400 sf of GLA |
| Hotel or motel | 1 per room plus 1 per 1.5 employees |
| Laundromat, dry cleaning establishment | 1 per 200 sf of GLA |
| Manufactured building sales | 1 per employee |
| Manufactured housing sales | 1 per employee |
| Mini-warehouse | 1 per 20 units |
| Motor vehicle sales | 2 per employee |
| Movie theater | 1 per 4 seats at occupancy load |
| Office, business or professional | 1 per 300 sf of GLA |
| Open air market | 1 per 100 sf of display area |
| Outdoor recreation | |
| —Golf course | 3 per hole |

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| | |
|--------------------------------|--|
| —Carpet golf | 2 per tee |
| —Golf driving range | 1 per tee |
| —Other | 1 per person at occupancy load |
| Pet grooming shop | 1 per 300 of GLA |
| Recycling collection center | 2 per employee |
| Restaurant—standard | 1 per 100 sf of GLA plus 1 per employee |
| Restaurant—fast food | 1 per 100 sf of GLA plus 1 per employee plus 4 stacking spaces per drive-in window |
| Shopping center | 1 per 300 sf of GLA |
| —Add for restaurants | 1 per 100 sf of GLA plus 1 per employee |
| —Add for movie theaters | 1 per 4 persons at occupancy load |
| Specialty retail establishment | 1 per 300 sf of GLA |
| Stable | 2 per employee |
| Tourist home | 1 per guest bedroom. |

| | |
|------------------------|-------------------------|
| <i>Industrial Uses</i> | Required Parking Spaces |
|------------------------|-------------------------|

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|---|----------------|
| General industry and manufacturing | 1 per employee |
| Warehouse, distribution, and wholesale business | 1 per employee |

(Ord. No. 2002-42, 10-1-02; Ord. No. 2003-10, § 17, 4-10-03)

Sec. 193. - Off-street parking design requirements.

(a) The minimum parking space dimensions are as follows:

- (1) Each parking space shall contain a minimum rectangular area of 9 feet width and 18 feet length except as provided in (2) and (3) below.
- (2) In large parking areas of 20 or more parking spaces, up to 20 percent of the parking spaces may be reserved for compact cars. Such spaces shall contain a minimum rectangular area of 8 feet width and 16 feet length. These spaces shall be conspicuously marked for *"compact cars only."*
- (3) Parallel parking spaces shall contain a minimum rectangular area of 9 feet width and 20 feet length.
- (4) Stacking spaces shall contain a minimum rectangular area of 9 feet width and 18 feet length and be separated from parking aisles and spaces.
- (5) Handicapped parking spaces shall be designed in accordance with the American with Disabilities Act (ADA).

(b) Parking aisle widths shall conform to the following table which varies the width requirement according to the angle of parking:

Table VII. Minimum Parking Aisle Widths

| Traffic Direction | Angle of Parking (Degrees) | | | | |
|-------------------|----------------------------|-----|-----|-----|-----|
| | 0° | 30° | 45° | 60° | 90° |
| One-way | 13' | 11' | 13' | 18' | 24' |
| Two-way | 19' | 20' | 21' | 23' | 24' |

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- (c) Parking areas shall be designed so that vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas that serve one or two dwelling units, although backing onto arterial streets shall be prohibited.
- (d) All parking areas when adjoining a street right-of-way shall be physically separated from the right-of-way.
- (e) All lighting fixtures used to illuminate parking areas shall not direct lights on adjoining properties. Parking lot lighting fixtures shall be located or positioned to eliminate glare that would interfere with the safe operation of motor vehicles on adjoining streets.
- (f) Parking areas for all developments shall be so designed so that sanitation, emergency, and other public service vehicles can serve such developments without the necessity of backing unreasonable distances or making other dangerous turning movements. Fire lanes may be required by the fire code.
- (g) All required off-street parking shall be paved with asphalt or concrete. Other means of paving such as pervious concrete, porous asphalt or turf blocks may be permitted upon the approval of the Zoning Administrator. Unpaved spillover parking designed to accommodate sporadic or seasonal parking events may be permitted upon the approval of the Zoning Administrator. Spillover parking areas may consist of pervious surfaces such as gravel or similar materials. Grassed areas may also be permitted with the approval of the Zoning Administrator. All spillover parking areas shall be maintained in good condition, i.e. well graveled, grass cut, etc. Spillover parking areas shall be limited to places of worship, recreational facilities, special events or seasonal sales activities.
- (h) Parking spaces (except those serving one or two dwelling units) shall be demarcated with painted lines or other markings.
- (i) All parking areas shall be maintained in good condition, i.e., free of pot holes, weeds, trash, etc.
- (j) Large parking areas of 40 or more spaces shall provide 12 square feet of landscaping for each parking space. One canopy tree (two-inch caliper minimum at planting) for each 10 parking spaces shall be planted within the required landscaped area. Required stormwater detention facilities and parking area landscaping may be combined.
- (k) Drainage in parking areas shall direct stormwater back into the site from adjacent properties toward adequate drainage channels. Large parking areas of 20 or more spaces shall provide on-site stormwater detention to retard the sudden discharge of high volumes of stormwater into the public drainage system. The quantity and rate of runoff after development shall not exceed the quantity and rate of runoff before development, based on a 25-year storm frequency. Drainage plans shall be subject to the City Engineer's approval.

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All handicapped parking spaces shall conform to the standards promulgated by the Americans with Disabilities Act (ADA). Additionally, each individual handicapped parking space shall contain a sign designating it as such handicapped parking space. Said sign shall be installed according to all requirements of the Federal Manual on Uniform Traffic Control Devices for Streets and Highways. Also, said sign shall in addition to the standard handicap logo display the following information:

Violation

| | |
|----------------|-------------------------|
| First offense | \$50.00 plus court cost |
| Second offense | 200.00 plus court cost |
| Third Offense | 500.00 plus court cost |

(m) Bay parking. Bay parking is defined as parking provided adjacent to a public street or alley at an angle of forty-five (45) degrees or more to the centerline of the street or alley in a curbed and paved indentation or recess outside and beyond the normal curblines or traveled portion of the public way especially provided for this purpose. To the extent that bay parking is permitted, it may be counted as a part of the required off-street parking for an adjacent use. Bay parking is subject to the rules and regulations established in this article and should be constructed in compliance with the standards set out by the city engineer. Except in B-3 Downtown Business Districts, the provision of bay parking shall be subject to the following restrictions:

- (1) Bay parking shall not be permitted on streets classified as collector or higher as determined by the city engineer.
- (2) Bay parking shall be on the same side of the street as the use to be served thereby.

(Ord. No. 2003-10, § 18, 4-10-03; Ord. No. 2010-28, § 1, 9-21-10)

Sec. 194. - Location of required parking.

All required parking spaces shall be located on the same lot as the use served by the parking, except as provided below:

- (1) Required parking within planned residential developments may be provided in common parking areas.
- (2) If the number of required parking spaces cannot reasonably be provided on the same lot as the served use, satellite parking may be provided on an adjacent lot. The satellite parking spaces shall be located within 400 feet of the nearest public entrance to the building housing

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the served use. If the use is not housed within a building, satellite parking spaces shall be located within 400 feet of the lot. A satellite parking exception requires satisfactory written legal documentation that the user of such satellite spaces has the right to such spaces.

- (3) A joint parking area may contain required parking spaces for more than one use, provided the combined number of spaces complies with the required parking for all uses. If, however, the combined uses wish to make use of the same spaces at different time, the same spaces may be credited to each separate use. The applicant for a combined use facility must present satisfactory legal documentation of a combined parking agreement, and if sharing the same spaces, a time schedule for allocation of such spaces.

Sec. 195. - Parking prohibitions.

- (a) The keeping of an inoperative motor vehicle in a residential district shall be within a fully enclosed building or structure or be completely screened or shielded from public view.

(b) No vehicle

Sec. 196. - Parking inside structures.

Required parking spaces may be provided in parking garages, roof parking on buildings, parking within buildings, and underground parking. Such parking spaces shall meet the parking space and aisle width requirements of this ordinance.

Sec. 197. - Access controls.

- (a) Access to streets within the City shall be approved by the Zoning Administrator. The proposed location, width, drainage structure, traffic conditions, site distances, and surfacing shall be addressed in the request for approval.
- (b) Entrances shall be held to a minimum and be located at points affording maximum sight distances, minimum grades, and maximum separation. Combined or shared driveways and entrances or marginal access streets may be required for highway service uses along major streets.
- (c) Entrances to detached residential lots shall not be less than 10 feet nor more than twenty feet in width. Entrances to all other developments shall be no more than 35 feet or 17½ feet per lane of travel nor less than 22 feet or 11 feet per lane of travel in width measured at the right-of-way line. The radius to increase the opening shall not be less than 15 but not more than 25 feet. A larger radius to accommodate truck traffic may be required by the city engineer.
- (d) The maximum number of entrances for each site shall be limited on the basis of street

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residenti frontage as follows:

al

Table VIII. Entrance Limitations

district

unless

such

vehicle is

parked

behind

the

building

front.

| Street Frontage Width | Maximum Number of Entrances |
|-----------------------|-----------------------------|
| Less than 125 feet | one |
| 125 to 300 feet | two |
| 300 to 500 feet | three |
| 500 to 1,000 feet | four |
| More than 1,000 feet | five |

(e) Property which has frontage on two or more streets may be allowed entrances on each street in accordance with the above criteria.

- (f) The distance between openings shall be a minimum of 125 feet, center line to center line, except for single family detached lots.
- (g) Entrances shall be located so that the curb openings are a minimum of 5 feet from the nearest edge of a street drainage inlet and 50 feet from the corner radius.
- (h) Turning lanes or pavement widening at approaches to entrances may be required if deemed necessary by the City Engineer to provide safe turning movements.
- (i) Each parking area on a lot shall be physically separated from an adjoining street right-of-way by a curb or equivalent barrier to control vehicular access to and from the lot. Such barrier shall be located at or along the property line. Except for permitted accessways, such barriers shall be continuous.

Sec. 198. - Required off-street loading spaces.

- (a) Any use with a gross leasable area (GLA) of 6,000 square feet or more which requires deliveries and shipments must provide off-street loading spaces in accordance with the following table. In situations where the required number of loading spaces is not readily determinable by the table, the Zoning Administrator is authorized to determine the loading space requirement, using the table as a guide.

Table IX. Required Off-Street Loading Spaces

Every retail establishment, industrial or manufacturing use, storage warehouse, freight terminal, hospital, nursing home, or similar use shall provide off-street loading spaces, as follows:

| GLA of Building (Square Feet) | Required Number of Loading Spaces |
|-------------------------------|-----------------------------------|
| 6,000— 24,999 | 1 |
| 25,000— 79,999 | 2 |
| 80,000—127,999 | 3 |

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|------------------------------------|---|
| 128,000—198,999 | 4 |
| 199,000—255,999 | 5 |
| 256,000—319,999 | 6 |
| 320,000—391,999 | 7 |
| Each additional 72,000 square feet | 1 |

Every public assembly use, auditorium, convention hall, exhibition hall, stadium, office building, funeral home, multi-family a

Sec. 199. - Off-street loading design standards.

Sec. 200. - Change in parking and loading requirements.

Secs. 201—209. - Reserved.

DIVISION 3. - SCREENING AND BUFFER YARD REGULATIONS

Sec. 210. - Purpose of screening and buffer yard regulations:

The intent of this division is to set minimum standards that reduce common conflicts associated with incompatible adjacent land uses and to protect natural boundaries. These standards seek to promote visual harmony, reduce noise, divert emissions, restrict passage, and enhance the natural environment, thereby providing for a compatible mix of otherwise conflicting uses of adjacent properties.

Sec. 211. - Screening and buffer yard terms defined.

The following screening and buffer yard terms when used in this ordinance shall have the meanings defined by this section.

Buffer yard. A landscaped strip of specified width along certain segments of the site perimeter reserved for screening one use or structure from another adjacent use (including those uses on adjoining properties and properties directly across a right-of-way).

Screening. A method of visually shielding or obscuring one use or structure from another adjacent use (including adjoining properties and properties directly across a right-of-way) by opaque fencing, walls, berms, or densely-planted vegetation installed within a buffer yard.

Cross references—See [§ 331](#) for interpretation of definitions, [§ 332](#) for word usage, [§ 333](#) for general terms defined, and [§ 334](#) for uses defined.

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Sec. 212. - Administration.

- (a) These standards are intended to encourage, not hamper, innovation in landscape and architectural design and shall be administered flexibly so as to give reasonable consideration to this objective.
- (b) These standards shall apply to all developments subject to site plan review by Section 274, Site plan review. Where screening and buffer yards are required, the site plan shall explicitly describe proposed compliance with these standards.
- (c) Screening and buffer yard standards imposed by Section 306, Conditional rezoning, shall take precedence over the provisions of this division.

Sec. 213. - Screening specifications.

- (a) Acceptable screening materials include any combination of solid fencing (weather-resistant wood, brick, or decorative masonry), evergreen shrubs, or earth berms of a specified height. Planting of evergreen trees may also be required. Screening shall be continuously maintained, present an attractive exterior appearance, and in the case of fencing, be of durable construction.
- (b) Location of screening shall not obstruct the visibility of traffic circulation. The screening shall not exceed within 15 feet of any street or driveway opening onto a street. In the case of screening required along a street, the screening shall be set back at least 15 feet from the right-of-way.
- (c) Evergreen plantings, where installed, shall be planted within the beginning of the first opportune planting season following approval of a final site plan but may be coordinated with construction scheduling. Evergreen shrubs shall be a rapid growth variety, with a minimum height of three feet at planting, be planted two feet on center or less, and be capable of attaining an opaque density to the prescribed ultimate height within two years of planting. Evergreen trees shall be a rapid growth variety and be a minimum height of five feet at planting and be planted 20 feet on center or less.
- (d) Fencing, where installed, shall be constructed prior to the issuance of a certificate of occupancy.
- (e) All plantings shall be permanently maintained in good growing condition and, when necessary, replaced with new growth. All fencing shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

Sec. 214. - Buffer yard specifications.

- (a) The buffer yard shall be reserved solely for screening. No buildings or structures, except for necessary access driveways, shall be permitted.
- (b) The amount of required buffer yard shall not be more than 10% of the total site area, but in such case that the buffer yard is reduced, the intensity of screening shall be proportionately increased.
- (c)

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Where a buffer yard is required adjoining a right-of-way, the width of the adjoining right-of-way shall count toward the minimum width of the required buffer yard. In no such event however, shall a buffer yard on a site be reduced to less than seven feet in width.

Sec. 215. - Determination of adjacent land use classes.

The required screening and buffer yard shall depend on the land use integrity of the site in comparison to adjacent sites, including those directly across any right-of-way. The classes of land uses are shown on the following table which determines the class according to the principal use of the site.

Table X. Land Use Classes

| Class | Principal Land Use |
|-------|---|
| A | Single family residences, including farm residences, vacant lots zoned AG, R-1, R-2, or reserved for single family residences in a planned residential development or planned unit development. |
| B | Patio homes, townhouses, duplexes, and vacant lots reserved for such uses in a planned residential development or planned unit development. |
| C | Multiplexes, manufactured home parks, apartments, and vacant lots zoned R-3, R-4, or R-5 or reserved for R-4 or R-5 uses in a planned unit development. |
| D | All institutional uses permitted in the residential districts, all addition uses permitted in the B-T District, and vacant lots zoned B-T or reserved for B-T uses in a planned unit development. |
| E | All additional commercial and non-residential uses permitted in the B-1, B-2 and B-3 Districts that are not permitted in the B-T District and vacant lots zoned B-1, B-2, or B-3 or reserved for B-1, B-2, or B-3 uses in a planned unit development. |
| F | All additional industrial and non-residential uses permitted in the M-1 District that are not permitted in the B-3 District and vacant lots zoned M-1 or reserved for M-1 uses in a planned unit development. |
| G | All additional industrial and non-residential uses permitted in the M-2 District that are not permitted in the M-1 District and vacant lots zoned M-2 or reserved for M-2 uses in a planned unit development. |

Sec. 216. - Determination of screening and buffer yard types.

Types of required screening and buffer yards shall be determined by the following table:

Table XI. Screening and Buffer Yard Types

| Type | Minimum Height of Screening | Required Evergreen Trees or Shrubs | Minimum Width of Buffer Yard |
|------|-----------------------------|------------------------------------|------------------------------|
|------|-----------------------------|------------------------------------|------------------------------|

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| | | | |
|-----|----|-----|------|
| I | 6' | no | 15' |
| II | 6' | yes | 25' |
| III | 8' | yes | 50' |
| IV | 8' | yes | 100' |

(Ord. No. 2003-10, § 21, 4-10-03)

Sec. 217. - Required screening and buffer yard.

To determine the required type of screening and buffer yard (type I, II, III, or IV), read across the following table to find the land use class of the site as proposed for development and down the table to find the land use class of the adjacent site.

Table XII. Minimum Required Screening and Buffer Yard

| Land Use Class of Adjacent Site | Land Use Class of Building Site | | | | | | |
|---------------------------------|---------------------------------|---|----|----|-----|-----|-----|
| | A | B | C | D | E | F | G |
| A | — | I | II | II | III | III | IV |
| B | — | — | I | I | II | III | IV |
| C | — | — | — | — | I | II | III |
| D | — | — | — | — | — | I | II |
| E | — | — | — | — | — | — | I |
| F | — | — | — | — | — | — | — |
| G | — | — | — | — | — | — | — |

Sec. 218. - Modification or waiver of screening and buffer yard.

These screening and buffer yard standards shall be applied equally to all similarly-classified and situated properties but may be modified or waived by the Zoning Administrator in certain cases where a site is subject to any of the following circumstances:

- (1) Natural land characteristics would achieve the same intent of this division.
- (2) Innovative landscape or architectural design is employed to achieve an equivalent screening and buffer yard effect.
- (3) Impending development of adjacent property would make these standards unreasonable or impractical.
- (4) The adjacent property is physically separated by an arterial street right-of-way.

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Secs. 219—229. - Reserved.

DIVISION 4. - SIGNS

Footnotes:

— (3) —

Editor's note— Ord. No. 2011-13, §§ 1, 2, adopted May 3, 2011, repealed former Div. 4, §§ 230—245, in its entirety and enacted new provisions as herein set out. Former Div. 4 pertained to similar subject matter and derived from the following: Ord. No. 2008-03, § 1, 2-7-08; Ord. No. 2006-29, § 1, 7-11-06; Ord. No. 2007-03, § 2, 1-16-07; Ord. No. 2008-09, § 1, 4-1-08; Ord. No. 2008-29, § 1, 11-18-08.

Sec. 230. - Permits required.

A sign permit shall be obtained from the Sign Administrator prior to the erection or placement of a sign, except those signs regulated under Sections 233 and 234, which is regulated by this Article.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 231. - Exempt signs.

The following signs are exempt from the requirements of this Article, provided they do not create a safety hazard as determined by the appropriate governmental authority.

- (1) Directional signs which are located in parking or vehicle-maneuvering areas, which are intended to direct traffic.
- (2) Regulatory, statutory and traffic control signs.
- (3) Legal notices, memorial and historical markers.
- (4) Signs carried by a person.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 232. - Prohibited signs.

The following signs are prohibited, unless otherwise exempted or permitted by this article.

- (1) Any sign which constitutes a safety hazard, including signs which obstruct visibility for traffic.
- (2) Portable signs, and similar devices.
- (3) Off-premise signs other than billboards.
- (4) Signs located in the public right-of-way and signs attached to trees, poles, posts or any similar means of attachment, including signs attached to private property located in the right-of-way.
- (5)

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Signs which move, revolve, rotate, or appear to be animated by mechanical, electronic or other means.

- (6) Signs with flashing, blinking, moving or intermittent light or with light. Except time and temperature signs and electronic reader boards whose message change no more than once every seven seconds and is static during the display. Changing messages on the electronic reader board shall not scroll, flash or move. A reader board shall not contain a commercial message other than one relating to the business on which it is located.
- (7) Strings of light bulbs and signs which emit noise, odor or visible matter such as smoke or steam.
- (8) Roof signs and projecting signs.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 233. - Temporary signs.

- (a) Each business, may have one temporary banner affixed to the building, which advertises a sale or special event. Each business, may have one captive balloon or one inflatable sign stating a sale or special event.
- (b) Each new business may have one temporary sign, which may be a banner, and may be attached to the building wall for a period not to exceed 30 days, or until a permanent sign is installed, whichever time period is shorter.
- (c) Commercial property may have one temporary identification sign per facing street, while the property is being developed, which shall not exceed 48 square feet of sign face area nor 10 feet in height. The sign shall be removed when the project is complete.
- (d) Residential subdivisions may have one free standing, on-premise, temporary identification sign while the subdivision is being developed, which shall not exceed 32 square feet of sign face area nor 10 feet in height. The sign shall be removed after construction begins on the first dwelling in the subdivision, or the permanent subdivision, identification sign has been erected, whichever occurs first.
- (e) Each premises may have one on-premises sign (for sale, lease, or for rent), which does not exceed six square feet of sign face area when located in a single-family residential zoning district, and 32 square feet in all other zoning districts. The signs shall be removed upon the sale or lease of the premises.
- (f) Political campaign signs are permitted on private property. Said signs shall be removed within five days following the election or referendum.
- (g) Charitable temporary signs and noncommercial temporary signs may be displayed upon private property, provided however, that said sign shall not exceed 24 square feet in sign face area, nor eight feet in height.

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(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 234. - Temporary special event signs.

- (a) Special event banners, temporary signs indicating a special event such as a fair, festival, revival, or similar event, may be displayed on the lot where the event is to take place or in a common area designated by the city.
- (b) Signs advertising special events shall be permitted for a period of up to four weeks prior to the event. All such signs or advertising devices shall contain the name of the special event plus the promotion. These signs shall be removed within three days following the special event.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 235. - Off-premises directional signs.

A maximum of two off-premises directional sign per premises are permitted for institutions, churches, schools and other public facilities, provided the sign does not exceed four square feet in sign face area nor in height. The Sign Administrator will approve the sign face and location prior to installation.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 236. - Free-standing signs.

The following shall apply to free standing/monument signs.

- (1) Reader boards shall be integrated into the structure of a free-standing sign and count toward the maximum allowable display area.
- (2) Other regulations as set out in Sections 237—241 apply to free-standing signs in certain locations.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 237. - Signs permitted for retail and service establishments which are not located in a shopping center and office and institutional buildings.

Each building may have one free-standing monument sign; per facing street. Each building may have one building wall or canopy sign, on the front and side.

- (1) *Free-standing, monument sign height and dimensions.*

| Zoning District | Maximum Sign Height | Maximum Sign Face Area |
|-----------------|---------------------|------------------------|
|-----------------|---------------------|------------------------|

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| | | |
|-----|-----------|---|
| B-T | 15 Feet | <u>32</u> Sq. Feet |
| B-l | 20 Feet | <u>66</u> Sq. Feet |
| B-2 | 35 Feet | 150 Sq. Feet |
| B-3 | 20 Feet | <u>66</u> Sq. Feet |
| B-4 | Unlimited | 300 Sq. Feet (Up to 1300 Sq. Feet100 Sq. Feet high if over) |
| M-l | 35 Feet | 150 Sq. Feet |
| M-2 | 35 Feet | 150 Sq. Feet |

(2) *Building wall and canopy sign.* The maximum sign face area shall be 200 square feet for the front building wall to which the sign or canopy is attached. The maximum sign face area shall be 100 square feet for the side building wall to which the sign or canopy is attached.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 238. - Signs permitted for retail and service establishments located in a shopping center.

Each tenant space may have one building wall sign or canopy sign. A tenant space located at the end of the shopping center building may have one side building wall or canopy sign.

The maximum sign face area shall be 200 square feet for the front or 100 square feet for the side building wall area.

(Ord. No. 2011-130, § 2, 5-3-11)

Sec. 239. - Shopping center or shopping mall identification signs.

Each shopping center or shopping mall may have one free-standing, monument sign which identifies the name of the shopping center or shopping mall. Tenant names may be included.

(1) Maximum height of the monument sign shall be 50 feet above the average elevation of the ground at the base of the sign.

(2) The maximum sign face shall be 300 square feet.

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(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 240. - Office parks, institutional campuses and mixed use developments.

Each office park, institutional campus and mixed use development which contains more than two buildings, other than accessory buildings, may have one free-standing, monument sign per public street entrance, which identifies the name of the park or campus.

- (1) Maximum height of the monument sign shall be 15 feet above the average elevation of the ground base of the sign. Berms shall not be used to increase the height of a free-standing sign.
- (2) The maximum sign face area of sign shall be 150 square feet.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 241. - Signs permitted for multi-family dwellings, townhomes, planned unit developments and manufactured home parks.

Each complex or community of multiple dwellings is permitted one free-standing, monument sign per public street entrance.

- (1) Maximum height of the monument sign shall be 15 feet above the average elevation of the ground at the base of the sign. Berms shall not be used to increase the height of a free-standing sign.
- (2) The maximum sign face area of an internally illuminated sign shall be 66 square feet.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 242. - Billboards.

- (a) Billboards shall be permitted only upon grant of a conditional use by the Jasper Planning and Zoning Commission and shall only be permitted in the B-2, B-4, M-1 and M-2 zoning districts.
 - (1) *Billboard size:* A maximum of two sides are allowed per billboard. The sign area shall not exceed 600 square feet on each of not more than two sides of the sign.
 - (2) *Height:* The maximum height of the billboard shall be 50 feet above the average elevation of the ground at the base of the sign. Berms shall not be used to increase the height of a billboard sign.
 - (3) *Setbacks:* A billboard sign shall have a setback of 35 feet from the edge of the sign to the property line.
 - (4) *Separation:* The location of each billboard shall comply with the following separation requirements:

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- a. At least 1,500 linear feet from any other billboard.
- b. At least 1,500 feet from any R-1 or R-2 zoning district.
- c. At least 1,000 linear feet from any physical gore of an entrance or exit ramp of a limited access highway defined as the point where the ramp shoulder paving and highway shoulder pavement meet.

(b) *Billboard permit fee and annual renewal permit fee.*

- (1) The Zoning Administrator shall issue a permit for each billboard erected after the effective date of this section.
- (2) The initial permit fee for the erection of a billboard containing a maximum of 300 square feet in sign face area shall be \$150.00. The annual renewal fee thereafter shall be \$150.00.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 243. - Residential subdivision signs.

Each community of single family residential dwellings is permitted one free-standing, monument sign per public street entrance.

- (1) Maximum height of the monument sign shall be eight feet above the average elevation of the ground at the base of the sign. Berms shall not be used to increase the height of a free-standing sign.
- (2) The maximum sign face area of a sign shall be 66 square feet.
- (3) Signs shall be setback a minimum of 5 feet from the natural location/extension of intersecting right-of-way lines. Provision shall be made upon acceptance of a final subdivision plat, by a flared right of way to accommodate said sign.
- (4) All signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent home-owners association or some other person who is legally accountable.

(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 244. - Nonconforming signs.

Any sign, not on public right away, that is in use and is not in compliance with the provision hereof shall be deemed a nonconforming sign and shall be allowed to remain as a nonconforming sign subject to the following limitations:

Except for routine maintenance and replacement of the display area of such sign, such sign may not be repaired, maintained, rebuilt, re-erected or otherwise restored because of any substantial casualty of nature, including but not limited to damage caused by wind, water, erosion, oxidation or fire.

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(Ord. No. 2011-13, § 2, 5-3-11)

Sec. 245. - Sign definitions.

Awning or canopy sign. A sign that is mounted, painted on or attached to an awning or canopy.

Banner. A sign, not otherwise classified as a temporary sign, made of cloth, canvas, plastic sheeting or any other flexible material, not rigidly attached to a building or the ground through a permanent support structure.

Billboard. A free-standing sign, which has a sign face area containing 300 to 600 square feet, and which directs attention to a business, commodity, service, entertainment, facility or other subject matter, not located, conducted, sold or offered upon the premises where such sign is located or which calls public attention to a candidate, cause, public issue or other such matter.

Building. A structure having a roof supported by columns or walls.

Building wall sign. A sign attached parallel to, supported by and not more than 14 inches from, the exterior wall of a building. The sign may be painted on the surface of the wall or erected and confined within the limits of said wall.

Charitable temporary sign. A sign announcing a noncommercial event or activity or similar service that is sponsored by a charitable organization, or any organization with the primary purpose and effect of being benevolent, philanthropic, patriotic, or not-for-profit, including religious organizations.

Construction sign. A sign pertaining only to the construction, alteration, rehabilitation or remodeling of buildings, identifying only those parties involved in construction on the premises and future activity for which the construction is intended.

Free-standing sign. A permanent sign which is not attached to a building.

Indirectly illuminated sign. A sign which is illuminated by a light source which is external to the sign cabinet or structure.

Internally illuminated sign. A sign which is illuminated by a light source which is behind the sign face.

Institution. A nonprofit or quasi-public use such as a church, library, public or private school, hospital, or publicly owned or operated building, structure or property used for public purpose.

Mixed use development. A development which contains any combination of retail, office, institution or multi-family residential uses.

Monument sign. A freestanding sign, a wall with a sign permanently attached, or a decorative wall that incorporates a sign.

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Non-commercial temporary sign. A temporary sign that does not contain any commercial message, announcement, or similar advertising or message.

Official sign. Any regulatory, statutory and traffic control signs necessary to promote the public health, safety and welfare, as required by the municipal, county, state or federal government.

Off-premises sign. A sign other than a billboard which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Off-premises directional sign. A directional sign for institutions, churches, schools and other public facilities.

Portable sign. Any sign not permanently attached to the ground or another permanent structure; including but not limited to: signs designed to be transported by means of wheels, "A" frame signs, menu and sandwich board signs, umbrellas used for advertising and signs attached to or painted on vehicles, parked and visible from the public right-of-way, unless said vehicle is used in the normal day to day operations of the business.

Premises. A lot, parcel or tract of land together with the buildings and structures thereon, having a separate street address.

Projecting sign. A sign that is attached to the exterior wall of a building and extends more than 14 inches from the wall of the building.

Public property. Property owned by a municipality, a county, the State of Alabama or the United States government, except property used for public utility purposes. All public street rights-of-way are public property.

Reader board. Permanent sign containing messages in the form of removable letters or copy that is changed electronically. A reader board may be a building sign or an integral art of a free-standing sign.

Real estate sign. A sign indicating that the property on which the sign is located is for sale, lease or development, to announce an open-house event in connection with the sale or lease of a building, or to identify a model home.

Roof sign. A sign which is attached to and supported by a building and extends above the exterior wall of the building to which it is attached.

Shopping center. A building which contains two or more retail establishments.

Shopping mall. An enclosed shopping center containing two or more retail establishments.

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Sign. A name, identification, image, description, display or illustration which is affixed to, printed or represented directly or indirectly upon a building, structure or piece of land, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization or business.

Sign Administrator. The Sign Administrator shall be the City Planner for the City of Jasper, Alabama.

Sign face area. The sign face area of any sign with only one sign face, shall be computed by means of the smallest geometric figure that encompasses the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.

The sign face area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such faces are not more than 42 inches apart, with a horizontal angle no greater than 30 degrees, the sign area shall be computed by the measurement of one of the sign faces.

Temporary sign. A sign not permanently and rigidly affixed to the ground or a building and is only permitted for one continuous period. See Section 233, Temporary signs.

Temporary special event sign. A temporary sign advertising a specific community event and is only permitted for one continuous period of time. See Section 234, Temporary special event signs.

(Ord. No. 2011-13, § 2, 5-3-11)

Secs. 246—259. - Reserved.

ARTICLE VII. - ADMINISTRATION

DIVISION 1. - GENERALLY

Sec. 260. - Zoning Administrator.

Unless otherwise designated by resolution of the City Council, the provisions of this ordinance shall be administered and enforced by the City Planner who is hereby designated Zoning Administrator. The City Planner shall be assisted by the Building Inspector and the City Engineer who are hereby designated Deputy Zoning Administrators. The City Planner may, upon approval by resolution of the City Council, appoint such other Deputy Zoning Administrators as he/she deems necessary to effectively administer and enforce this

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ordinance. These officials shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections necessary to carry out their prescribed duties in the enforcement of this ordinance.

Secs. 261—269. - Reserved.

DIVISION 2. - PERMITS AND PROCEDURES

Sec. 270. - Permit compliance.

- (a) No building permit, certificate of occupancy, business license, or any other permit or license shall be issued by any City department, official, or employee except in full compliance with this ordinance.
- (b) Any permit or license issued by any City department, official, or employee where issued in conflict with or violation of any terms of this ordinance or other applicable codes or ordinances shall hereby be declared null and void.

Sec. 271. - Certificate of occupancy.

- (a) No land or building or other structure or part thereof hereafter erected, moved or altered in its use shall be used or occupied until the Zoning Administrator authorizes the Building Inspector to issue a certificate of occupancy stating that such land or structure or part thereof is found to be in conformity with the provisions of this ordinance.
- (b) Within three days after the owner or his agent has notified the Building Inspector that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Inspector to order a final inspection thereof, and to issue a certificate of occupancy if the building or premises or part thereof is found to conform with the provisions of this ordinance or if such certificate is refused, to state the refusal in writing with the cause.

Sec. 272. - Building permit.

- (a) It shall be unlawful to obtain a building permit to commence the excavation or the construction of any building or other structure, including accessory structures, or to store building materials or erect temporary field offices, or to commence the moving, alteration, or repair (except repairs not changing the character of the structure and not exceeding one hundred dollars (\$100.00) in value or painting or wallpapering) of any structure, including accessory structures, until the Zoning Administrator has issued authorization to the Building Inspector that the plans, specifications, and intended use of such structure in all respects conforms with the provisions of this ordinance.
- (b)

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If the proposed excavation, construction, moving, or alteration as set forth in the application, are in conformity with the provisions of this ordinance, a building permit may be issued. If an application for a building permit is not approved for zoning, the cause for such disapproval shall be stated in writing on the application. Issuance of a building permit shall in no case be construed as waiving any provision of this ordinance.

- (c) Before issuing a building permit, the Building Inspector shall order an inspection of the site and examine the proposed development plans for compliance with this ordinance.
- (d) Any permit under which no construction work has been done above the foundation walls or other foundation support within ninety days from the date of issuance shall expire by limitations, but shall upon reapplication be renewable, subject, however, to the provisions of City codes in force at the time of said renewal.

Sec. 273. - Plot plan.

- (a) It shall be unlawful for the Zoning Administrator to approve any plans or issue a building permit for any excavation or construction until he has inspected such plans in detail and found them in conformity with this ordinance. To this end, the Zoning Administrator shall require that every application for a building permit be accompanied by a plot plan drawn to scale, dimensioned, and showing the following in sufficient detail to enable the Zoning Administrator to ascertain whether the proposed development is in conformance with this ordinance:
 - (1) The actual shape, proportion and dimensions of the lot to be built upon.
 - (2) The shape, size and location of all buildings or other structures to be erected, altered or moved and of any buildings or other structures already on the lot, both above and below existing grade.
 - (3) The existing and intended use of all such buildings or other structures.
 - (4) The setback and side lines of buildings on adjoining lots and such other information concerning the lot or adjoining lots as may be essential for determining conformance with the provisions of this ordinance.

Sec. 274. - Site plan review.

- (a) New construction and substantial site development expansion of all planned residential developments, planned unit developments, townhouses, five or more multi-family dwellings, manufactured home parks, institutional uses, commercial uses, and industrial uses shall require the approval of a site plan prepared by a professional engineer licensed in the State of Alabama, with the minimum information described below. One reproducible set of plans and five copies of each set shall be submitted for approval.
 - (1) Cover sheet with:

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- a. Name and location of the development; name, address, and signature of the owner; name, address, and seal of the engineer.
 - b. Vicinity map.
 - c. Zoning and existing and proposed land use of the site.
 - d. Date, scale, north arrow, and number of sheets.
- (2) Site layout, including property dimensions, rights-of-way, easements, location and dimensions of all buildings (existing and proposed), setbacks, driveway access, off-street parking and loading, circulation, screening, buffer yards, and landscaping.
- (3) Drainage, paving, grading and excavation, erosion and sedimentation, stormwater detention, floodplain management controls.
- (4) Public and private utilities, including sewage disposal system and water system.
- (5) Fire lanes and hydrants.
- (b) The Zoning Administrator shall review the site plans for general completeness and compliance with this ordinance and shall forward copies of the plans to the City Engineer, Fire Chief and Building Inspector for their review and comment. The Zoning Administrator shall provide the applicant with a decision for approval or disapproval within two weeks of submittal. The reasons for disapproval, along with all review comments, shall be stated in writing to the applicant. A reproducible of the final approved site plan shall be submitted by the applicant and retained on file by the Zoning Administrator. All subsequent building permits and subdivision plats submitted by the applicant shall be in substantial accord with the final site plan. An approved site plan shall become null and void if significant development does not commence with twelve months of approval.
- (c) The applicant shall reimburse the city for any professional fees incurred in the review of the applicant's site plan.
- (d) *Reserved.*
- (e) *Reserved.*
- (f) During site development, unavoidable air pollution can occur. This will primarily consist of particulate matter. It shall be the responsibility of the owner or his agent to take those measures deemed necessary by the aforementioned to control such particulate matter from escaping from the site.
- (g) During the construction and site preparation phase of a development erosion and sedimentation controls shall be installed and properly maintained. It shall be the responsibility of the property owner and/or his agent(s) to install and maintain erosion and sedimentation controls. These controls must be maintained until proper vegetation is established and stable. See [the] following schematic drawings [referred to herein by reference].

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(Ord. No. 1990-261, § 1, 9-18-90; Ord. No. 1999-634, 1-5-99; Ord. No. 2004-06, § 1, 1-6-04)

Sec. 275. - Permits for unsewered areas.

- (a) An application for a building permit or site plan approval for a development not served by public sewer shall not be submitted unless the applicant submits evidence of a preliminary finding by the Walker County Health Department which confirms the suitability of soils for private septic facilities.
- (b) Any lot not served by public water and sewer shall have a minimum lot area of fifteen thousand square feet. The county health department may set a larger minimum lot area requirement to accommodate private wells or septic systems. The county health department may also set smaller minimum lot area requirement to accommodate special engineered systems. Where the district dimensional regulations or the supplemental use regulations in Article III require a lot area greater than twenty thousand square feet or one acre, the provisions of the district dimensional regulations or the supplemental use regulations shall apply.

(Ord. No. 2011-11, § 1, 4-19-11)

Sec. 276. - Conditional use procedures.

- (a) *Application.* All permitted conditional uses where listed in the Table of Permitted Uses shall require the submission of an application to the Planning Commission. An application for a conditional use shall be filed with the Zoning Administrator at least 30 days before the scheduled hearing date before the Planning Commission. The application shall be filed by the property owner or the authorized agent of the owner on a form made available by the Zoning Administrator and shall include the following information and materials:
 - (1) Name, signature, and address of the property, owner and agent of the property owner, if any.
 - (2) Address of the property under consideration.
 - (3) Zoning and land use of the property under consideration.
 - (4) Proposed conditional use.
 - (5) A vicinity map showing the location of the property.
 - (6) A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout.
 - (7) Stamped no. 10 envelopes (legal size) with the names and addresses of adjacent property owners (including those directly across a public right-of-way), as shown in the most recent records of the Walker County Tax Assessor.
- (b) *Public notice.* At least 15 days prior to the scheduled Planning Commission hearing, the Zoning Administrator shall give written notice of the proposal to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage

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prepared, addressed to such property owners at their addresses as submitted with the application. The notice shall state the following information:

- (1) The name of the applicant.
 - (2) The location of the property.
 - (3) The proposed conditional use by special exception.
 - (4) The time, date, and location of the Planning Commission hearing.
- (c) *Planning commission action.* The Planning Commission shall review the plot plan and use proposal for compliance with this chapter and other applicable codes and ordinances. If deemed in compliance, the Planning Commission may still deny any proposal if it concludes, based upon the information submitted at the hearing, that the proposal, more probably than not will adversely affect the public interest and the intent of this chapter, as contained in the purposes and consideration of this chapter and the district intent where the proposal would be carried out. In particular, the Planning Commission shall determine that satisfactory provisions have been made concerning the following, among other considerations of this chapter:
- (1) Ingress and egress to the property and proposed structures or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
 - (2) Off-street parking and loading areas, with particular attention to the items in (1) above.
 - (3) Refuse and service areas, with reference to availability, location, and potentially adverse effects on surrounding properties.
 - (4) Screening and buffering of potentially adverse views and activities from surrounding properties.
 - (5) Control of noise, glare, odor, excess drainage, and other potentially disturbing effects to surrounding properties.
 - (6) Utilities, with reference to location, availability, capacity, and potentially adverse effects to surrounding properties.
 - (7) Signs and lighting, with reference to glare, traffic safety, and visual harmony with adjoining properties.
 - (8) Building bulk, density, lot coverage, yards and open areas, with reference to the compatibility and harmony with the character of the surrounding area.
- (d) *Conditions.* The Planning Commission may impose such conditions for approval as it may deem necessary in the particular case to protect the public interest and the intent of this chapter, in relation to the items listed above and as may otherwise be reasonably necessary. Such conditions

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shall apply to the land, structure or sue for which the conditional use was granted and not to a particular person. Violations of conditions lawfully attached to any conditional use shall be deemed violations of this chapter.

- (e) *Appeal.* Appeal of the Planning Commission's decision may be filed by any party affected by the Planning Commission decision. Such appeal shall be filed with the City Council within 30 days of the Planning Commission decision. Within a reasonable period following receipt of the appeal, the Council by majority vote shall decide to affirm, modify, or reverse the decision of the Planning Commission.

(Ord. No. 2003-10, § 22, 4-10-03)

Sec. 277. - Special exception procedures.

- (a) *Application.* All permitted uses by special exception where listed in the Table of Permitted Uses shall require the submission of an application to the Zoning Board of Adjustment. An application for a special exception shall be filed with the Zoning Administrator at least 10 days before the scheduled hearing date before the Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the owner on a form made available by the Zoning Administrator and shall include the following information and materials:
 - (1) Name, signature, and address of the property owner and agent of the property owner, if any.
 - (2) Address of the property under consideration.
 - (3) Zoning and land use of the property under consideration.
 - (4) Proposed use by special exception.
 - (5) A vicinity map showing the location of the property.
 - (6) A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout.
- (b) *Public notice.* At least 5 days prior to the scheduled Board of Adjustment hearing, the Zoning Administrator shall give written notice of the proposal to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage prepared, addressed to such property owners at their addresses as shown in the most recent records of the Walker County Tax Assessor. The notice shall state the following information:
 - (1) The name of the applicant.
 - (2) The location of the property.
 - (3) The proposed use by special exception.
 - (4) The time, date, and location of the Board hearing.
- (c)

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Board action. The Zoning Board of Adjustment shall review the plot plan and use proposal for compliance with this chapter and other applicable codes and ordinance. If deemed in compliance, the Board may still deny any proposal if it concludes, based upon the information submitted at the hearing, that the proposal, more probably than not will adversely affect the public interest and the intent of this chapter, as contained in the purposes and consideration of this chapter and the district intent where the proposal would be carried out. In particular, the Board shall determine that satisfactory provisions have been made concerning the following, among other considerations of this chapter:

- (1) Ingress and egress to the property and proposed structures or uses, with particular attention to vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
 - (2) Off-street parking and loading areas, with particular attention to the items in (1) above.
 - (3) Refuse and service areas, with reference to availability, location, and potentially adverse effects on surrounding properties.
 - (4) Screening and buffering of potentially adverse views and activities from surrounding properties.
 - (5) Control of noise, glare, odor, excess drainage, and other potentially disturbing effects to surrounding properties.
 - (6) Utilities, with reference to location, availability, capacity, and potentially adverse effects to surrounding properties.
 - (7) Signs and lighting, with reference to glare, traffic safety, and visual harmony with adjoining properties.
 - (8) Building bulk, density, lot coverage, yards and open areas, with reference to the compatibility and harmony with the character of the surrounding area.
- (d) *Conditions.* The Board may impose such conditions for approval as it may deem necessary in the particular case to protect the public interest and the intent of this chapter, in relation to the items listed above and as may otherwise be reasonably necessary. Such conditions shall apply to the land, structure or use for which the special exception was granted and not to a particular person. Violations of conditions lawfully attached to any special exception shall be deemed violations of this chapter.

(Ord. No. 1992-340, § 1, 7-21-92; Ord. No. 2003-10, § 23, 4-10-03)

State Law reference— Board of Adjustment, Code of Ala. 1975, § 11-52-80.

Cross references—See [§ 170](#) for special exception uses in floodway, [§ 322](#) for meetings of the Board, [§ 323](#) for appeals to the Board, and [§ 324](#) for powers and duties of the Board.

Sec. 278. - Administrative appeal procedures.

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- (a) *Application.* Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. All actions by the Zoning Administrator on the matter subject to appeal shall be frozen until the appeal is acted upon by the Board. An administrative appeal shall require the submission of an application to the Zoning Board of Adjustment. The application shall be filed with the Zoning Administrator at least 30 days before the scheduled hearing date before the Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the owner on a form made available by the Zoning Administrator and shall include the following information and materials:
- (1) Name, signature, and address of the property owner and attorney for the property owner, if any.
 - (2) Address of the property under consideration.
 - (3) The decision of the Zoning Administrative under appeal.
 - (4) A written statement specifying the grounds for appeal.
- (b) *Public notice.* At least 15 days prior to the scheduled Board of Adjustment hearing, the Zoning Administrator shall give written notice of the appeal to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage prepared, addressed to such property owners at their addresses as submitted with the application. The notice shall state the following information;
- (1) The name of the applicant.
 - (2) The location of the property.
 - (3) The decision of the Zoning Administrator under appeal.
 - (4) The time, date, and location of the Board hearing.
- (c) *Board action.* The Zoning Administrator shall transmit all papers constituting the record upon which the action appealed was taken to the Board which shall take action to uphold, modify, or overturn the decision of the Zoning Administrator.

(Ord. No. 1992-340, § 1, 7-21-92; Ord. No. 2003-10, § 24, 4-10-03)

State Law reference— Board of Adjustment, Code of Ala. 1975, § 11-52-80.

Cross references—See [§ 322](#) for meetings of the Board, [§ 323](#) for appeals to the Board, and [§ 324](#) for powers and duties of the Board.

Sec. 279. - Variance procedures.

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- (a) *Justification.* Variances to the terms of this chapter may be granted individual cases upon a finding by the Board of Adjustment that the variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provision of this chapter subject to a variance will result in unnecessary hardship and so that the spirit of this chapter shall be observed and substantial justice done. More specifically, the Board shall determine all of the following criteria have been satisfied:
- (1) The Board should make proper adjustment to prevent unnecessary hardship, even to the extent of authorizing nonconforming uses. Where the Board authorizes a nonconforming use in a district to prevent unnecessary hardship, all relevant factors, when taken together, must indicate that the plight of the premises in question is unique in that they cannot be put reasonably to a conforming use because of the limitations imposed upon them by reason of their classification in a specific zone.
 - (2) Variances should be permitted only under peculiar and exceptional circumstances.
 - (3) Hardship alone is not sufficient; Alabama statutes require unnecessary hardship.
 - (4) Mere financial loss of a kind which might be common to all of the property owners in a district is not an unnecessary hardship.
 - (5) Variances should be granted sparingly, and spirit of this chapter in harmony with the spirit of State law should be carefully preserved, to the end that the structure of this chapter would not disintegrate and fall apart by constant erosion at the hands of the Board.
 - (6) When a hardship is self-inflicted or self-created, there is no basis for claim that a variance should be granted.
- (b) *Application.* An application for a variance shall be filed with the Zoning Administrator at least 10 days before the scheduled hearing date before the Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the owner on a form made available by the Zoning Administrator and shall include the following information and materials:
- (1) Name, signature, and address of the property owner and agent of the property owner, if any.
 - (2) Address of the property under consideration.
 - (3) Zoning and land use of the property under consideration.
 - (4) Nature of the variance with reference to applicable zoning provisions.
 - (5) Justification for the variance in accordance with all of the criteria in (a) above.
 - (6) A vicinity map showing the location of the property.
 - (7) A plot plan, drawn to scale and dimensioned, showing the property boundaries and proposed development layout with the variance noted or highlighted.

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Public notice. At least 5 days prior to the scheduled Board of Adjustment hearing, the Zoning Administrator shall give written notice of the variance to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage prepared, addressed to such property owners at their addresses as shown in the most recent records of the Walker County Tax Assessor. The notice shall state the following information:

- (1) The name of the applicant.
- (2) The location of the property.
- (3) The nature of the variance and the applicable zoning provisions.
- (4) The time, date, and location of the Board hearing.

(Ord. No. 1992-340, § 1, 7-21-92; Ord. No. 2003-10, § 25, 4-10-03)

State Law reference— Board of Adjustment, Code of Ala. 1975, § 11-52-80.

Cross references—See [§ 171](#) for variances to Flood Hazard District requirements, [§ 322](#) for meetings of the Board, [§ 323](#) for appeals to the Board, and [§ 324](#) for powers and duties of the Board.

Secs. 280—289, - Reserved.

DIVISION 3. - NONCONFORMITIES

Sec. 290. - Purpose of provisions for nonconformities.

Within the districts established by this ordinance or by subsequent amendments to this ordinance, lawful uses, lots, buildings, and characteristics of uses existed in conformity to all applicable zoning provisions before this ordinance was adopted or subsequently amended. However, as a result of adoption or subsequent amendment to this ordinance, such lawful activities no longer conform to all applicable zoning provisions. These activities shall be deemed lawful nonconformities which are permitted to remain under the provisions of this division. It is the intent of this division that the continuation of lawful nonconformities should not be indefinite and that all nonconformities with this ordinance should gradually be removed.

Sec. 291. - Types of nonconformities.

- (a) *Nonconforming building.* An otherwise legal building that does not conform with the yard, height, or other dimensional requirements for the district in which it is located or is designed or intended for a nonconforming use.
- (b) *Nonconforming characteristics of use.* An otherwise legal characteristic of use, lot, or structure which does not conform with the off-street parking and loading standards, screening and buffer yard standards, sign standards, or any supplemental standards for the district in which it is

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located or is designed or intended for a nonconforming use.

- (c) *Nonconforming lot.* An otherwise legally platted lot that does not conform with the dimensional requirements for the district in which it is located.
- (d) *Nonconforming use.* The otherwise legal use of a building, structure, or lot that does not conform with the permitted uses for the district in which it is located.

Sec. 292. - Continuation of nonconformities.

Nonconformities may be continued as provided by this section:

- (1) If any changes in ownership or tenancy occurs, any nonconformity may be continued by the new owner or tenant under the provisions of this division.
- (2) A nonconformity may continue if it does not cease for any reason for a period exceeding six months.
- (3) Plans for nonconforming construction, site development, site alteration, use or occupancy for which a valid building permit, certificate of occupancy, site plan, special exception, preliminary subdivision plat, or other City license was approved prior to the effective date of this ordinance or subsequent amendment may proceed. However, all construction, site development, or site alteration must be completed within one year and use or occupancy must be established within 30 days after the effective completion date.
- (4) A lot that was legally platted prior to the effective date of this ordinance that does not meet the lot area, width, or dimensional requirements for the district in which it is located may be developed or used in conformity with all other provisions of this ordinance. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.
- (5) Any use in existence prior to the effective date of this ordinance or subsequent amendment that results in a nonconforming characteristic of use may continue in nonconformity with the off-street parking and loading, screening and buffer yard, sign, or supplemental standards so long as the kind or extent of such use does not increase the ordinance requirements for such characteristics of use.
- (6) A nonconforming use may occupy any part of a structure or lot that was arranged or designed for such use unless occupancy of that part of the structure or lot has been discontinued for a period exceeding six months.

Sec. 293. - Repair and maintenance of nonconformities.

- (a) On any structure, devoted entirely or partly to a nonconforming use, work may be done on ordinary maintenance or repair and replacement of walls, fixtures, wiring, or plumbing, provided the cubic content of the structure, as it existed at the effective date of this ordinance or

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subsequent amendment, shall not be increased. The cost of the work shall not exceed ten percent of the appraised replacement cost of the structure or the part.

- (b) On any lot devoted entirely or in part to any nonconforming use, work may be done on ordinary maintenance or repair and replacement of parking and loading areas, signs, lighting, fences, walls, and related exterior amenities provided the extent of those amenities shall not be increased or rearranged.
- (c) Nothing in this division shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or exterior amenity declared unsafe by any official charged with protecting the public safety, on order of such official, nor shall anything in this division be deemed to exempt any such structure or amenity from any requirements of any federal, state, or local government regulation.

Sec. 294. - Alteration, enlargement, or restoration of nonconformities.

- (a) No nonconforming use shall be enlarged within a structure or occupy a greater area of land than at the effective date of this ordinance or subsequent amendment.
- (b) No nonconforming use or structure shall be moved to any portion of the lot other than that occupied at the effective date of this ordinance or subsequent amendment.
- (c) No nonconforming use, structure or characteristic of use may be altered or enlarged or intensified in any way which increases its nonconformity but may be altered or reduced to decrease its nonconformity.
- (d) If a nonconforming structure is removed or damaged in any manner to the extent that the restoration costs exceeds 50% of the original value of the structure immediately before the damaging occurrence, subsequent use of the lot shall be in full compliance with the district in which it is located.

Sec. 295. - Change in use.

- (a) Any nonconforming use which changes to a permitted use within the district in which it is located, shall not revert to a nonconforming use.
- (b) A nonconforming use may change to a new nonconforming use provided the new use is more in keeping with the district in which it is located and is less objectionable and measures less external impact than the existing nonconforming use. In determining whether the new use would be in greater conformity with this ordinance, impact criteria such as, but not limited to, the following shall be evaluated:
 - (1) Traffic generation and congestion, including truck, passenger car, and pedestrian traffic.
 - (2) Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, or vibration.

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Sec. 296. - Appraised cost or value.

For the purpose of this division, "*appraised cost or value*" shall refer to an appraised valuation by a board of not less than three professionally certified real estate appraisers.

Secs. 297—299. - Reserved.

DIVISION 4. - AMENDMENTS

Sec. 300. - Authority to amend.

Whenever the public necessity, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable vote of a majority of the members, may amend the regulations or zoning district boundaries herein established.

State Law reference— Amendment, Code of Ala. 1975, § 11-52-78.

Sec. 301. - Authorized petitioners.

A petition for amendment of this ordinance or the zoning district boundaries may be initiated by the City Council, the Planning Commission, or the owner or agent of such property subject to amendment of zoning district boundaries.

Sec. 302. - Petition for amendment.

- (a) A petition for amendment when initiated by the property owner or authorized agent of such owner shall meet the application requirements of this section.
- (b) The application for rezoning shall be made on a form available from the Zoning Administrator and be filed with the Zoning Administrator at least 30 days prior to the Planning Commission hearing. The applicant shall provide the following information and materials:
 - (1) Name, signature, and address of the property owner and agent of the property owner, if any.
 - (2) Address and legal description of the property under consideration, accompanied by a copy of the applicable tax maps clearly identifying the property subject to rezoning.
 - (3) Present and proposed zoning and land use of the property under consideration.
 - (4) Reason for the rezoning request.
 - (5) Availability of required utilities and methods of stormwater drainage and traffic control.
 - (6) A vicinity map, drawn to scale, showing the size and location of the property.
 - (7)

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A site plan, drawn to scale and dimensioned, showing the property boundaries, public rights-of-way, and the proposed use and development layout.

- (8) Public hearing notices on a form made available by the Zoning Administrator and stamped no. 10 envelopes (legal size) with the names and addresses of adjacent property owners (including those directly across a public right-of-way), as shown in the most recent records of the Walker County Tax Assessor.
- (9) A \$100.00 filing fee.

Sec. 303. - Planning Commission action.

- (a) In the case of a petition by a property owner, at least 15 days prior to the scheduled Planning Commission hearing, the Zoning Administrator shall give written notice of the rezoning to all adjacent property owners. Such notice shall be deemed given when deposited in the United States mail, first class postage prepaid, addressed to the names and addresses of adjacent property owners (including those directly across a public right-of-way) as shown in the most recent records of the Walker County Tax Assessor.
- (b) The Planning Commission shall hold a public hearing at the first regularly scheduled meeting after compliance with the application and notice requirements of this ordinance.
- (c) At least six days public notice of the hearing shall be given in accordance with the publication or posting requirement in Section 305, Public notice of hearings. The Planning Commission, by majority vote, shall report its recommendations to the City Council. The Planning Commission report shall be transmitted to the City Council within thirty days of the hearing, unless the City Council grants an extension of such period. Otherwise, the proposed amendment shall be considered to have been recommended by the Planning Commission.

(Ord. No. 2003-10, § 26, 4-10-03)

Sec. 304. - City Council action.

- (a) Upon receipt of the recommendation of the Planning Commission, the City Council shall hold a public hearing on the proposed amendment.
- (b) The City Council shall give public notice of the hearing on the proposed amendment in accordance with Section 305, Public notice of hearings.
- (c) Following notice and hearing, the City Council shall decide by majority vote to accept or reject the proposed amendment.
- (d) If the City Council takes no final action upon the proposed amendment within ninety days after receipt of the recommendation of the Planning Commission the proposed amendment shall be deemed to have been rejected and overruled by the Council.

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(Ord. No. 2003-10, § 27, 4-10-03)

Sec. 305. - Public notice of hearings.

- (a) At least 15 days in advance of the public hearing before the City Council, the Council shall publish the proposed zoning ordinance amendment in full for one insertion in a newspaper of general circulation published within the City, together with a notice stating the time and place that the ordinance is to be considered by the City Council and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance. One week after the first insertion, the City Council shall have published a synopsis of the proposed ordinance, which synopsis shall refer to the date of the newspaper in which the proposed ordinance was first published. If there is no newspaper of general circulation published within the City, then the City Council must cause the ordinance and notice to be posted in four conspicuous places within the City. The Council may both publish and post the hearing notice.
- (b) At least six days in advance of the public hearing before the Planning Commission, the Commission shall publish notice of the proposed zoning ordinance amendment for one insertion in a newspaper of general circulation published within the City, stating the time, place, and object of the hearing and stating further that at such time and place all persons who desire shall have opportunity of being heard in opposition to or in favor of such ordinance. If there is no newspaper of general circulation published within the City, then the Planning Commission must cause the ordinance and notice to be posted in four conspicuous places within the City. The Commission may both publish and post the hearing notice.
- (c) The Zoning Administrator shall be responsible for posting proper notification with signs noting the proposed district change and the time and place of the Planning Commission hearing. Property shall be posted at least 15 days in advance of the public hearing before the Planning Commission, and posting shall be deemed complete upon the posting of the notice. The signs shall be placed at reasonable intervals along the public street abutting the property.
- (d) The Zoning Administrator shall be responsible for posting property with signs announcing the proposed rezoning hearing before the City Council. Each placard shall note the proposed district change and the time and place of the City Council hearing. Property shall be posted at least 15 days in advance of the public hearing before the City Council and posting shall be deemed complete upon the posting of the notice. The signs shall be placed at reasonable intervals along the public street abutting the property. Municipal Reserve (MR) zoning districts are not subject to the provisions of this section. Refer to sections 150—154.

(Ord. No. 1992-339, § 1, 7-21-92; Ord. No. 2003-10, § 28, 4-10-03)

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State Law reference— Procedure for adoption, Code of Ala. 1975, § 11-52-77.

Sec. 306. - Conditional rezoning.

- (a) In situations where more flexible and adaptable zoning methods are needed, rezoning amendments may be allowed subject to certain conditions that are not generally applicable to land similarly zoned. Proposed rezoning amendments may include the voluntary proffering in writing, signed by the property owner (and the authorized agent of the property owner, if any), of reasonable conditions in addition to the regulations provided for in the desired zoning district. Any such proffered conditions must be made prior to the public hearing held by the City Council and must adhere to the following criteria:
- (1) The rezoning itself must give rise for the need for the conditions.
 - (2) Such conditions shall have a reasonable relation to the rezoning.
 - (3) Such conditions shall not include a cash contribution to the City.
 - (4) Such conditions shall not include dedication of property for public right-of-way or facilities, unless otherwise required by the *Jasper Subdivision Regulations*.
 - (5) Such conditions shall not include payment for or construction of off-site improvements, unless otherwise required by the *Jasper Subdivision Regulations*.
 - (6) No condition shall be proffered that is not related to the physical development or physical operation of the property.
 - (7) No condition shall allow for the reversion of zoning held previous to the rezoning, unless a new application for rezoning is filed in accordance with this division.
 - (8) All such conditions shall be in conformity with the purposes and consideration of this ordinance.
- (b) The Zoning Administrator shall be vested with all necessary authority on behalf of the City Council to administer and enforce conditions attached to a rezoning amendment.
- (c) The official zoning map shall show by an appropriate symbol the existence of conditions attaching to the zoning. The Zoning Administrator shall keep in his office and make available for public inspection a *Conditional Zoning Index*. The index shall provide ready access to the ordinance creating conditions in addition to the regulations provided for in a particular zoning district. The zoning designation of the property shall carry a C suffix in addition to the zoning district designation (for example, B-2C), and the zoning map shall reference the Conditional Zoning Index by ordinance number.
- (d) Any amendment, waiver, or variation of conditions created pursuant to the provisions of this section shall be subject to zoning amendment procedures.

Sec. 307. - Limitations on rezoning amendments.

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Should the City Council reject a rezoning amendment proposal by a property owner, the same kind of rezoning of the same tract land will not be considered by the Planning Commission until a period of one year has elapsed from the date of such action by the City Council. Further, a withdrawal of the application for rezoning after the hearing held by the Planning Commission, but prior to the hearing held by the City Council shall also require a one year time period before another application may be submitted. However, the Planning Commission may adjust this time period if in the opinion of a majority of the Commission, an unusual situation or circumstance exists which would warrant another hearing. Each time the zoning amendment application is made, the required filing fee must be paid. Under no condition shall the fee be refunded for failure of such proposed amendment to be enacted into law.

Secs. 308, 309. - Reserved.

DIVISION 5. - PENALTIES AND REMEDIES

Sec. 310. - Penalties.

Any person, firm, corporation, or other organization committing an offense which is in violation of any provision of this ordinance shall be fined upon conviction not less than one dollar (\$1.00) nor more than five hundred dollars (\$500.00). In addition thereto, any person so convicted, may be imprisoned or sentenced to hard labor for the city for a period not exceeding six months, at the discretion of the court trying the case. Provided, however, no penalty shall consist of a fine or sentence or imprisonment exceeding the maximum fine or sentence of imprisonment established under state law for the commission of substantially similar offenses. Each day such violation continues shall constitute a separate offense. The conviction of an offense shall not constitute an exemption from compliance with the provisions of this ordinance.

Cross reference— General penalty, City Code, § 1-8.

Sec. 311. - Remedies.

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure or land is used in violation of this ordinance, the Zoning Administrator or any other appropriate authority or any adjacent or neighboring property owner who would be damaged or caused hardship by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to stay or prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to correct or abate such violation or to prevent occupancy of such building, structure or land.

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State Law reference— Remedies, Code of Ala. 1975, § 11-52-83.

Secs. 312—319. - Reserved.

ARTICLE VIII. - ZONING BOARD OF ADJUSTMENT

Footnotes:

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State Law reference— *Board of Adjustment, Code of Ala. 1975, § 11-52-80.*

Cross reference— *See § 277 for special exception procedures, § 278 for administrative appeal procedures, and § 279 for variance procedures.*

Sec. 320. - Creation.

The City Council of Jasper hereby appoints a Zoning Board of Adjustment. This Board shall in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of this ordinance in harmony with its general purposes and interests and in accordance with the rules contained in this article.

Sec. 321. - Composition and appointment.

The Board of Adjustment shall consist of five members, each to be appointed for a term of three years, except that in the first instance one member shall be appointed for a term of three years, two for a term of two years and two for a term of one year, and thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed. In addition to the five regular members provided for in this section two supernumerary members shall be appointed to serve on such board at the call of the chairman only in the absence of regular members and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment. Appointed members may be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Sec. 322. - Meetings.

The Board shall adopt rules of meeting procedures. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman or, in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member

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upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and of other official actions, all of which shall immediately be filed in the office of the Board and shall be a public record.

Sec. 323. - Appeals to the Board.

Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the Zoning Administrator and with the board of adjustment a notice of appeal specifying the grounds thereof. The Zoning Administrator shall transmit forthwith to the Board all papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the Board of Adjustment after the notice of appeal shall have been filed with him/her that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. Such proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application on notice to the Zoning Administrator and on due cause shown. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

Sec. 324. - Powers and duties.

- (a) The Board of Adjustment shall have the following powers:
 - (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance or of any ordinance adopted pursuant thereto;
 - (2) To hear and decide special exceptions to the terms of the ordinance upon which such Board is required to pass under such ordinance; and
 - (3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.
- (b) In exercising the powers mentioned in this section, such board may, in conformity with the provisions of this article, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and, to that end shall have all the powers of the Zoning Administrator. The concurring vote of four members of the Board shall be necessary to

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reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

- (c) The Board of Adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called on by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the ground of the decision appealed from and shall be verified.

Sec. 325. - Appeal of Board decision.

Any party aggrieved by any final judgment or decision of such Board of Zoning Adjustment may within 15 days thereafter appeal therefrom to the circuit court by filing with such Board a written notice of appeal specifying the judgment or decision from which the appeal is taken. In case of such appeal such Board shall cause a transcript of the proceedings in the action to be certified to the court to which the appeal is taken, and the action in such court shall be tried de novo.

State Law reference— Appeals to circuit, Code of Ala. 1975, § 11-52-81.

Secs. 326—329. Reserved.

ARTICLE IX. - DEFINITIONS

Sec. 330. - Purpose of definitions.

For the purpose of this Zoning Ordinance, certain terms used in this ordinance shall have the meanings defined by this article. In the event a term is not listed in this article or is not defined elsewhere in this ordinance, the conventional meaning of the term shall apply.

Sec. 331. - Interpretation.

The Zoning Administrator is authorized to make a final determination of the meaning of any term used in this ordinance. In case of any dispute, an appeal of the Zoning Administrator's determination may be filed with the Zoning Board of Adjustment.

Cross reference— See [§ 278](#) for administrative appeal procedures.

Sec. 332. - Word usage.

In the interpretation of the words used in this ordinance, the provisions and rules of this section shall be observed and applied, except when the context clearly requires otherwise.

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- (1) Words used or defined in one tense or form shall include other tenses and derivative forms.
- (2) Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
- (3) The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- (4) The word *shall* is mandatory, and the word *may* is permissive.
- (5) The word *person* includes an individual, firm, association, organization, partnership, trust, company, or corporation.

Sec. 333. - General terms defined.

The following general terms when referred to in this ordinance shall have the meanings defined by this section:

Abut, adjacent, adjoin, or contiguous. To physically touch or border upon; to share a common border with or be separated from the common border by an easement.

Access. A way or means approach to provide physical entrance to a property.

Access driveway. Refer to Section 190, Off-street parking and loading terms defined.

Accessory structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

Accessory use. A use of land or of a building or portion thereof commonly associated with and integrally related to the principal use of the land or building on the same lot and which constitutes a customarily incidental and insubstantial part of the total activity on the lot.

Acre. A measure of land area containing 43,560 square feet.

Addition. A structure added to the original structure at some time after completion of or after a certificate of occupancy has been issued for the original structure.

Alteration. Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Applicant. A person submitting an application for development.

Appraised cost or value. Refer to Section 296, Appraised or value.

Base flood or 100-year flood. Refer to Section 163, Flood hazard terms defined.

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Basement. A portion of a building located wholly or partially underground, having one-half or more of its floor-to-ceiling height above the average grade of the adjoining ground.

Bedroom. A room marketed, designed or otherwise likely to function primarily for sleeping.

Berm. A grass-covered or landscaped mound of earth with a slope of $\frac{1}{4}$ or greater on both sides of mound, used to screen activities or uses on a lot.

Board or Board of Adjustment. The Zoning Board of Jasper, Alabama.

Boarder. An individual other than a member of the family occupying the dwelling unit or part thereof, who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

Buffer yard. Refer to [Section 211, Screening and buffer yard terms defined.](#)

Building. A structure designed to be used as a place of occupancy, storage, or shelter.

Building, accessory. A subordinate building detached from a principal building on the same lot and that is used incidentally to a principal building or that houses an accessory use.

Building, principal. The primary building on a lot or a building that houses a principal use.

Building front. The exterior wall of a building which faces a street line on the lot.

Building height. Refer to [Section 111, Dimensional terms defined.](#)

Building line. A line generally parallel to the street right-of-way line at a distance equal to the depth of the front yard required for the zoning district in which the lot is located.

Building spacing. The minimum distance between buildings, measured from the outermost projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices, and gutters.

BR. Refer to [Section 190, Off-street parking and loading terms defined.](#)

Carport. A roofed structure providing space for the parking or storage of motor vehicles and enclosed on not more than three sides.

City. The City of Jasper, Alabama.

Commission or Planning Commission. The Planning Commission of Jasper, Alabama.

Club. A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.

Commonly Associated. Refer to [Section 42, Combined and accessory uses.](#)

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Condominium. An ownership arrangement, not a land use. It is allowed in any district and under the same restrictions as the land uses that it comprises. It is characterized by private ownership of individual units and undivided common ownership and maintenance of designated exterior and interior spaces by a condominium association of unit owners.

Council or City Council. The City Council of Jasper, Alabama.

Density. The minimum required lot area per dwelling unit or the maximum number of dwelling units per acre of site area.

Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, alteration, relocation, or enlargement of a structure; any mining, dredging, filling, grading, paving, excavation, drilling, or disturbance of land; and any use or extension of use of land. Also refer to Section 163, *Flood hazard terms defined*.

DU. Refer to Section 190, *Off-street parking and loading terms defined*.

Dwelling. Any building or portion thereof which is designed and used for residential occupancy.

Dwelling, attached. Three or more dwelling units adjoining one another by a common roof, wall or floor, such as a multiplex, townhouse, garden apartment, multistory apartment, or upper-story apartment.

Dwelling, detached. A dwelling designed for and occupied by not more than one family and having no roof, wall, or floor in common with any other dwelling unit, such as a single-family residence, patio home, or manufactured home.

Dwelling, multi-family. A building containing two or more dwelling units on a commonly shared lot, such as duplex, multiplex, garden apartment, multi-story apartment, or upper-story apartment.

Dwelling, semi-detached. Two dwelling units adjoining one another by a common roof, wall, or floor, such as a duplex or twin townhouses.

Dwelling, single family. A dwelling unit on an individual lot, such as a single family residence, patio home, manufactured home, or townhouse.

Dwelling unit. An enclosure containing sleeping, kitchen, and bathroom facilities designed for and used or held ready for use by a single family.

Easement. Authorization by a property owner of the use by another and for a specified purpose of a designated part of his property.

Employee. Refer to Section 190, *Off-street parking and loading terms defined*.

Family. One or more persons living together as a single housekeeping unit.

Fence. An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

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Flag lot. A parcel of land which does not have the required minimum lot width at the building line but has direct access to a public street through a narrow strip of land which is part of the same lot. The lot lines of the narrow portion of the lot (the flag pole) are parallel or nearly parallel. These provisions are intended for tracts with limited frontage that would limit the number of lots with the required width, but the tract has sufficient area to the rear for an additional lot or two.

Flood or flooding. Refer to [Section 163](#), *Flood hazard terms defined*.

Floodplain. Refer to [Section 163](#), *Flood hazard terms defined*.

Floodway. Refer to [Section 163](#), *Flood hazard terms defined*.

Floodway fringe. Refer to [Section 163](#), *Flood hazard terms defined*.

Floor area, gross. The total area of a building measured by taking the outside dimensions of the building at each floor level for occupancy or storage.

GLA. Refer to [Section 190](#), *Off-street parking and loading terms defined*.

Immediate family member. Refer to [Section 64](#), *Accessory apartment*, [Section 65](#), *Accessory cottage*, [§ 66](#), *Accessory manufactured home*, and [Section 115](#), *Frontage requirement*.

Improvement. Any man-made, immovable item which becomes part of, placed upon, or affixed to real estate.

Inoperative motor vehicle. Refer to [Section 190](#), *Off-street parking and loading terms defined*.

Livable or habitable floor area. Any floor area within a dwelling usable for any combination of sleeping, eating, cooking, recreation, or working purposes.

Loading area. Refer to [Section 190](#), *Off-street parking and loading terms defined*.

Loading space. Refer to [Section 190](#), *Off-street parking and loading terms defined*.

Lot. A parcel of land in one ownership used, or set aside and available for use, as the site of one or more buildings and accessory buildings, or for any other purpose. A lot is not divided by a street and does not include any land within the abutting right-of-way of a public or private street even if the ownership to such right-of-way is in the owner of the lot. A lot for the purpose of this ordinance may or may not coincide with a lot of record.

Lot, corner. A lot abutting two or more streets at their intersection.

Lot, double frontage or through. A lot having frontage on two streets but not at their intersection.

Lot, interior. A lot other than a corner lot.

Lot, reverse frontage. A double frontage lot having a rear yard on a major street and a front yard and access to a local or marginal access street.

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Lot area or lot size. Refer to Section 111, Dimensional terms defined.

Lot frontage or frontage. Lot width measured at the street line. When a lot has more than one street line, lot width shall be measured, and the minimum lot width required by this ordinance shall be provided at each such line.

Lot line. A line bounding a lot which divides one lot from another or from a street or from any other public or private space.

Lot line, front. In the case of a lot abutting only one street, the street line separating such lot from such streets shall be the front lot line; in the case of a double frontage lot, each street line separating such lot from a street shall be the front lot line, in the case of a corner lot, the street line having the least dimension.

Lot line, rear. That lot line which is parallel to and most distant from the front line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front line shall be considered to be the rear lot line. In the case of a double frontage lot, there are no rear lot lines but only front and side lot lines.

Lot line, side. Any lot line other than a front or rear lot line.

Lot of record. Any validly recorded lot which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

Lot width. Refer to Section 111, Dimensional terms defined.

Lowest floor. Refer to Section 163, Flood hazard terms defined.

Manufactured home. A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electric systems contained therein. If constructed on or after June 15, 1976 the unit bears a seal certifying compliance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development. Also refer to Section 163, Flood hazard terms defined.

Manufactured home lot. A lot that is designed for use by a manufactured home within a manufactured home subdivision.

Manufactured home space. A space that is designed for use by a manufactured home within a manufactured home park.

Modular home. A dwelling constructed on-site in accordance with the locally adopted building code. It is composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home is not a manufactured home in that the

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latter is constructed in a plant in accordance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development and does not meet the construction standards of locally adopted building code.

Nonconforming building. Refer to Section 291, *Types of nonconformities*.

Nonconforming characteristics of use. Refer to Section 291, *Types of nonconformities*.

Nonconforming lot. Refer to Section 291, *Types of nonconformities*.

Nonconforming use. Refer to Section 291, *Types of nonconformities*.

Nonconformities. Lawful uses, lot structures, or characteristics of uses which, as a result of adoption or subsequent amendment to this ordinance, no longer conform to all applicable zoning provisions.

Occupancy load. Refer to Section 190, *Off-street parking and loading terms defined*.

Open space, common. Land area within a residential development that is held in common ownership and maintained by a homeowners' association for all of the residents for recreation, protection of natural land features, amenities, or buffers; is freely accessible to all residents of the development; and is protected by the provisions of this ordinance to ensure that it remains in such uses. Common open space does not include surface water bodies (i.e., rivers, streams, lakes, or ponds) nor land occupied by nonresidential buildings, common driveways or parking areas, or street rights-of-way; nor does it include lots for single family or multi-family dwellings. Common open space shall be left in a natural state or landscaped, except in the case of recreational structures.

Outdoor storage. The keeping, in an unenclosed area, of any goods, materials, merchandise, or vehicles in the same place for more than twenty-four hours.

Owner. The person or persons having the right to legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel of land.

Parking aisle. Refer to Section 190, *Off-street parking and loading terms defined*.

Parking area. Refer to Section 190, *Off-street parking and loading terms defined*.

Parking space. Refer to Section 190, *Off-street parking and loading terms defined*.

Patio or terrace. A level, landscaped or surfaced area on a lot directly adjacent to or close to a principal building and not covered by a permanent roof.

Perimeter. The boundaries or borders of a lot, tract, or parcel of land.

Porch. A roofed open area, which may be windowed or screened, attached to and with direct access to or from a building. A porch becomes a room within the building when heated or air conditioned or when the walled area is less than 50% windowed or screened.

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Premises. A lot, parcel, tract, or plot of land together with the structures thereon.

Property line. The lot line.

Retail. The provision of services or the sale of goods and merchandise to the public at large for personal or household use or consumption.

Satellite dish antenna. An accessory structure designed to receive television broadcasts relayed by microwave signals from earth-orbiting communications satellites.

Screening. Refer to [Section 211](#), *Screening and buffer yard terms defined*.

Sidewalk. A paved, surfaced, or leveled area, paralleling and separated from the street, used as a pedestrian walkway.

Sight triangle. A triangular-shaped portion of land established at street or driveway intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Site. A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

Site area. A minimum land area required to qualify for a particular use or development. Site area is taken from an actual site survey and excludes:

- Land within an existing or future street right-of-way;
- Land which is not contiguous or is cut off by a major barrier;
- Land which is zoned for another use.

sf. Refer to [Section 190](#), *Off-street parking and loading terms defined*.

Start of construction. Refer to [Section 163](#), *Flood hazard terms defined*.

Story. That portion of a building included between the upper surface of a floor and upper surface of the floor or ceiling next above. A mezzanine or partial floor shall be counted as a story if the vertical distance from the floor next below to the floor or ceiling next above is 24 feet or more. A basement shall be counted as a story if it is used as livable area in the case of dwellings or is used by the principal use in the case of all other uses.

Story, half. A space under a sloping roof, in which the floor area with head room of five feet or greater occupies no more than two-thirds of the total floor area of the story directly beneath.

Street. Any vehicular way which has been dedicated to the public for public use, including all land within the right-of-way.

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Street, arterial. A major street intended to move through traffic to and from major activity centers within the City or intended as a major route between communities.

Street, collector. A major street intended to move traffic from local streets to arterial streets. A collector street serves a neighborhood or large subdivision.

Street, local. A minor residential street intended to provide access to other streets from individual lots.

Street, major. A collector or arterial street.

Street, marginal access or service. A street intended to provide access to a parallel arterial street from adjacent properties.

Street line. The lot line along the street right-of-way.

Structure. Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. All buildings are structures but not all structures are buildings. Also refer to Section 163, *Flood hazard terms defined*.

Subdivision. The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development. Such term includes resubdivision of land, and when appropriate to the context, relates to the process of subdivision or to the land or territory subdivided.

Substantial improvement. Refer to Section 163, *Flood hazard terms defined*.

Table of Permitted Uses. Refer to Section 50 *Table of Permitted Uses*.

This ordinance. The Jasper Zoning Ordinance.

Travel trailer. A structure that is intended to be transported over the streets, either as a motor vehicle or attached to or hauled by a motor vehicle and is designed for temporary recreational use as sleeping quarters but that does not meet the definitional criteria of a manufactured home.

Use. The activity or function that actually takes place or is intended to take place on a lot or site.

Variance. A relaxation or waiver of the terms of this ordinance (other than use provisions) as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done, as determined by the Zoning Board of Adjustment.

Yard. Refer to Section 111, *Dimensional terms defined*.

Yard, front. Refer to Section 111, *Dimensional terms defined*.

Yard, rear. Refer to Section 111, *Dimensional terms defined*.

Yard, side. Refer to Section 111, *Dimensional terms defined*.

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Zoning Administrator. An official charged with the administration and enforcement of this ordinance.

(Ord. No. 2019-14, § 1, 9-3-19)

Sec. 334. - Uses defined.

The following uses when referred to in this ordinance shall have the meanings defined by this section.

(1) *Agricultural Uses.*

Farm. A 10 acre or larger tract of land used for the production, keeping or maintenance, for sale or lease, of plants and animals useful to man, including the following farming activities:

- Forages and sod crops;
- Grains and seed crops;
- Dairy animals and products;
- Poultry, including egg production but excluding poultry processing;
- Livestock, such as beef cattle, sheep, goats, or any similar livestock, including the breeding and grazing of such animals but excluding meat processing;
- Nursery operations involving the raising of plants, shrubs, and trees for sale and transplantation and including greenhouses and incidental sales of items customarily associated with a nursery operation;
- Forestry operations involving the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or performing forest services, including temporary sawmills and chippers for cutting of timber growth on the same premises but excluding lumber yards, mills, and similar activities;
- Bees and apiary products;
- Fisheries, excluding fish and seafood processing;
- Fur animals, limited to the breeding and raising of such animals; and
- Fruits and vegetables of all kinds, including growing and harvesting of such fruits and vegetables, but excluding food processing.

Refer to Section 61 for supplemented use regulations.

Hobby farm. A five acre or larger tract of land used for the production, keeping or maintenance of farm animals personally useful to the occupants of a dwelling on the same tract. Refer to Section 62 for supplemental use regulations.

Kenel. The keeping of more than three dogs over six months of age or the boarding or raising of small household pets for commercial purposes. Refer to Section 63 for supplemental use regulations.

(2) *Residential Uses.*

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Accessory apartment. An accessory dwelling unit attached to a single family residence. Refer to [Section 54](#) for supplemental use regulations.

Accessory cottage. An accessory dwelling unit detached and located on the same lot as a single family residence. The term includes garage apartments. Refer to [Section 65](#) for supplemental use regulations.

Accessory manufactured home. A manufactured home used as an accessory dwelling to a single family residence on the same lot. Refer to [Section 66](#) for supplemental use regulations.

Combination dwelling. A dwelling unit used in combination with a non-residential use, such as the family residence of a manager, business owner, or security guard within the same building or on the same lot of an institutional, commercial, or industrial establishment.

Duplex. A semi-detached, multi-family dwelling.

Emergency care home. A group care home serving up to ten individuals, unrelated by blood or marriage, living together as a single housekeeping unit, under the supervision of one or two resident managers. The home provides a protective sanctuary and emergency housing to victims of crime or abuse, such as rape, child abuse, spouse abuse, or physical beating. Refer to [Section 67](#) for supplemental use regulations.

Family care home. A group care home serving up to ten individuals, unrelated by blood or marriage, living together as a single housekeeping unit, under the supervision of one or two resident managers. The home serves socially, physically, mentally, or developmentally impaired children in a family-type living arrangement, including child care homes for orphans or neglected children, and handicapped or infirm homes for the mentally retarded or mentally ill. The family care home provisions of this ordinance meet or exceed the minimum requirements of Section 11-52-75.1, *Regulation as to housing of mentally retarded or mentally ill persons in multi family zone*, Code of Alabama, 1975, as amended. Refer to [Section 68](#) for supplemental use regulations.

Garden apartment. Five or more attached, multi-family dwellings within a building of three or less stories. Refer to [Section 69](#) for supplemental use regulations.

Manufactured home, class A. A design-restricted manufactured home placed on a subdivided lot. Refer to [Section 70](#) for supplemental use regulations, [Section 163](#) for "manufactured home" defined as a flood hazard term, and [Section 333](#) for "manufactured home" defined as a general term.

Manufactured home, class B. A conventional manufactured home placed on a subdivided lot. Refer to [Section 71](#) for supplemental use regulations [Section 163](#) for "manufactured home" defined as a flood hazard term, and [Section 333](#) for "manufactured home" defined as a general term.

Manufactured home park. A tract of land used or designed to accommodate a manufactured home community of multiple spaces for lease or condominium ownership. Refer to [Section 72](#) for supplemental use regulations, [Section 163](#) for "manufactured home" defined as a flood hazard term, and [Section 333](#) for "manufactured home" defined as a general term.

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Modular home, Class A. A factory-built structure, other than a manufactured home, which is designed only for erection or installation on a site-built permanent foundation, is brought to its destination in multiple pre-fabricated pieces and is assembled on the foundation; is not designed to be moved once so erected or installed; and is designed and manufactured to comply with the locally adopted building code.

Modular home, Class B. A factory-built structure, other than a manufactured home, which is designed only for installation on a site-built permanent foundation, is constructed on a single chassis to be moved as a whole from the factory to its destination; is designed and manufactured to comply with the locally adopted building code.

Multiplex. Three or four attached, multi-family dwellings within a building of three or less stories. Refer to [Section 73](#) for supplemental use regulations.

Multi-story apartment. Attached, multi-family dwellings within a building of four or more stories. Refer to [Section 74](#) for supplemental use regulations.

Patio home. A detached, single family dwelling constructed on-site in accordance with the Standard Building Code. The unit occupies a small lot and has an enclosed yard area with a porch or patio. Refer to [Section 75](#) for supplemental use regulations.

Planned residential development. A tract of five or more acres planned and developed as an integral unit under single ownership or control, consisting of one or more types of the following types of single family dwellings: single family residences, patio homes, and townhouses. These use provisions permit a developer to create smaller lots than in a conventional development, and leave the land saved by so doing as usable open space. Refer to [Section 76](#) for supplemental use regulations.

Single family residence. A detached, single family dwelling constructed on-site in accordance with the Standard Building Code.

Townhouse. An attached or semi-detached, single family dwelling within a building of eight or less units. Refer to [Section 77](#) for supplemental use regulations.

Upper-story apartment. A multi-family dwelling located in the upper story of a building where the ground floor is devoted to commercial or institutional uses.

(3) *Institutional Uses.*

Airport. A place where aircraft can land and take off with related facilities such as terminals, hangars, refueling and repair facilities, passenger accommodations, and other integrally related facilities.

Animal shelter. Non-profit (SPCA) or public organization providing shelter for small domestic animals.

Boarding house. A dwelling for the residency of two or more boarders on a long term basis (at least month-to-month). Each unit intended to be rented does not constitute a "dwelling unit" as defined by this ordinance.

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Cemetery. Human burial grounds. Refer to [Section 78](#) for supplemental use regulations.

Community center. Buildings arranged for the community gathering for social, cultural, or community service purposes, including museums, galleries, community meeting rooms, community recreation centers, libraries, YMCA's, YWCA's and similar uses.

Community service club. Buildings arranged for the gathering of private club members and their guests, including social club, professional association, fraternal club or lodge, union hall, civic association, and similar uses.

Country club. Land and buildings containing recreational facilities and club house for private club members and their guests.

Day care center. A licensed facility, other than a residence, providing day care on a regular basis to more than six children, elderly, or handicapped or infirm persons.

Day care home. A licensed service operated from a dwelling by the resident, providing day care on a regular basis to six or less children, elderly, or handicapped or infirm persons.

Domiciliary care facility. Licensed homes for the aged, intermediate institutions, and related institutions (not otherwise defined by this section), whose primary purpose is to furnish room, board, laundry, personal care, and other non-medical services, regardless of what it may be named or called, for not less than 24 hours in any week, to individuals not related by blood or marriage to the owner or administrator. This kind of care implies sheltered protection and a supervised environment for persons, who because of age or disabilities, are incapable of living independently in their own homes or a commercial board and room situation, yet who do not require the medical and nursing services provided in a nursing home. In these facilities, there might be available temporarily and incidentally, the same type of limited medical attention as an individual would receive if living at home.

Home instruction. Instruction in the arts, music, or academic subjects given from a dwelling by the resident to up to four students at a time, except in the case of musical instruction which shall be limited to up to two students at a time.

Hospital. An establishment which provides health services primarily for inpatient medical or surgical care of the sick or injured, including accessory facilities such as laboratories, pharmacies, out-patient clinics, training facilities, gift shops, coffee shops, cafeterias, and staff offices.

Military installation. A government-sponsored defense facility, including military bases, national guard centers, military reserve centers, armories, and similar uses.

Nursing care facility. A licensed institution maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that provided in a hospital but at a higher level than provided in a domiciliary care facility.

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Park. Publicly-owned and operated parks, playgrounds, recreation facilities, and open spaces.

Penal institution. A public institution housing inmates for correction or rehabilitation.

Place of worship. Buildings arranged for religious service purposes, such as churches and synagogues, including related facilities for instruction, meeting, recreation, lodging, eating, and other integrally related activities.

Public assembly center. Buildings arranged for the general assembly of the public at-large for community events, including coliseums, stadiums, civic centers, and similar uses.

Public facility. Buildings arranged for the purpose of providing public services, not otherwise listed in this section, including government offices, post offices, transit stations, police stations, fire and emergency service stations, civil defense operations, and similar uses.

Public utility facility. Facility that provides public utility services to the public at large, including water and sewerage facilities, gas distribution facilities, electric transmission and distribution facilities, and cable transmission and distribution facilities.

Public utility service. Essential utility services which are necessary to support development and which involve only minor structures such as lines and poles.

Rehabilitation facility. An institutional facility providing residential and custodial [care] for the rehabilitation of socially-impaired individuals who are indigent, recovering from addiction to drugs or alcohol, or recently released from a penal institution.

School. Public or non-profit school.

(4) Commercial Uses.

Animal hospital. A place where small household pets are given medical or surgical treatment and short term boarding of pets within an enclosed building may be provided.

Bank or financial service. A business engaged in providing banking or financial services to the general public, such as a bank, savings and loan association, credit union, finance company, and similar businesses. Refer to [Section 79](#) for supplemental use regulations.

Broadcast studio. Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms, including film and sound recording, such as a radio studio, TV studio, or a telegraphic service office.

Business or professional office. A place where the administrative affairs of a business or profession is conducted such as the office of a law firm, real estate agency, insurance agency, architect, secretarial service, the administrative staff of business or industry, and the like.

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Business support service. A place of business which supplies support services primarily to business or professional offices or services, such as photocopy, computer, and office equipment, supplies and services.

Campground. A group of buildings or structures on a site of 10 or more acres planned as a whole for seasonal recreation or vacation uses, including tent campsites, travel trailer or recreational vehicle sites, vacation cottages, recreational facilities, eating facilities, bathrooms, and sale of personal care items and gifts. Refer to [Section 68](#) for supplemental use regulations.

Car wash. A commercial establishment engaged in washing or cleaning automobiles and light vehicles.

Climate controlled storage facility. A building or group of buildings containing separate-interior storage spaces which are leased on an individual basis for the exclusive purpose of storing non-hazardous household goods, but not including the storage of materials for a commercial or industrial enterprise or for any activity other than dead storage. Refer to [section 94](#) for supplemental use regulations.

Clinic. A facility providing medical, psychiatric, or surgical services for sick or injured persons exclusively on an out patient basis.

Commercial parking. Parking of motor vehicles on a temporary basis within a commercially operated, off-street parking lot or garage.

Commercial school. Private, gainful business providing instructional service in the arts, business, crafts, trades, and professions.

Convenience store. A one story, retail store containing less than 2,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a supermarket), including, not more than one automotive fuel service island. Refer to [Section 81](#) for supplemental use regulations.

Entertainment, indoor. A commercial establishment providing spectator entertainment within an enclosed building, including movie theaters, playhouses, and similar indoor facilities.

Entertainment, outdoor. A commercial establishment providing spectator entertainment in open or partially enclosed or screened facilities, including sports arenas, racing facilities, and amusement parks.

Farm support business. A commercial establishment engaged in the sale of farm support goods and services, including the following activities:

- The sale of feed, grains, fertilizers, pesticides, and similar farm support goods;
- The provision of warehousing and storage facilities for raw farm products; and
- The provision of veterinary service to large animals.

Funeral home. A commercial establishment engaged in funeral and undertaking services for human burial.

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Garbage transfer station. A facility, either enclosed, unenclosed or a combination thereof in which garbage, trash, refuse, junk, waste products, medical waste, biohazardous waste or other similar items other than that generated at that location are temporarily stored for transfer to other facilities.

Garden center or nursery. Retail sales of plants, trees, shrubs, and the like for ornamental or landscaping purposes, conducted from a building, greenhouse, outdoor display area, or stand, including incidental sales of items customarily associated with such sales activities, including such items as containers, fertilizers, ornaments, small gardening tools and equipment, and seeds.

General retail business, enclosed. Retail sales of goods and services, not otherwise defined by this section, conducted within an enclosed building, including, but not limited to, food sales, department stores, clothing stores, home furnishings sales, appliance stores, auto supplies stores, gift shops, specialty stores, jewelry stores, cosmetics sales, package liquor stores, tobacco stores, drug stores, variety stores, catalogue stores, and similar enclosed retail businesses.

General retail business, unenclosed. Retail sales of goods and services, not otherwise defined by this section, conducted partially or fully outside of a building, including, but not limited to, sidewalk sales, outdoor food service, outdoor tire sales, and other outdoor display or sales.

Home improvement center. A place of business providing building, appliance, yard and garden materials, tools, and supplies at retail and wholesale.

Home occupation. A business, profession, occupation, or trade conducted for gain or support and located entirely within the living area of a dwelling as an incidental activity of the resident. Refer to [Section 82](#) for supplemental use regulations.

Hotel or motel. A commercial facility offering transient lodging accommodation on a daily or weekly basis to nine or more guests, which may include as an integral part of the facility, such additional services as restaurants, meeting rooms, banquet rooms, gift shops, and recreational facilities.

Laundry service. A commercial establishment providing laundering, dry cleaning, or dyeing service (other than a laundry or dry cleaning pick-up station defined under *personal service*), such as a laundry and dry cleaning plant, diaper or linen service, or laundromat.

Liquor lounge. A licensed establishment engaged in the preparation, sale or serving of liquor for consumption on the premises, including taverns, bars, cocktail lounges, night clubs, bottle clubs, private clubs, restaurant lounges, hotel lounges, motel lounges, discotheques, dance halls, and similar uses where liquor consumption is a primary or incidental activity on the premises of the establishment. Not included within this definition are establishments which sell or serve only beer or wine as an incidental activity on the premises or establishments which sell liquor, beer, or wine in packages for off-premises consumptions.

Livestock sales. The sale of animal livestock within an enclosed yard or structure, including livestock markets, horse auctions, and similar activities. Refer to [Section 83](#) for supplemental use regulations.

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Medical support service. A place of business which supplies medical support services to individuals, medical practitioners, clinics, and hospitals, such as a pharmacy (where the business activity is limited to the filling of medical prescriptions and the sale of drugs and medical supplies), medical and surgical supply store, an optician, and the like.

Mini-warehouse. A building or group of buildings containing separate storage spaces which are leased on an individual basis for the exclusive purpose of storing non-hazardous household goods, but not including the storage of materials for a commercial or industrial enterprise or for any activity other than dead storage. Refer to [Section 84](#) for supplemental use regulations.

Open air market. Retail sales of arts, crafts, produce, discount or used goods partially or fully outside of an enclosed building, such as a flea market, produce market, craft market, or farmer's market. Refer to [Section 85](#) for supplemental use regulations.

Personal service. A retail establishment engaged in providing services involving the care of a person, such as a barber shop, cosmetic studio, dry cleaning and laundry pick-up station, indoor exercise and fitness center, tanning salon, seamstress, tailor, shoe repair shop, key repair shop, travel agency, interior decorator, formal wear rental, and similar uses.

Pet cemetery. Burial grounds for small household pets, including funeral service and undertaking services.

Pet grooming shop. A commercial establishment providing services for small animals and pets. It shall include the incidental retail sale of grooming supplies such as soaps, shampoos, other associated items, and short term boarding of small animals and pets. Refer to [section 89](#) for supplemental regulations.

Recreation, indoor. A commercial establishment providing recreational or sports activities to participants within an enclosed building, including bowling alleys, billiard parlors, video game centers, ice and roller skating rinks, and other commercial indoor recreational and sports activities.

Recreation, outdoor. A commercial establishment providing recreation or sports activities to participants in open or partially enclosed or screened facilities, including driving ranges, miniature golf courses, swimming pools, tennis courts, and other commercial outdoor recreational and sports activities.

Restaurant, fast food. An establishment where food and drink are rapidly prepared for carry out, fast delivery, drive-thru, or drive-in and may also include standard sitdown consumption.

Restaurant, standard. An establishment where food and drink are prepared, served, and primarily consumed within the building where guests are seated and served.

Shopping center, community or regional. A group of commercial establishments (as permitted in the district) located on a lot of ten or more acres planned and developed in a unified design with shared parking and driveway facilities and under common management authority.

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Shopping center, neighborhood. A group of commercial establishments (as permitted in the district) located on a lot of three to less than ten acres planned and developed in a unified design with shared parking and driveway facilities and under a common management authority.

Specialty retail center. A group of commercial establishments (as permitted in the district) located on a lot of one to less than three acres planned in a unified design with shared parking and driveway facilities and under common management authority. The center may be a new development or involve the resubdivision and redevelopment of residential lots so as to create a planned grouping of buildings and commercial uses with common parking areas and access drives under a common management authority. Refer to Section 86 for supplemental use regulations.

Specialty retail establishment. A commercial establishment or service such as an antique shop, art shop, bicycle shop, book store, camera shop, curio shop, clothing store, florist shop, gift shop, hobby shop, home furnishing store, music store, photography studio, and other retail sales or services determined by the Zoning Administrator to be of an equivalent specialized nature but excluding department stores, variety stores, automotive uses, pharmacies, recreational uses, restaurants, liquor stores, bars or taverns. Refer to Section 86.1 for supplemental use regulations.

Stable. A commercial establishment engaged in the raising, keeping, boarding, or training of horses, ponies, and similar animals, including riding academies and incidental sales of riding accessories and animals raised or regularly kept on the premises.

Studio. A place of work by an artist, photographer, or craftsman, including instruction, display, production, and retail sales of materials produced on the premises.

Tourist home or bed and breakfast inn. An establishment, which may be a dwelling, which provides lodging for three to eight transient guests on a short term basis (daily or weekly).

Vehicle repair service. A place of business engaged in the repair and maintenance of automobiles, light trucks, travel trailers, recreational vehicles, or boats, including the sale, installation, and servicing of mechanical equipment and parts but not including painting, body work, upholstery work, fabrication of parts, or rebuilding of engines.

Vehicle sales or rental. A commercial establishment engaged in the sale or rental of automobiles, light trucks, travel trailers, recreational vehicles, boats, or motorcycles, including incidental parking, storage, maintenance, and servicing.

Vehicle service station. A commercial establishment providing fuel, lubricants, parts, and accessories, and incidental repair and maintenance service to motor vehicles.

(5) *Industrial Uses.*

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Construction service. A place of business engaged in construction activities and incidental storage as well as wholesaling of building materials (but not a home improvement center which also sells at retail), such as a building contractor, trade contractor, or wholesale building supplies store.

Heavy industry. Meat or poultry processing and slaughterhouses or the storage or manufacturing involving flammable or explosive materials or involving potentially hazardous or commonly recognized offensive conditions.

Maintenance service. An establishment providing building and yard maintenance services, such as janitorial services, exterminating services, landscape services, and window cleaning services.

Manufacturing, general. The basic processing and manufacturing of materials or products predominately from extracted or raw materials and the incidental storage, sales, and distribution of such products.

Manufacturing, light. The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assemble, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products.

Research lab. An establishment engaged in research of an industrial or scientific nature, excluding product testing, such as an electronics research lab, research and development firm, or pharmaceutical research lab.

Resource extraction. The removal of soil, sand, clay, gravel, minerals, or similar materials for commercial purposes, including quarries, borrow pits, sand and gravel operations, gas extraction, and mining. Refer to [Section 87](#) for supplemental use regulations.

Salvage yard. A place of business engaged in the storage, sale, dismantling or other processing of used or waste materials, such as a junk or automotive salvage yard.

Sanitary landfill. A state-approved site for solid waste disposal.

Transmission tower. A tower used for the transmission of radio and television signals to the general public or private receivers, other than amateur radio towers and towers used by a public facility.

Vehicle and equipment repair, major. A place of business engaged in the repair and maintenance of heavy trucks (over one ton), construction equipment, tractors and implements or engaged in painting, body repair, upholstery repair, fabrication of parts, or rebuilding of engines.

Vehicle and equipment sales, major. A place of business engaged in the sale or rental of heavy trucks (over one ton), construction equipment, tractors and farm implements, manufactured homes, and similar heavy equipment, including incidental storage maintenance, and servicing.

Warehousing, wholesaling, and distribution, enclosed. A place of business engaged in warehousing, wholesaling, or distribution services within a building.

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Warehousing, wholesaling, and distribution, open. A place of business engaged in open air warehousing, wholesaling, or distribution services.

(6) *Temporary Uses.*

Garage or yard sales. The sale by a resident, conducted on the premises of a dwelling, of personal property belonging to the occupant of such dwelling. Refer to Section 88 for supplemental use regulations.

Seasonal sales. Temporary seasonal sales of produce, ornamental plants, fire wood, Christmas trees, and other temporary sales that are unlike the usual activities on the lot where the sales occur.

Special event. Circuses, fairs, carnivals, festivals, benefits, religious events, or similar types of temporary outdoor events that run longer than one day but no longer than thirty days, are likely to attract large crowds, and are unlike the usual activities on the lot where the event occurs.

(Ord. No. 1990-258, § 1, 9-18-90; Ord. No. 2001-729, § 1, 4-3-01; 2002-42, 10-1-02; Ord. No. 2009-09, §§ 1, 2, 4-21-09; Ord. No. 2011-09, § 1, 4-5-11; Ord. No. 2019-14, § 1, 9-3-19)

Exhibit 9 – Business Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would otherwise be detrimental to

Printed Name of Verifying Individual

Owner _____
Title of Verifying Individual

Trade secret and records the disclosure of which would otherwise be detrimental to

Signature of Verifying Individual

03.02.2023
Verification Date

The undersigned, based on the best available information at the date of verification, verifies that the Company's Business Plan includes at a minimum the following:

- *A clearly defined business structure and plan for adherence to applicable corporate conventions.*
- *Clearly defined business goals, including a 3-year and a 5-year plan.*
- *An Organizational Chart – a diagram that visually conveys the Applicant's internal structure by detailing the roles, responsibilities, and relationships between individuals within an entity.*
- *Job descriptions of all managerial positions, showing clear delineation of authority, qualifications, and duties.*
- *Job descriptions of all non-managerial employee positions, showing clear delineation of qualifications and duties.*
- *An executive summary, including mission statement, leadership background and qualifications, business style and philosophy, key personnel, identification of facility location(s) and function(s).*
- *A description of services and/or products to be cultivated, processed, transported, dispensed, or tested at each facility, as applicable, including: Actual (or projected) pricing data, if applicable; Actual (or projected) product lifespan, if applicable; Projected benefits to consumers; Patents, if any; and Proprietary technology, if any.*
- *An advertising/marketing analysis and strategy, if any.*
- *A Community Engagement Plan describing all efforts that have been or will be made to foster the Applicant's relationship with, involvement in, and commitment to any community (including municipality or county) in which the Applicant intends to locate a facility within the next three years.*
- *An Environmental Impact Statement outlining the anticipated impact of each of the Applicant's proposed operations, per facility, on the local environment; the Applicant's efforts or plans, if any, to build a relationship to foster cooperation and compliance with federal, state and local agencies providing environmental oversight; and any steps the Applicant has taken or will take to reduce or eliminate its carbon footprint and/or to achieve and maintain a positive environmental profile in each community where the*

Applicant intends to locate and operate a facility within the next three years.

- *An insurance plan, including declarations pages and letters of intent, if any, from an A-rated insurer as to, at a minimum, casualty, workers' compensation, liability, and (as applicable) auto or fleet policy.*

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

| | | |
|--|---------|------------|
| | Manager | 03.02.2023 |
| | Title | Date |

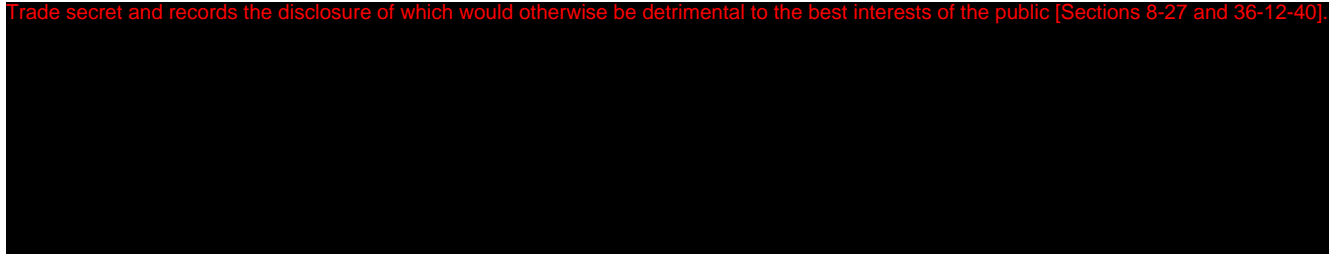
Completed. This Business Plan is complete as of the date of application filing.

9.1 Business Structure and Adherence to Corporate Conventions

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

[Redacted Content]

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.2 Business Goals

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.3 Organizational Chart

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.4 Job Descriptions of Managerial Positions

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



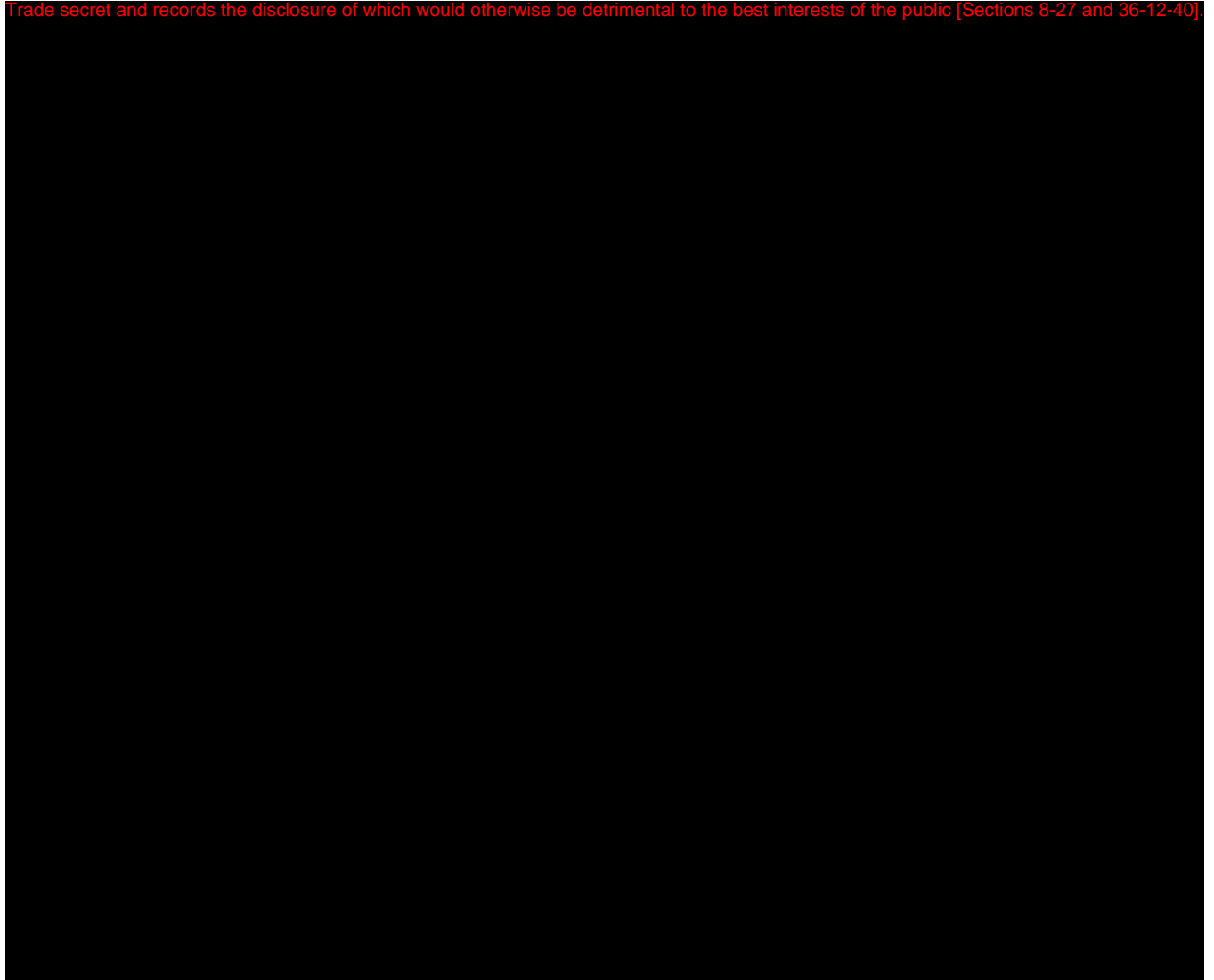
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



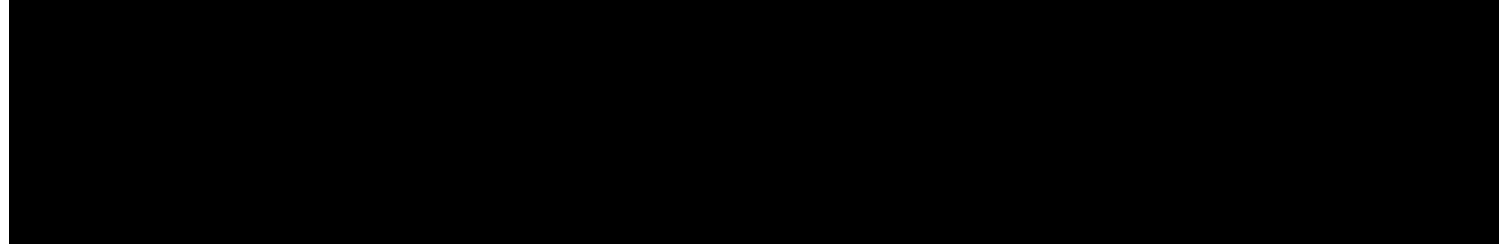
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



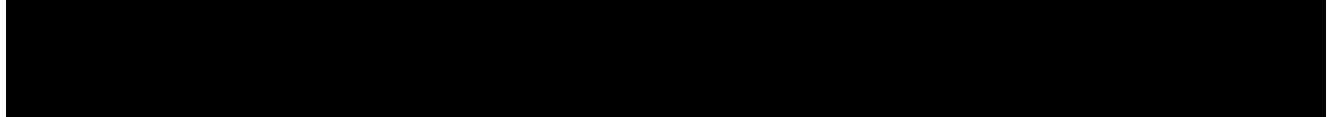
9.6 Executive Summary

9.6.1 Mission Statement

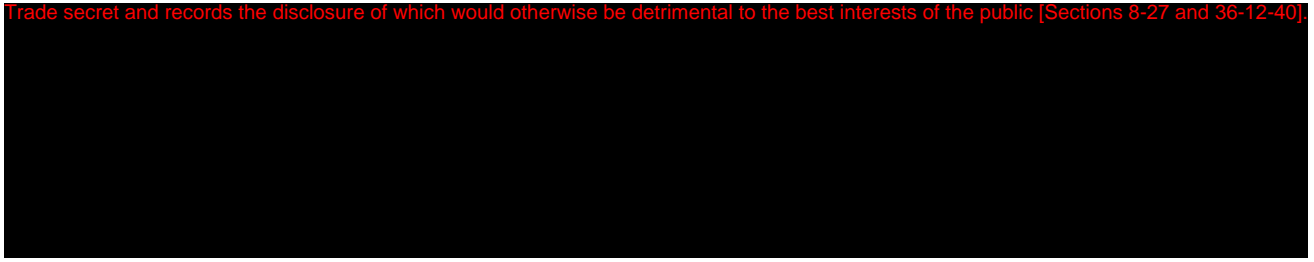
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

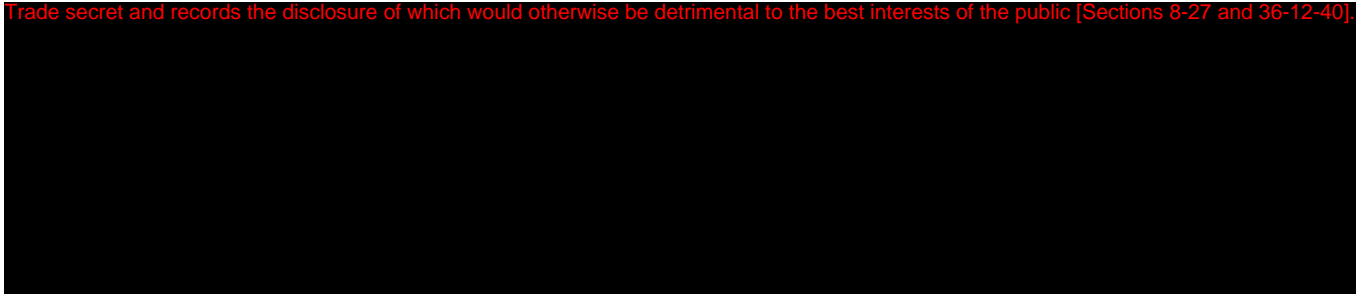


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



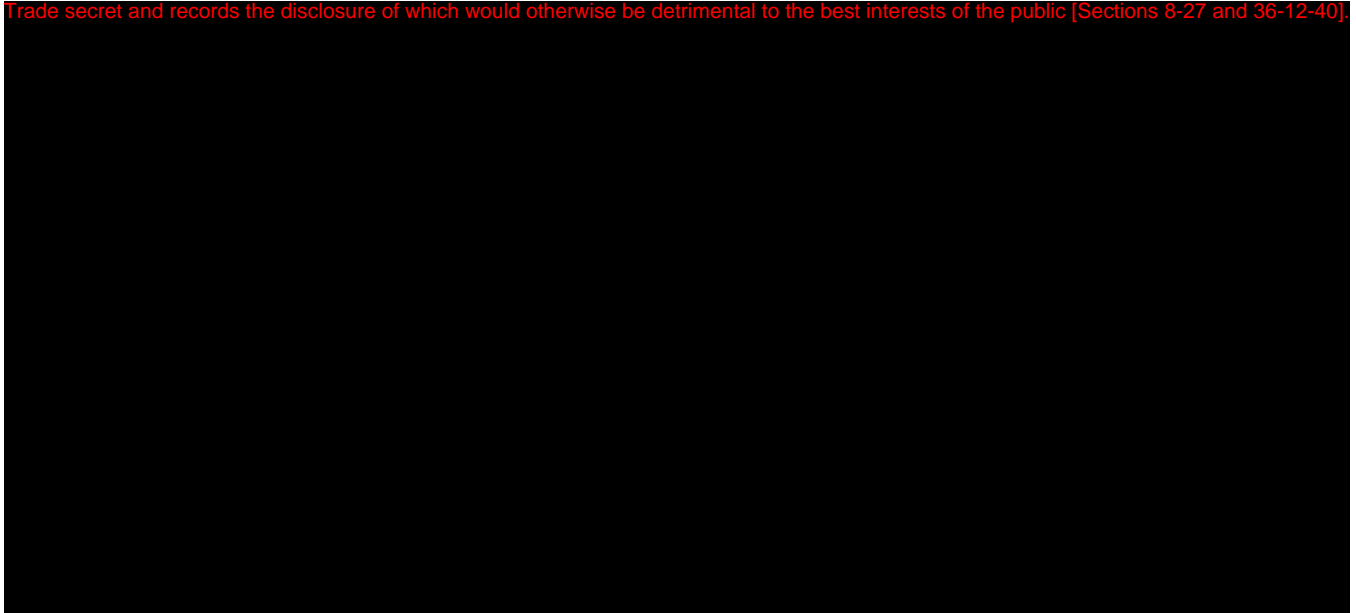
9.6.3 Business Style and Philosophy

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



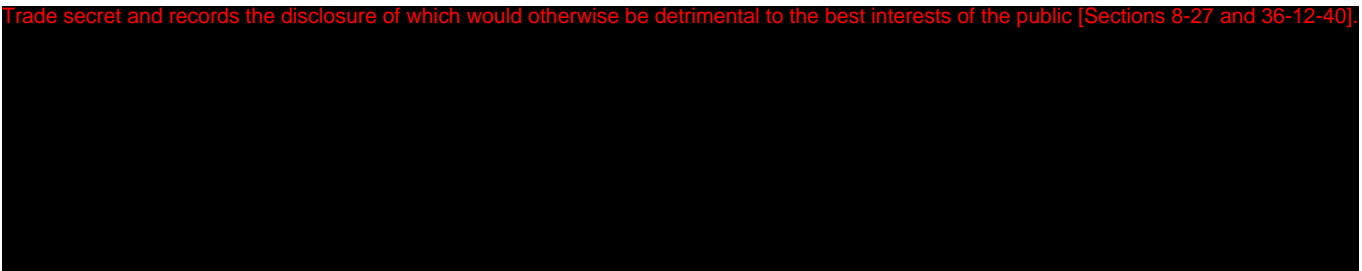
9.6.4 Key Personnel

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.6.5 Facility and Functions

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



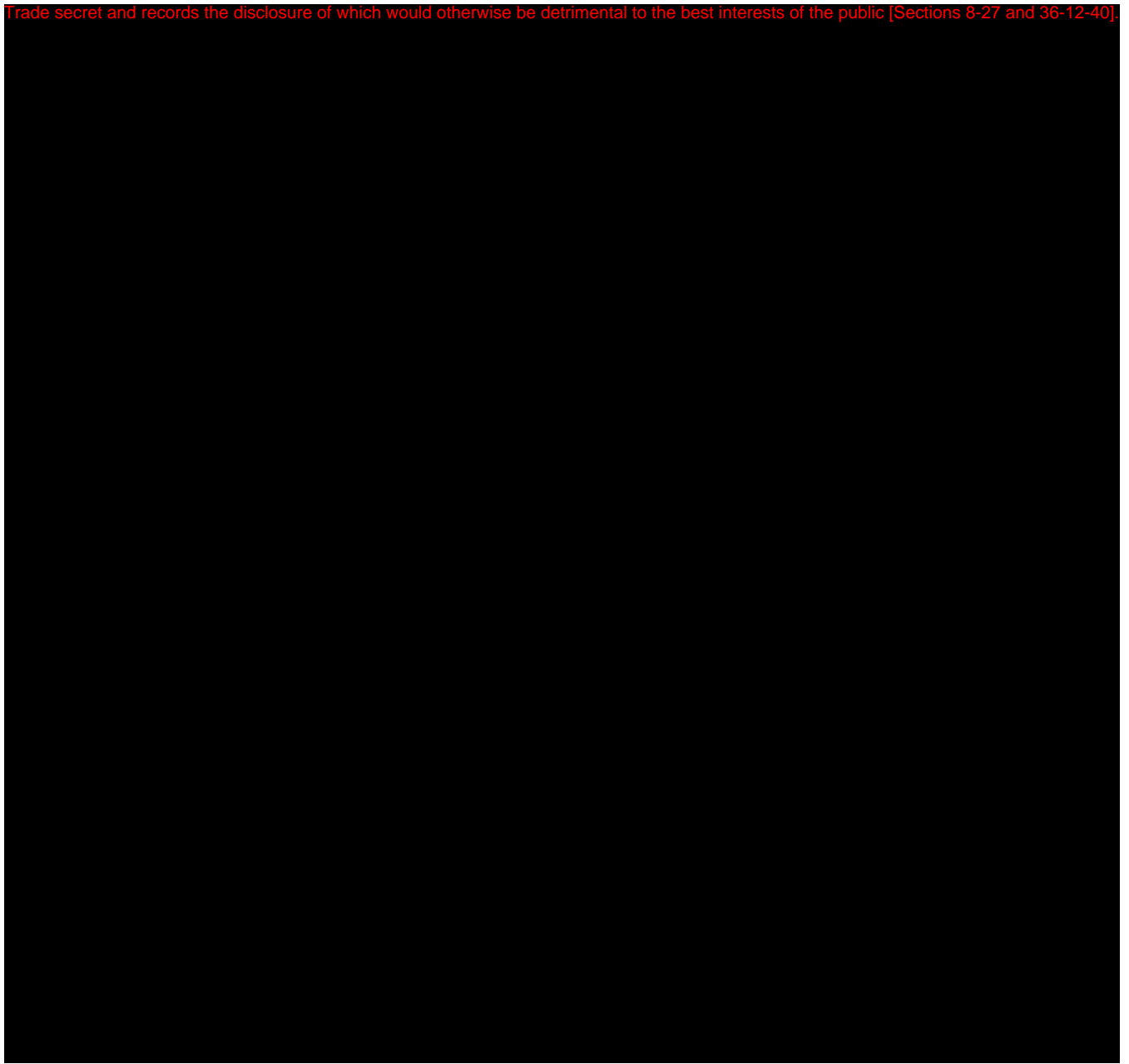
9.7 Services/Products Sold

9.7.1 Products and Services

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

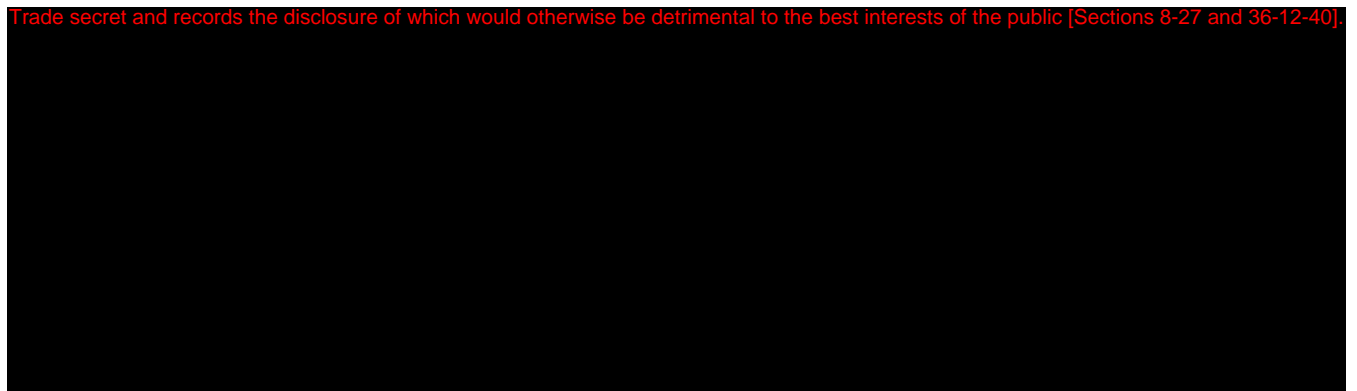


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

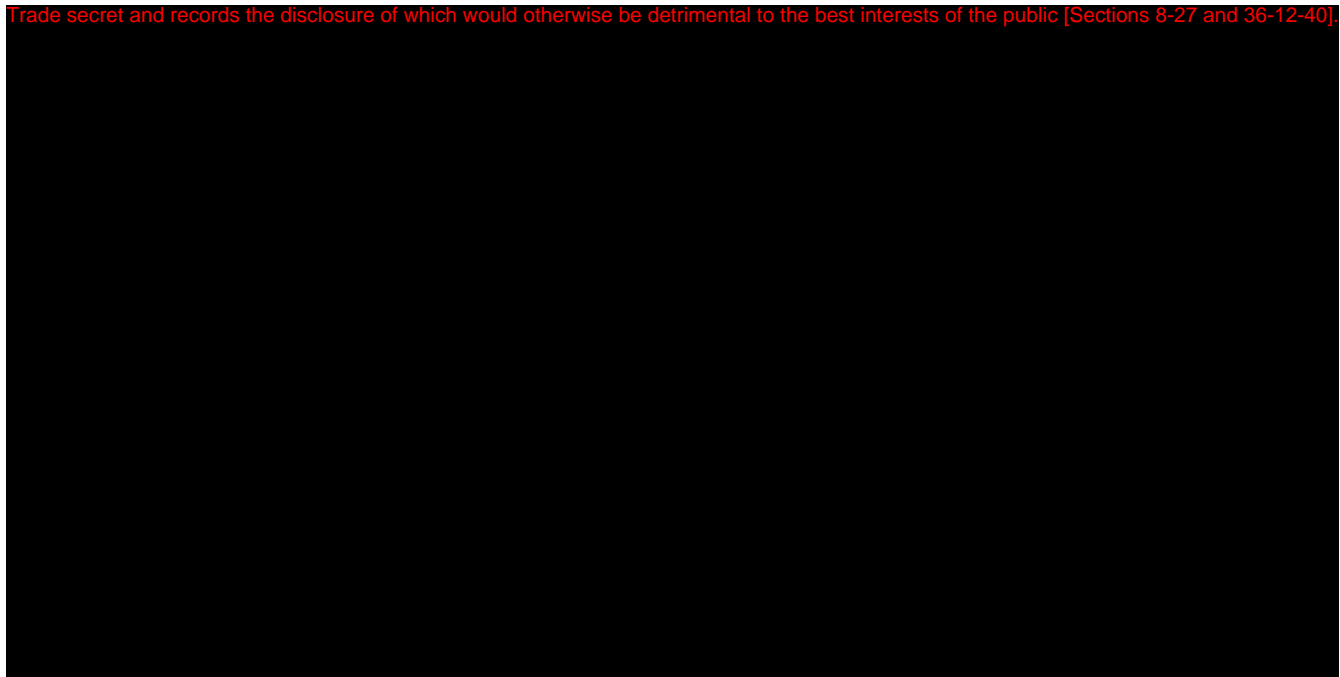


9.7.2 Projected Pricing Data

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

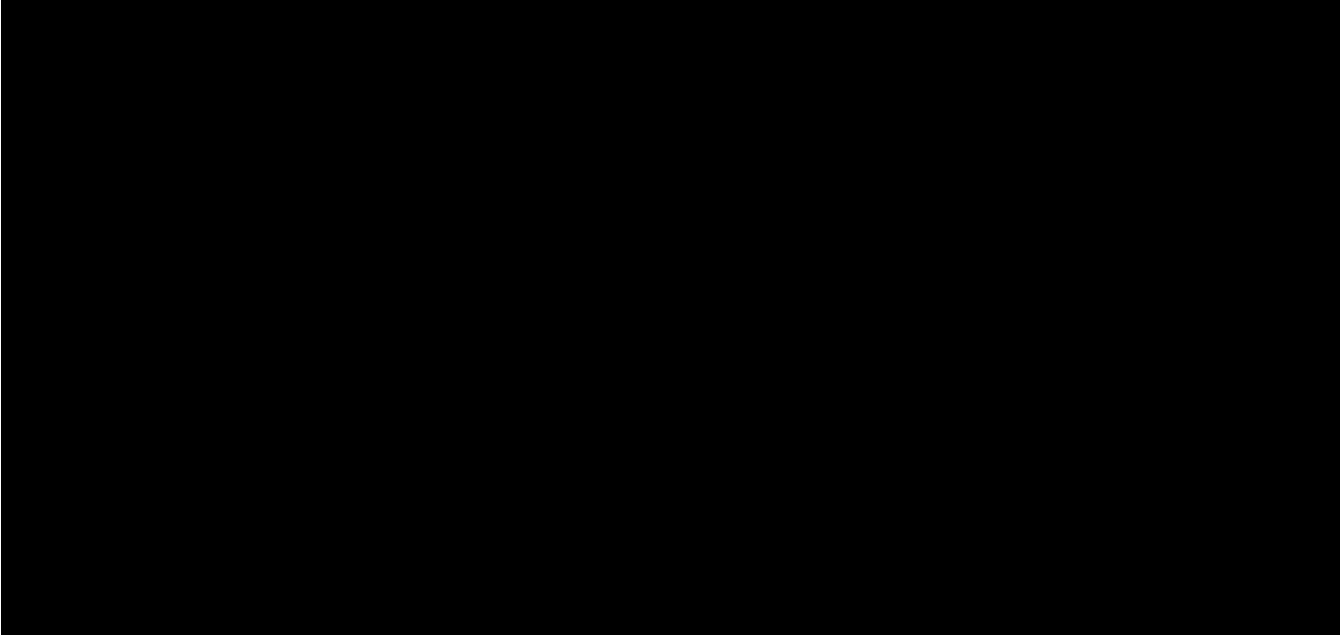


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



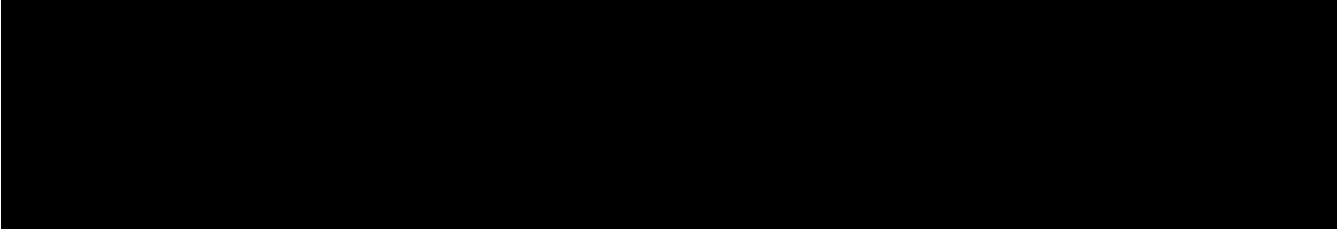
9.7.3 Projected Product Lifespan

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.7.4 Projected Benefits to Consumers

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



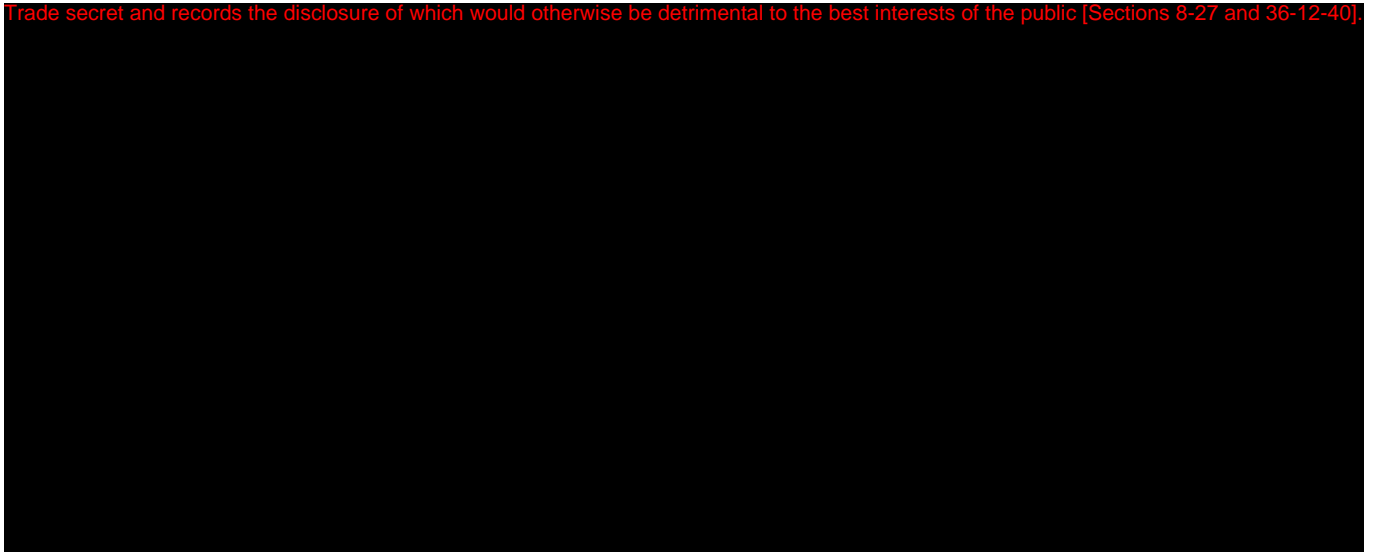
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

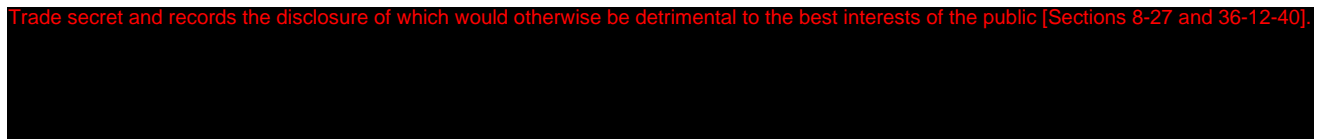


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



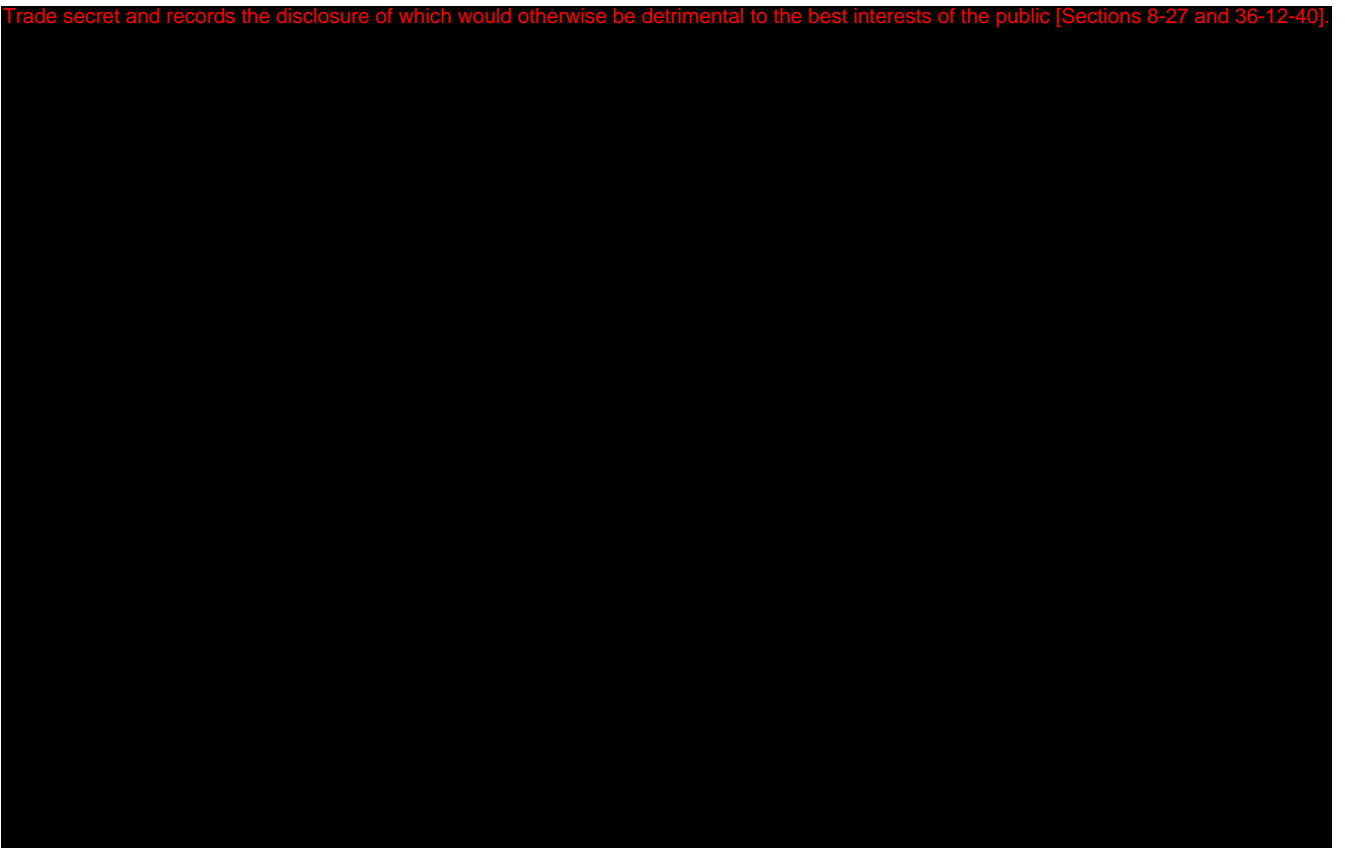
9.7.5 Patents, If Any

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.7.6 Proprietary Technology

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.8 Advertising/Marketing Analysis and Strategy

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



¹ For purposes of this entire exhibit, “attractive to minors” or similar phrases means: “Forms, designs, packaging, receptacles, devices, labeling, or branding that contains, features,

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



resembles, or includes: a. Cartoons, including artistic, caricature or similar renderings; b. Toys; c. Products available for consumption as a commercially available candy; d. Realistic or fictional characters whose target audience is primarily composed of minors; e. Media that has as an audience demographic composed of greater than 15% minors; f. Likenesses or images of minors, animals, or fruits; g. A non-cannabis consumer product of a type that is commonly marketed to minors; h. Symbols or words commonly used to market products to minors, are commonly associated with minors, or refer to products commonly marketed by minors; or i. Celebrities whose audience or following is substantially composed of greater than 15% minors.” 538-x-6-.02(1).

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.9 Community Engagement Plan

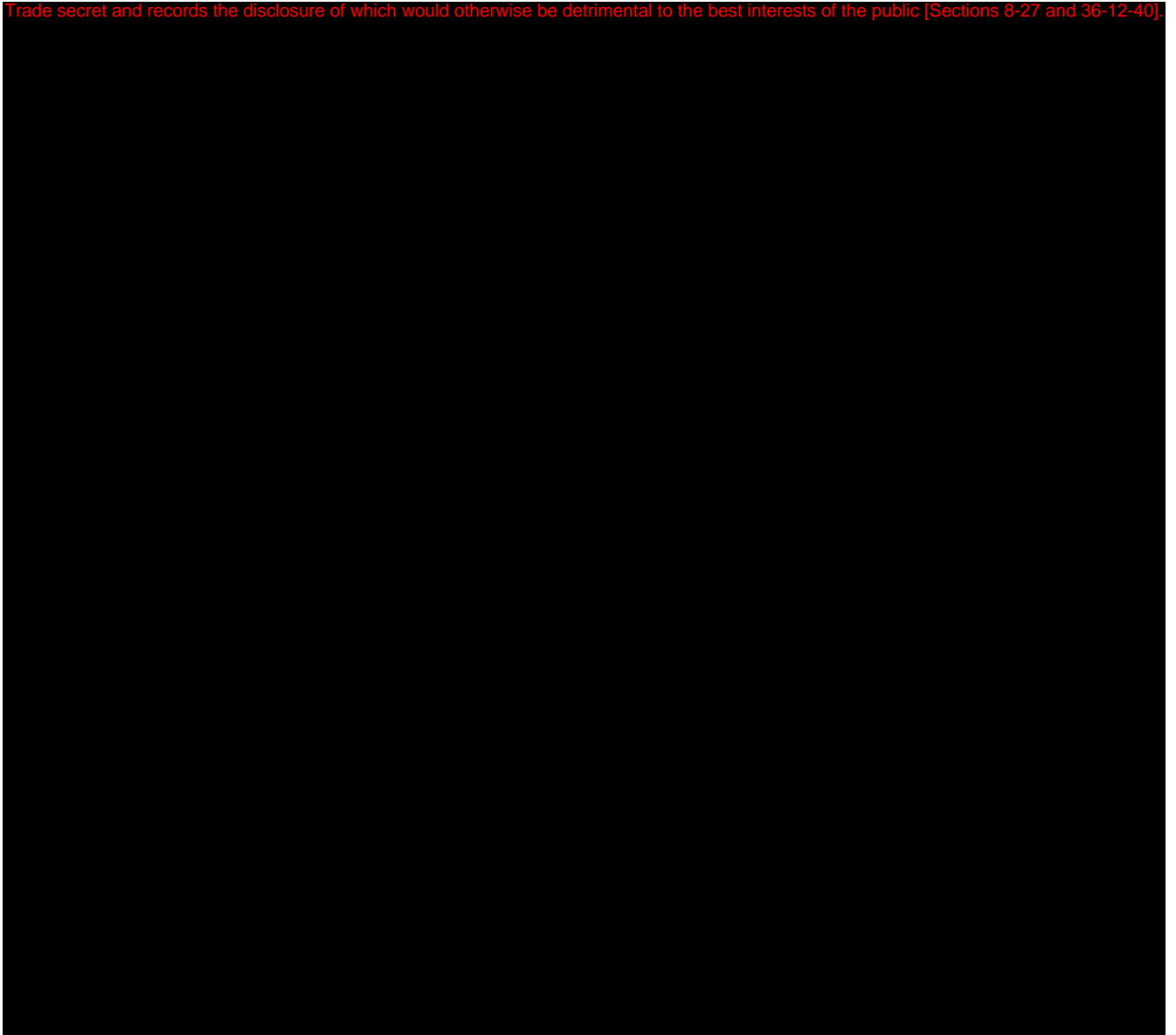
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

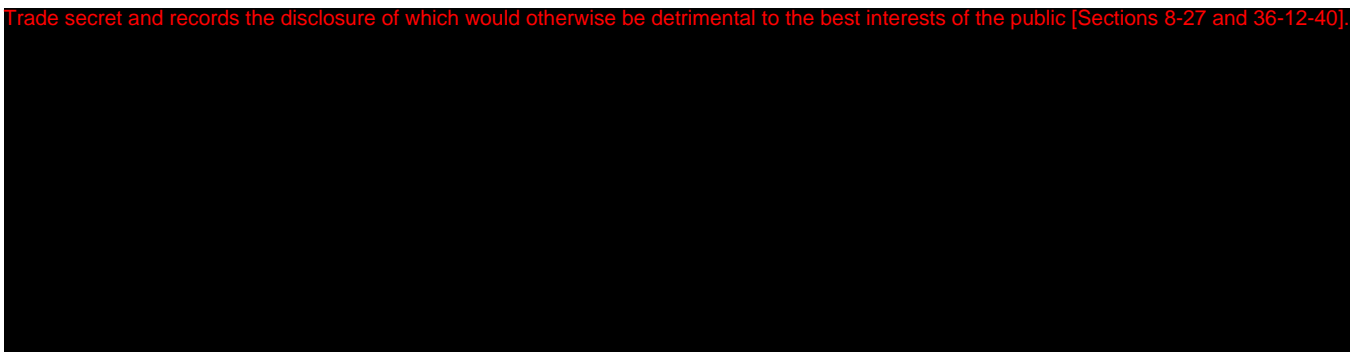


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.10 Environmental Impact Statement

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



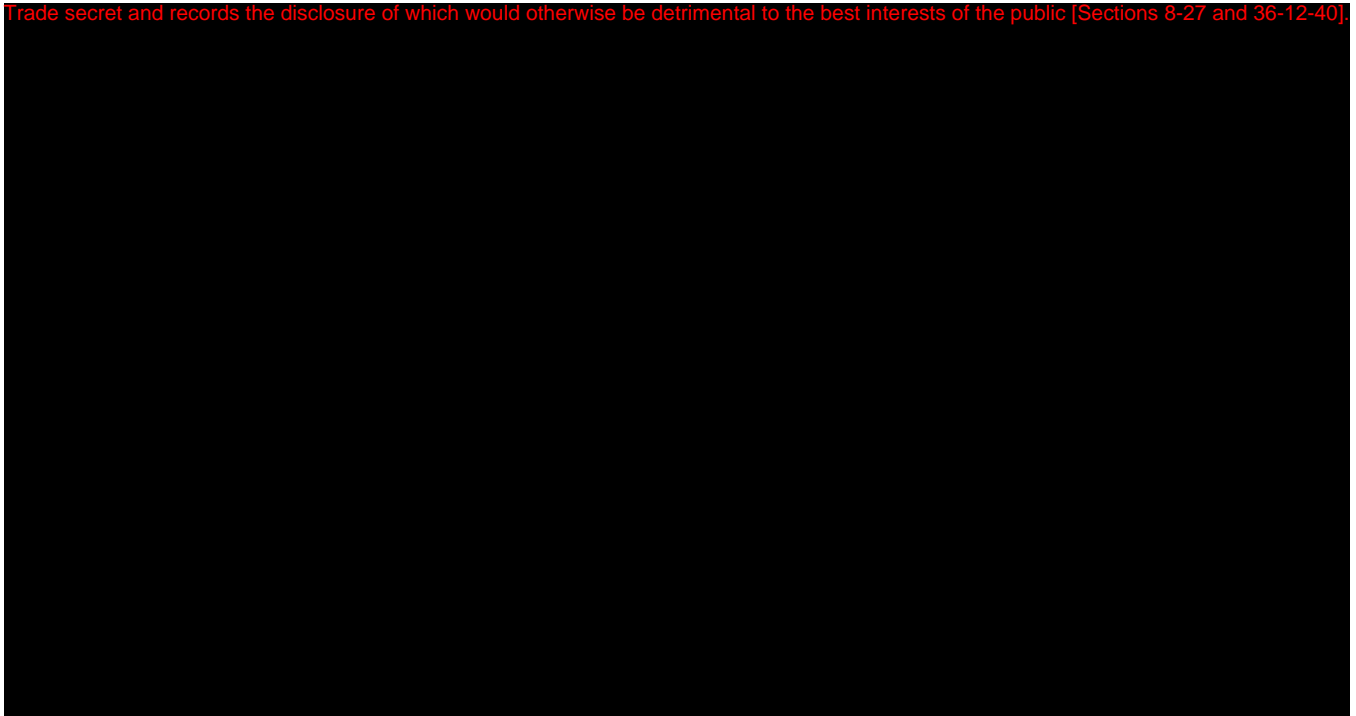
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

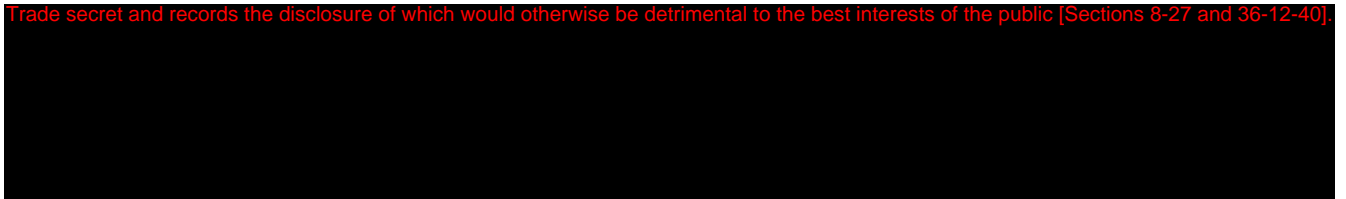


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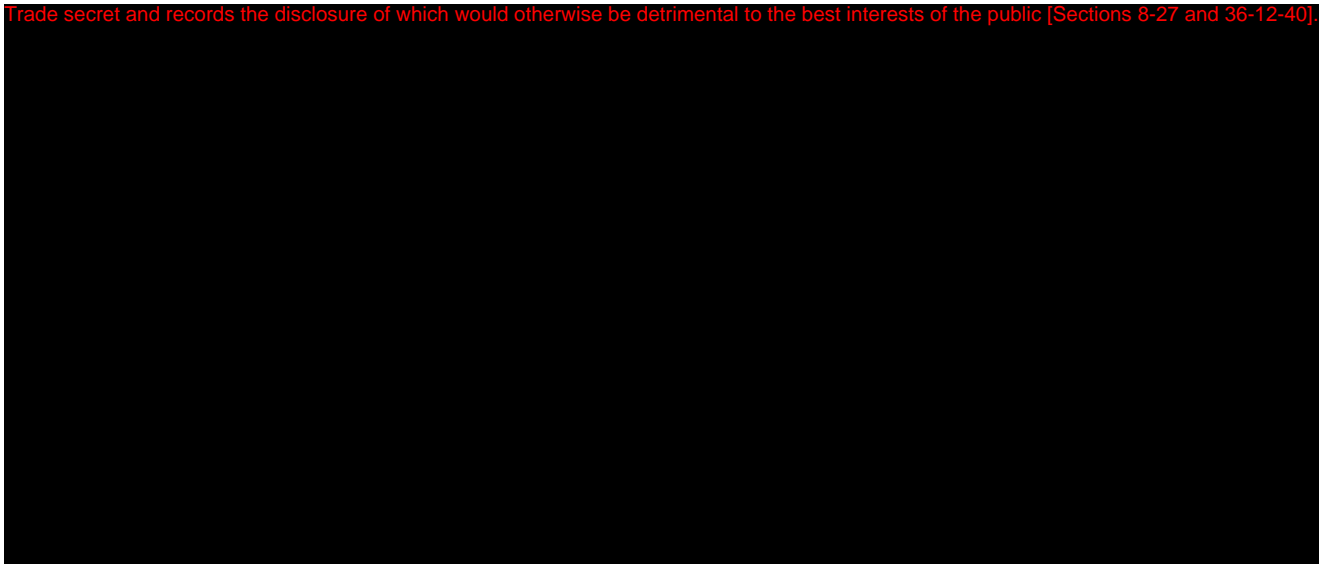
9.11 Policies

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.1 Commercial General Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.2 Product Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.3 Commercial Property

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.4 Statutory Workers' Compensation and Employers Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.5 Other Commercial Insurance

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.6 Letters of Intent

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

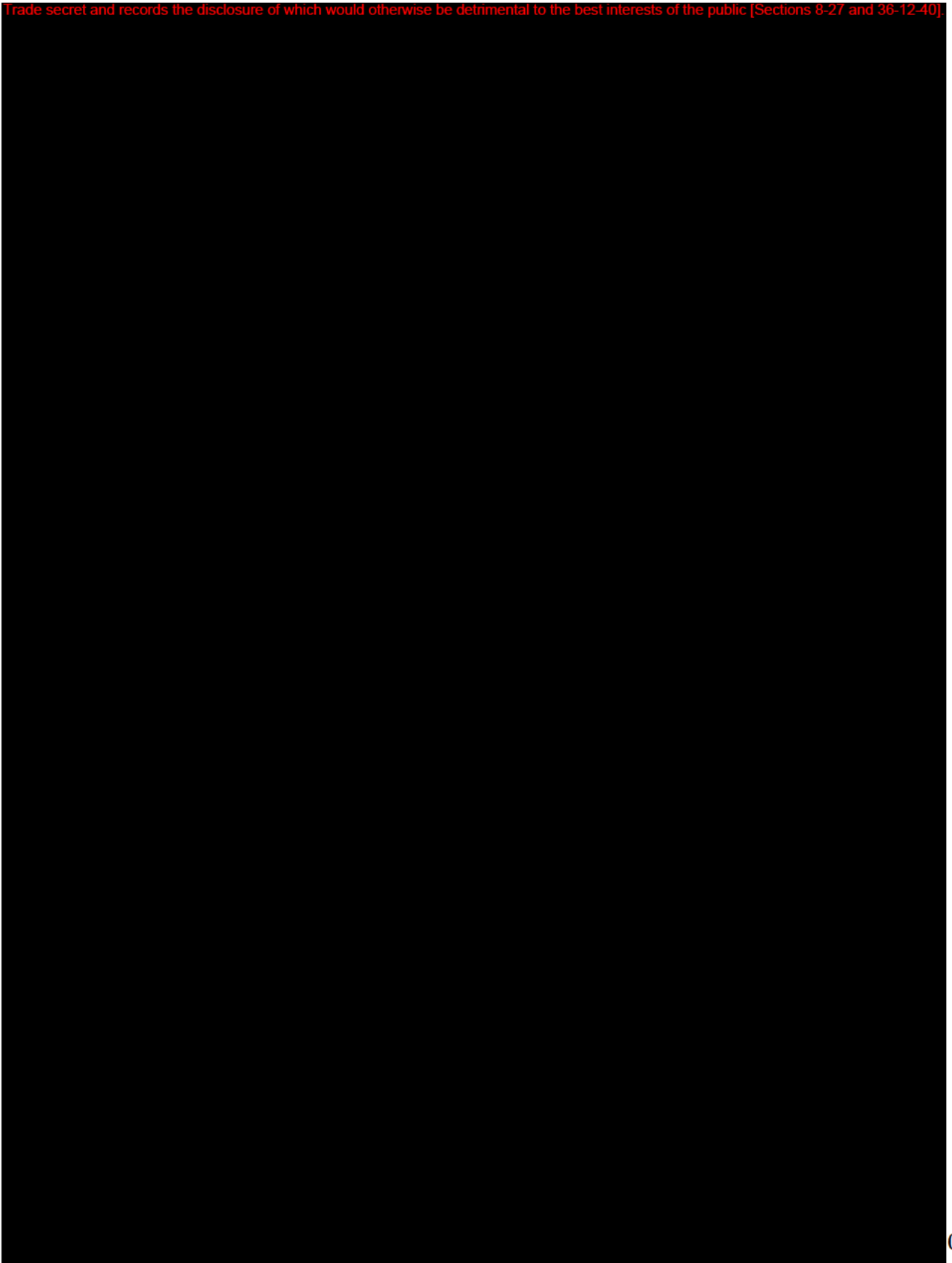


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



9.11.7 Declaration Pages

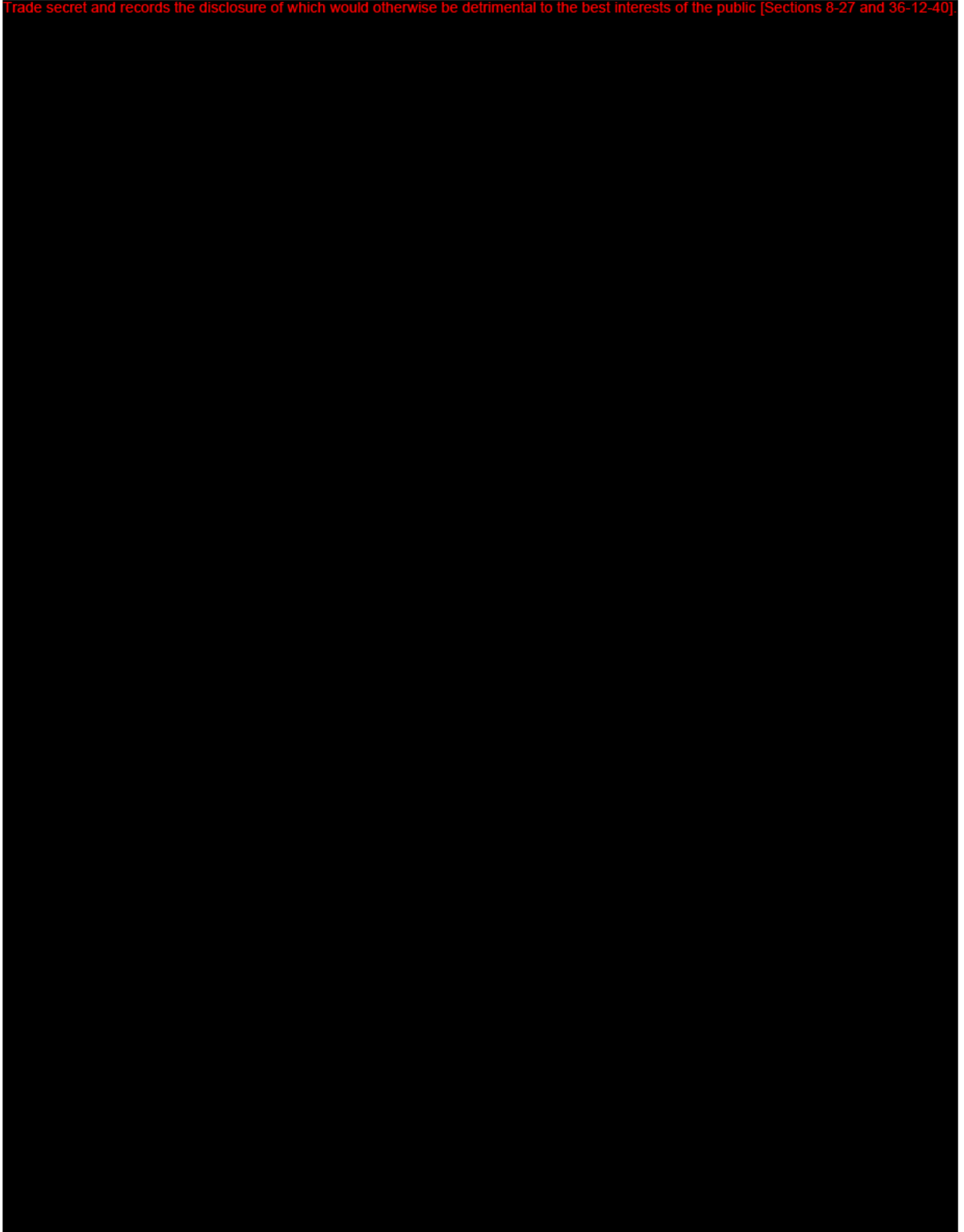
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Exhibit 10 - Evidence of Business Relationship with other Licensees and Prospective Licensees

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

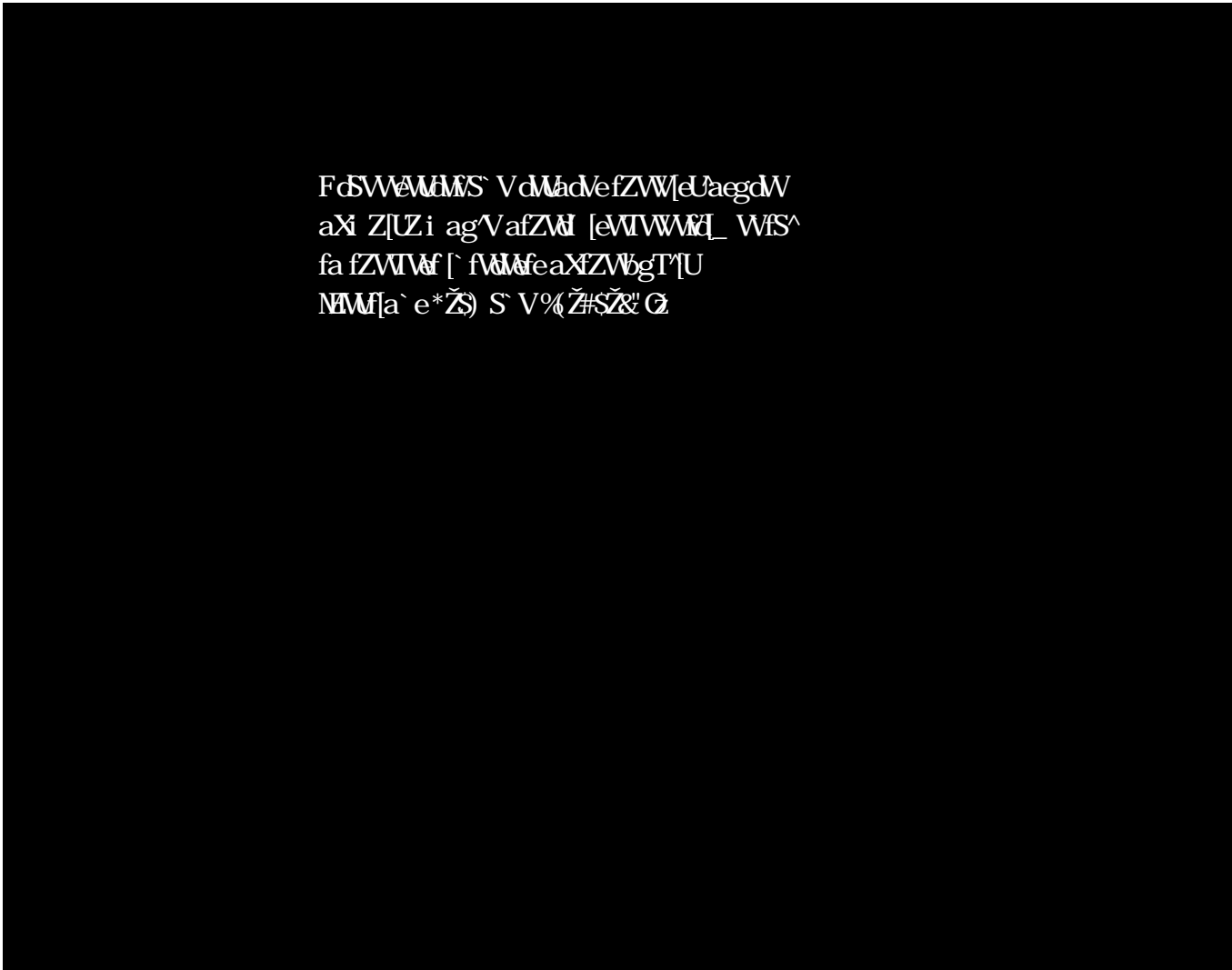
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aX Z[Uzi agVafZM [eMVMWfd_ Wfs^
fa fZMVMf [fMMfeaxZWbgT[U
NMM[a` e*Zs) S` V% Z#S& Q

This new joint venture brings together a long-established entrepreneur who holds cannabis business licenses in multiple states and a cyber security and technology executive with deep roots in Alabama. Our Business Plan reflects our extensive experience in building and operating cannabis facilities in highly regulated medical cannabis markets.

The Company's principals have strong and well-established business relationships with medical cannabis companies across the country. We are proud of our national reputation as a reliable business partner, both as a vendor and as a customer.

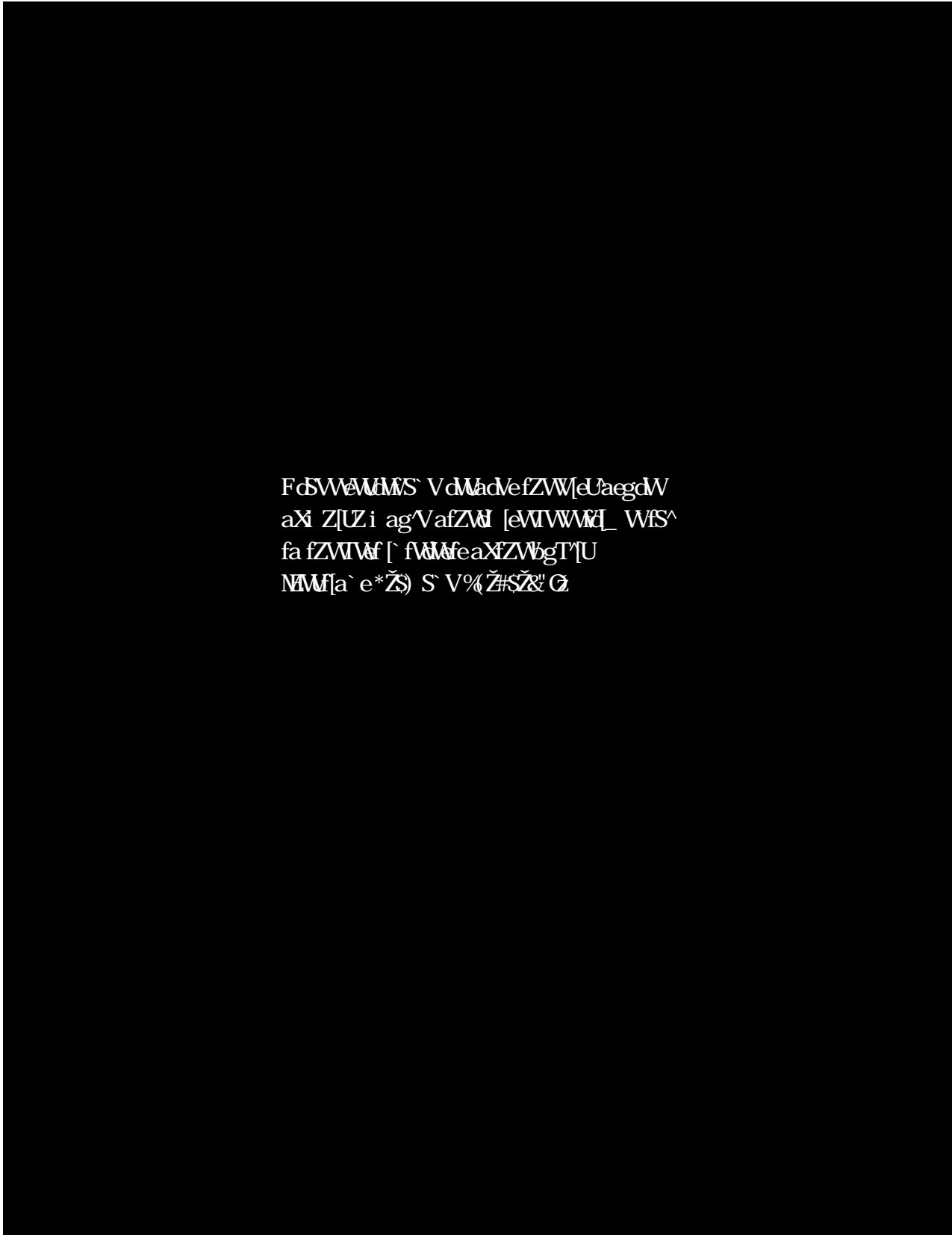
We have already signed memoranda of understanding with three potential licensees, and we are confident in our ability to quickly forge lasting business relationships with our peer companies in Alabama.

10.1 Cultivator (Completed)



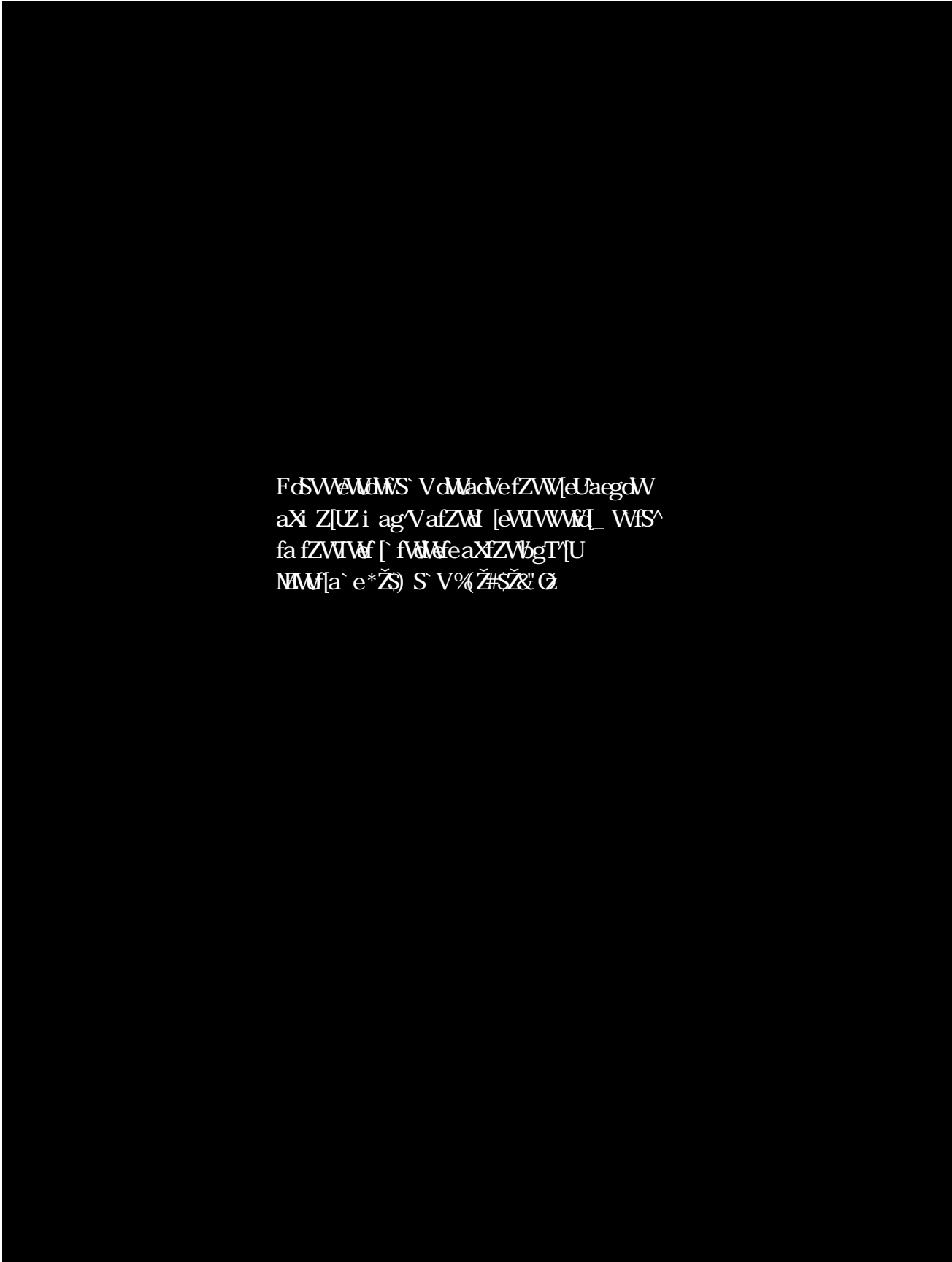
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NMM[a` e*Z) S` V% Z#SZ& Q

10.2 Processor (Completed)

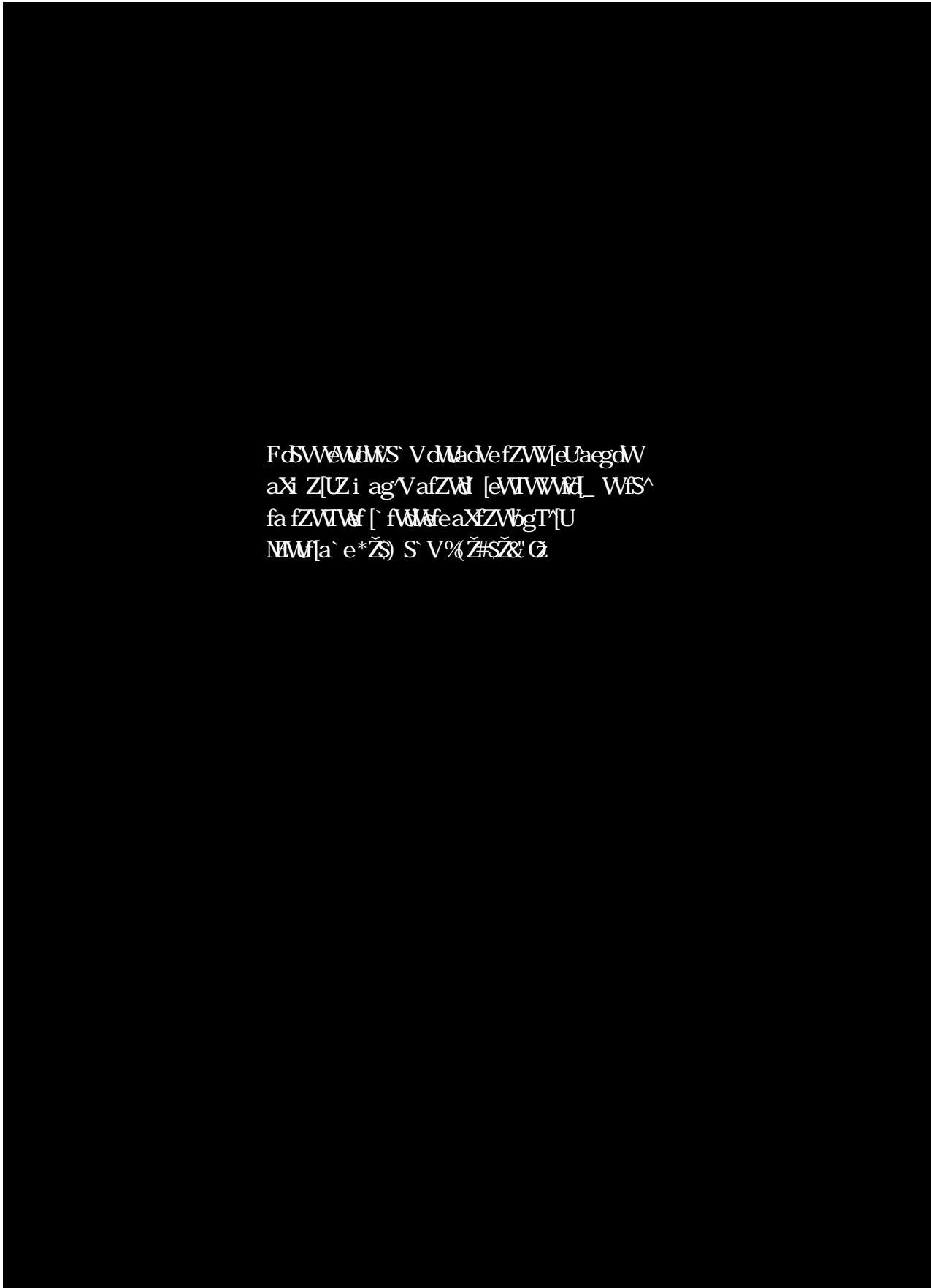


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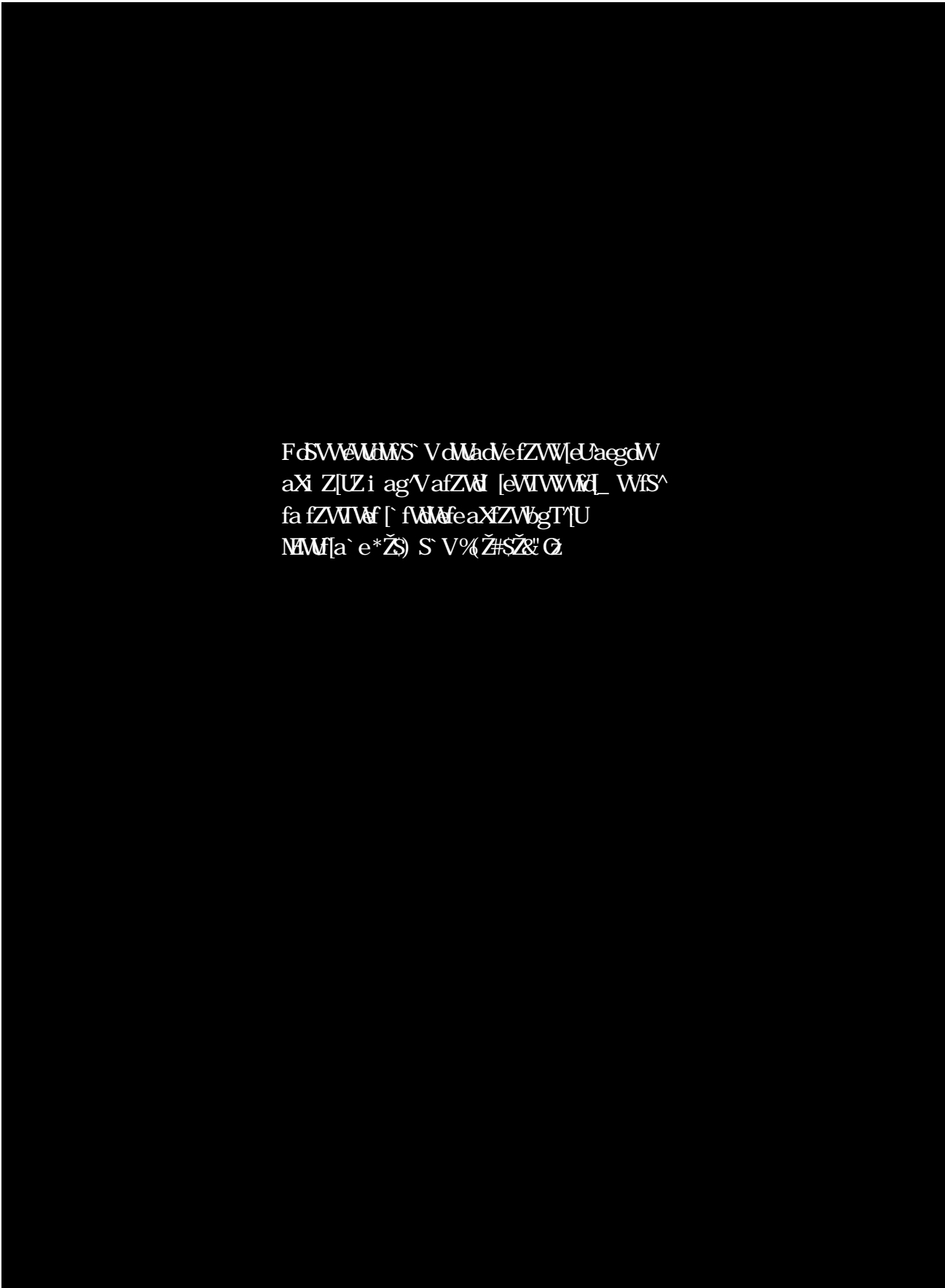
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FdSWeWMS` VdMadVefZVW|eUaegdW
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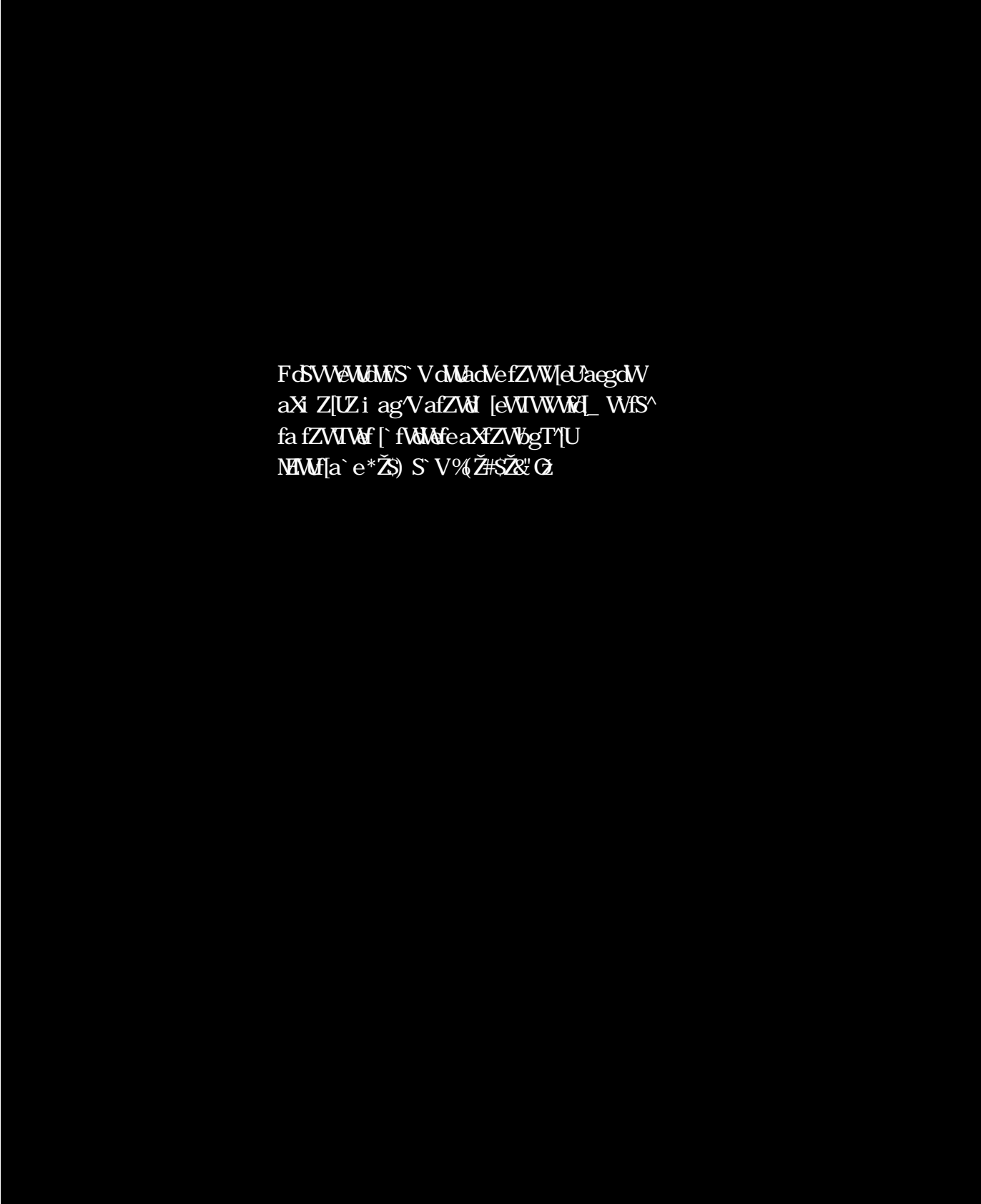
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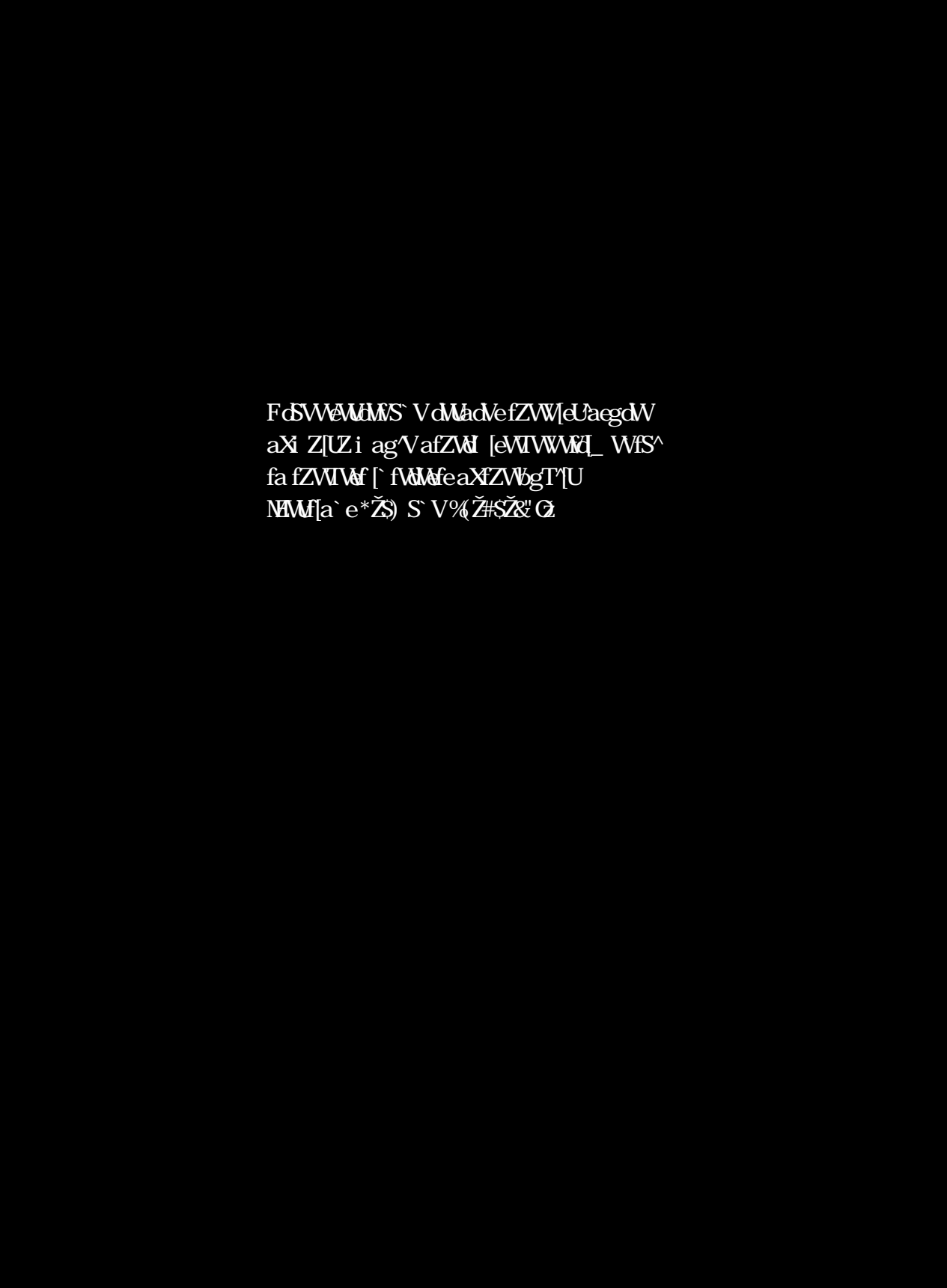
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NM[a` e*Z) S V%Z#S& Q

10.3 Secure Transporter (completed)



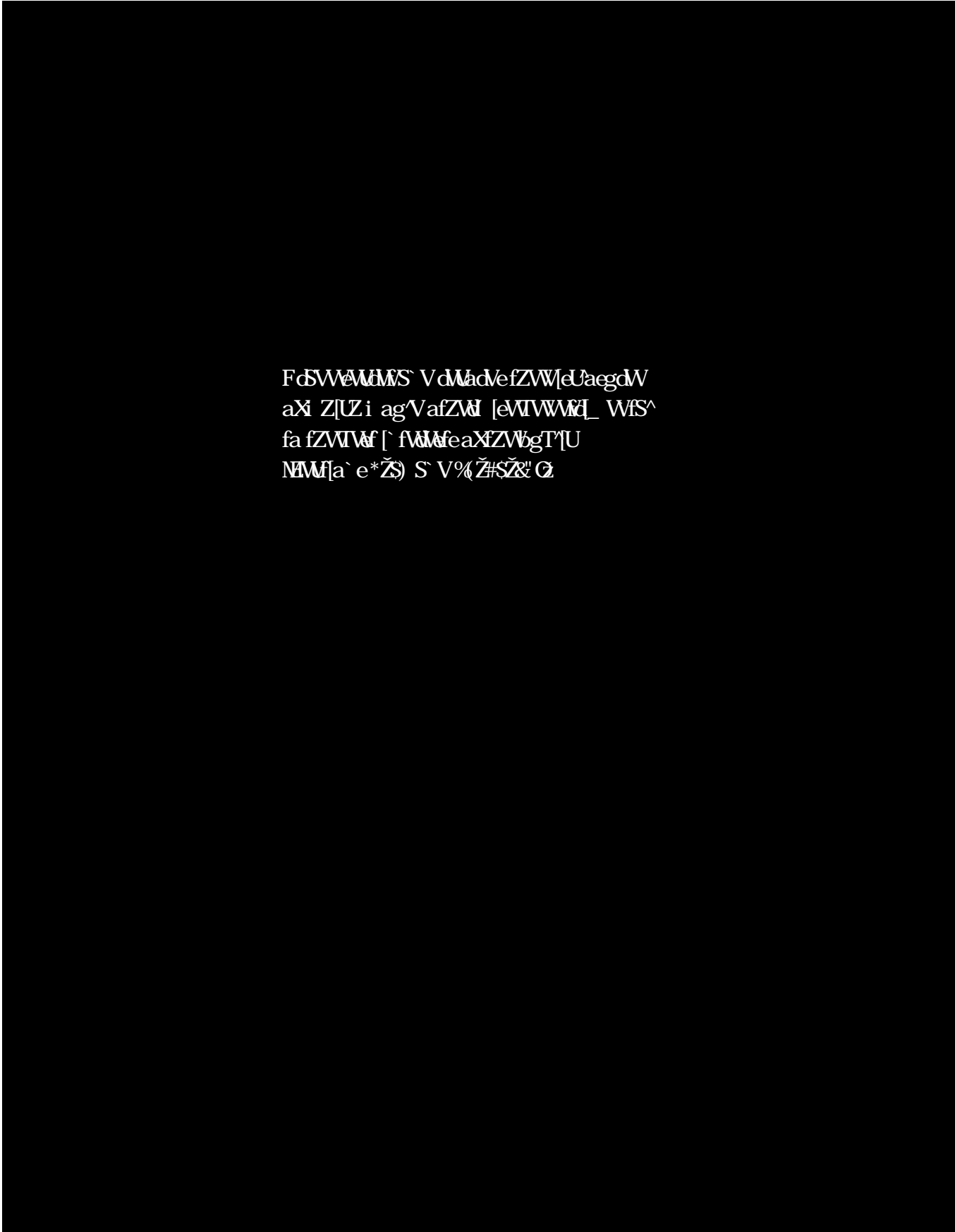
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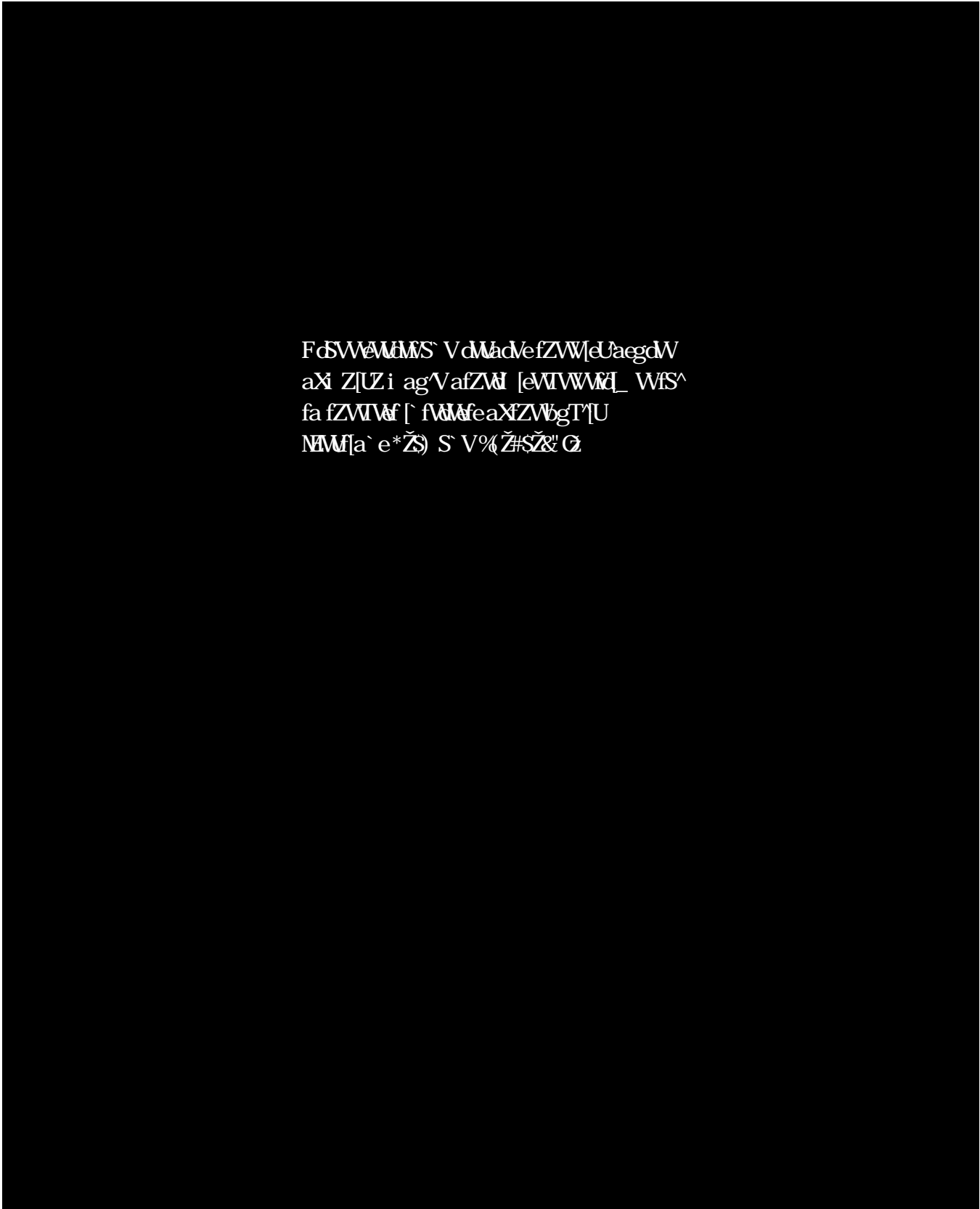


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10.5 State Testing Laboratory (Completed)



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fa fZVWVf [fWVfeaxZWgT^U
NWW[a` e*Z) S` V%Z#SZ& Q

Exhibit 11 – Coordination of Information from Registered Certified Physicians

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

This Plan is completed as of the date of application. All pre-licensure obligations have been met. We will continue to execute this plan in a timely fashion after licensure.

This exhibit will outline the Company's plan for receiving and coordinating information and certifications from registered certifying physicians recommending medical cannabis products for patient and caregiver customers per §538-x-2-.05 and §538-x-8.

11.1 General Restrictions

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.2 Patient Registration and Orientation

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.1.1 New Patient Registration

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.1.2 Returning Customer Registration

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.2 Product Selection

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.3 Dispensing Process

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.3.1 Monitoring Prescription Limits

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

11.4 HIPAA Compliance and Protected Health Information (PHI)

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 12 – Point-of-Sale Responsibilities

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

12 Point-of-Sale Responsibilities

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

12.1 Point-of-Sale Education, Consultation, and Instructions

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

12.2 Satisfaction of Taxes

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 13 - Confidentiality of Patient Information

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would otherwise be

Printed Name of Verifying Individual

Trade secret and records the disclosure of which would otherwise be

Signature of Verifying Individual

Owner

Title of Verifying Individual

03.02.2023

Verification Date

This Plan for the Confidentiality of Patient information is completed as of the date of application. All pre-licensure obligations have been met. We will continue to execute this plan in a timely fashion after licensure.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



13.1 Confidential Patient Information

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

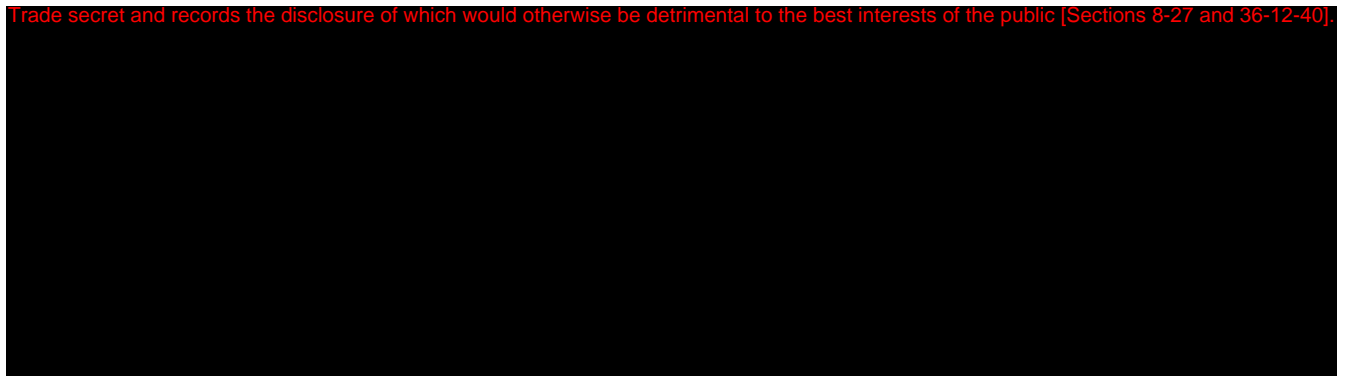


13.1.1 HIPAA Compliance

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

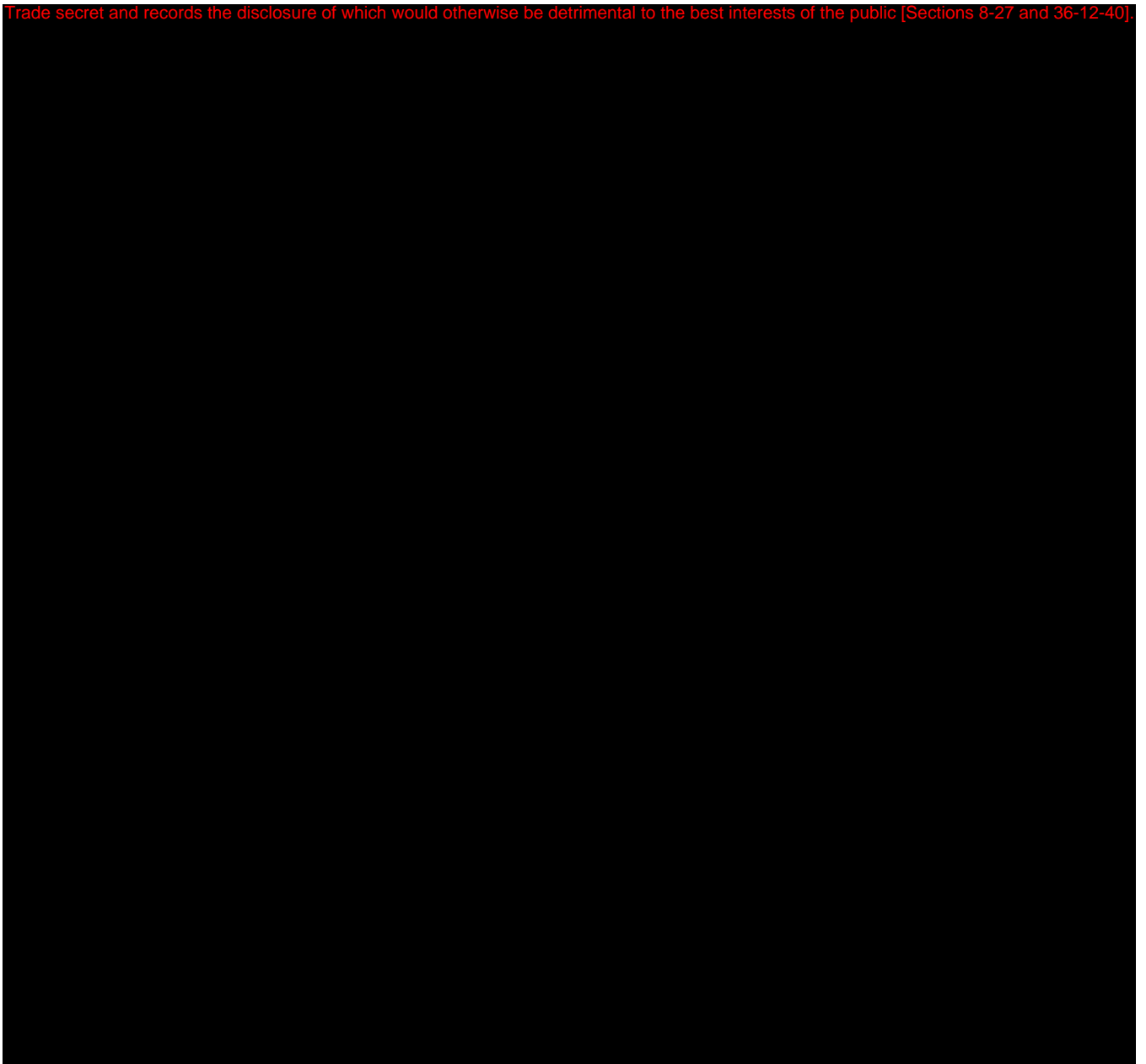


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



13.1.2 Protected Health Information (PHI)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



13.1.3 Patient Health Information (PHI) Request Protocol

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

A large black rectangular redaction box covers the entire content of section 13.1.3.

13.1.4 Patient Consent for Information Disclosure

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

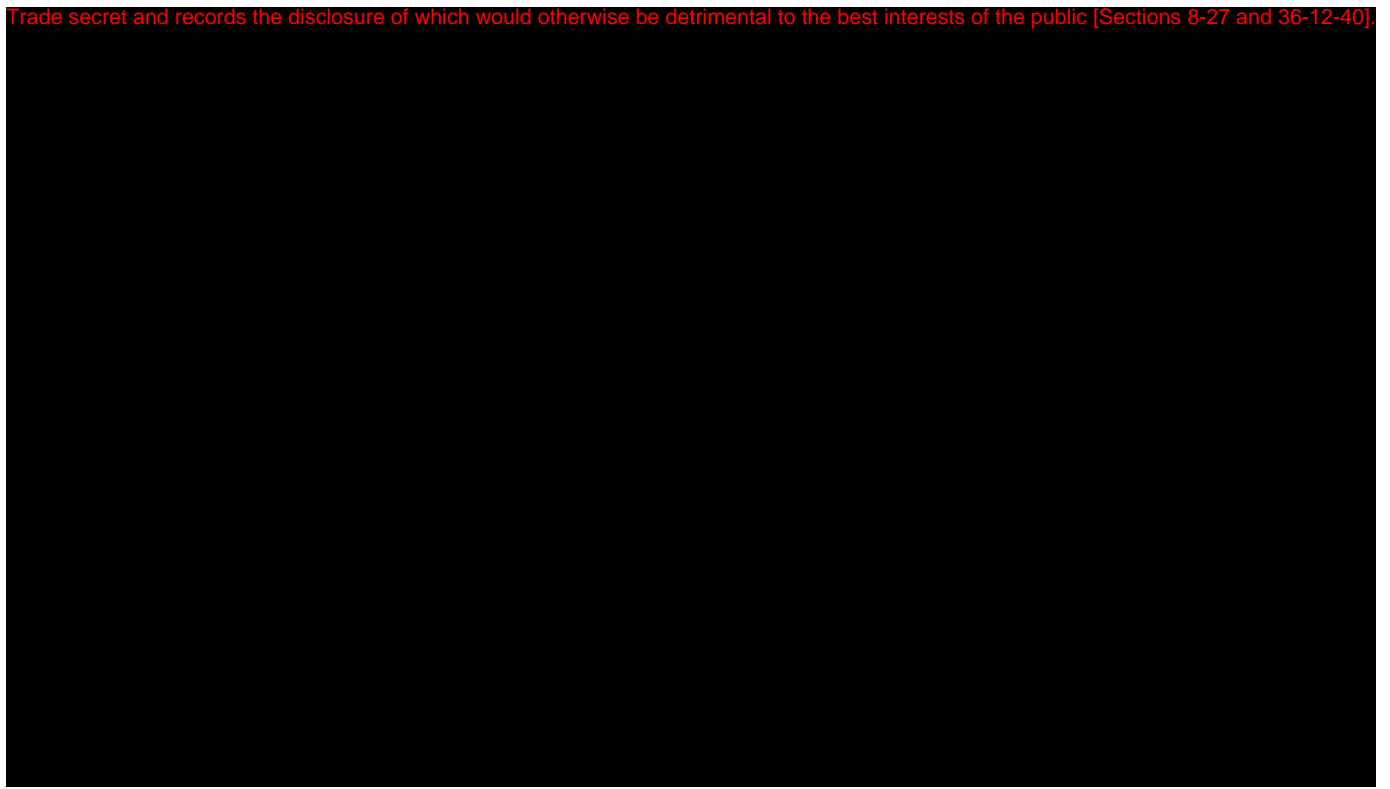
A large black rectangular redaction box covers the entire content of section 13.1.4.

13.1.5 Secure PHI Storage

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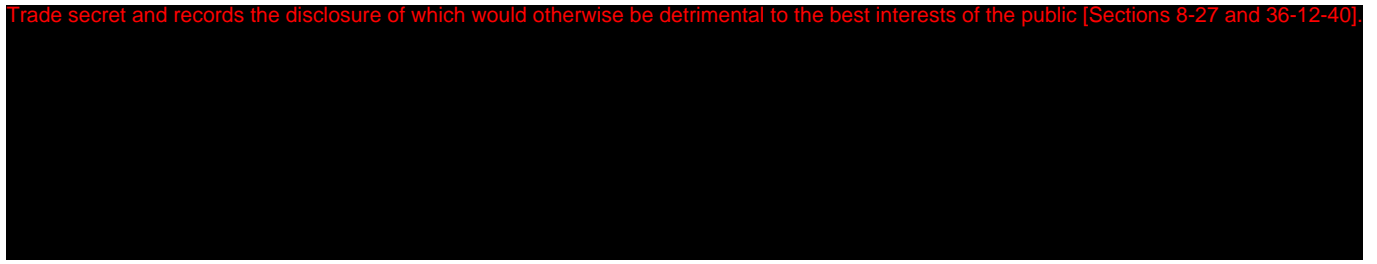
A black rectangular redaction box covers the content of section 13.1.5.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



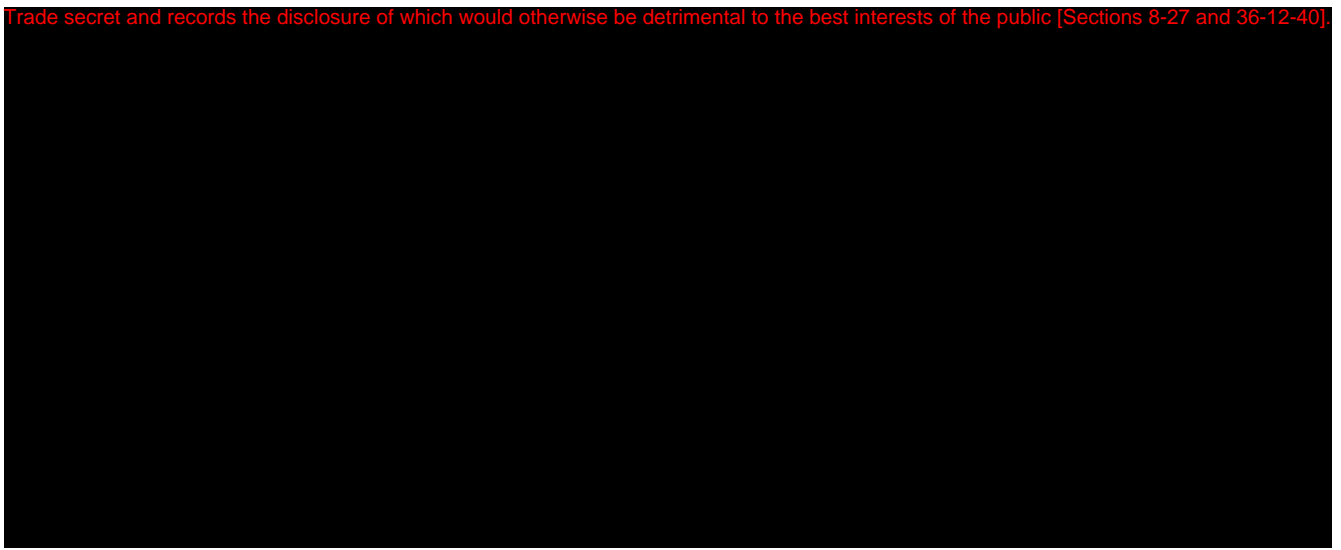
13.2 Cybersecurity

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



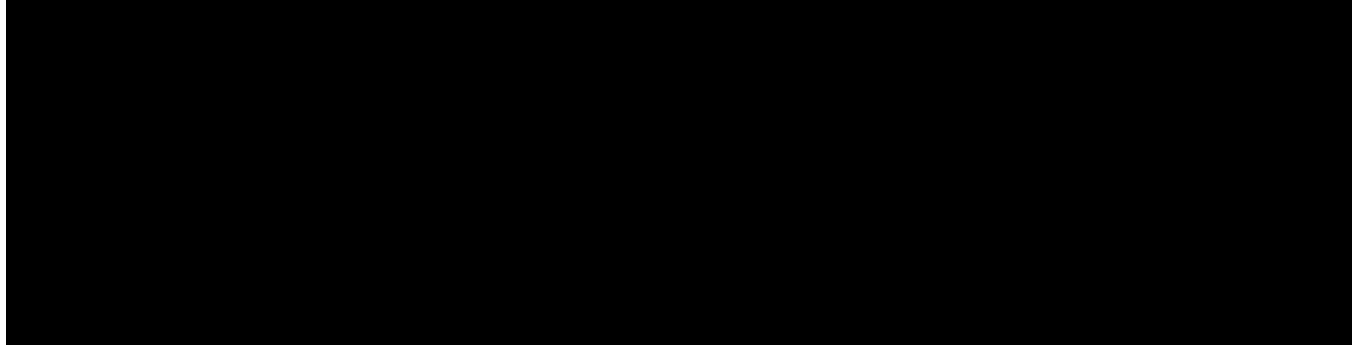
13.2.1 Cybersecurity Policies

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



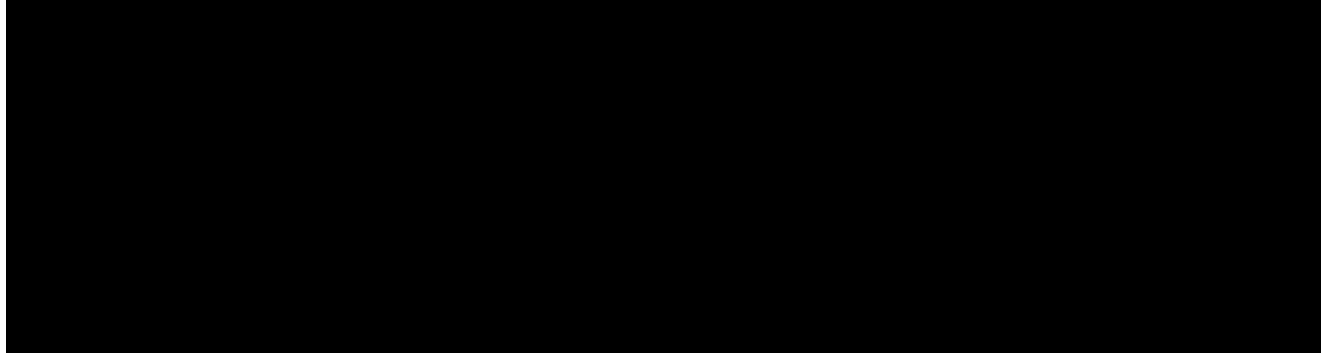
13.2.3 Prohibited and Illegal Activities

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



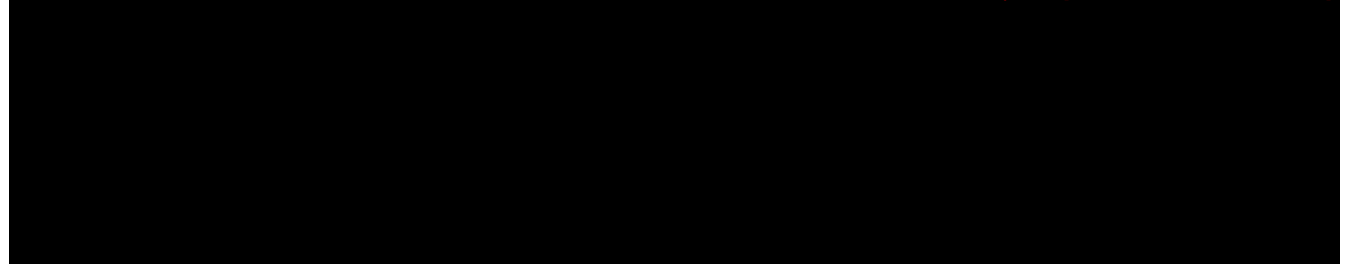
13.2.4 Password Security

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



13.2.5 Remote Access to Networks

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



13.2.6 Cybersecurity Training

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

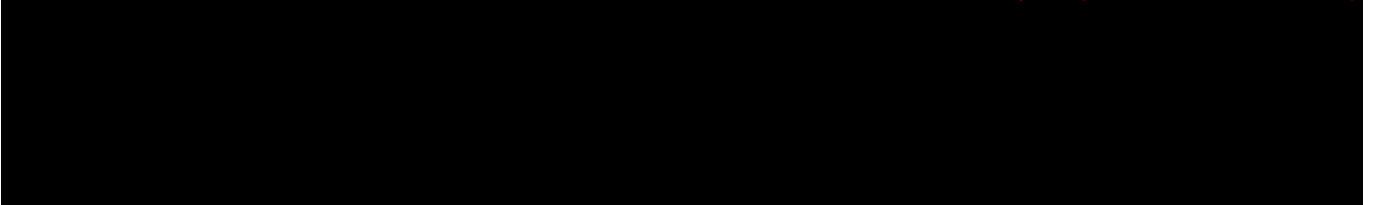


EXHIBIT 14 – MONEY HANDLING AND TAXES

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner
Title of Verifying Individual

12/25/2022
Verification Date

Status as of the date of application filing: Complete.

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

14.1 Opening Cash Procedures

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

14.2 Cash Procedures at Point of Sale

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

14.3 Closing Cash Procedures

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

14.3 Tax Remittance

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 15 – Standard Operating Plan and Procedures

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

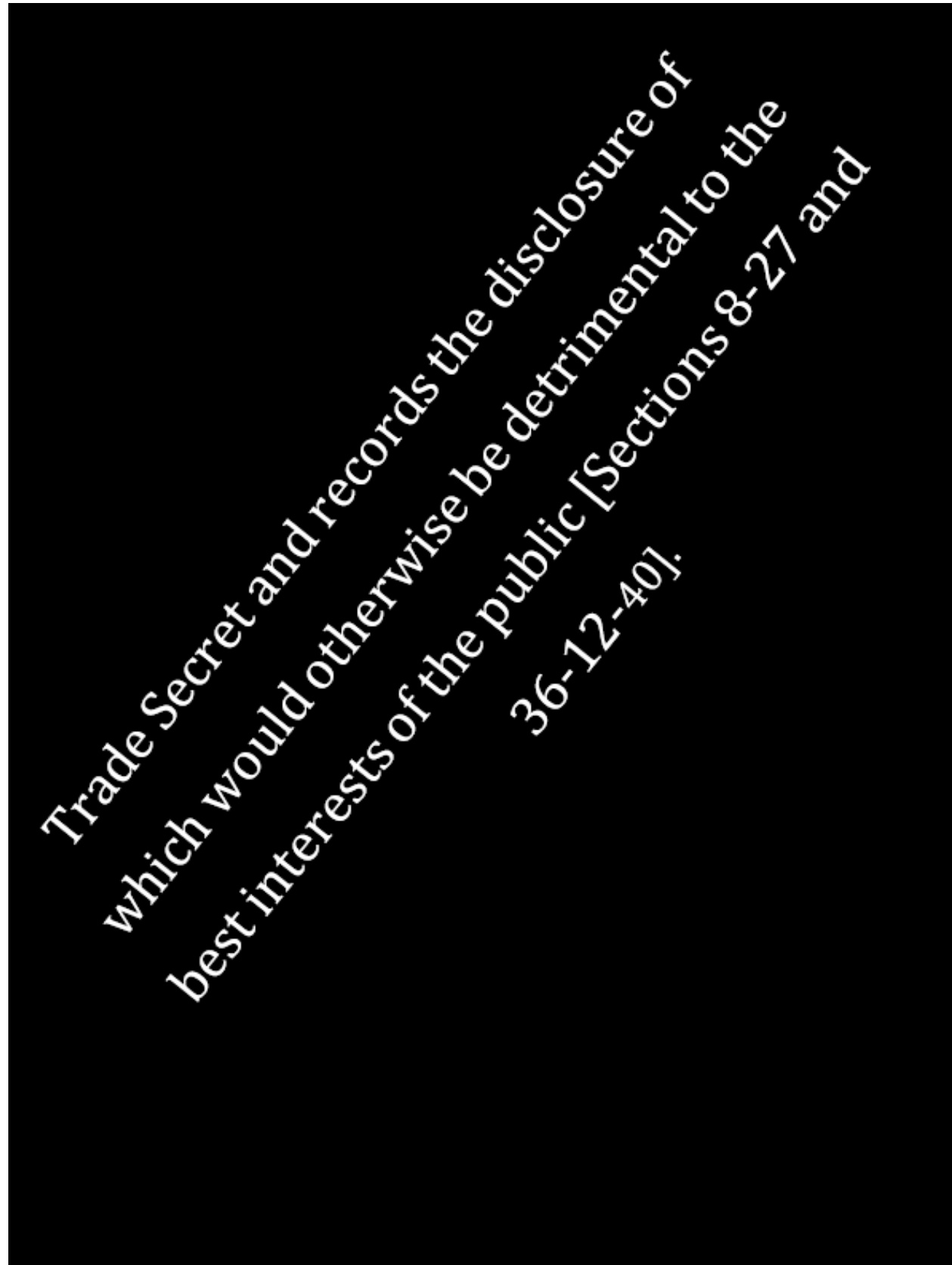
Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

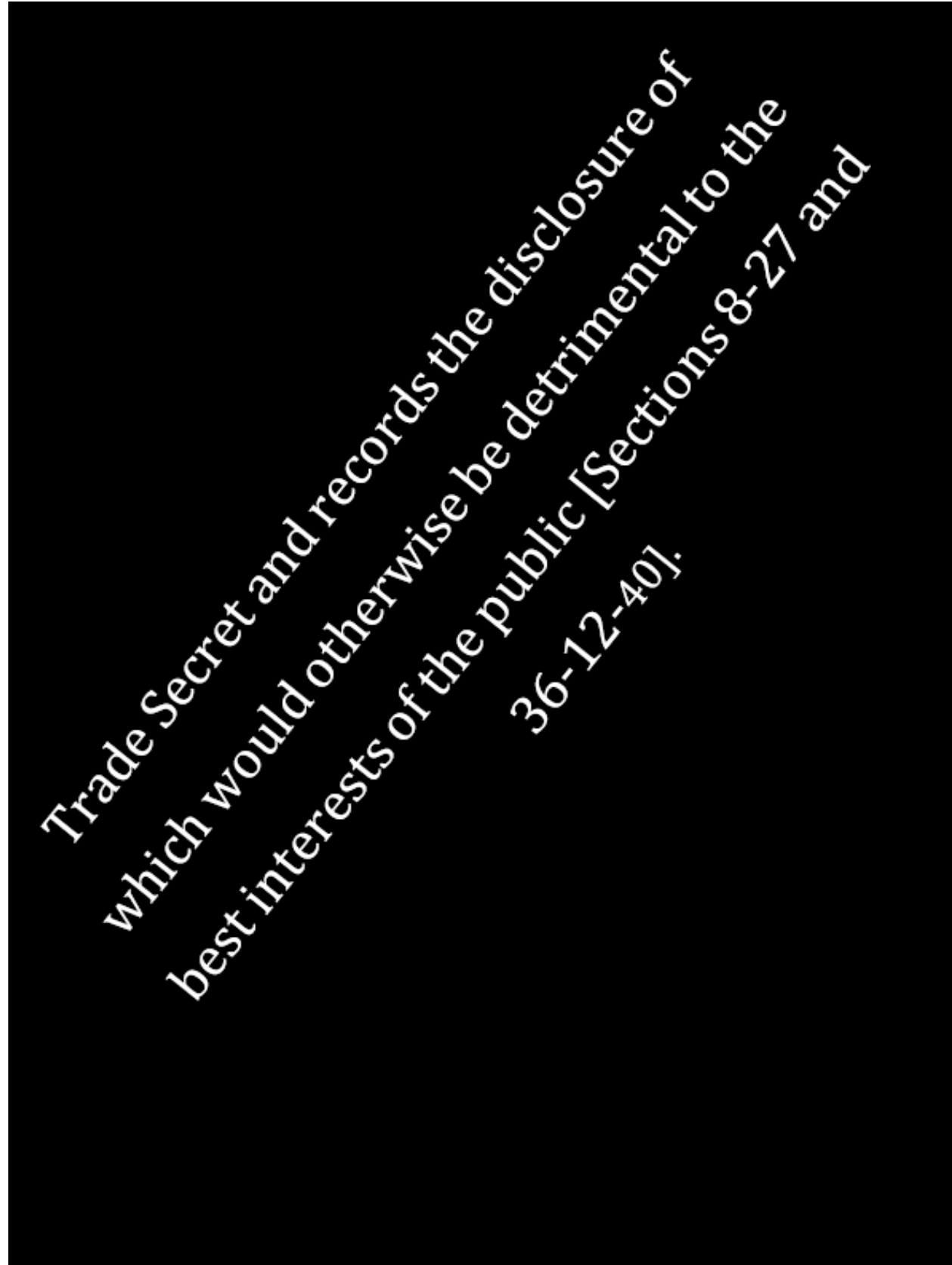
Owner

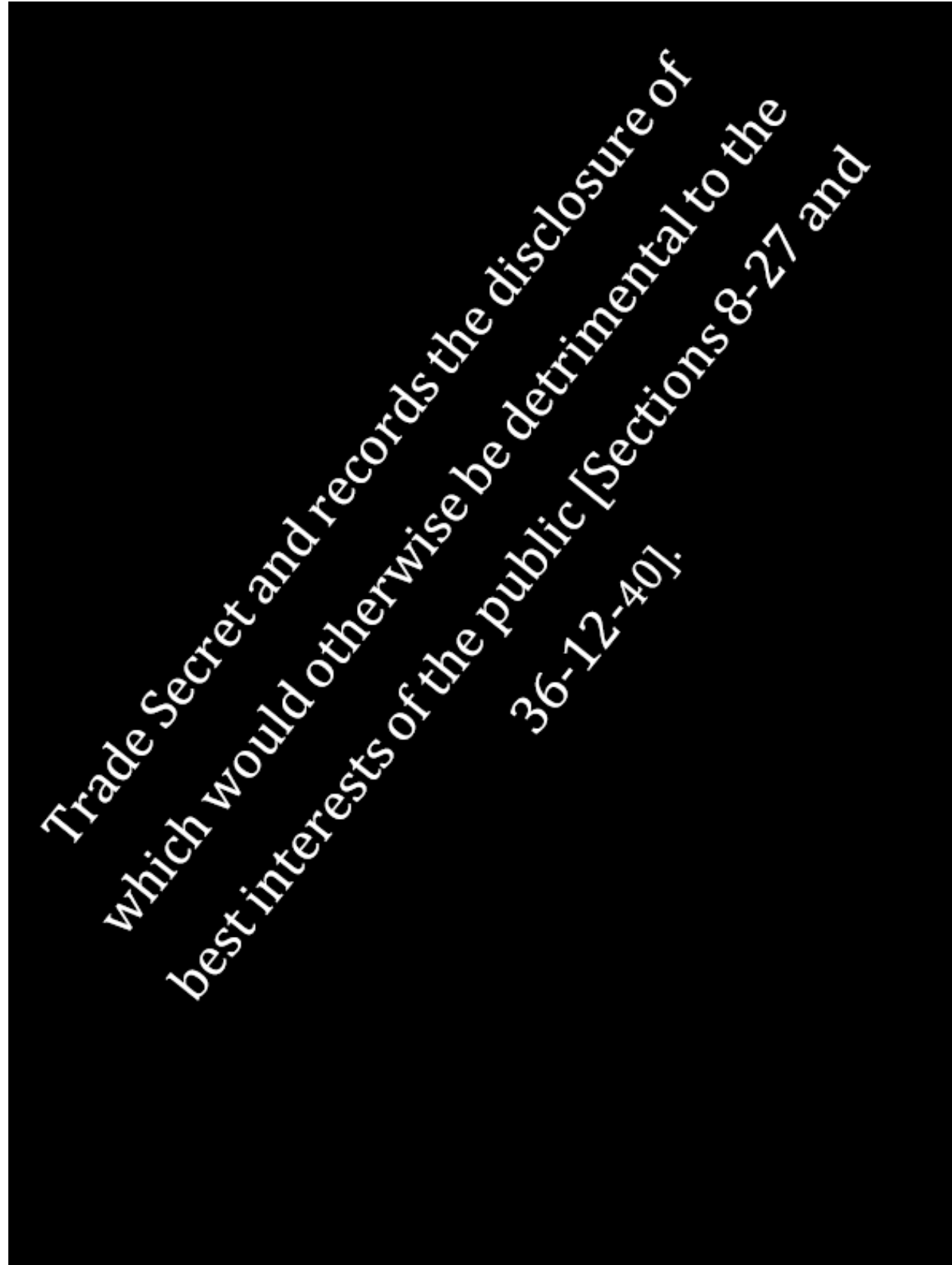
Title of Verifying Individual

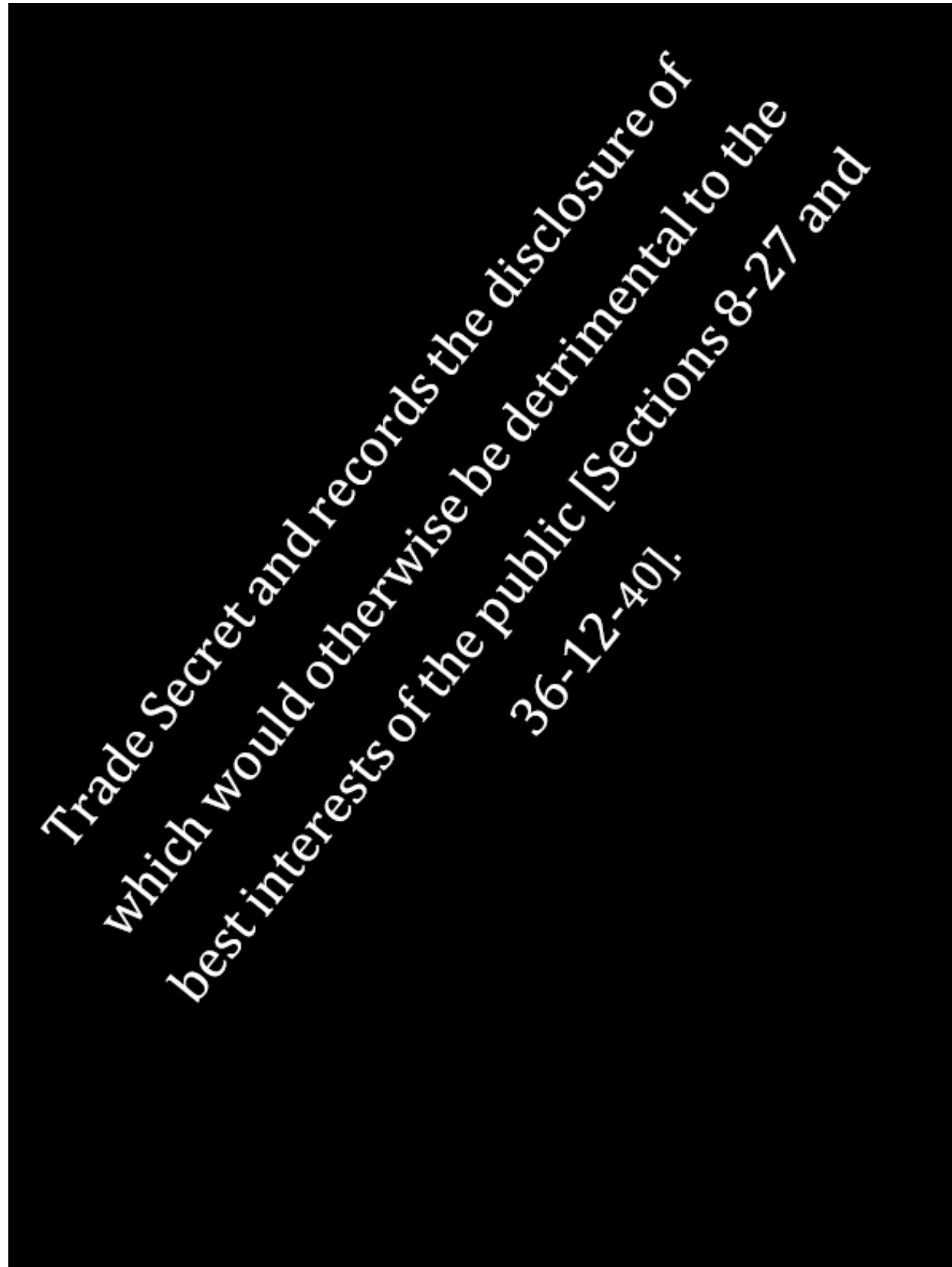
12/25/2022

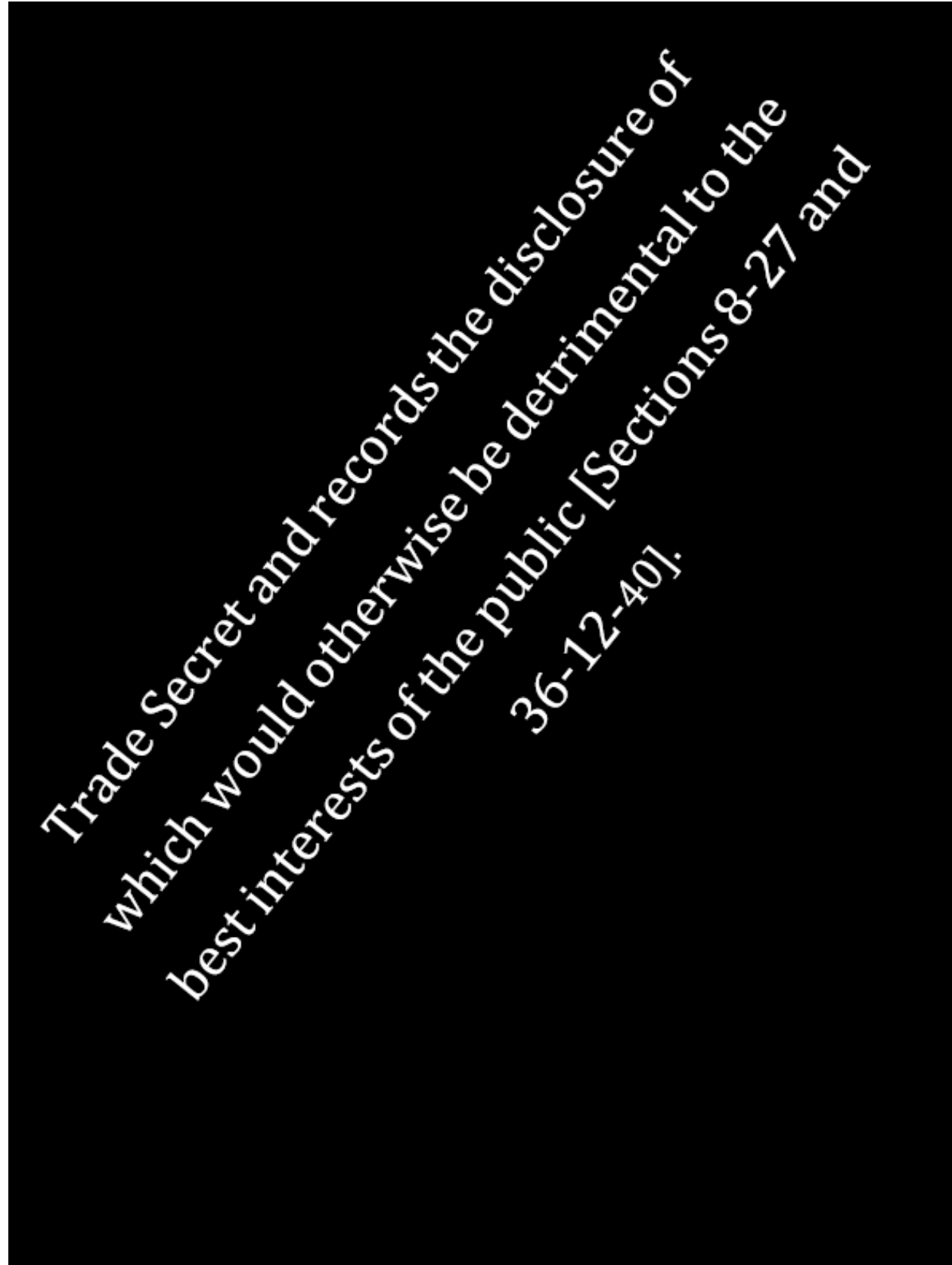
Verification Date





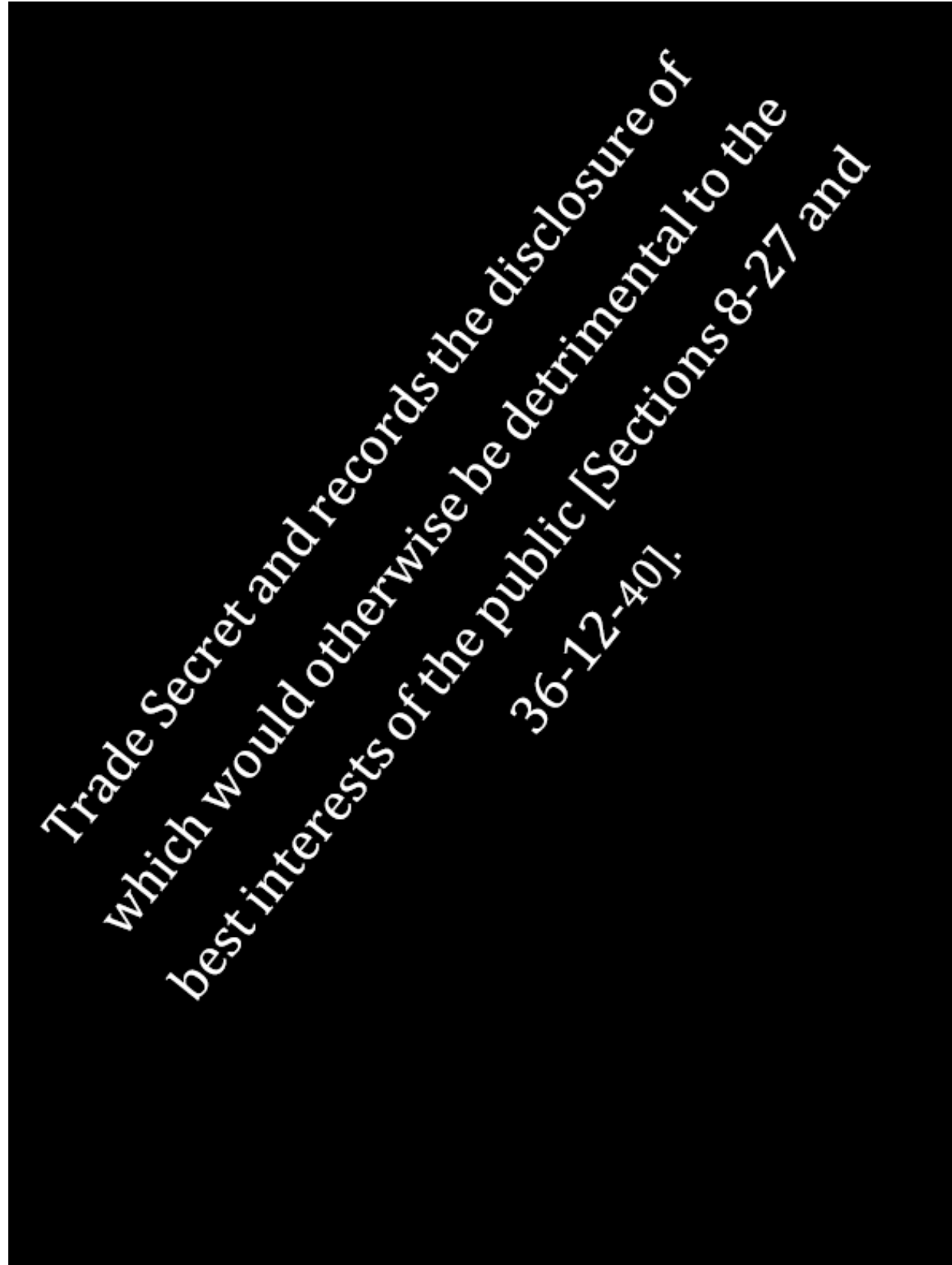


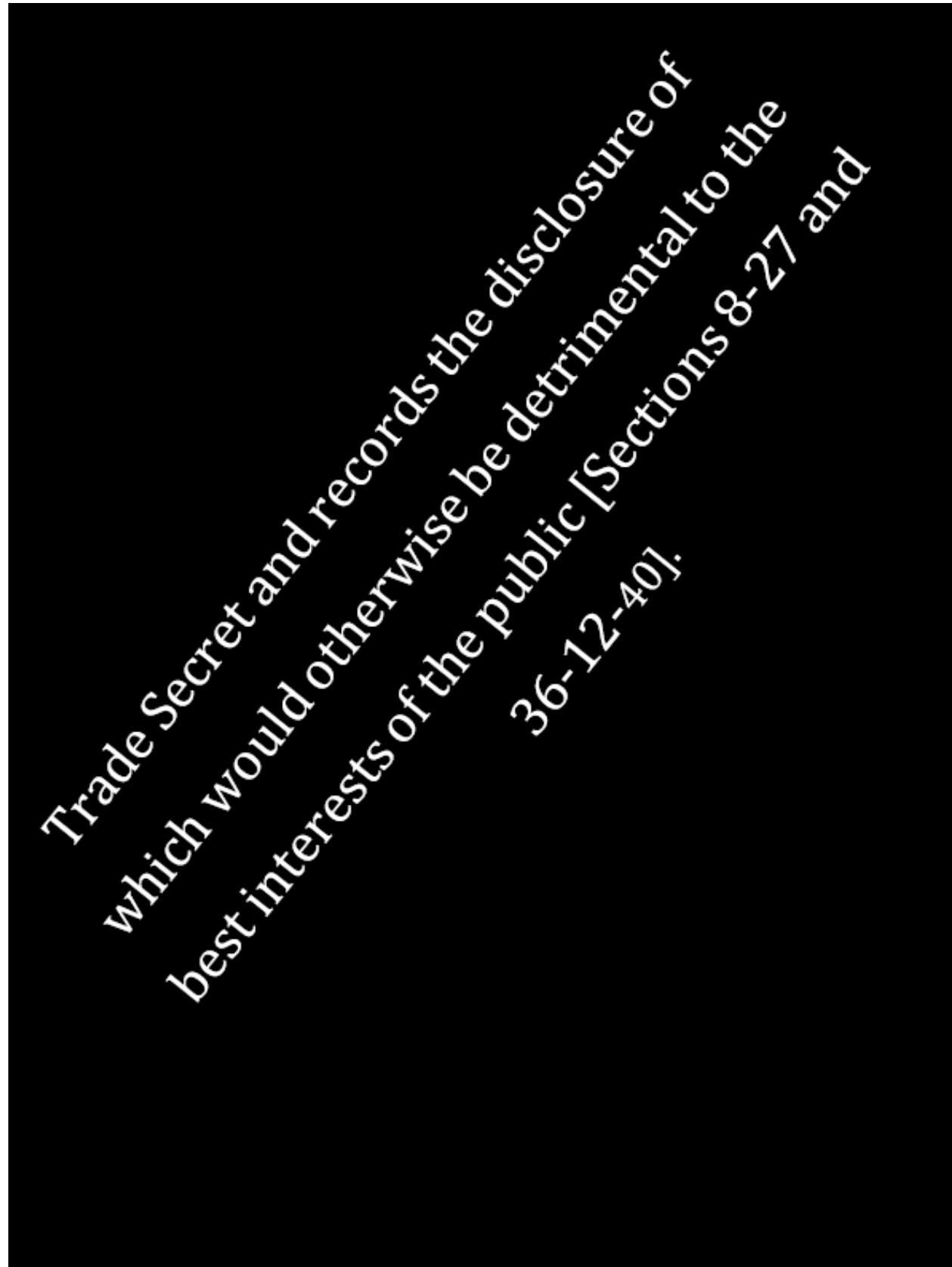


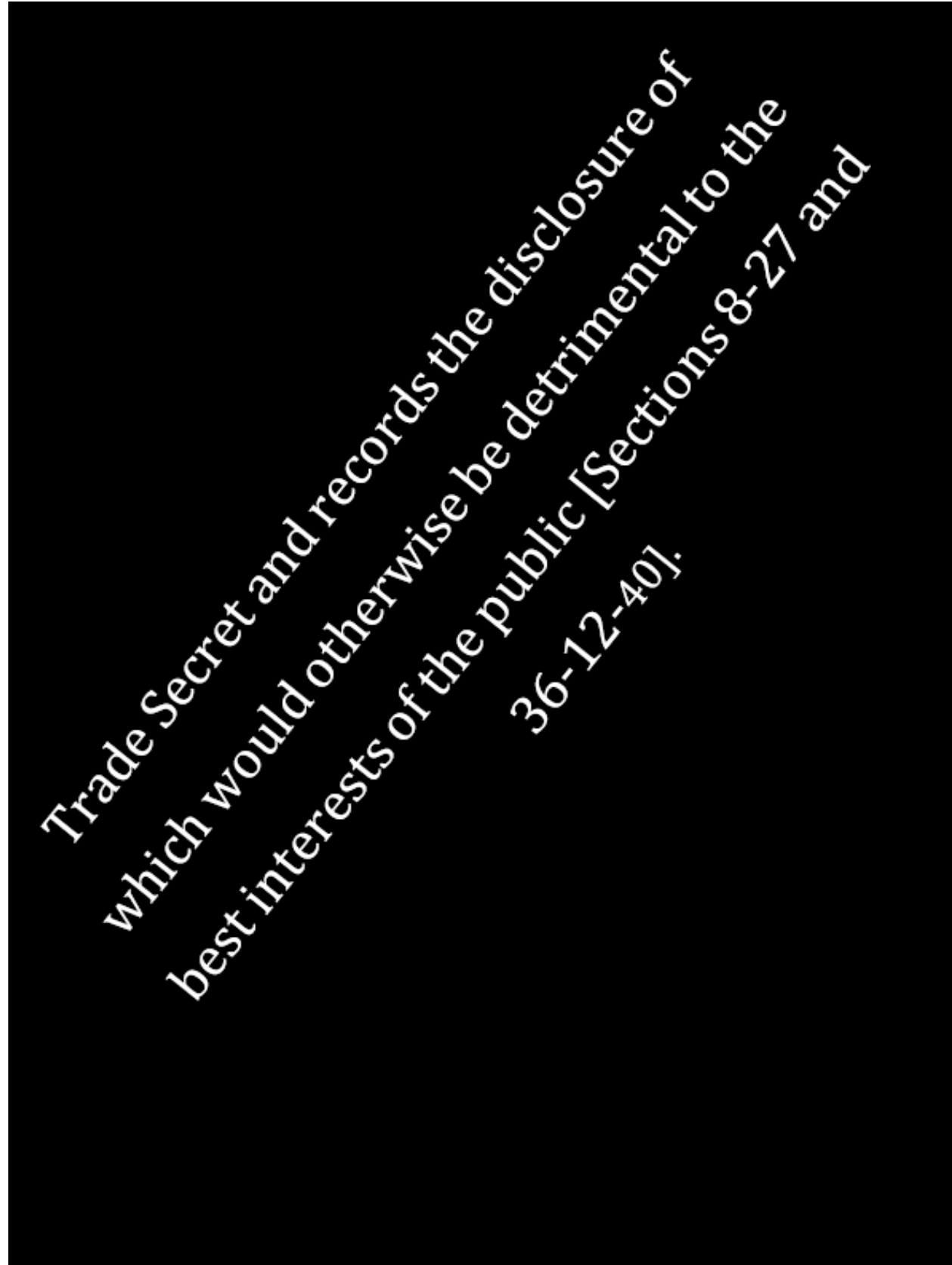


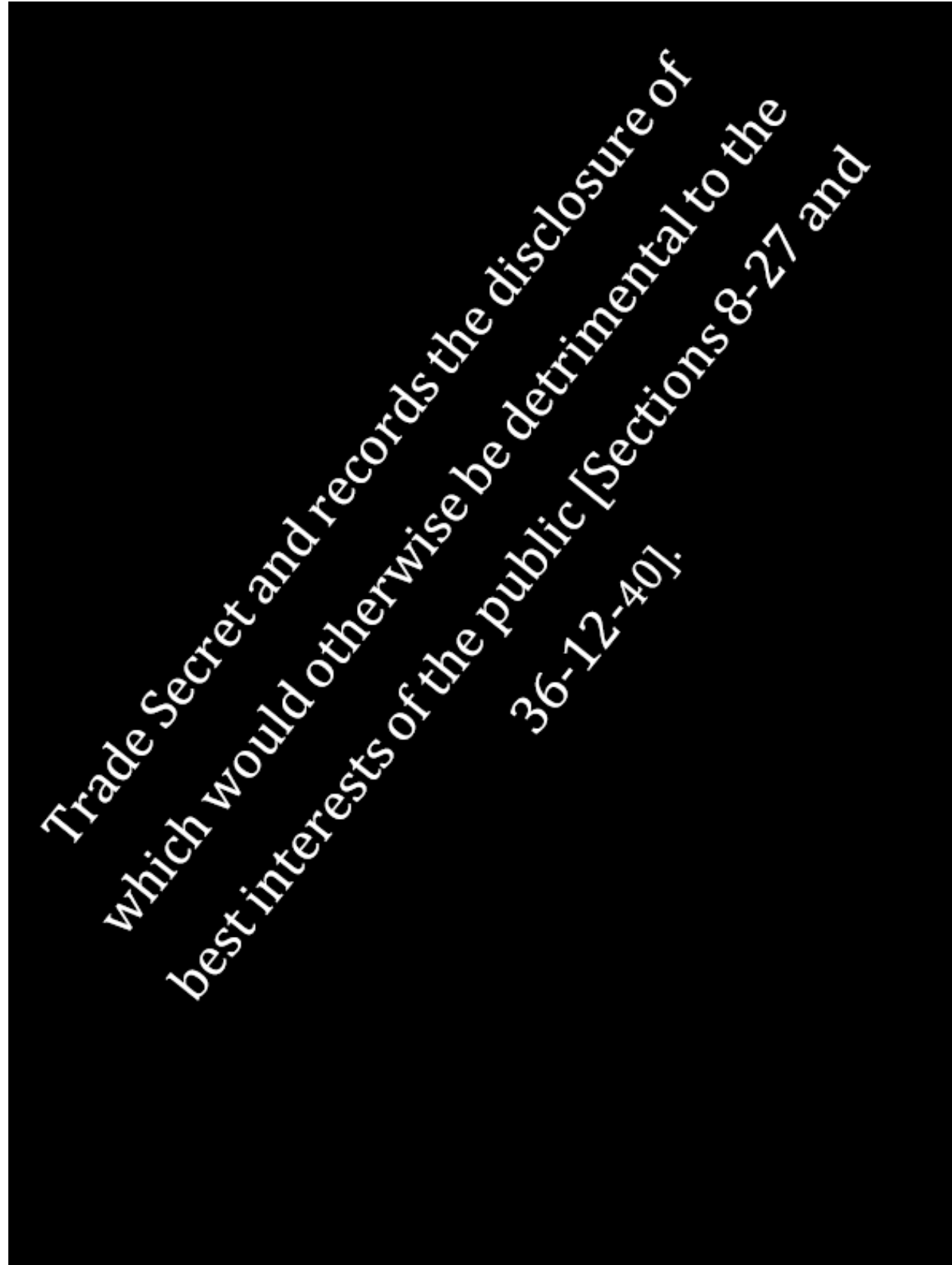


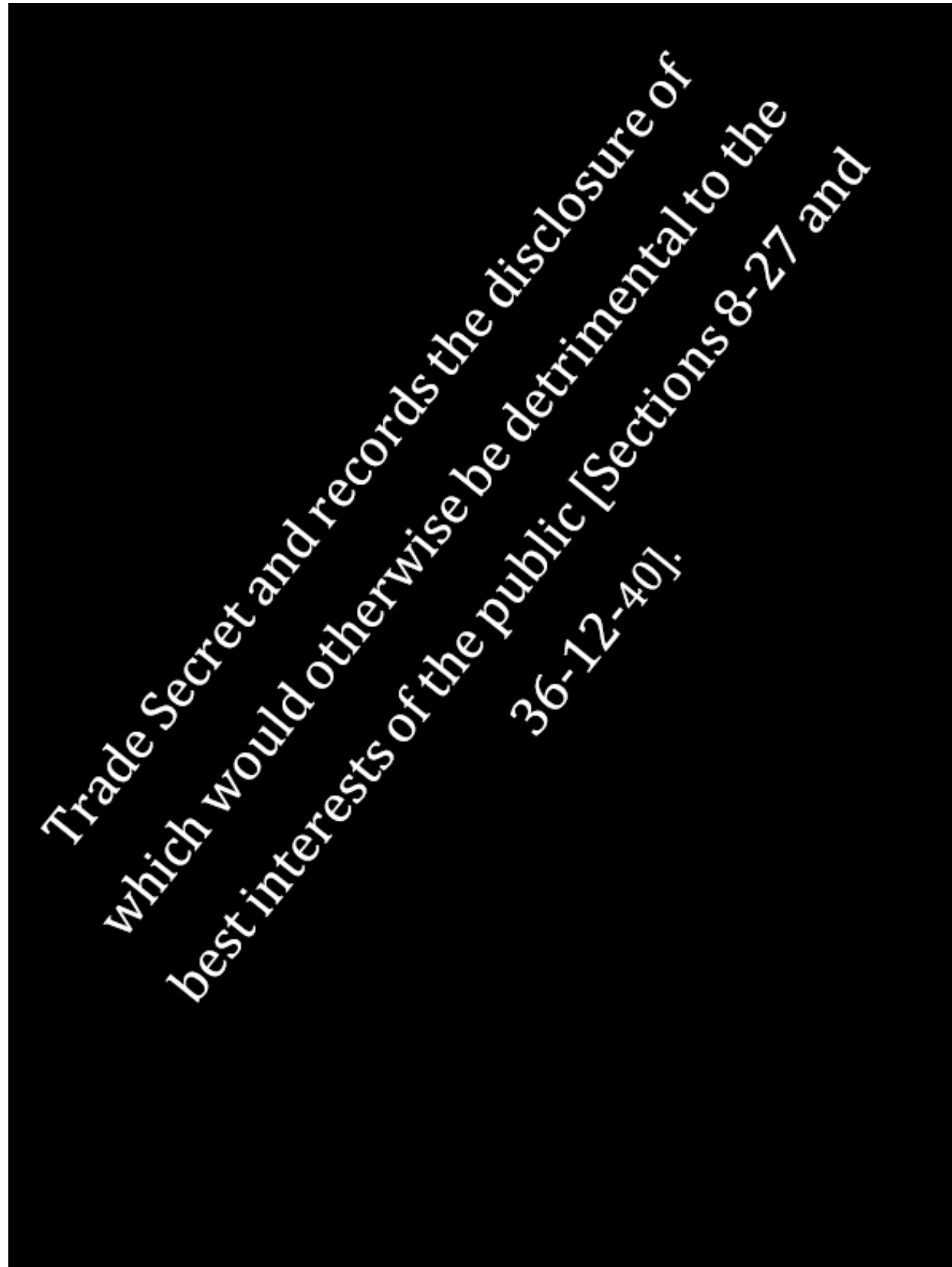


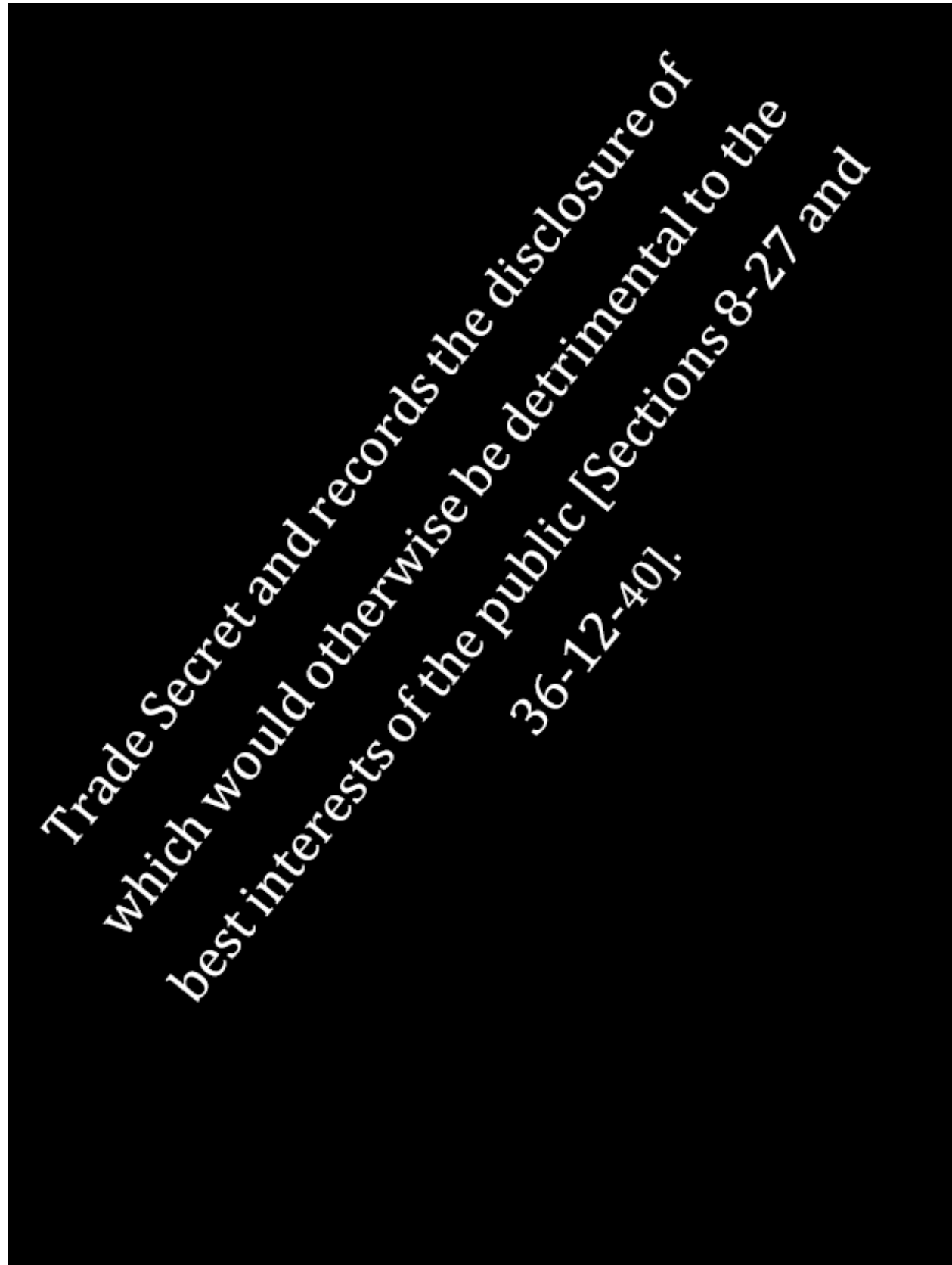






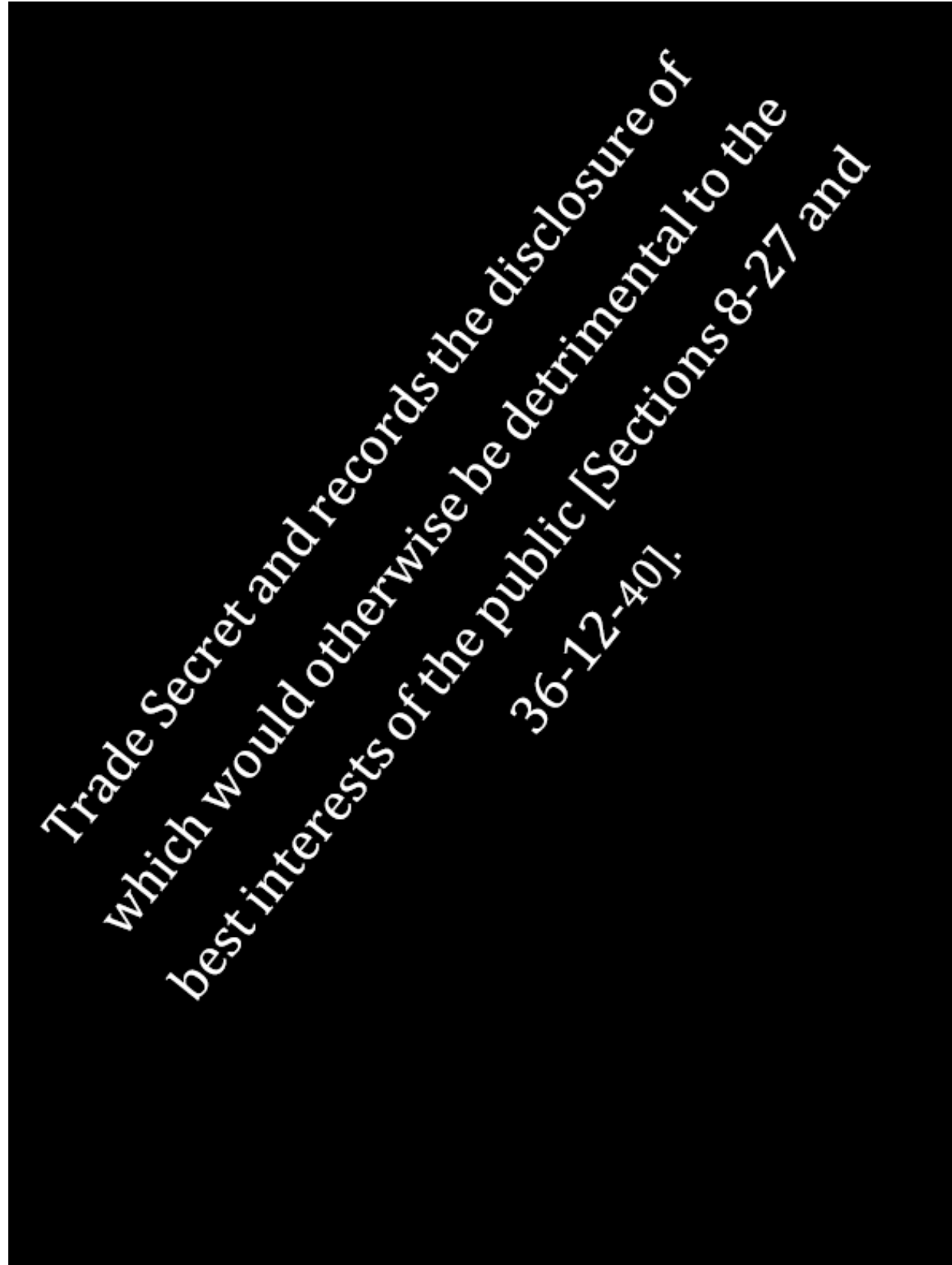


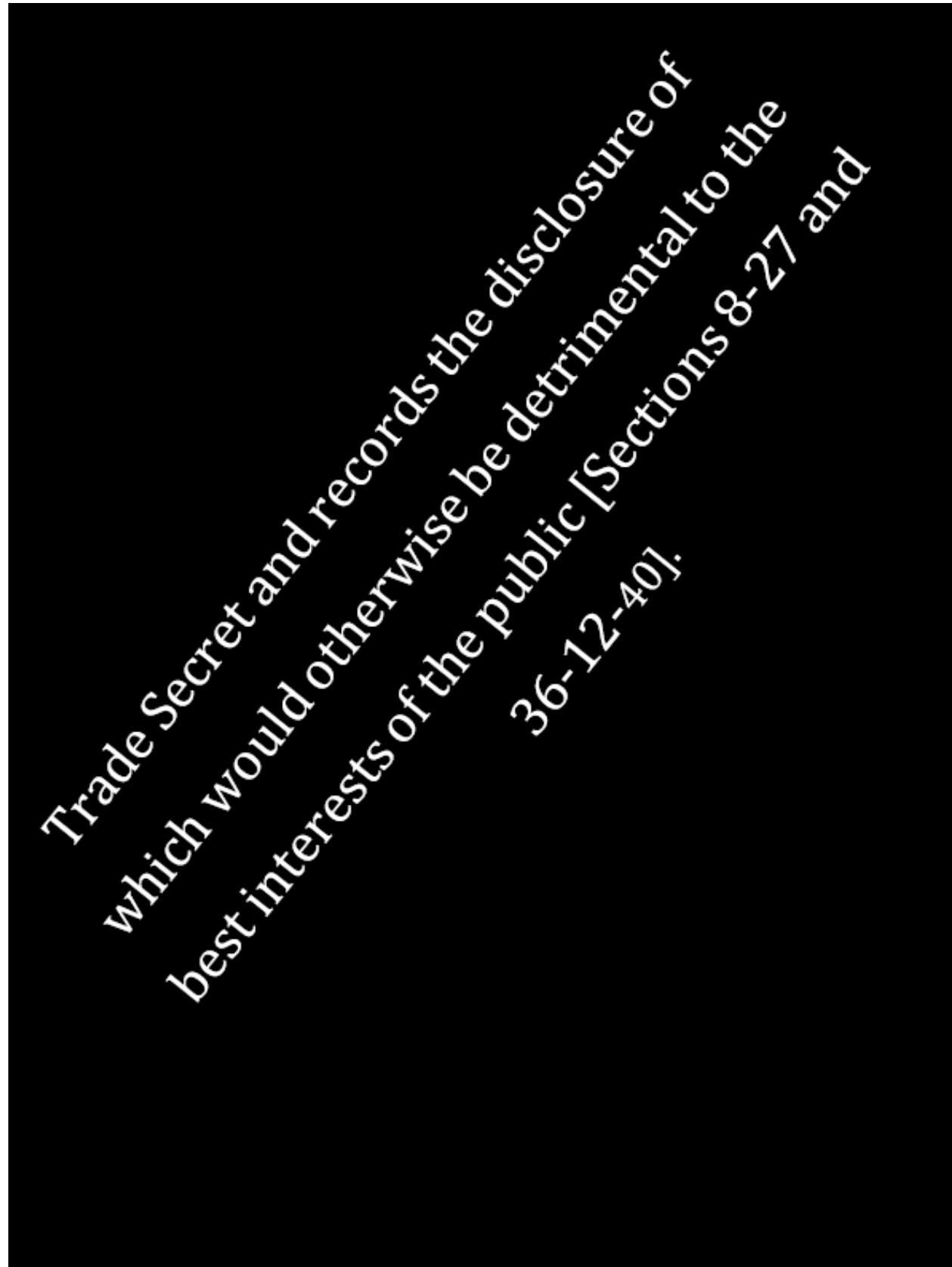


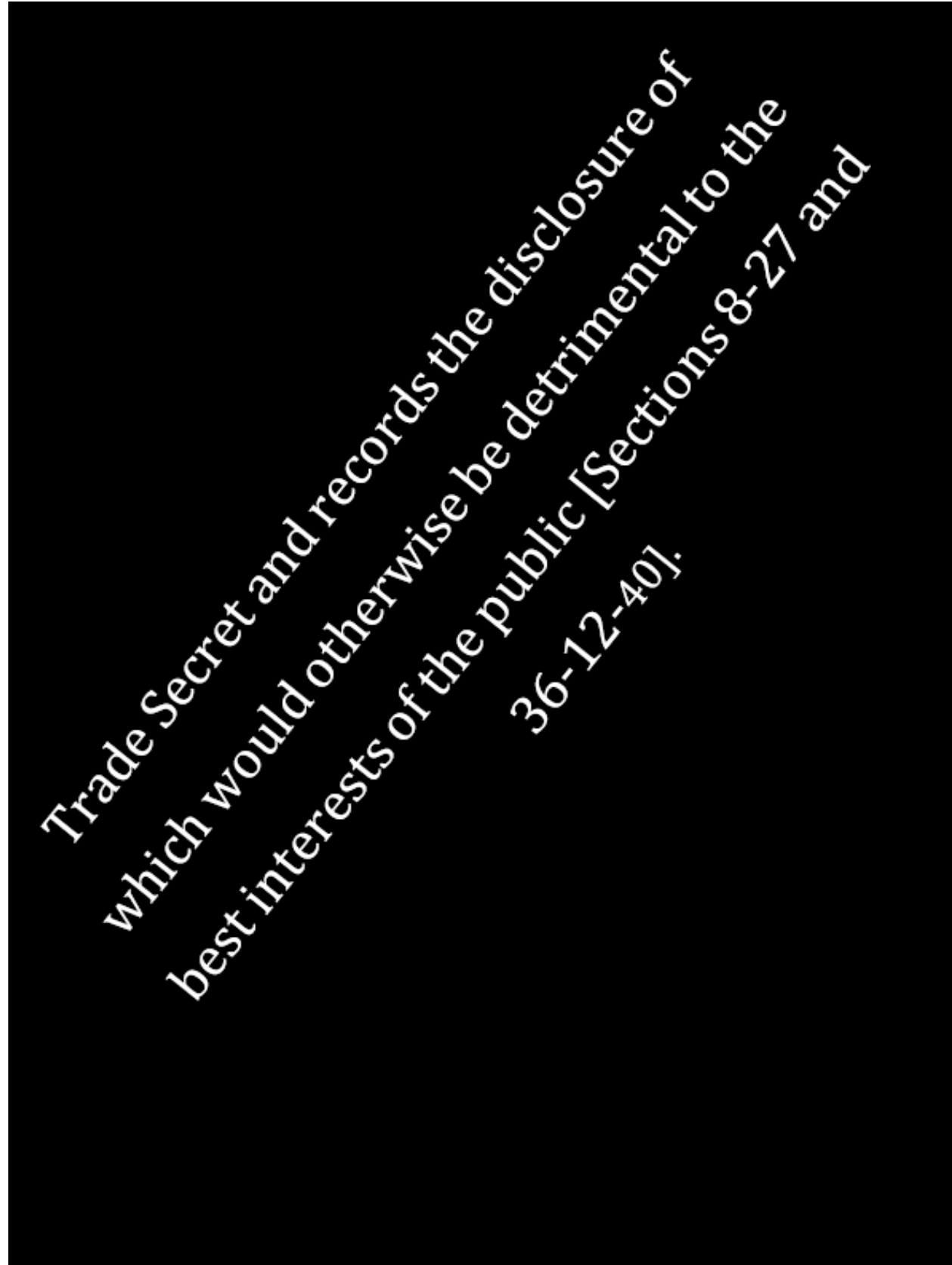


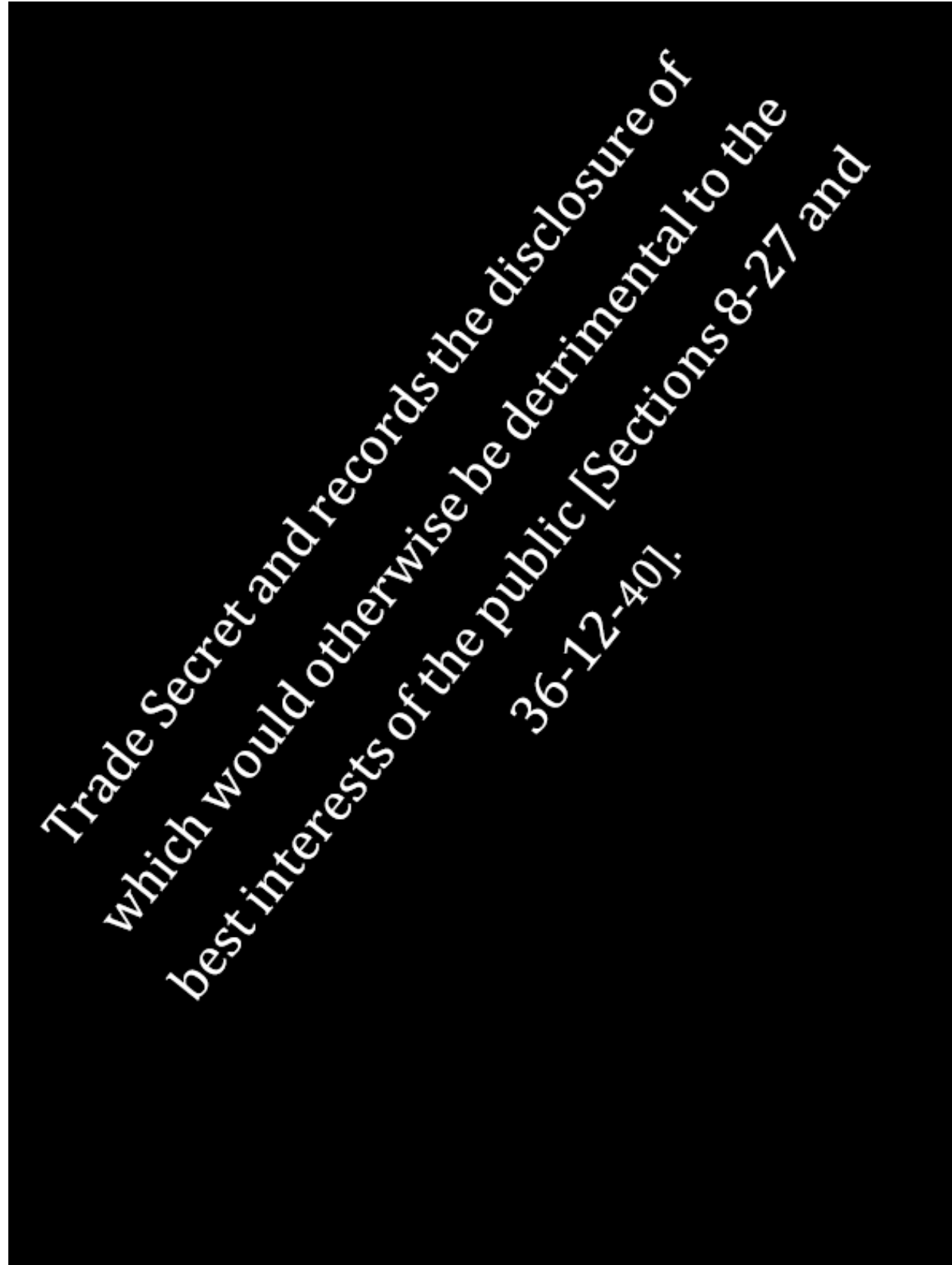


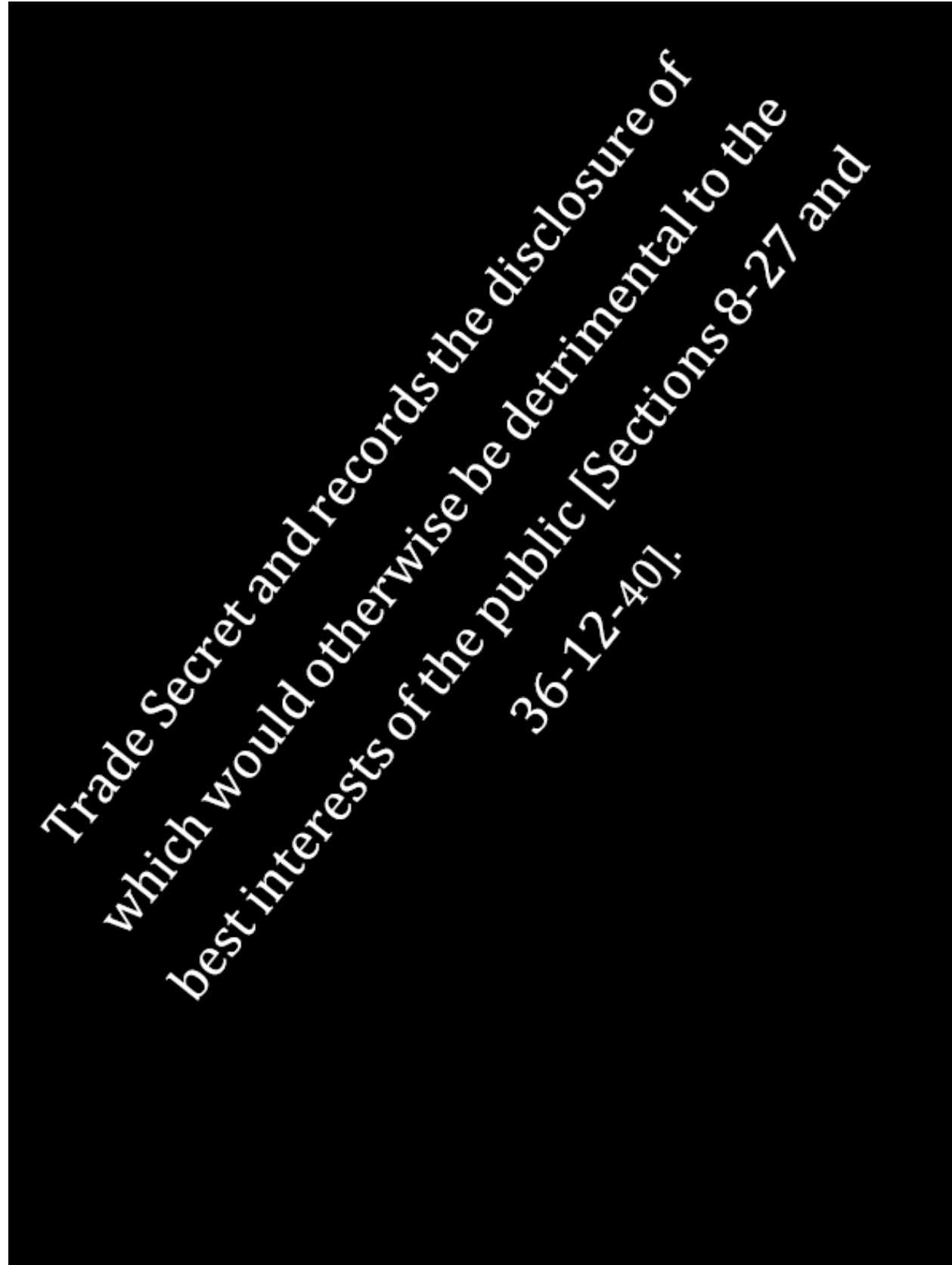


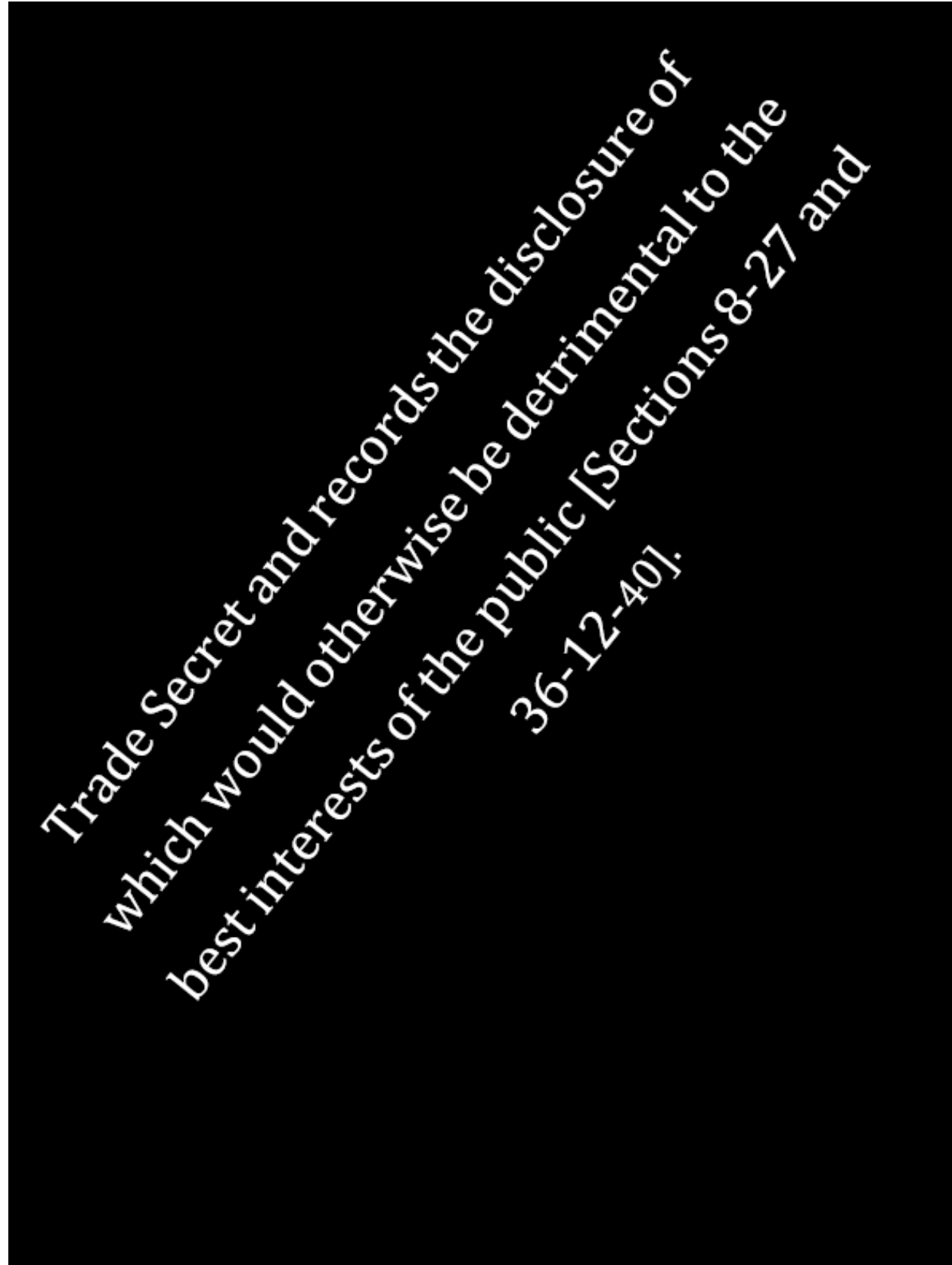




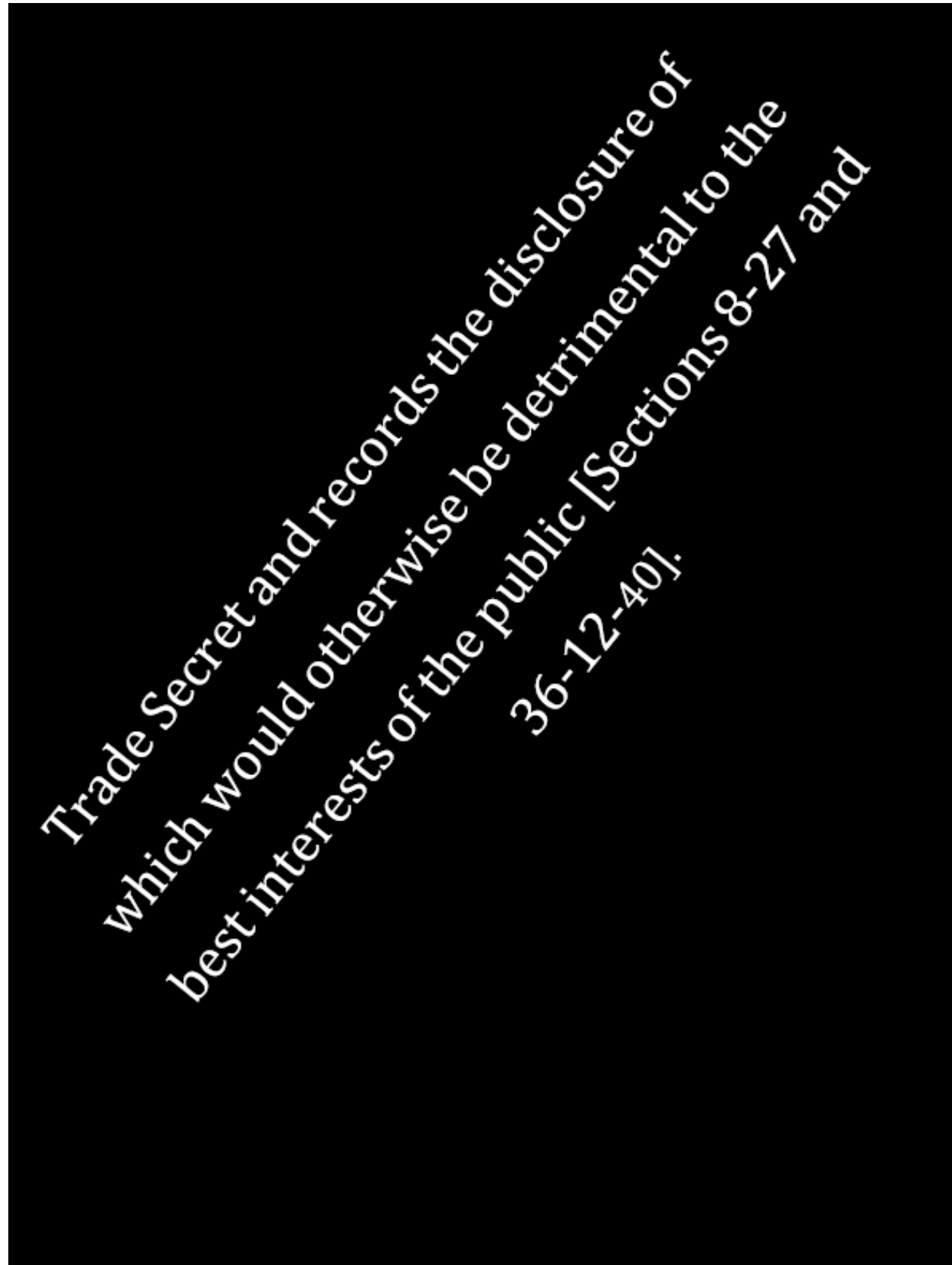


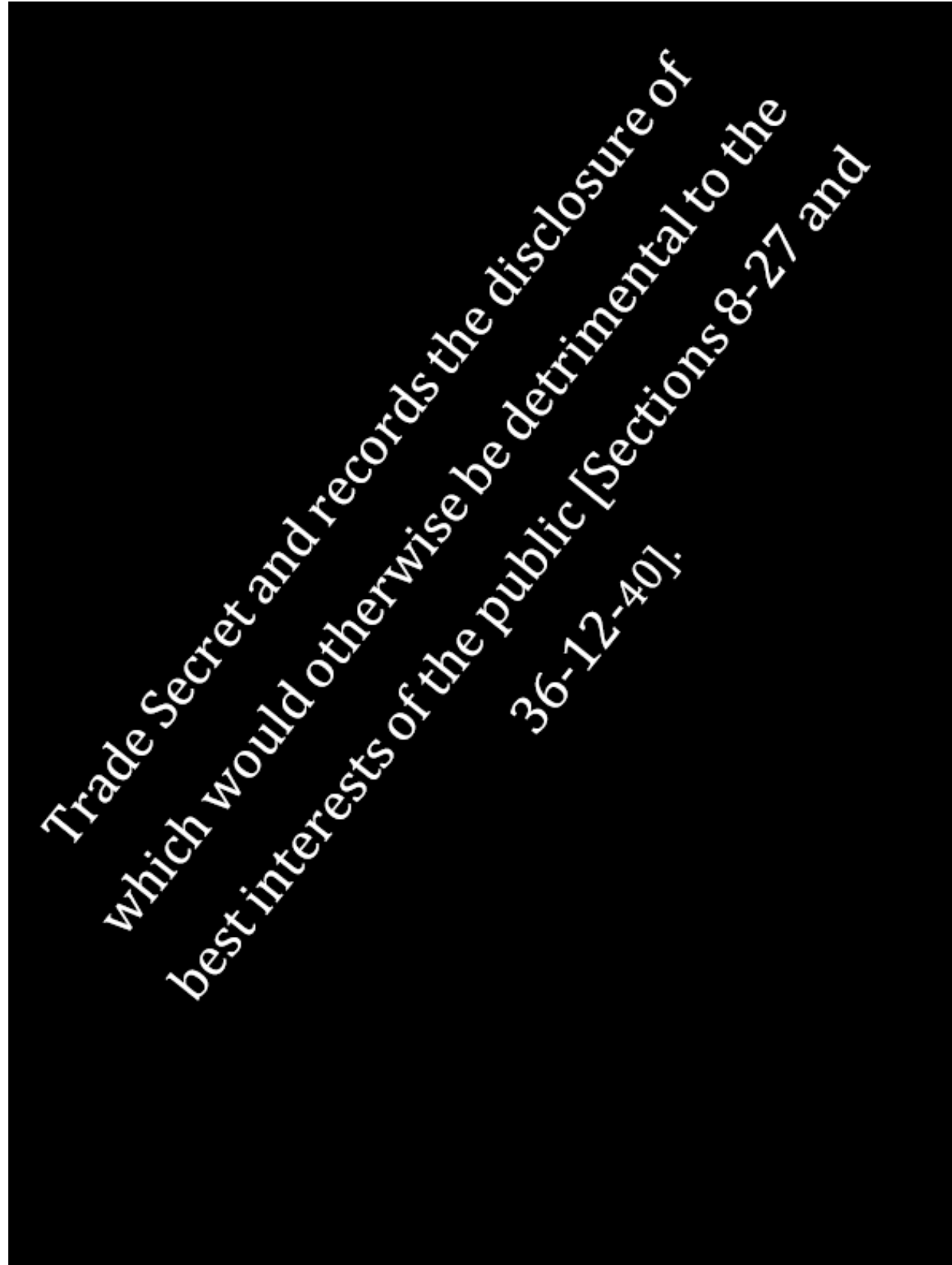


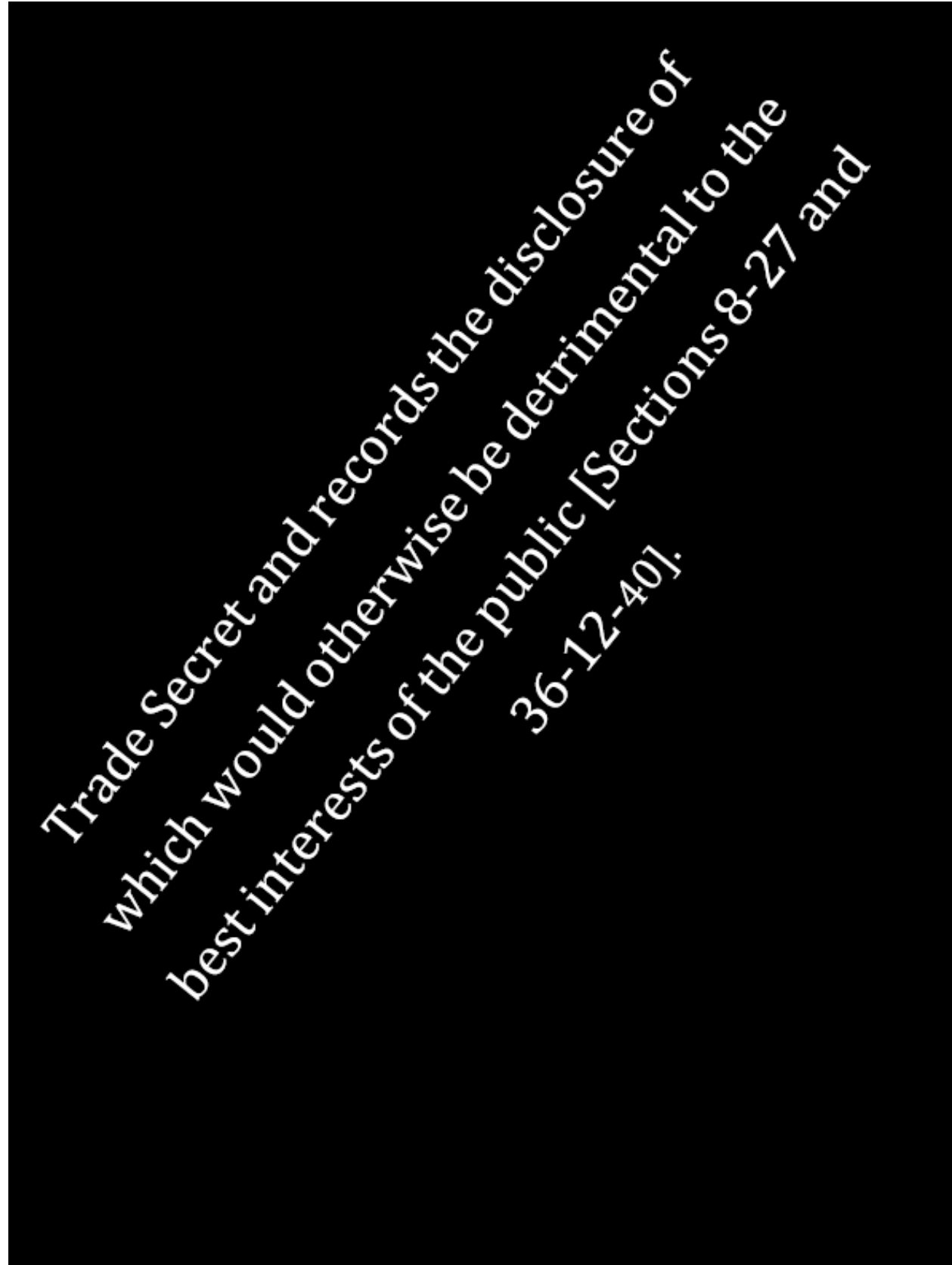


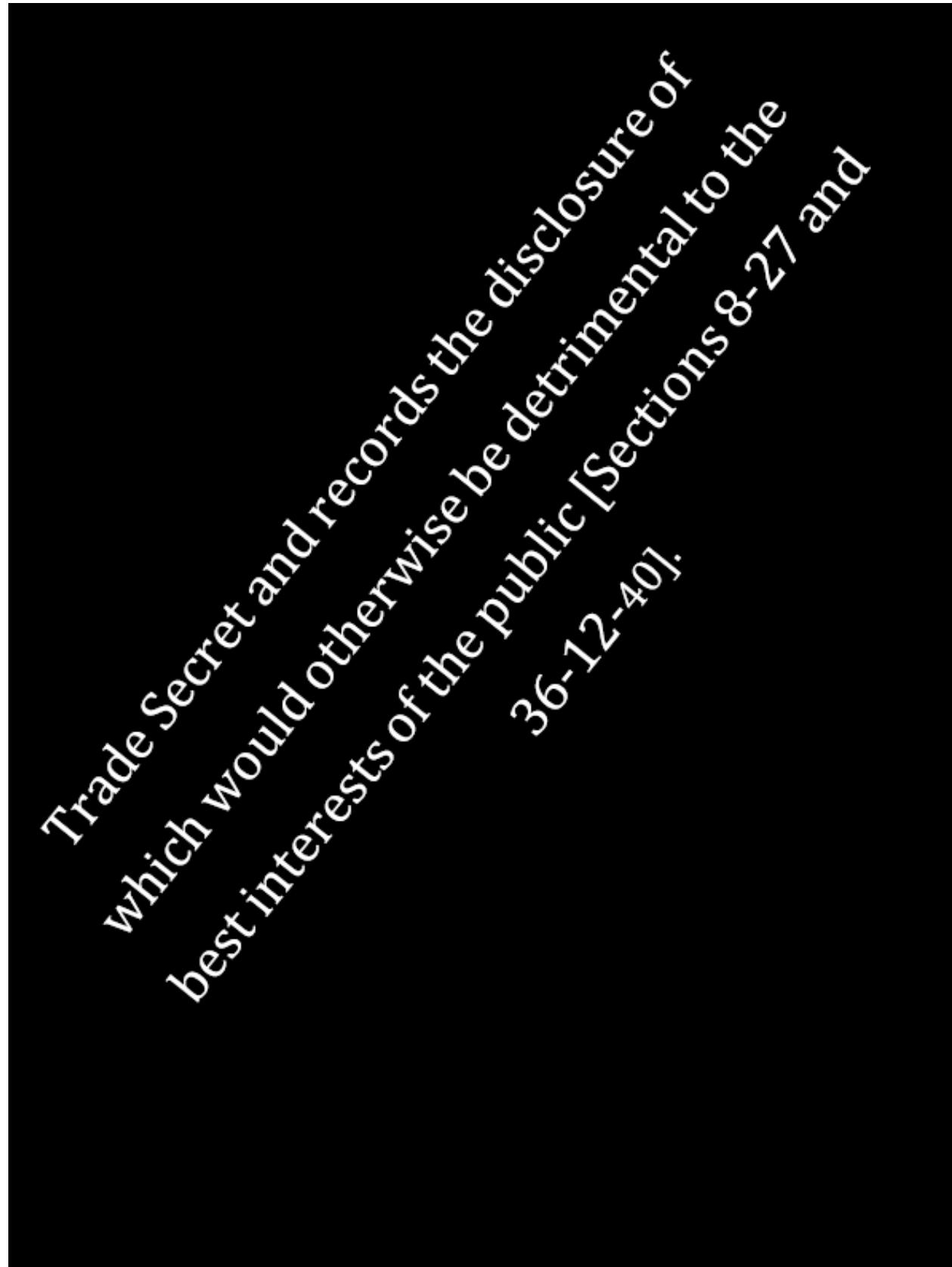












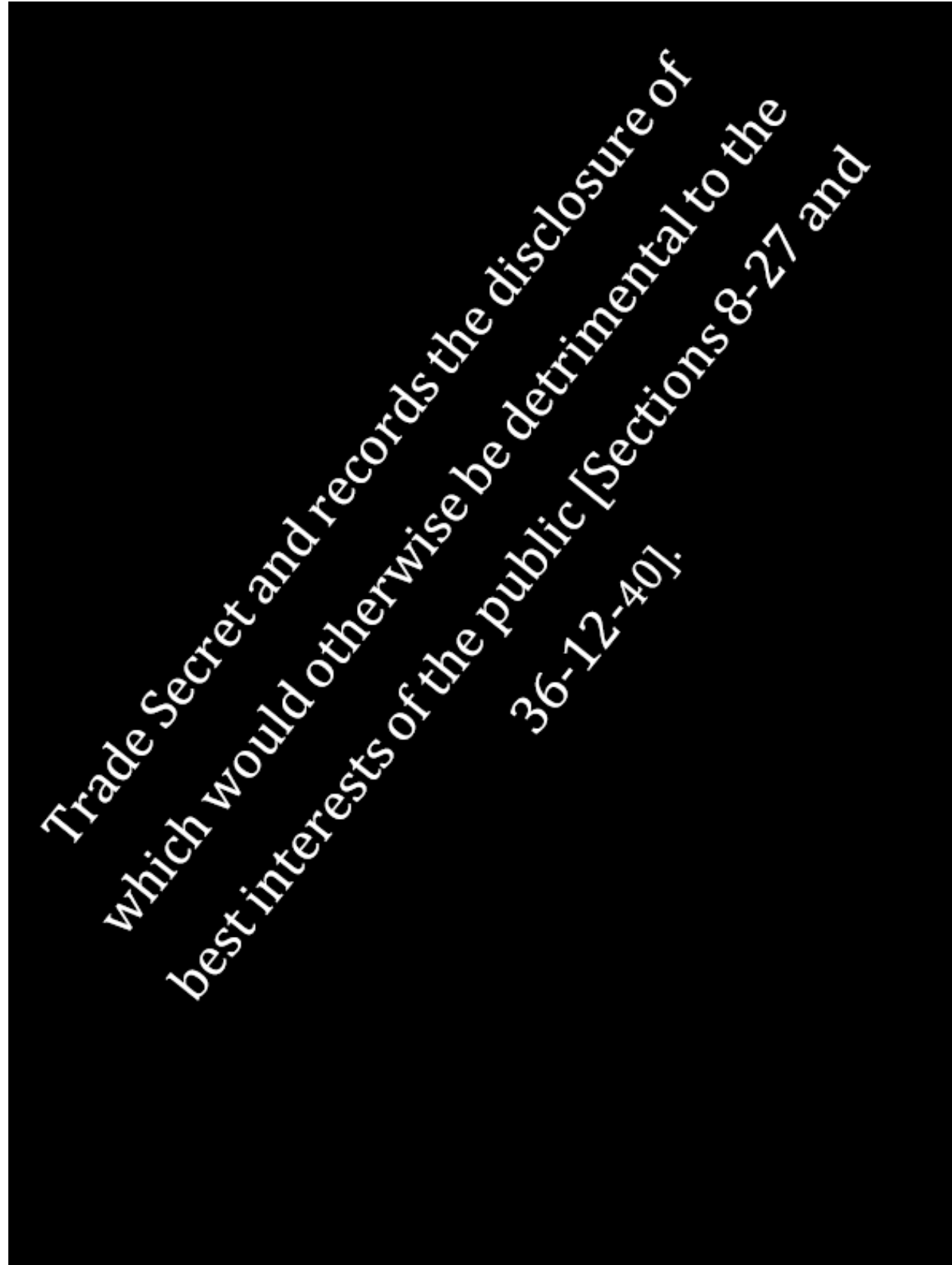


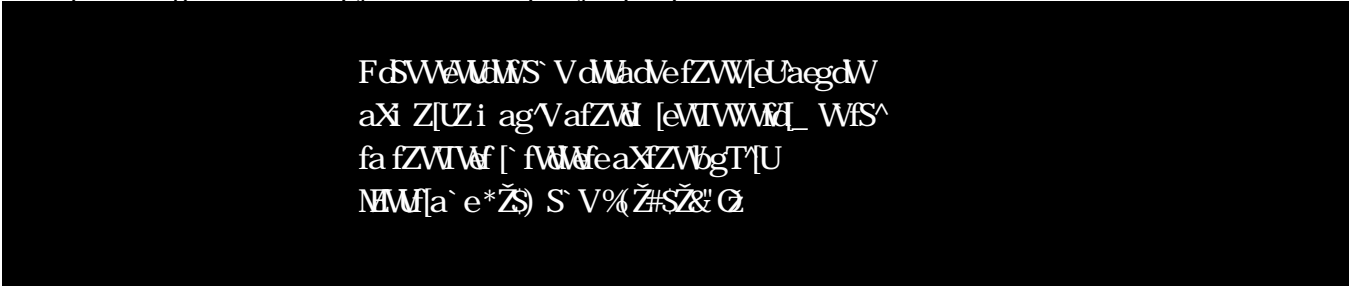
Exhibit 16 – Policies and Procedures Manual

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

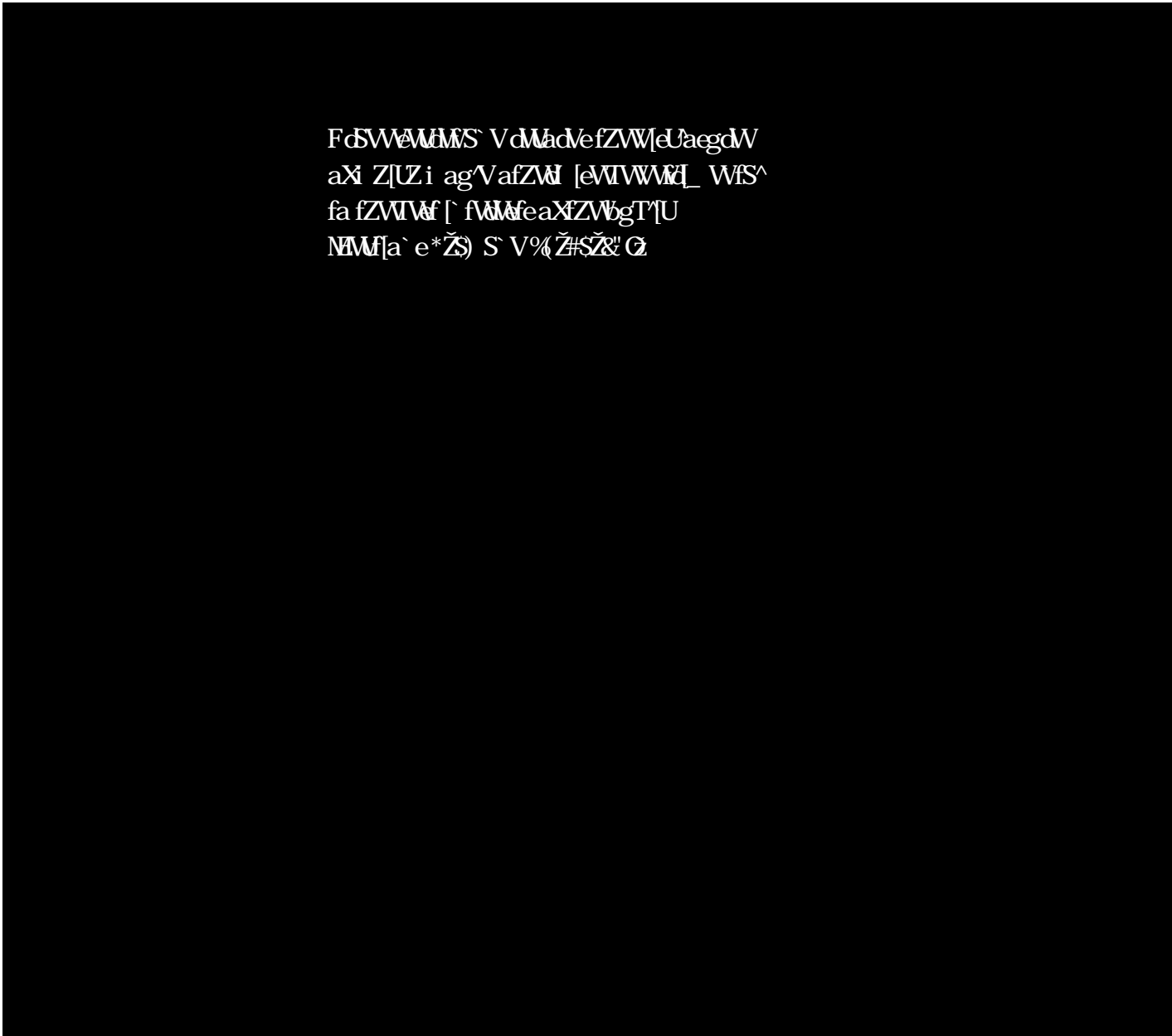
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fa fZVWf [fWVfeaXZVbgT|U
MWF[a`e*Z) S V%Z#SZ& G

The undersigned, based on the best available information at the date of verification, verifies that the following is a true copy of the Company's proposed Policies and Procedures Manual.



This Policies and Procedures Manual is completed as of the date of application filing.

SUMMARY



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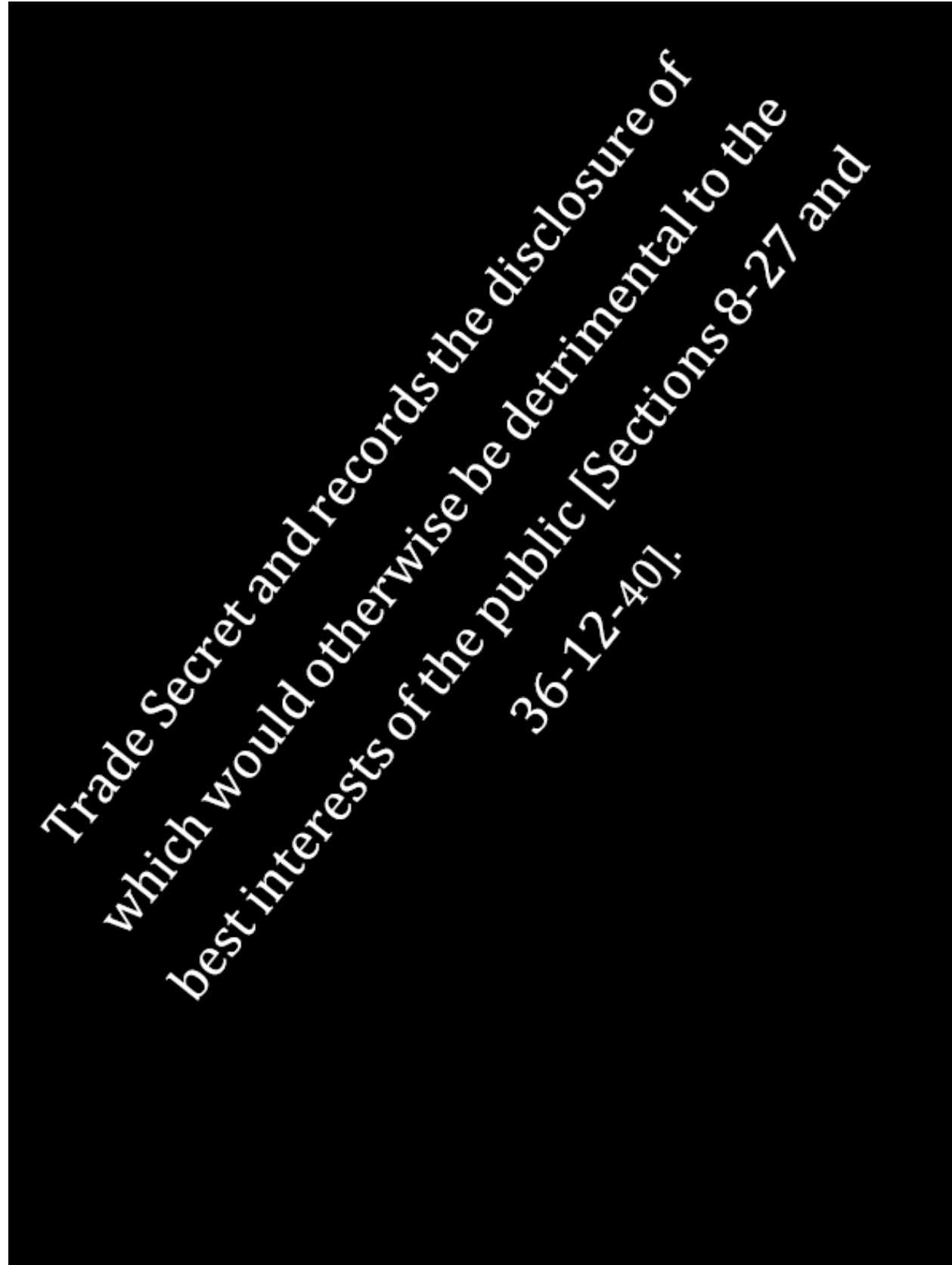
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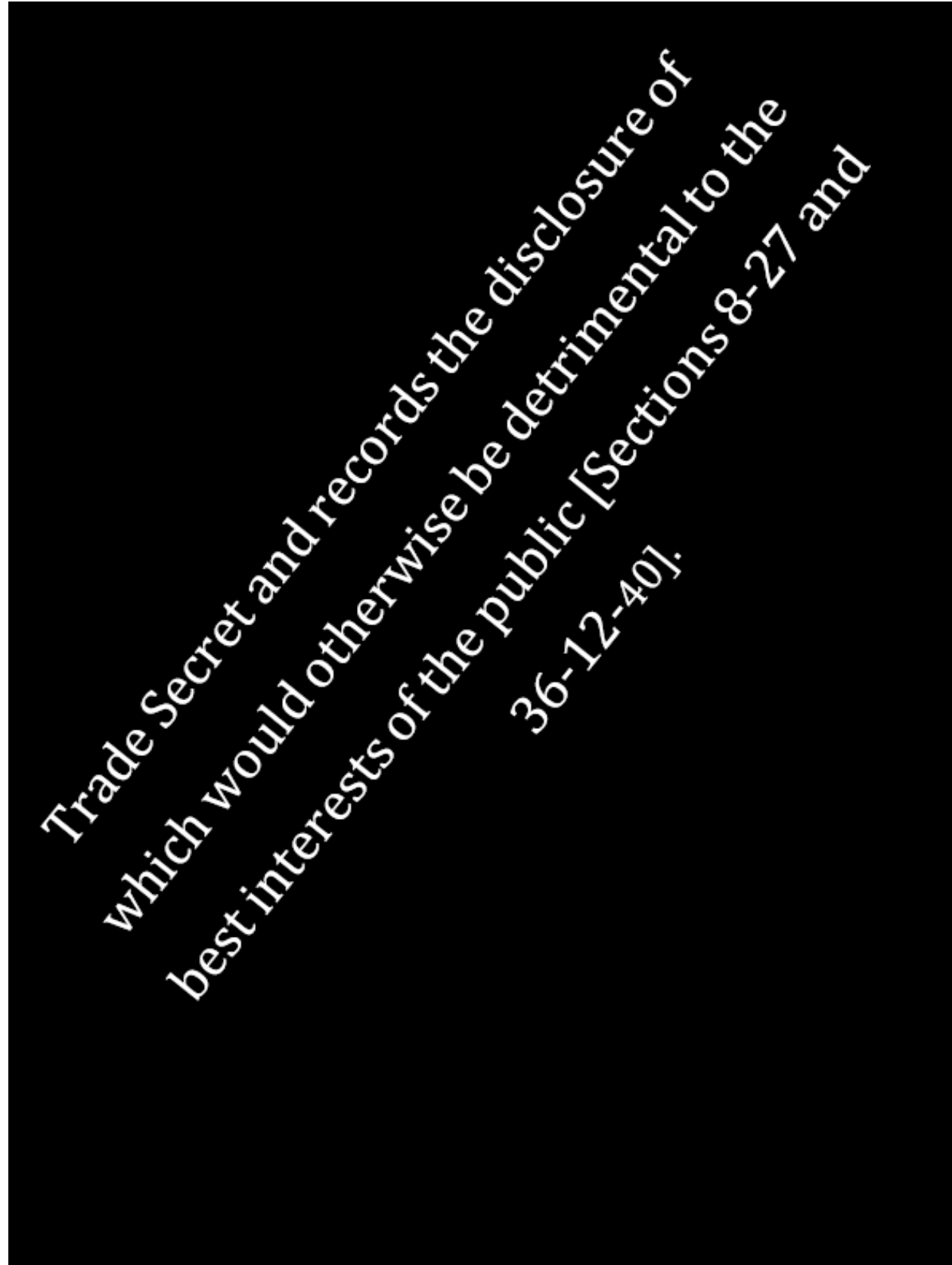
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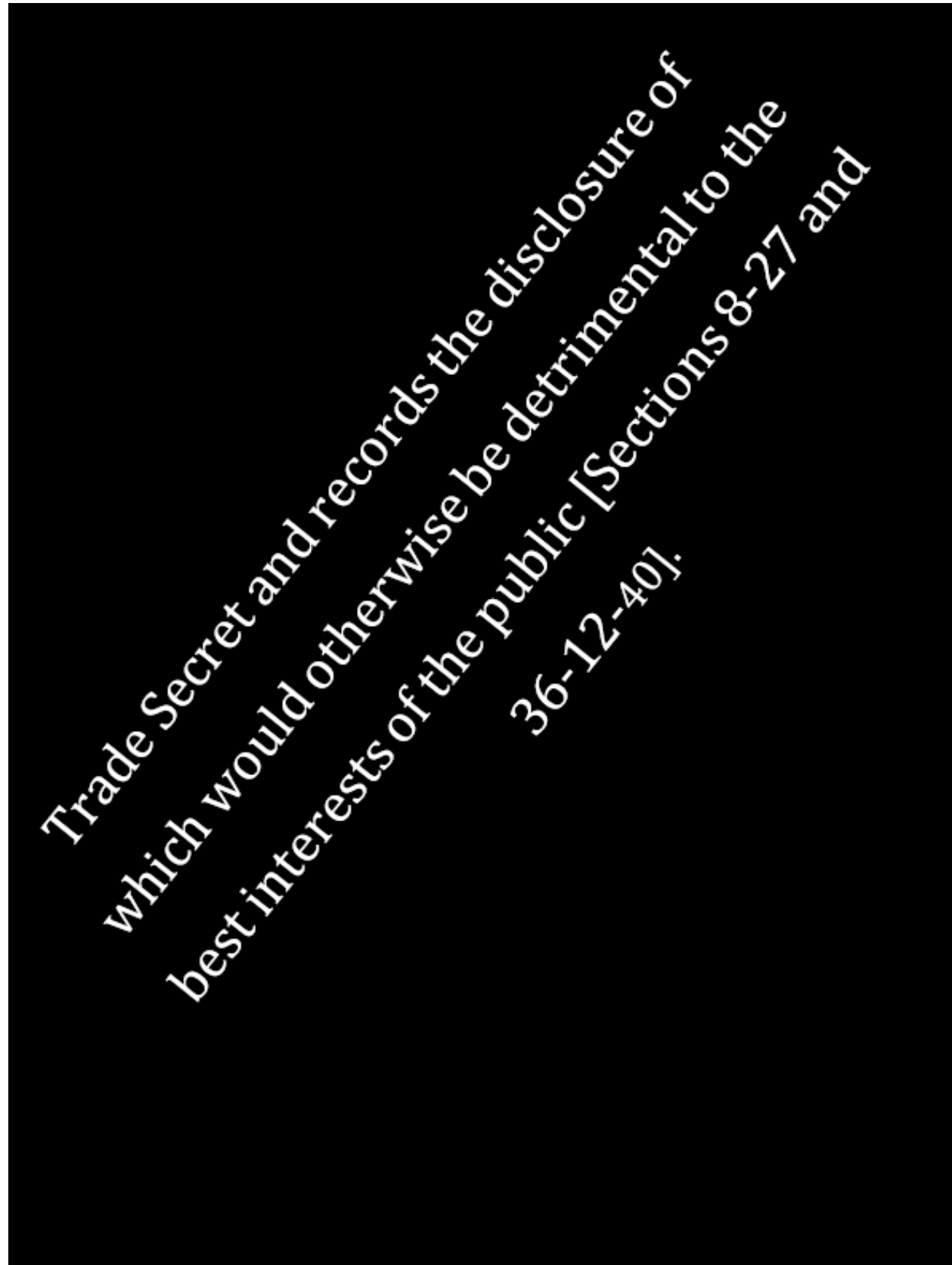
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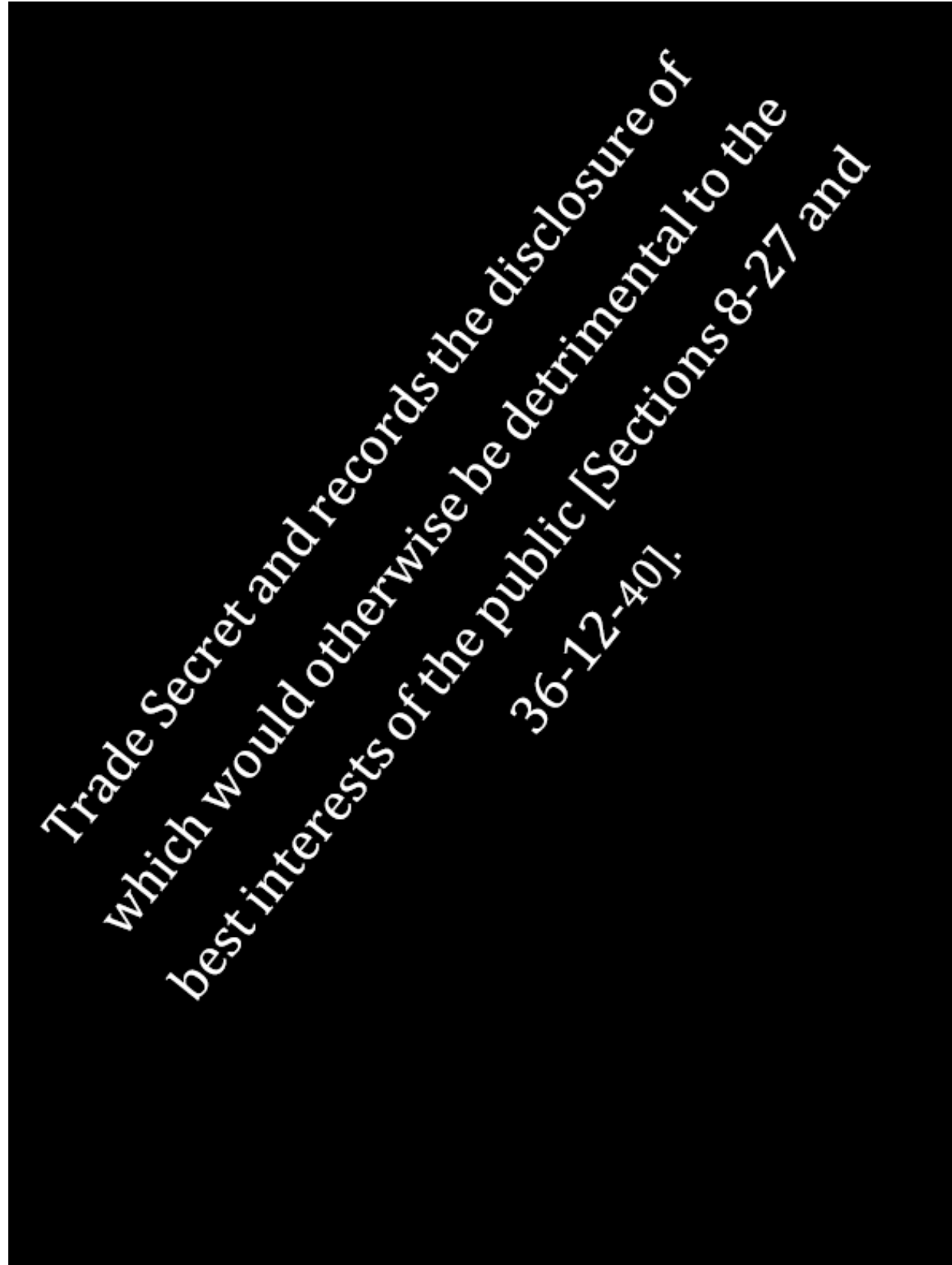


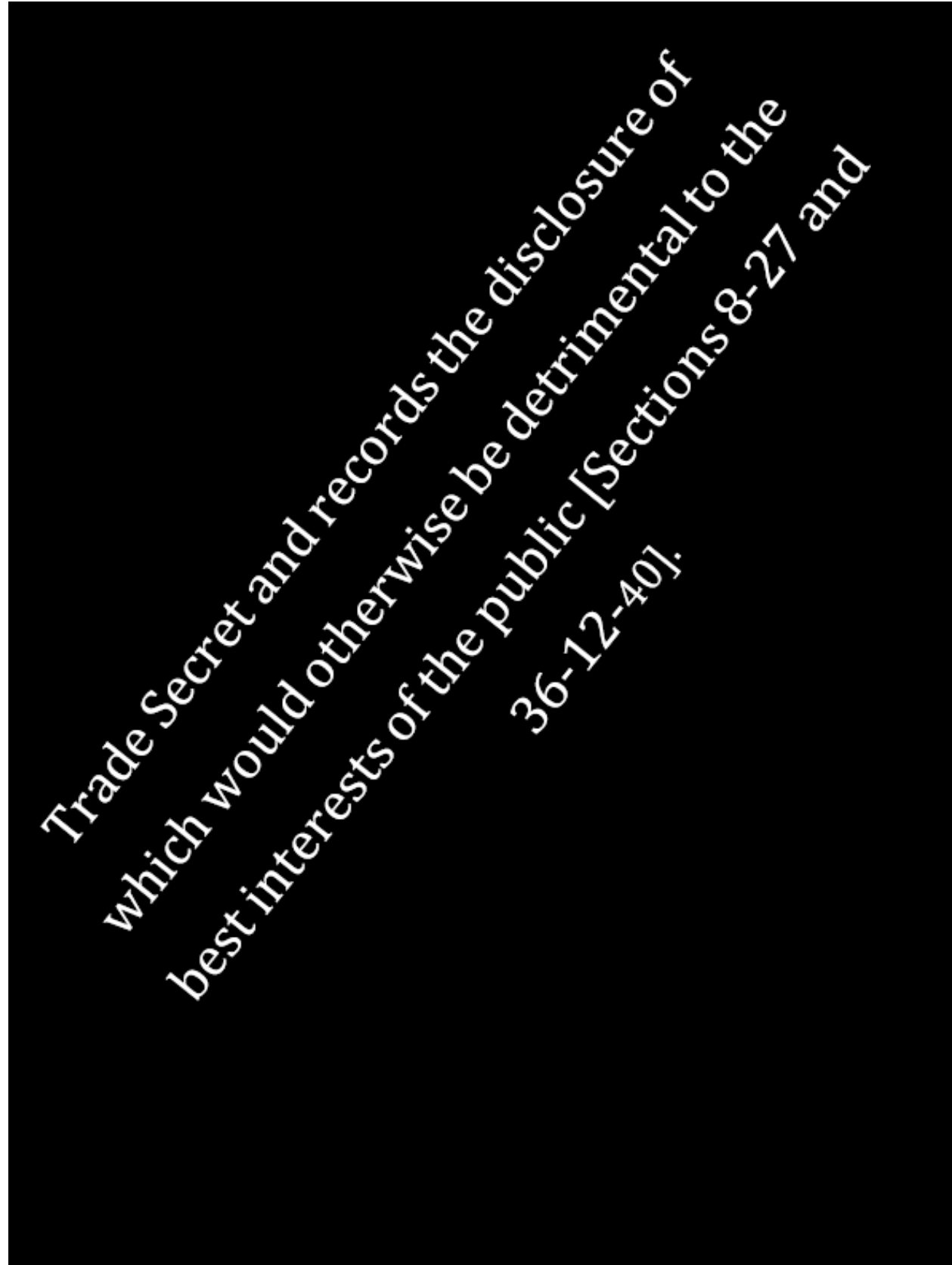


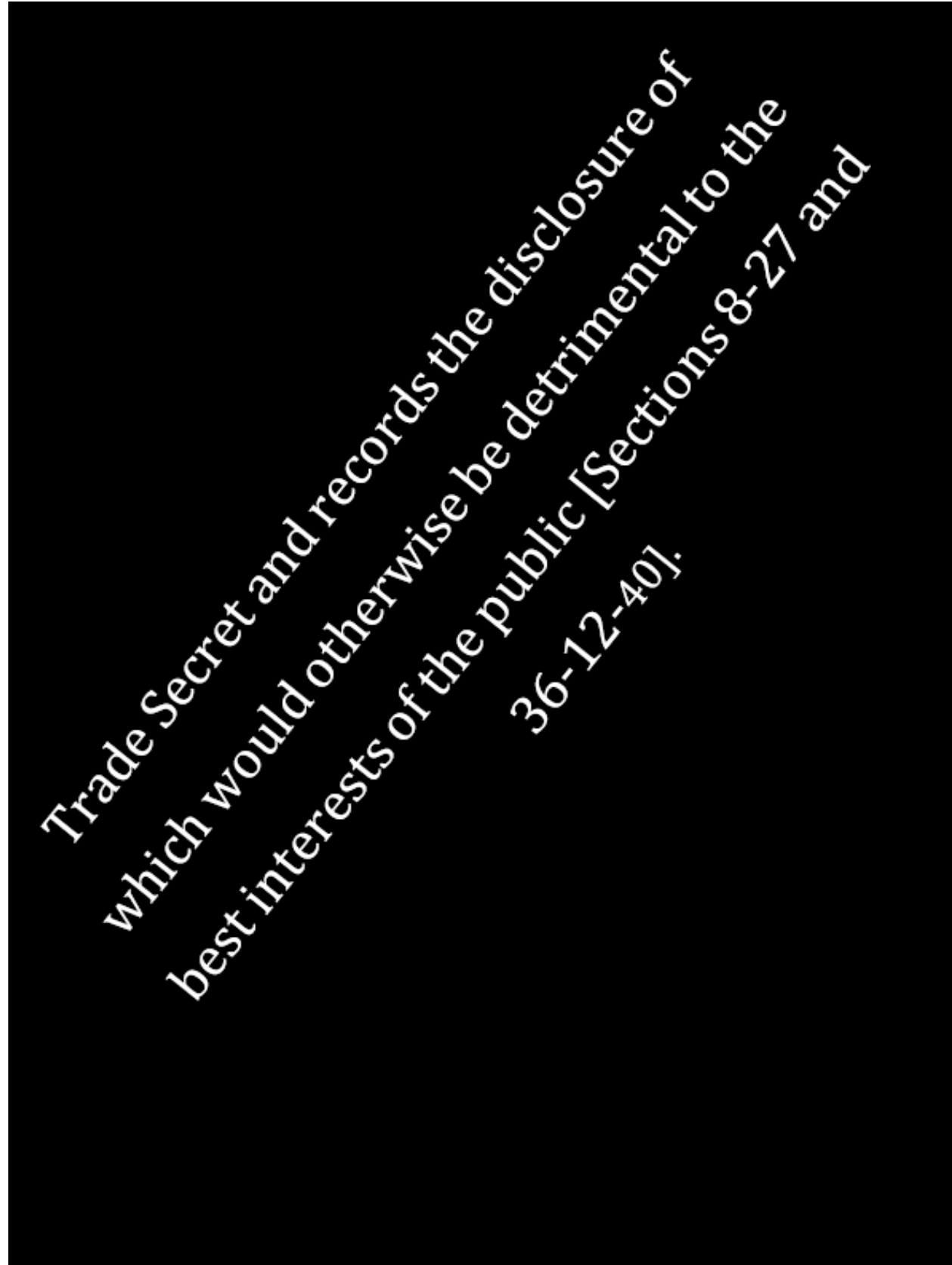
Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

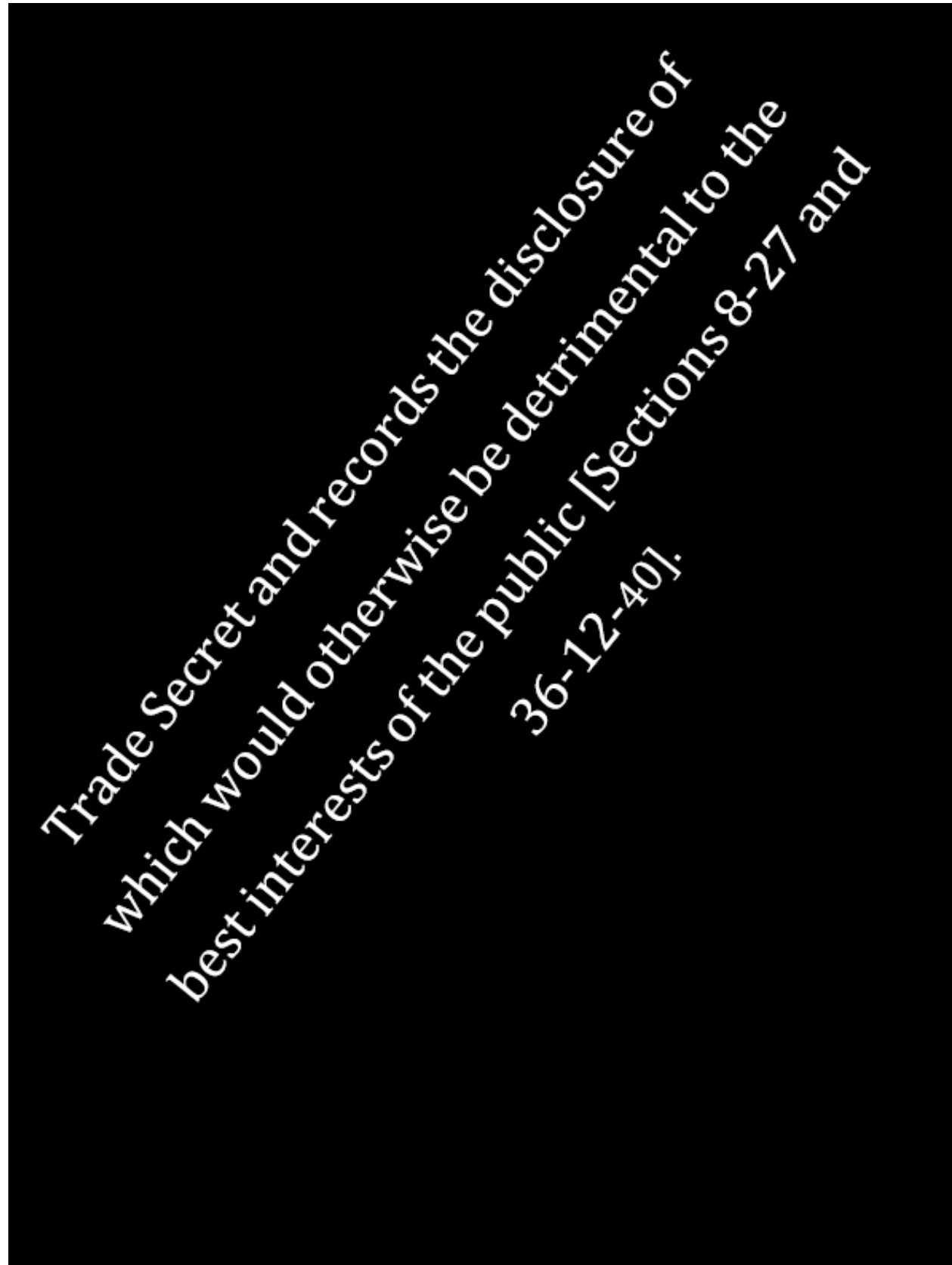


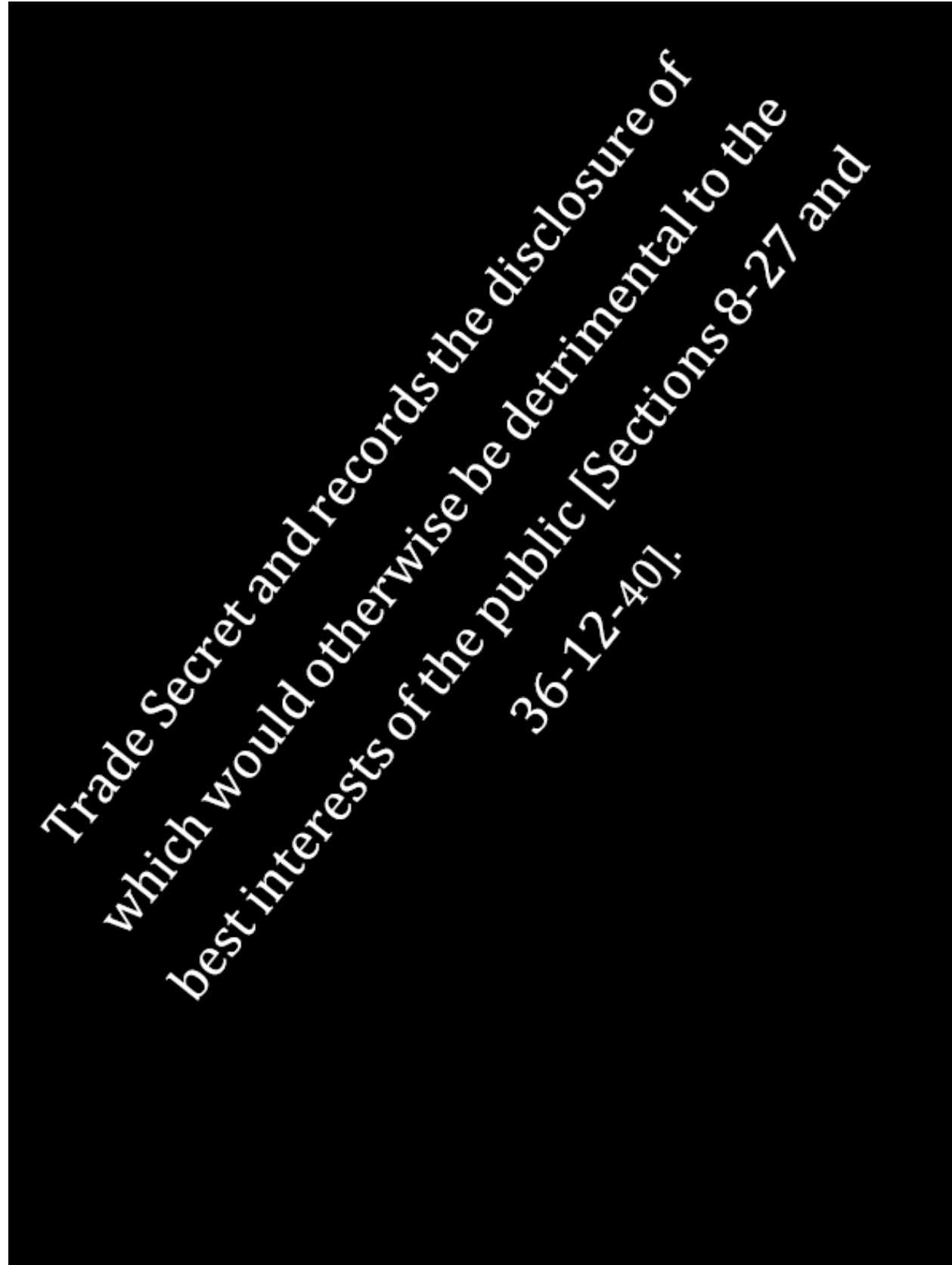


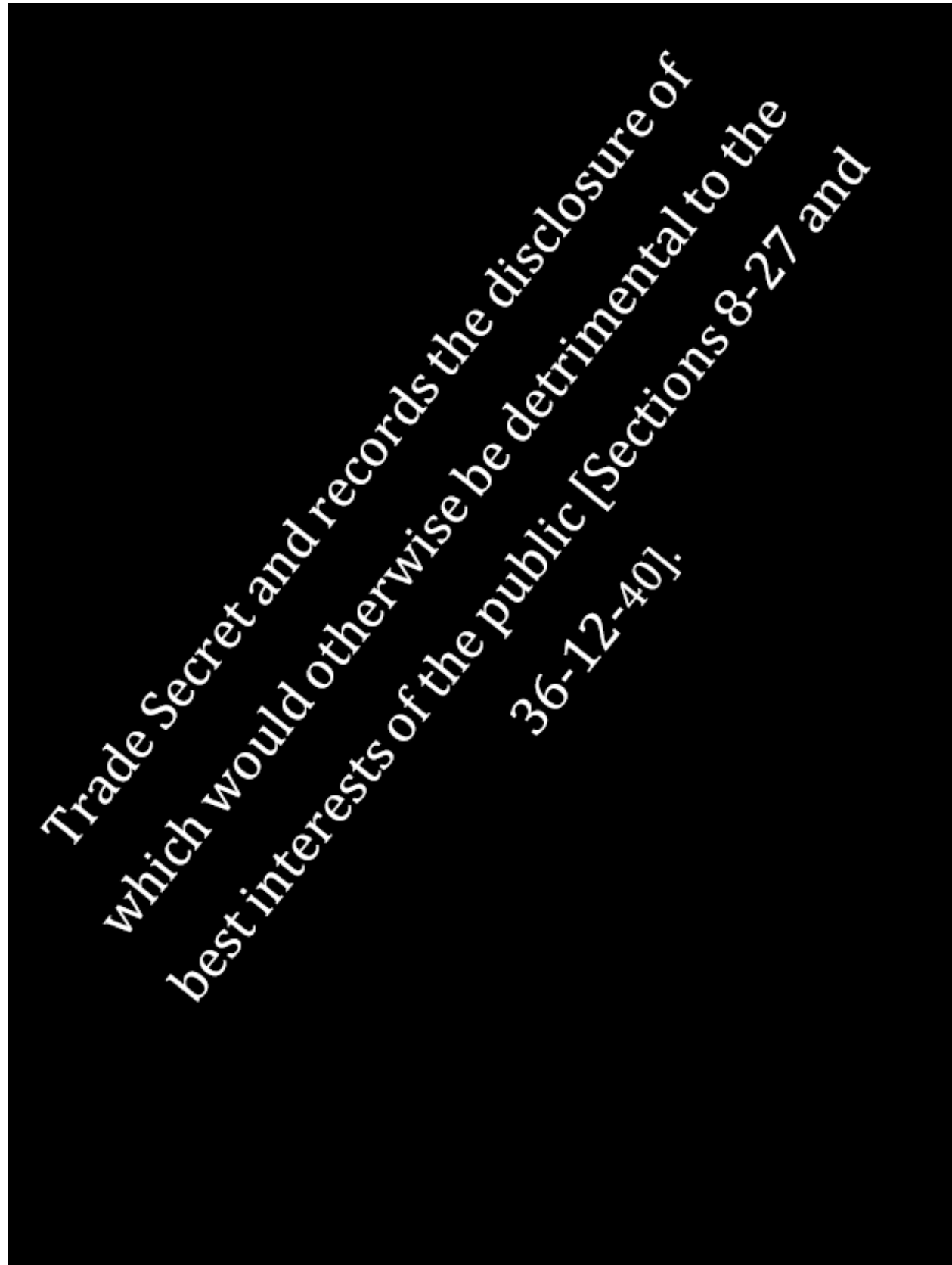








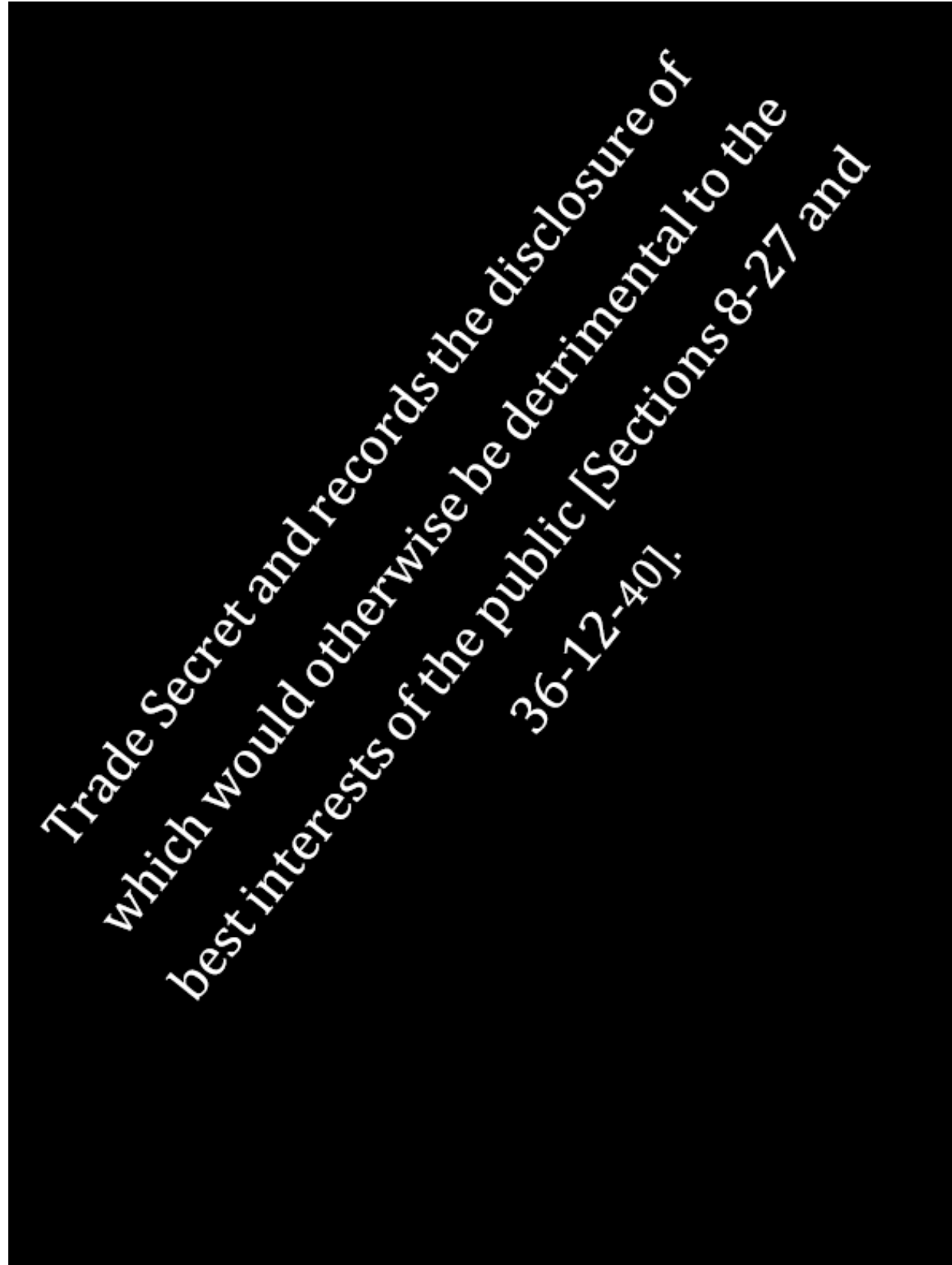


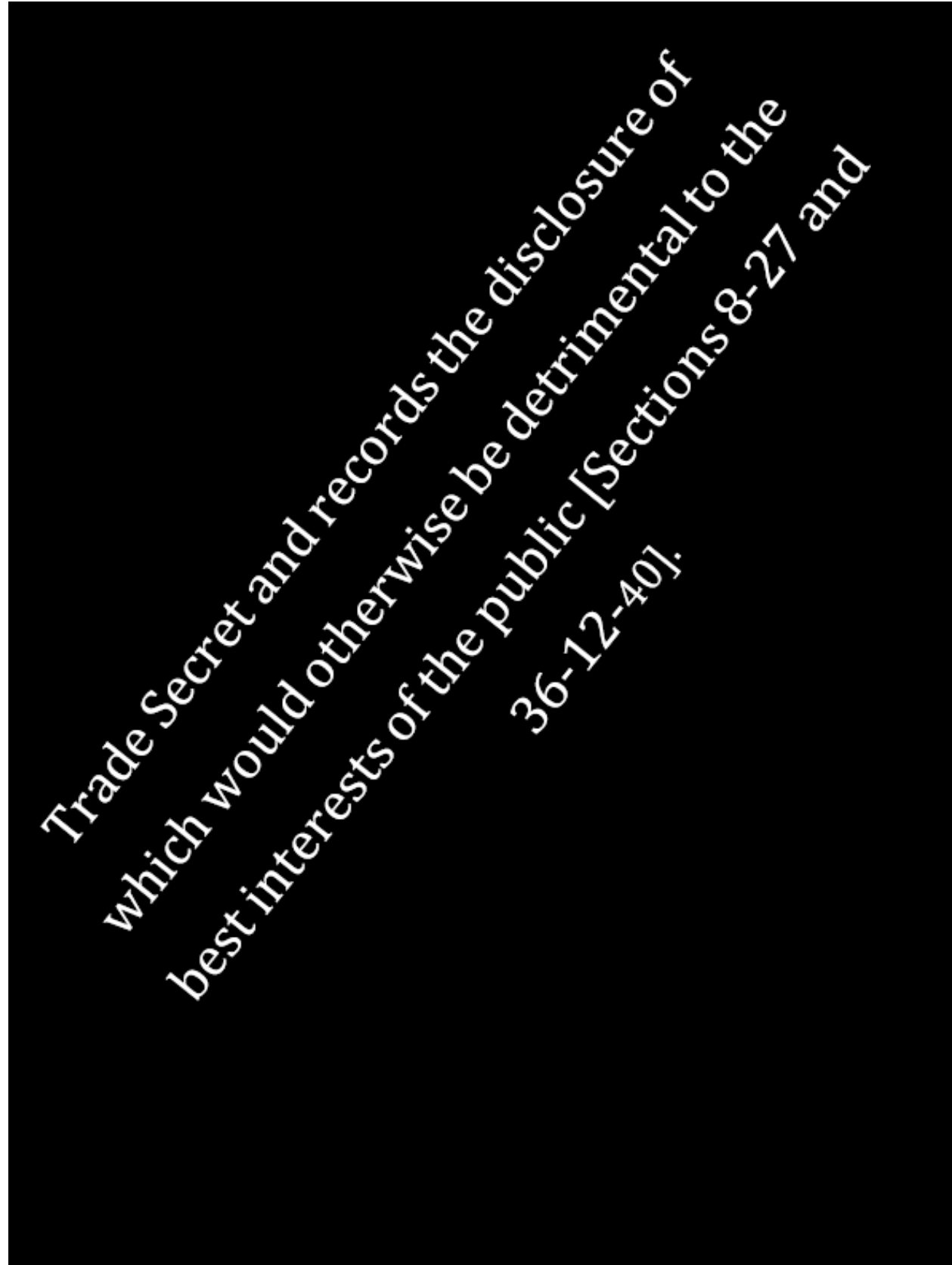


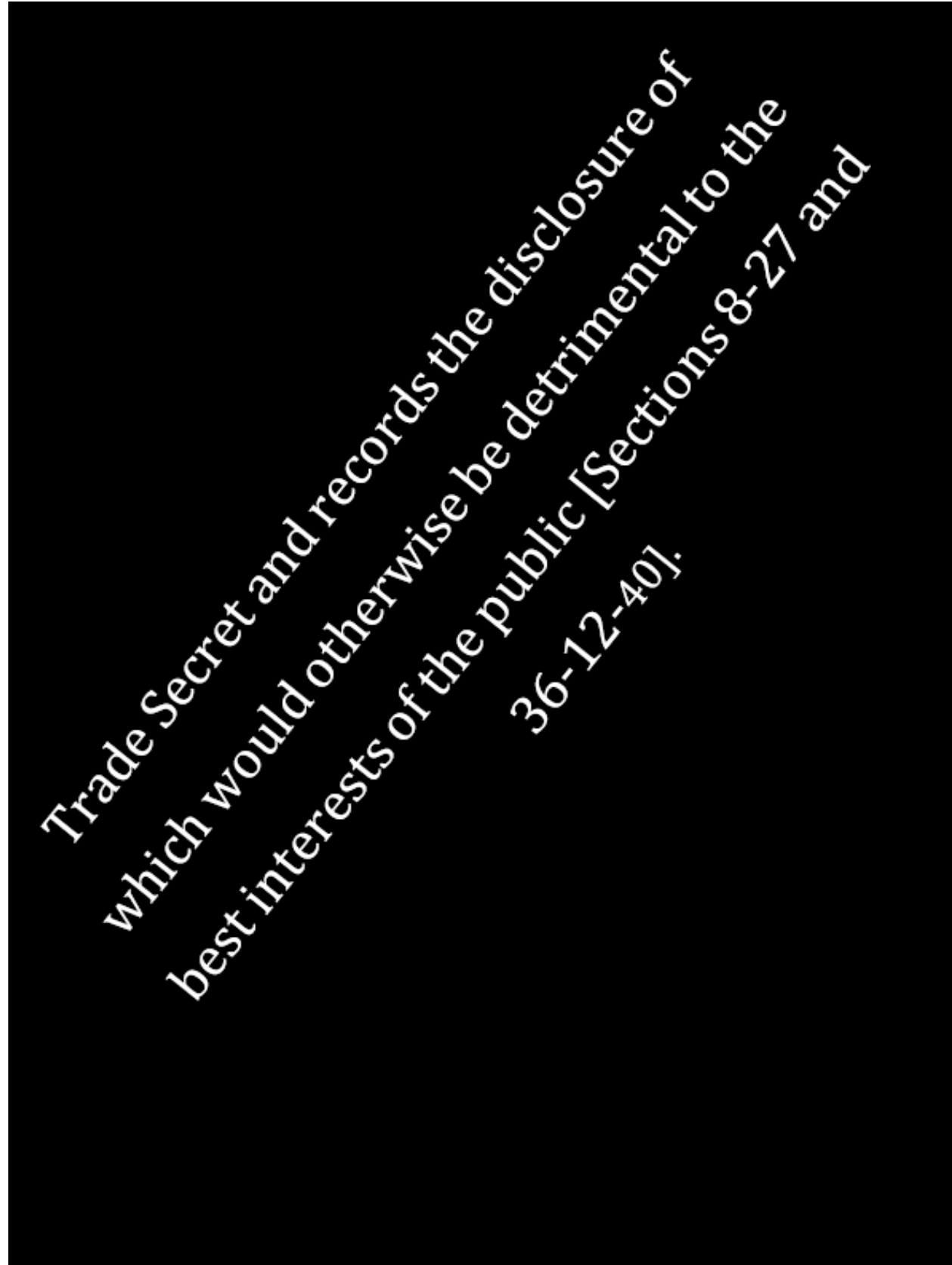


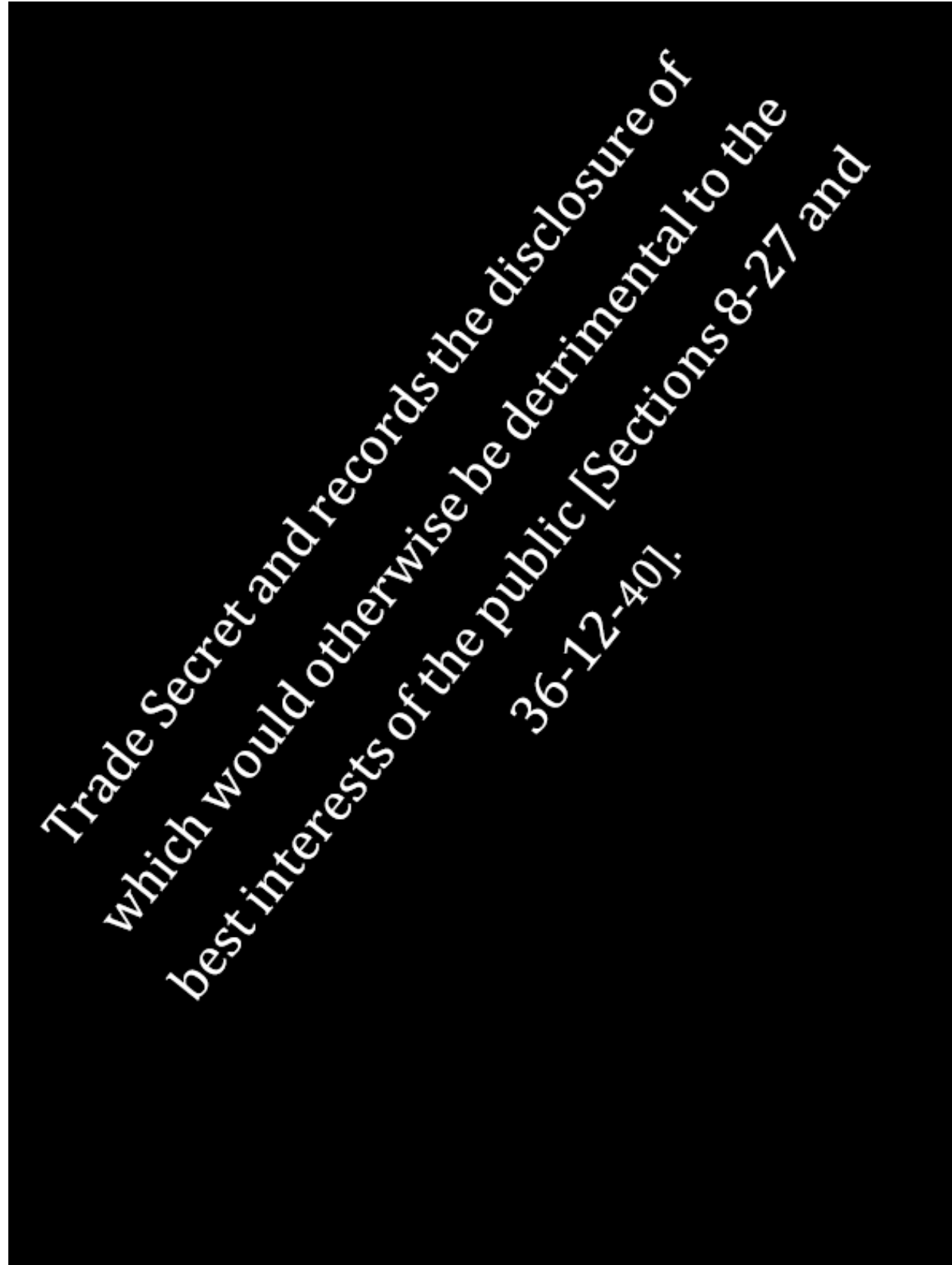
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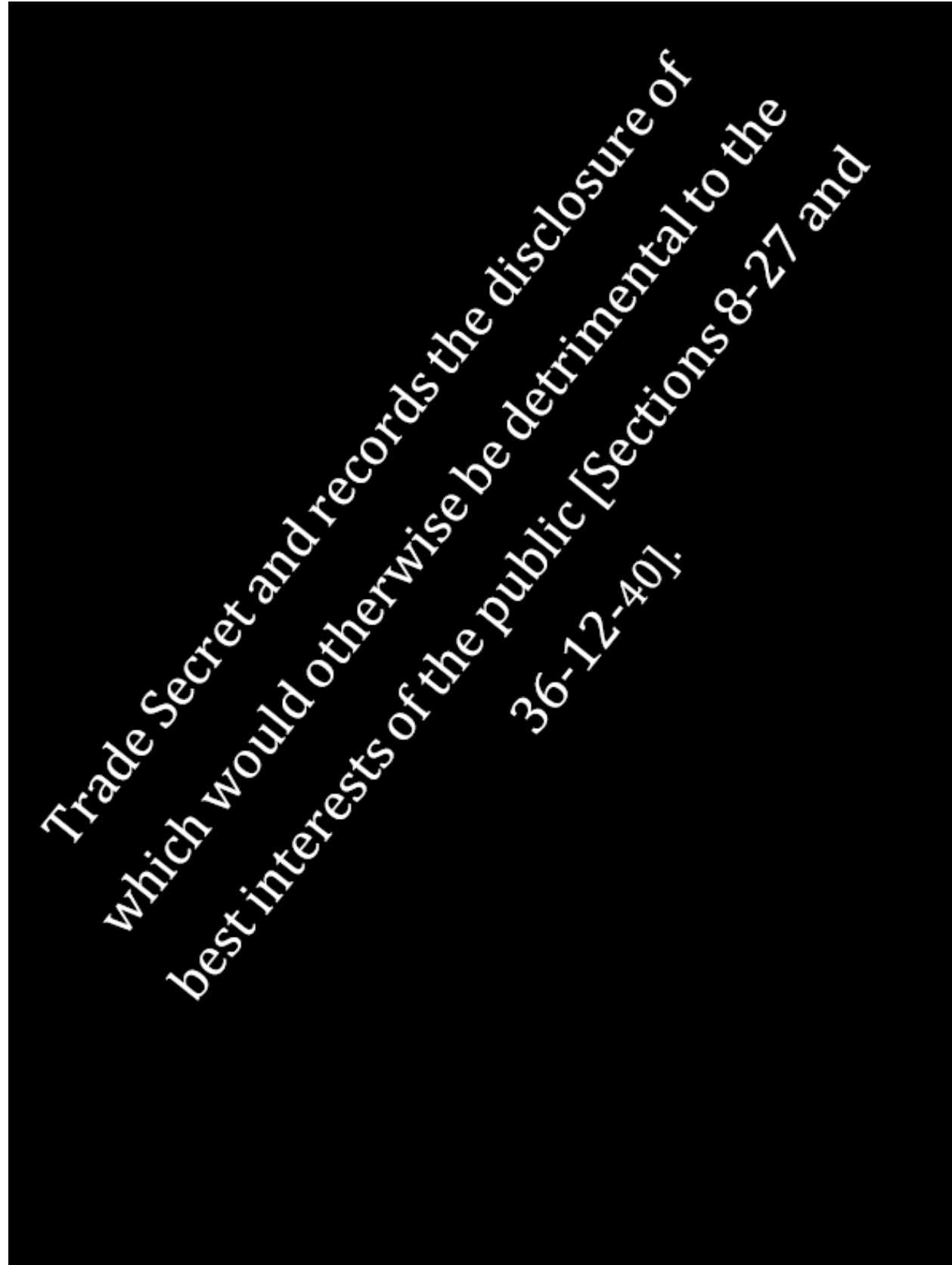


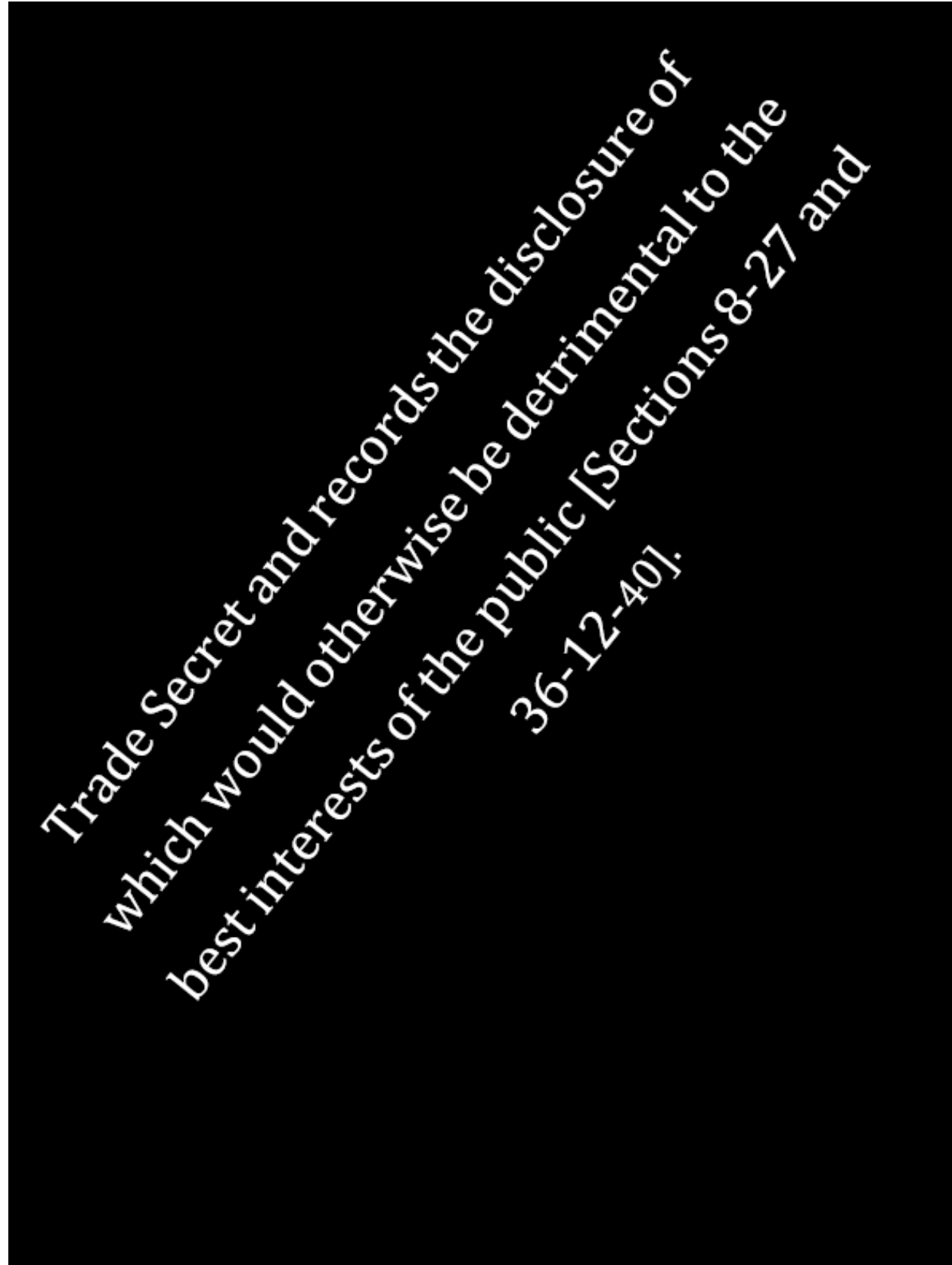






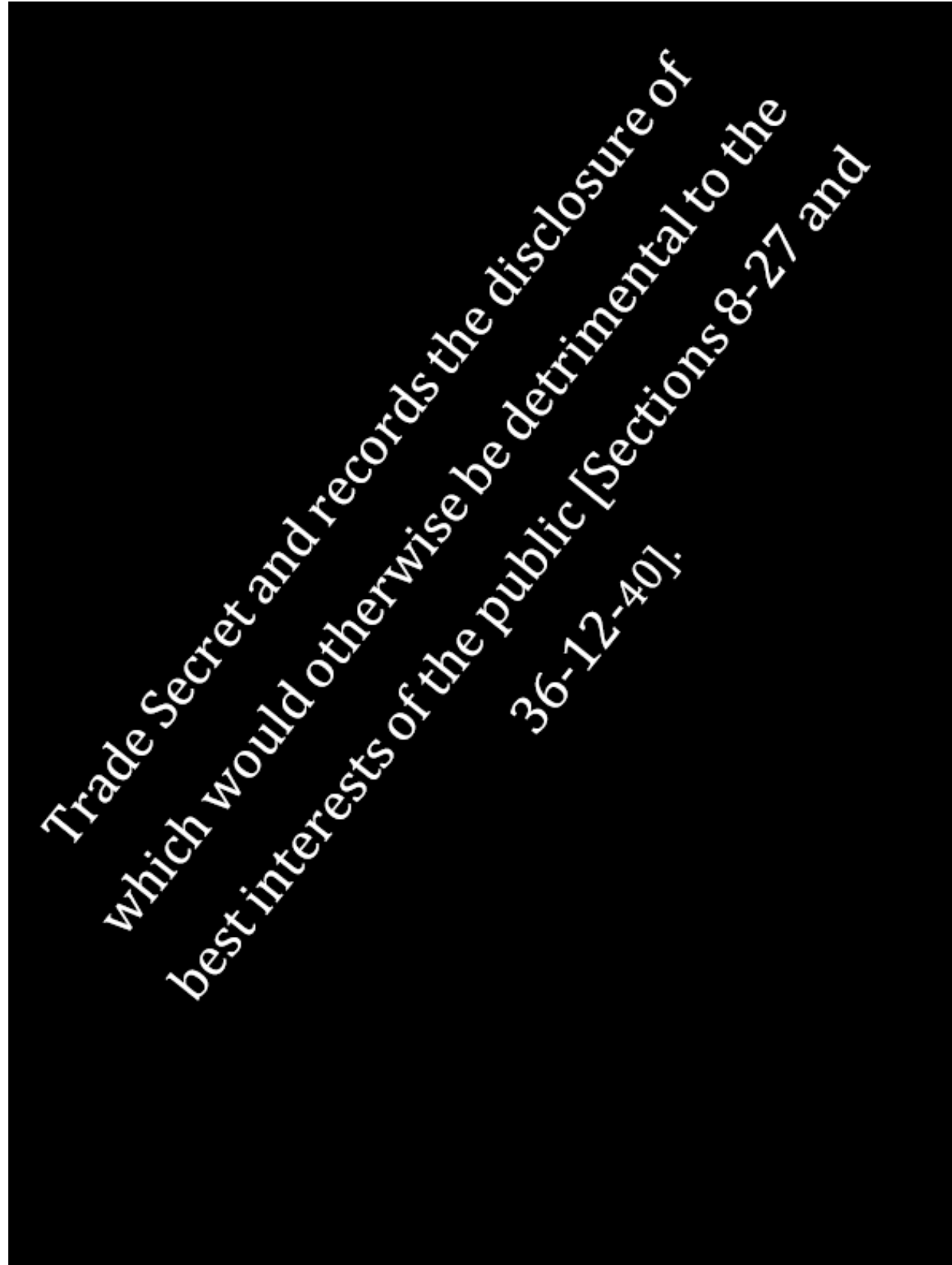




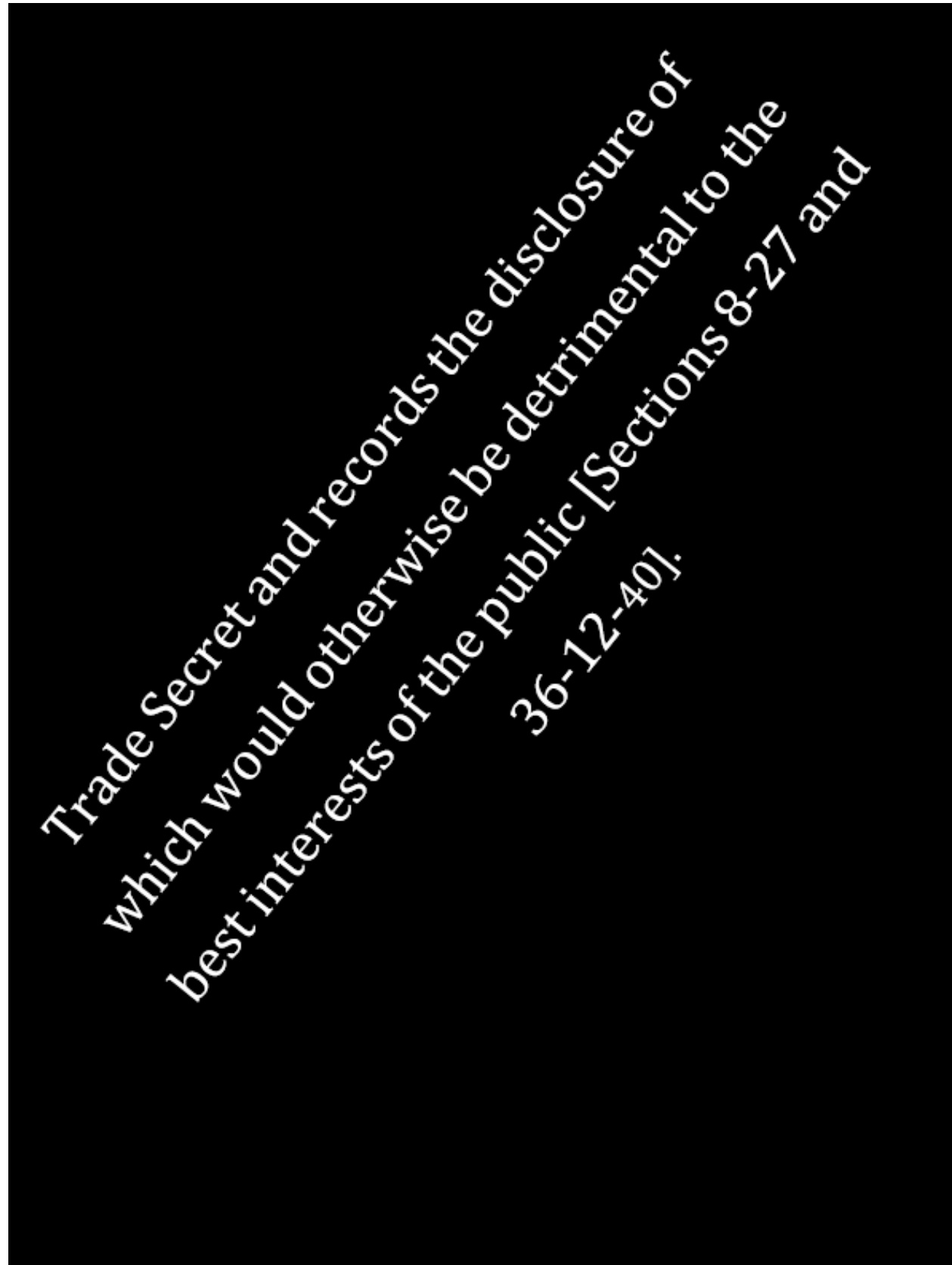


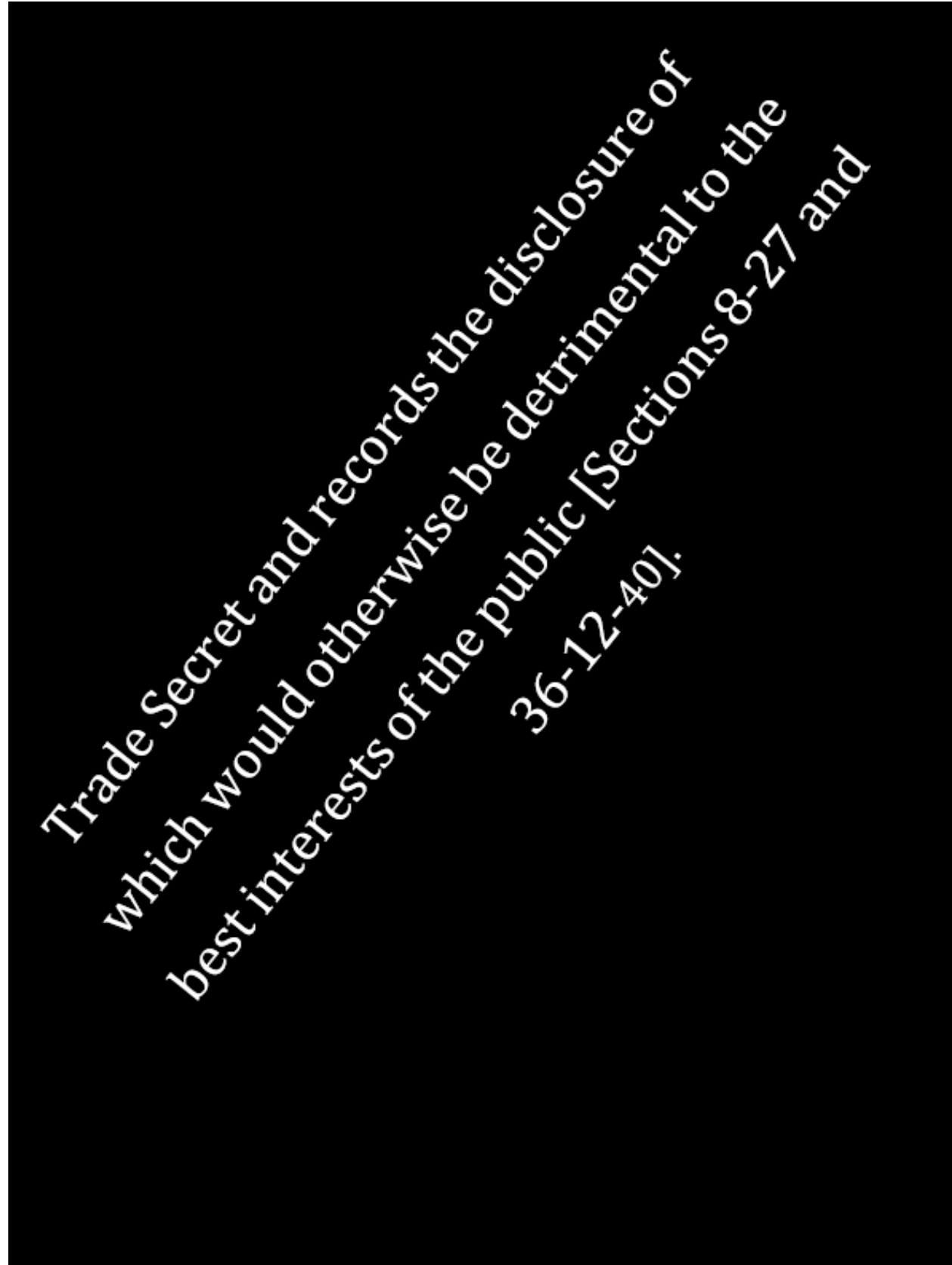
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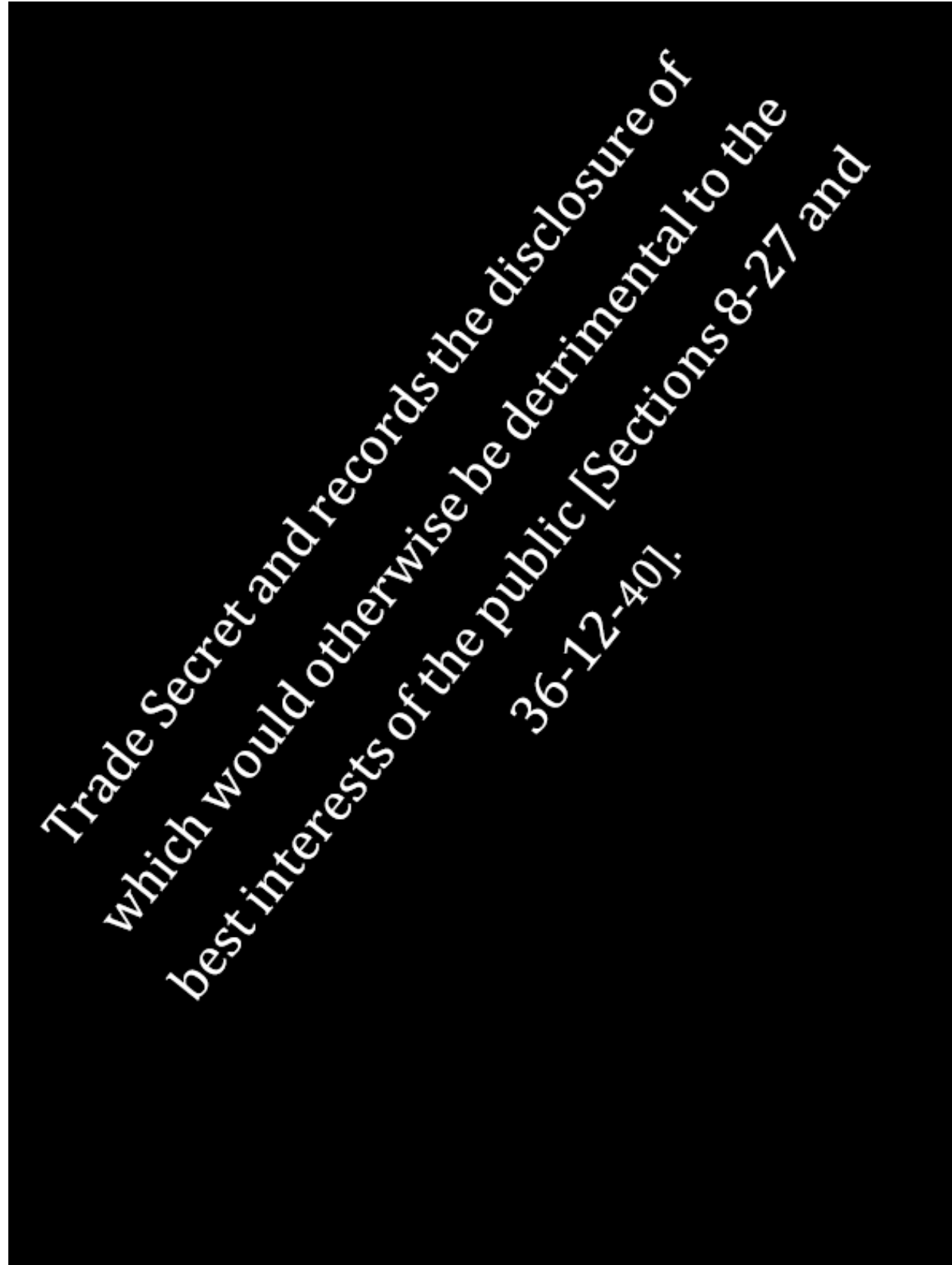


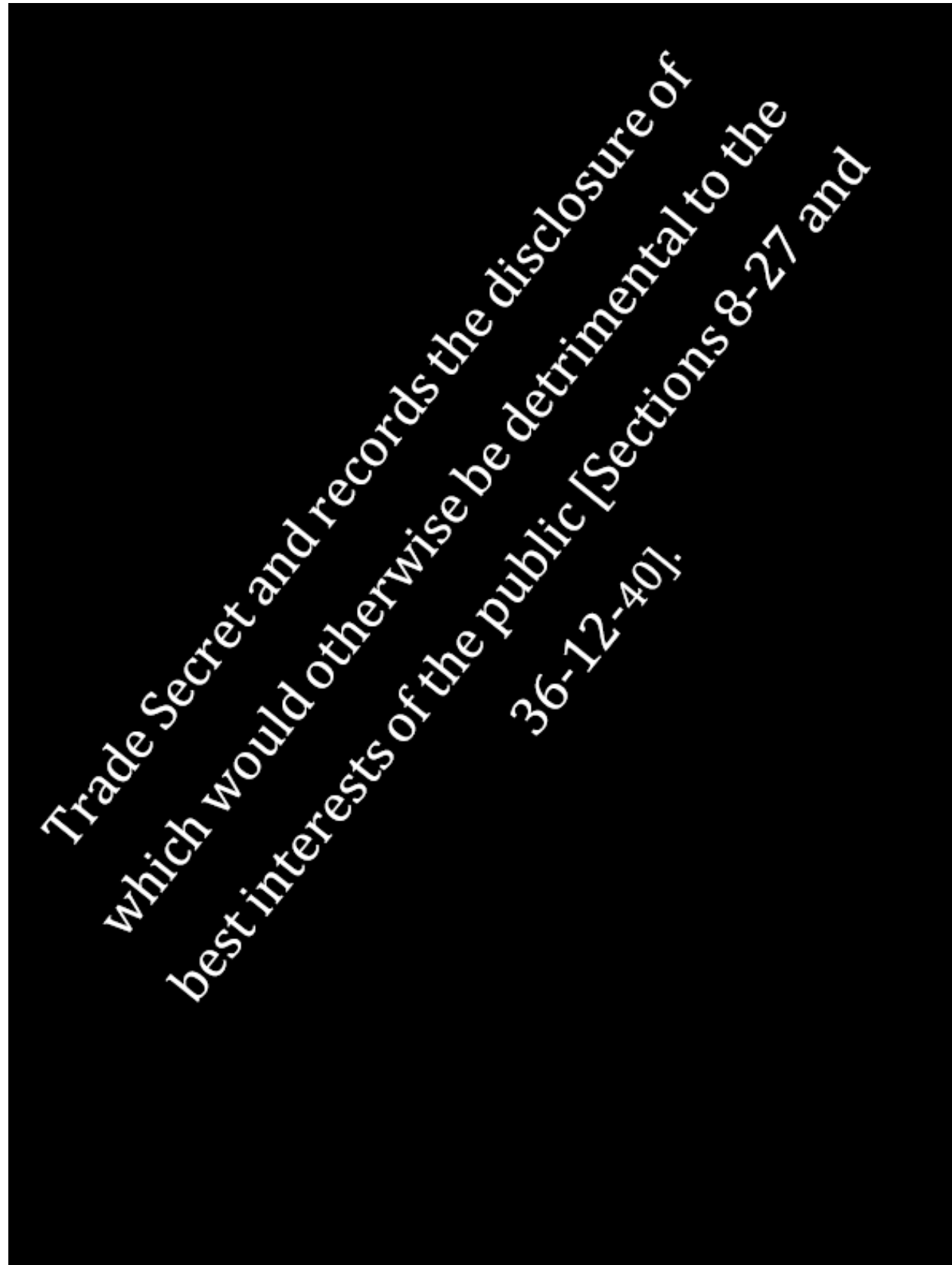


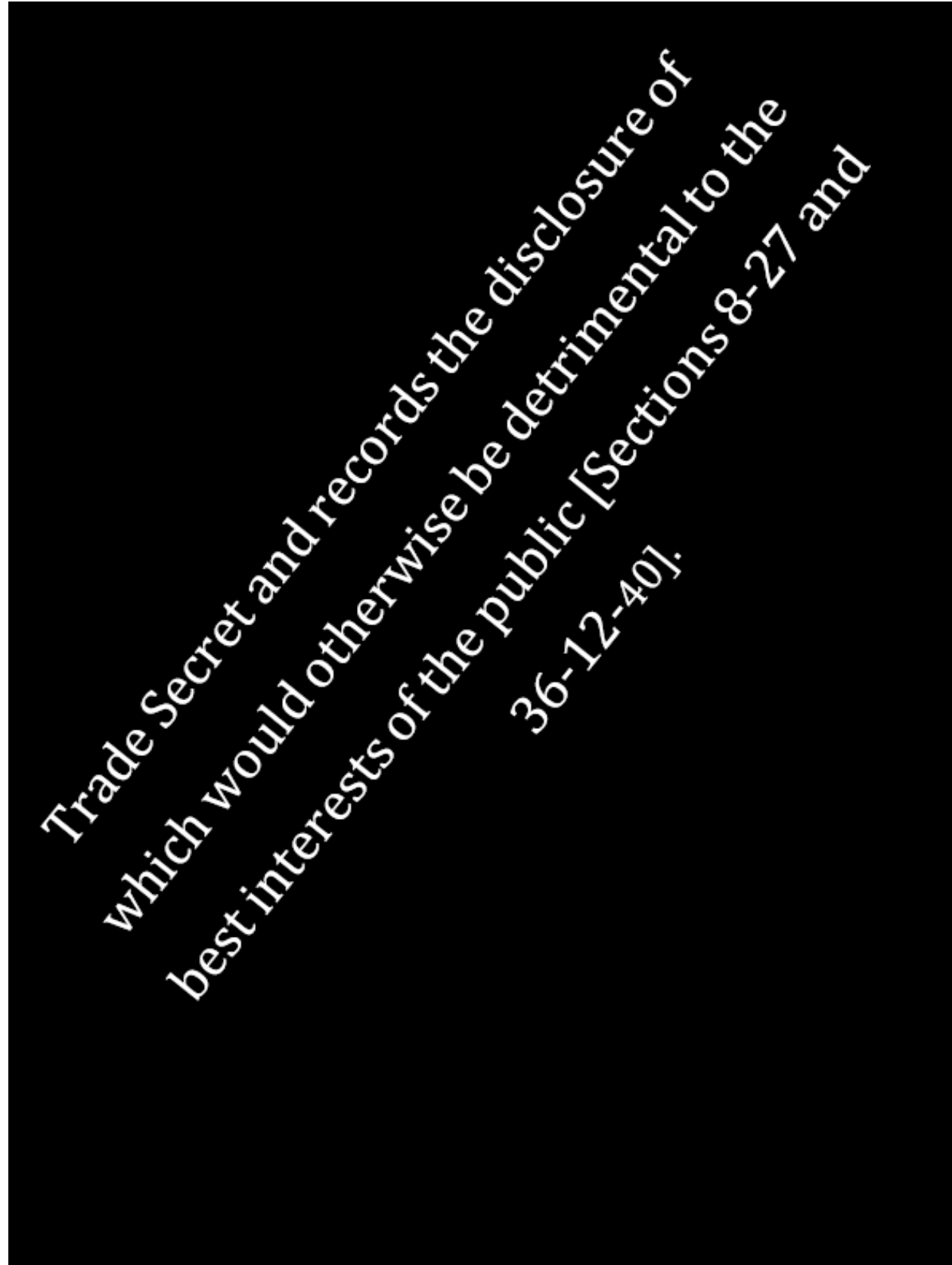
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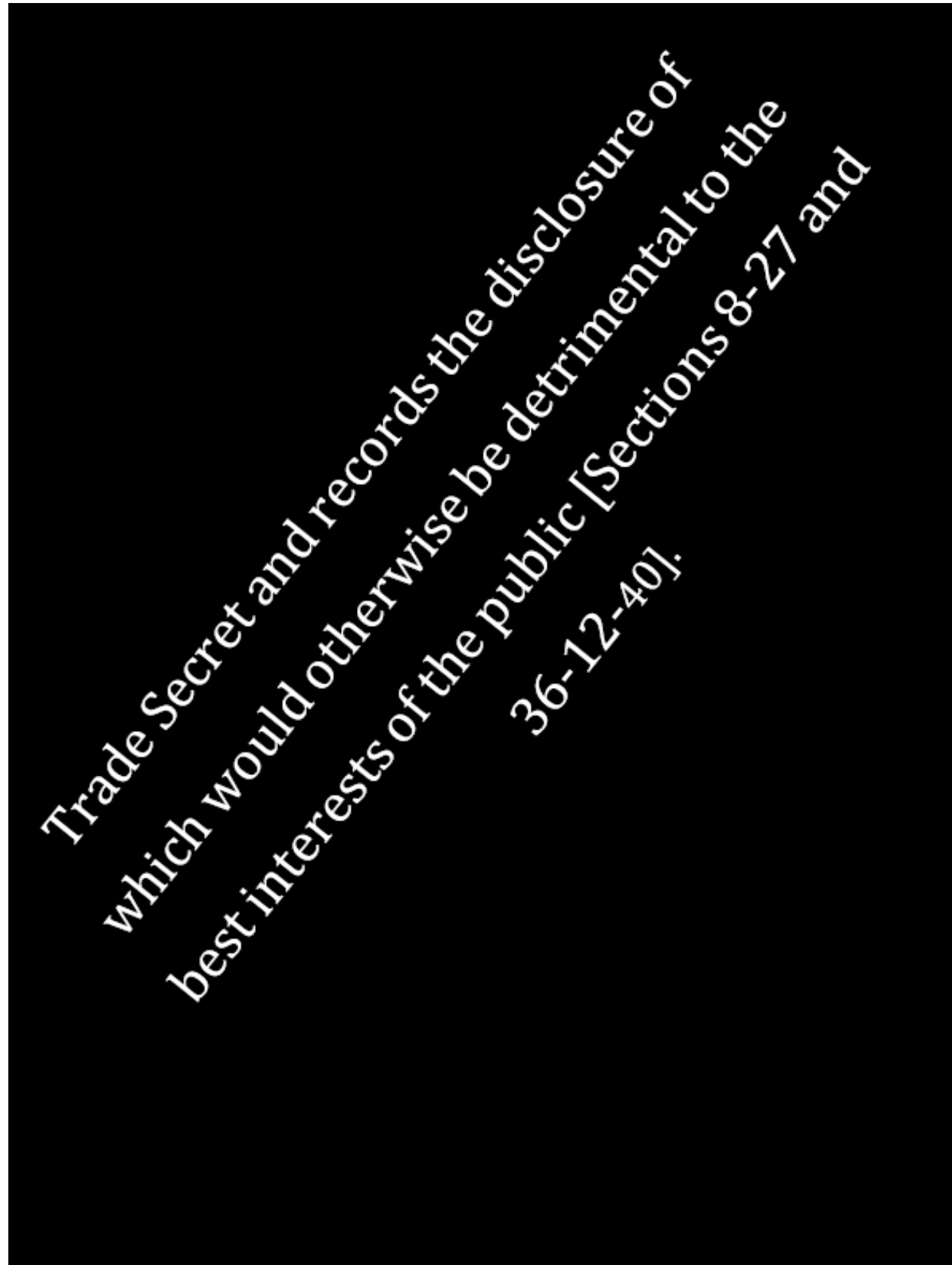


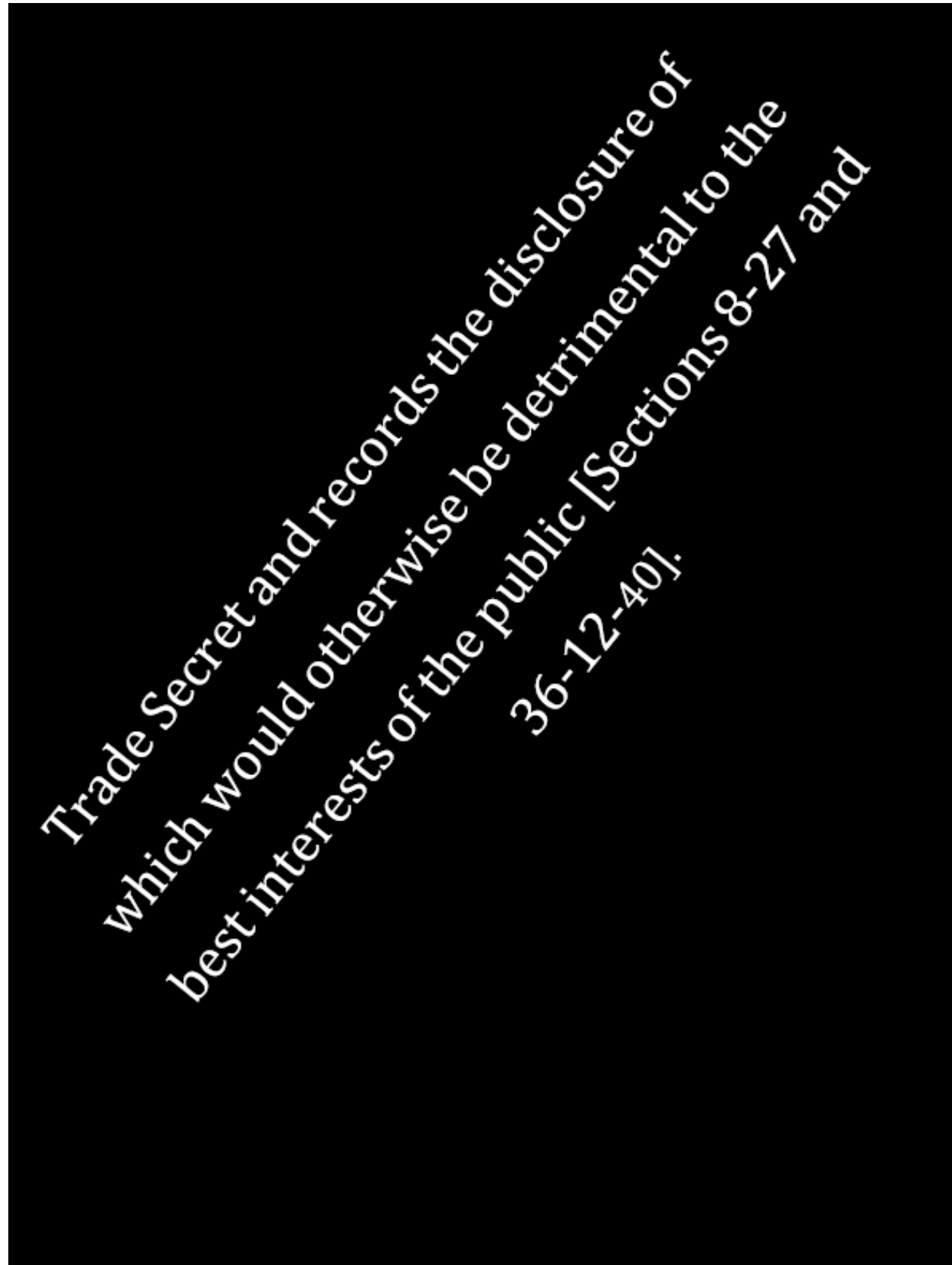


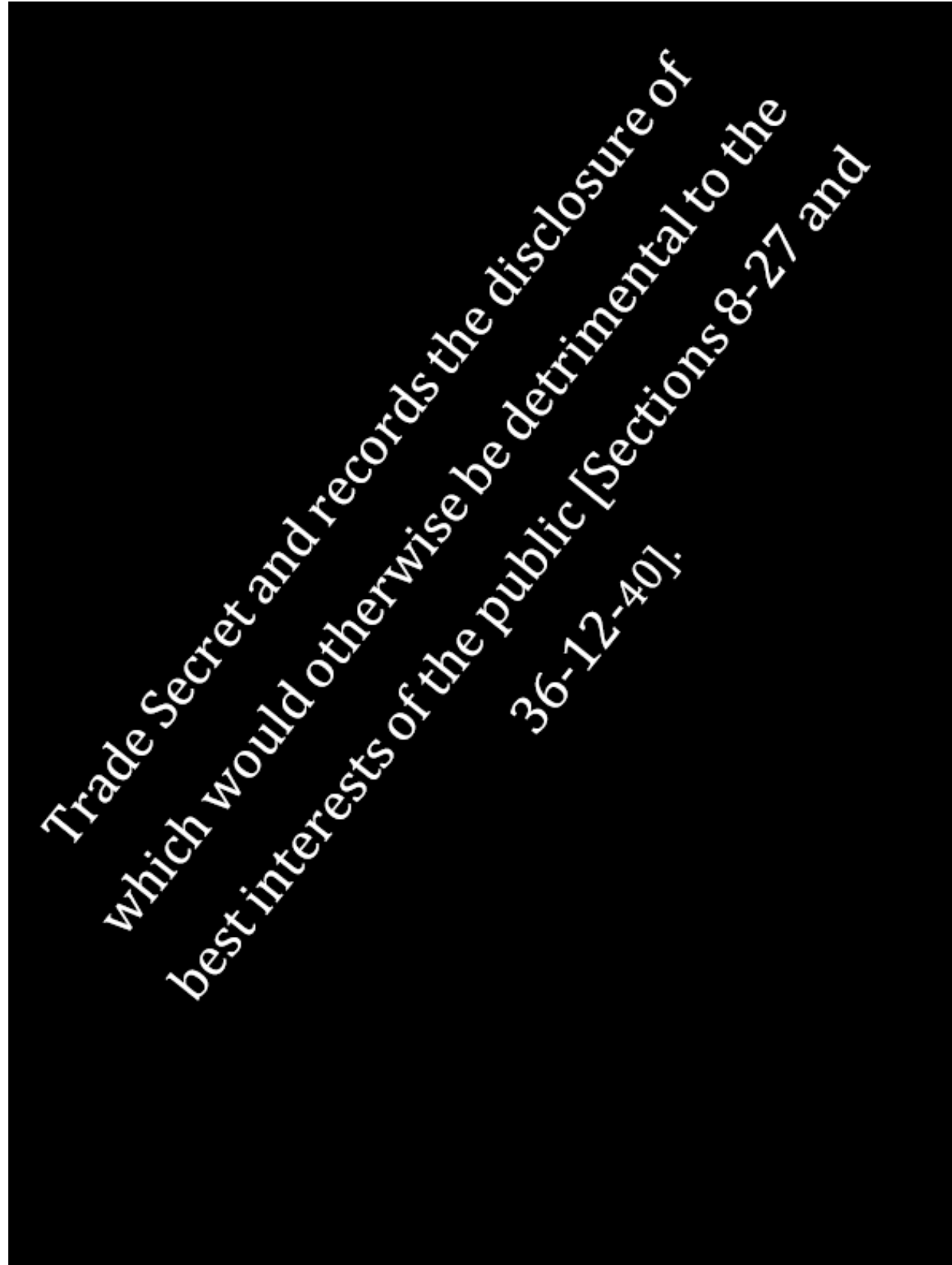


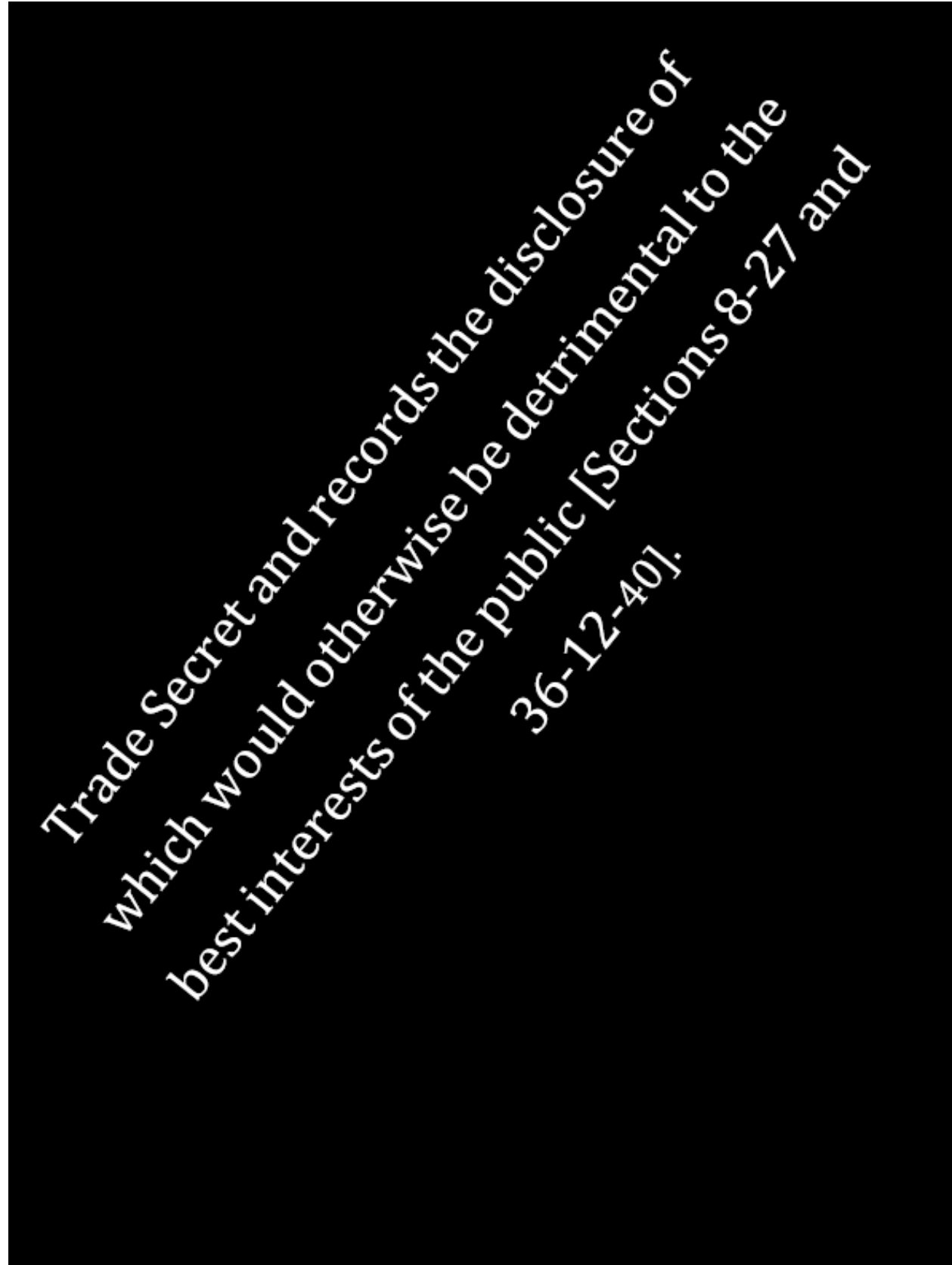


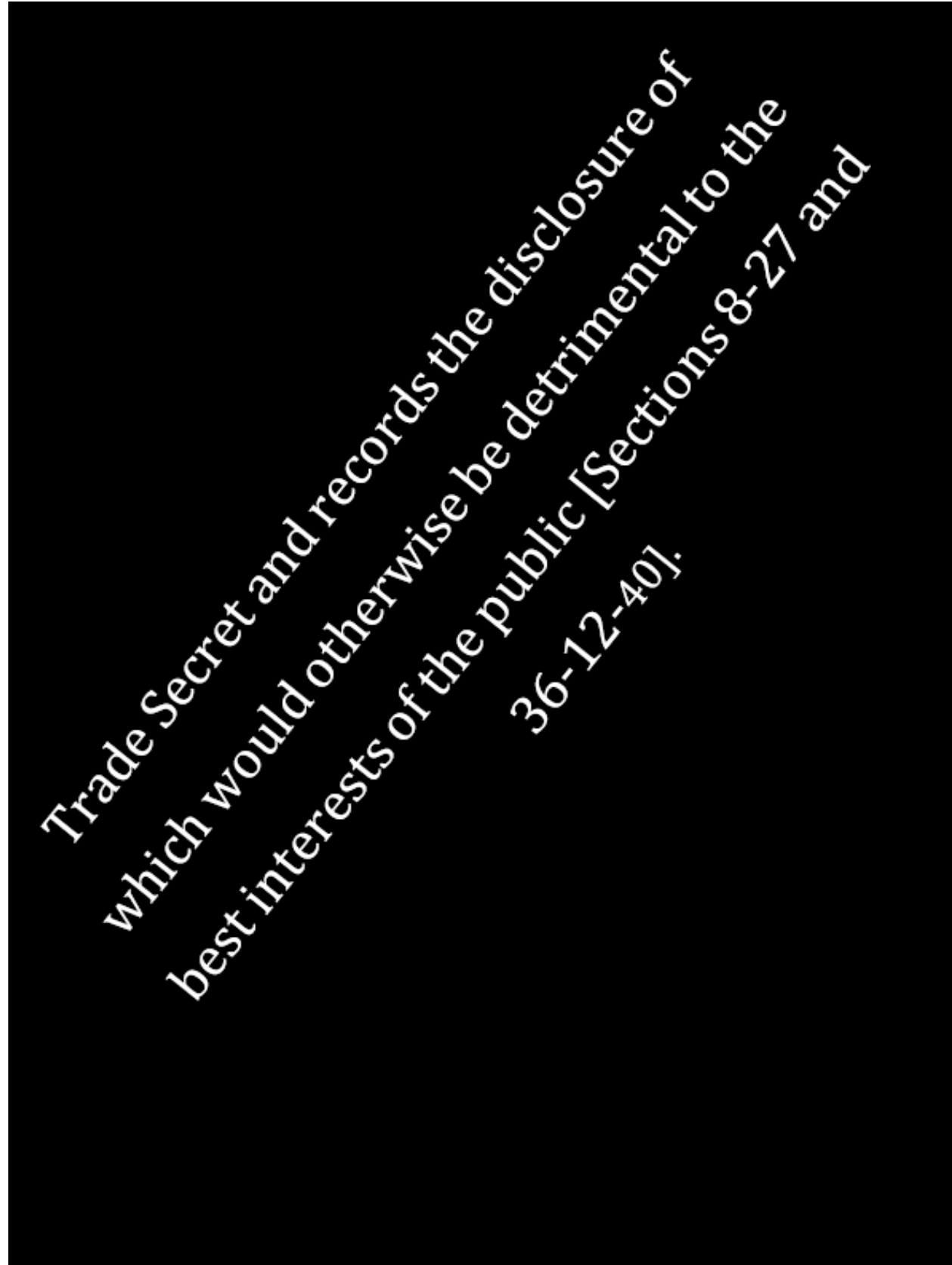


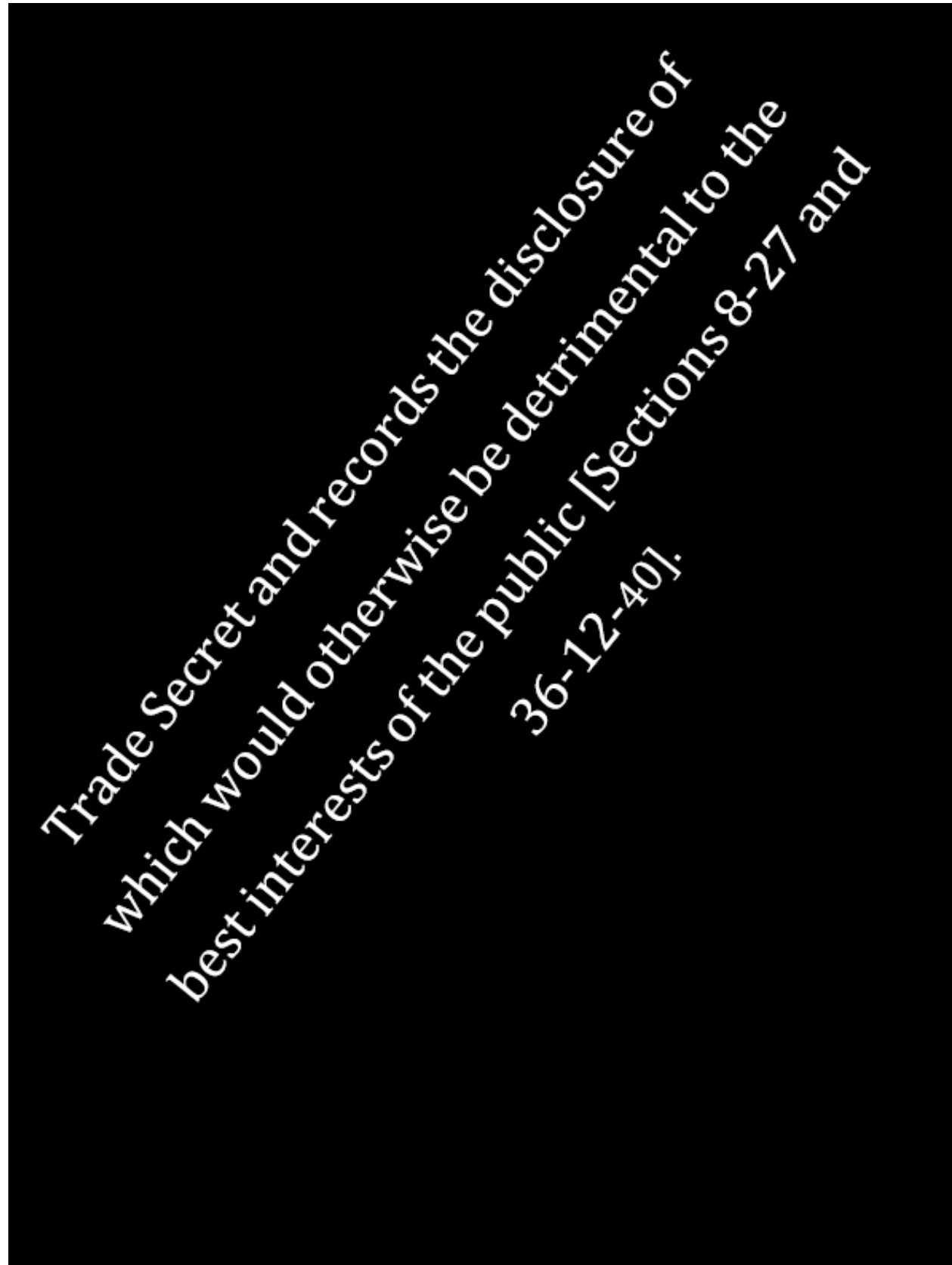


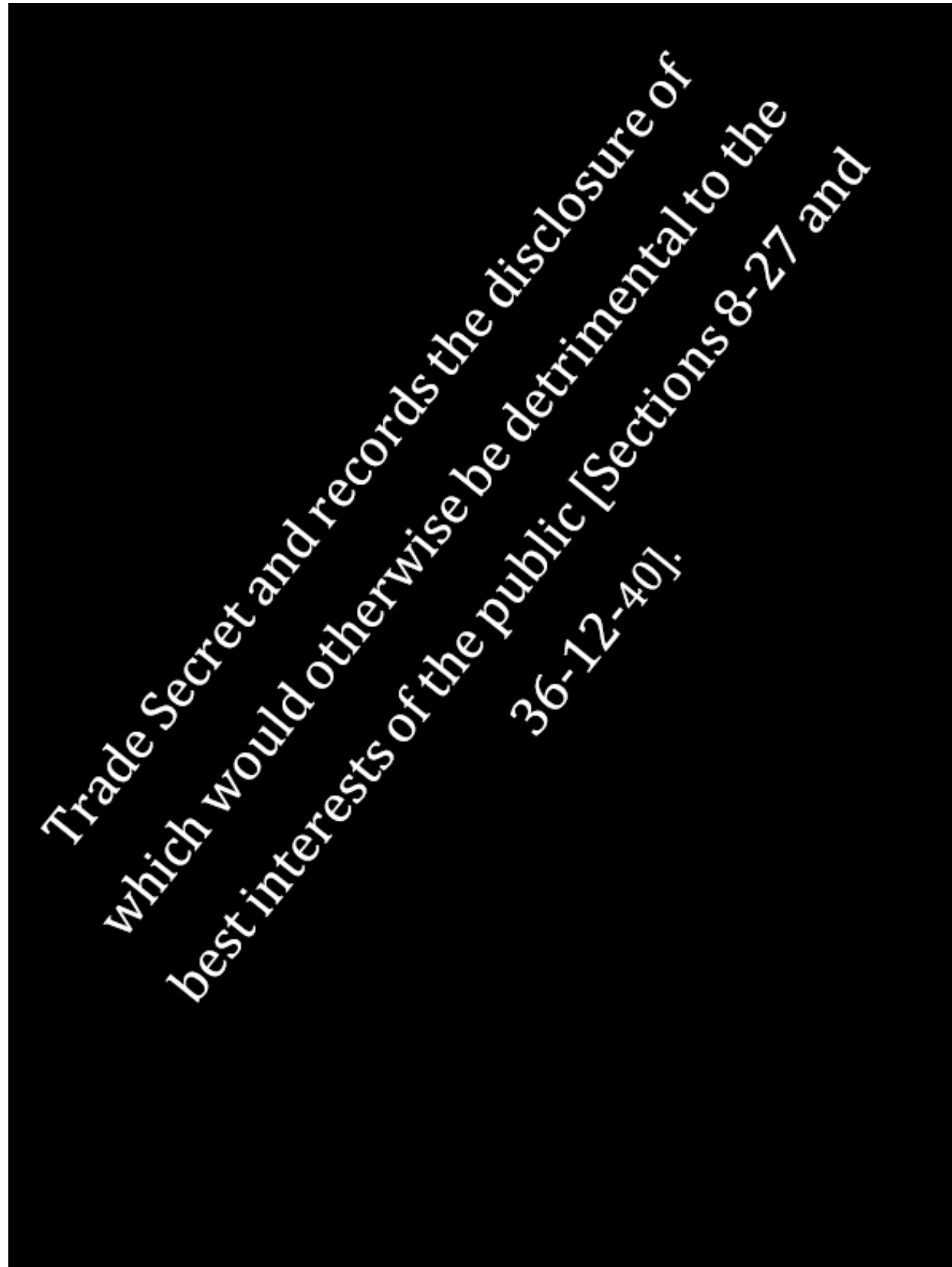








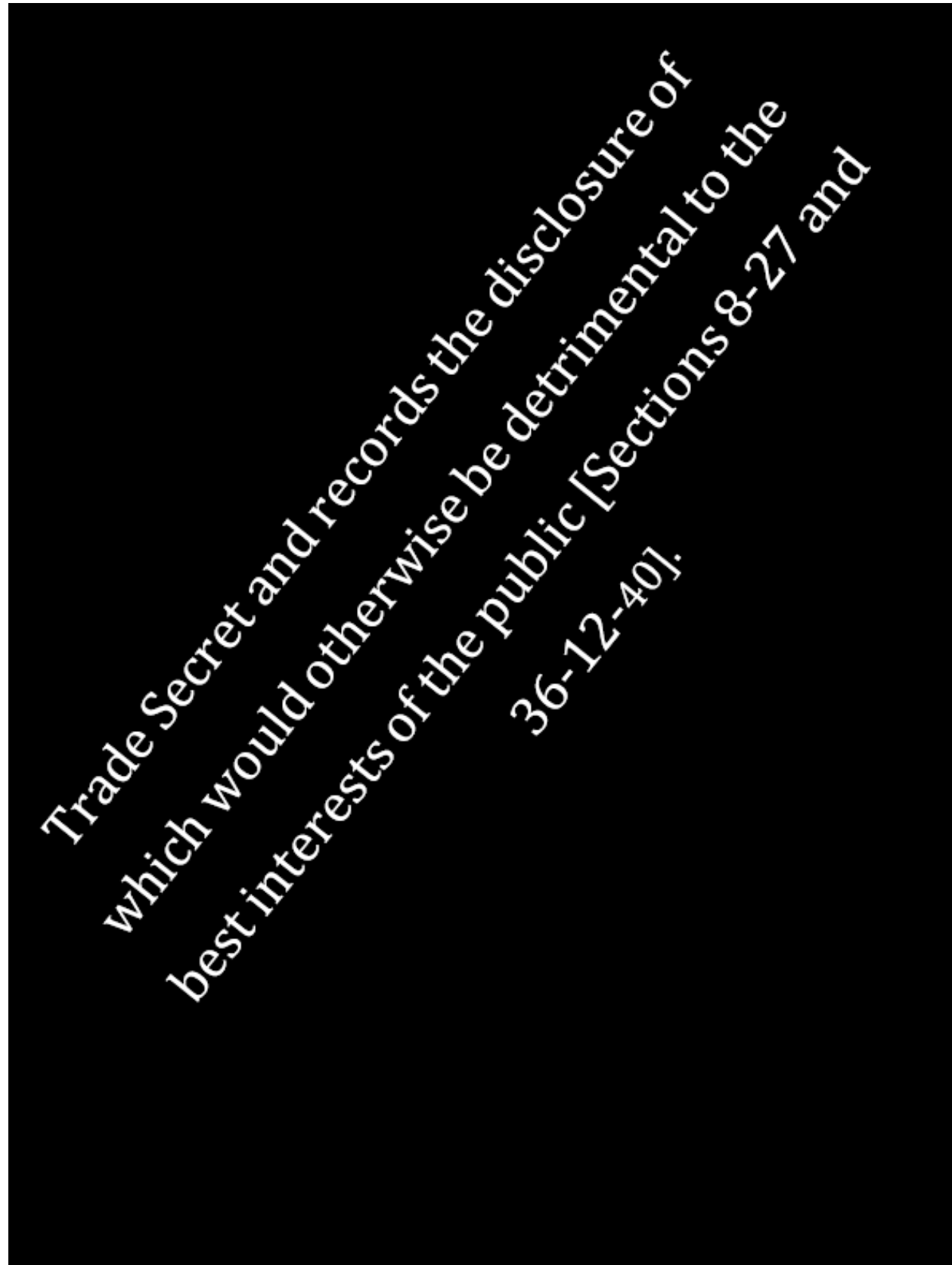


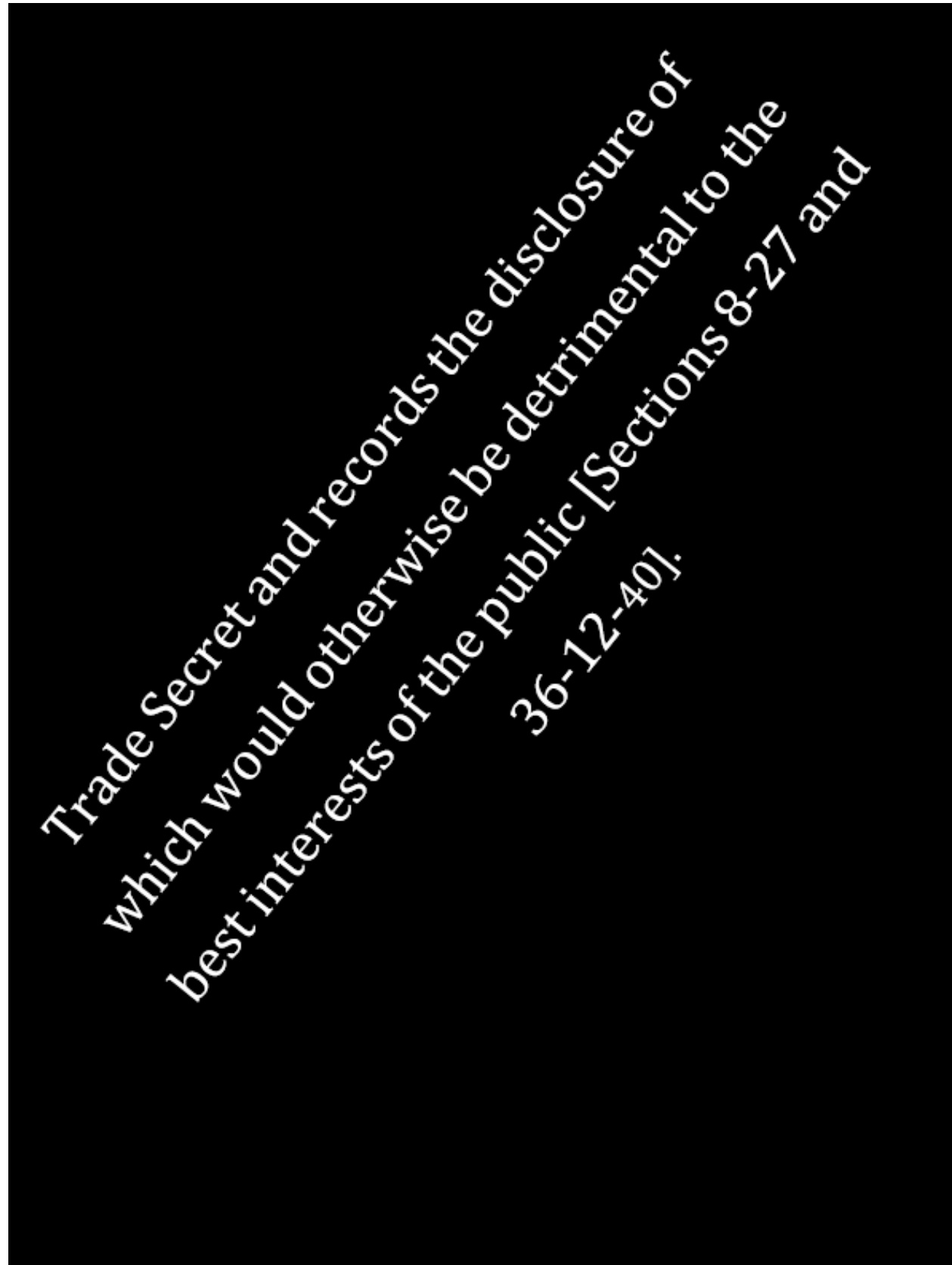


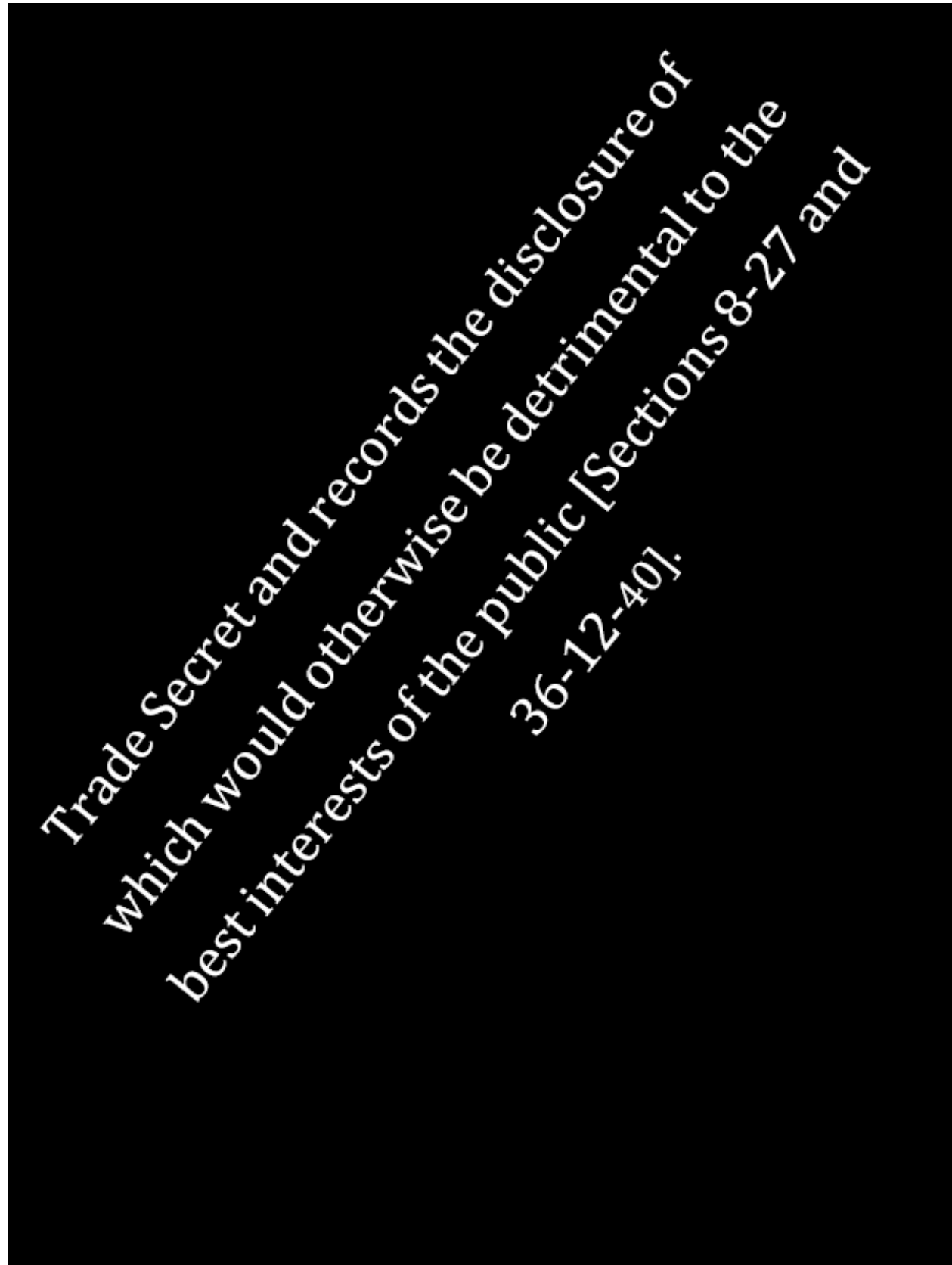
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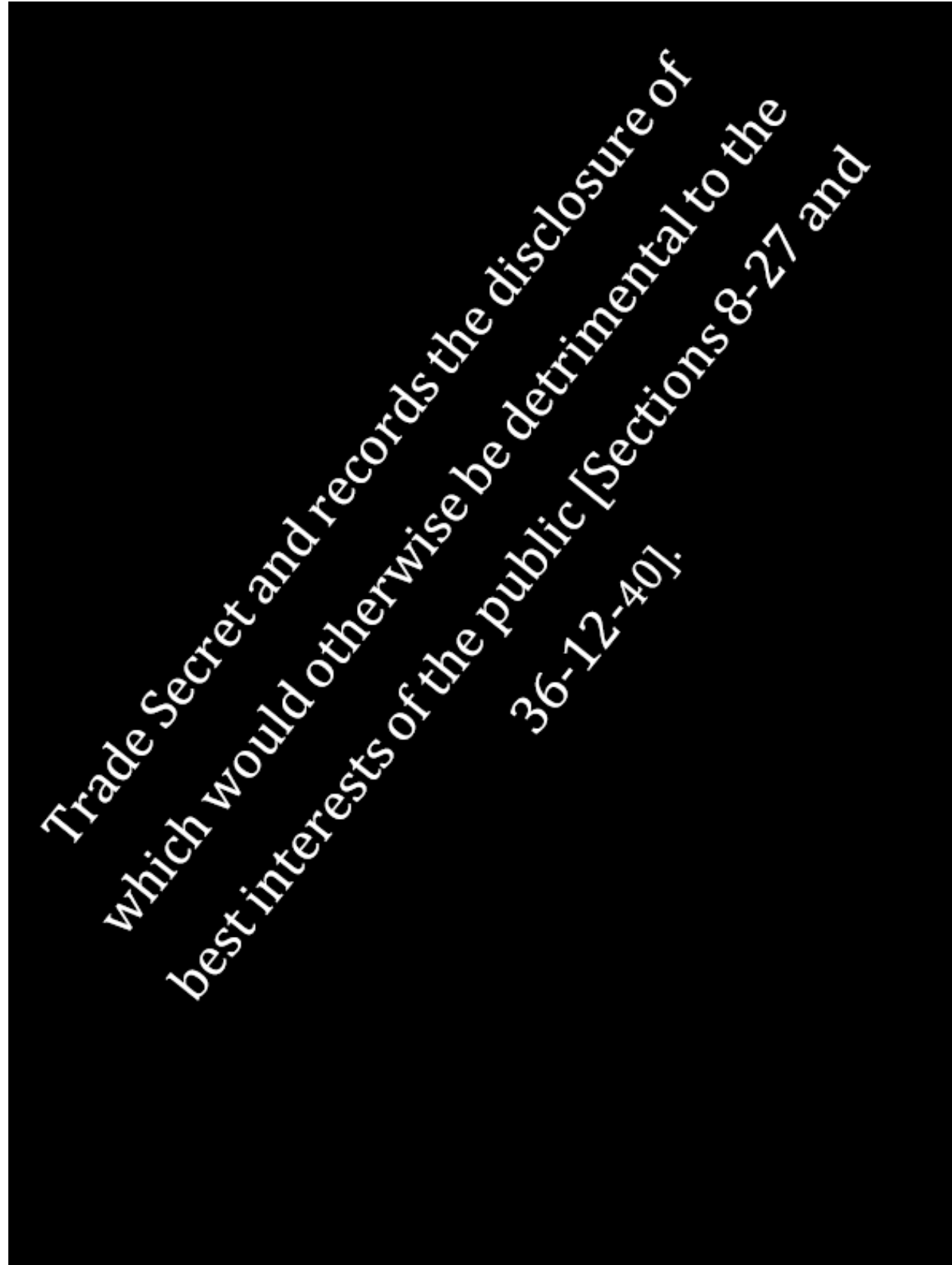
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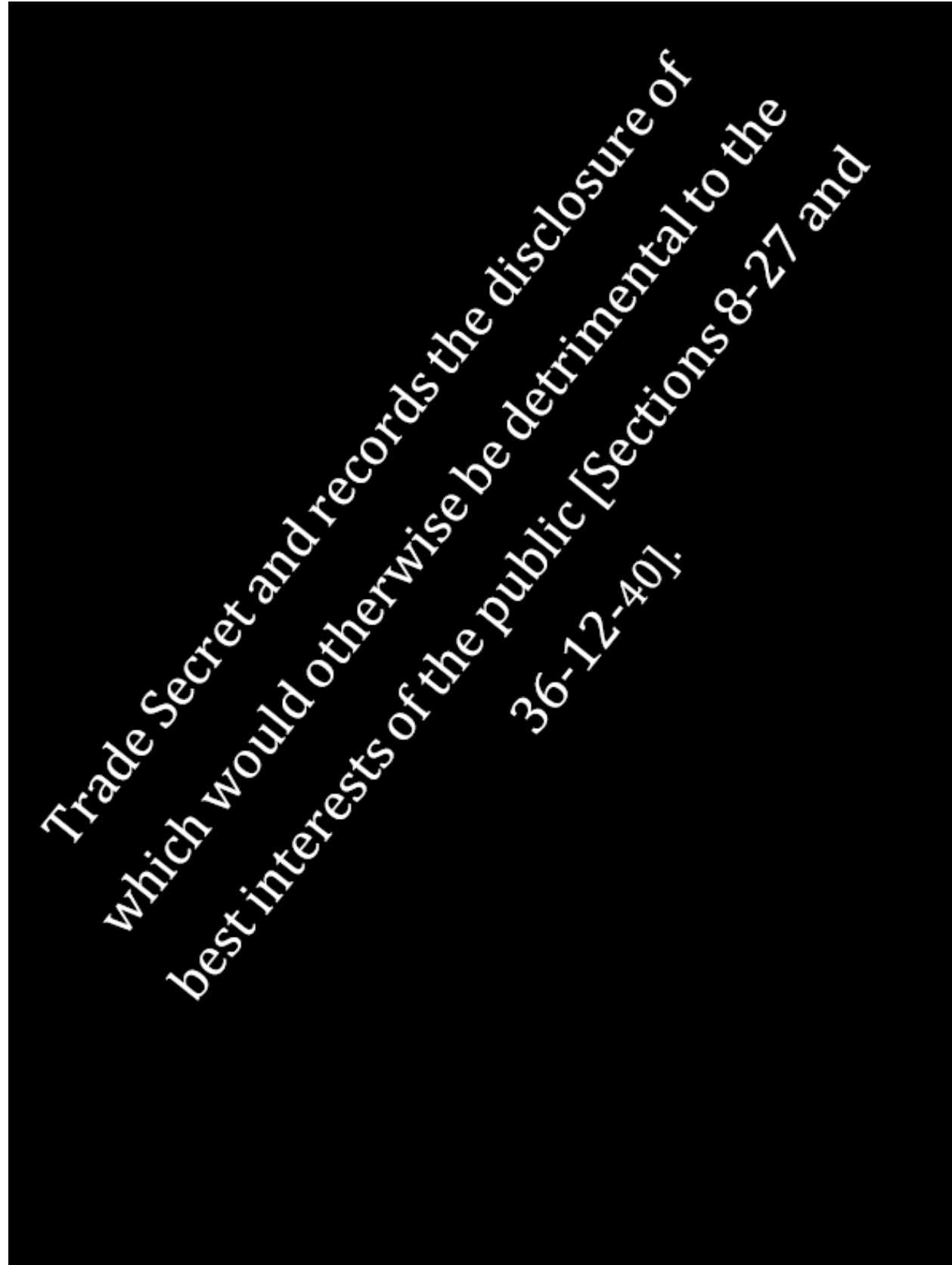










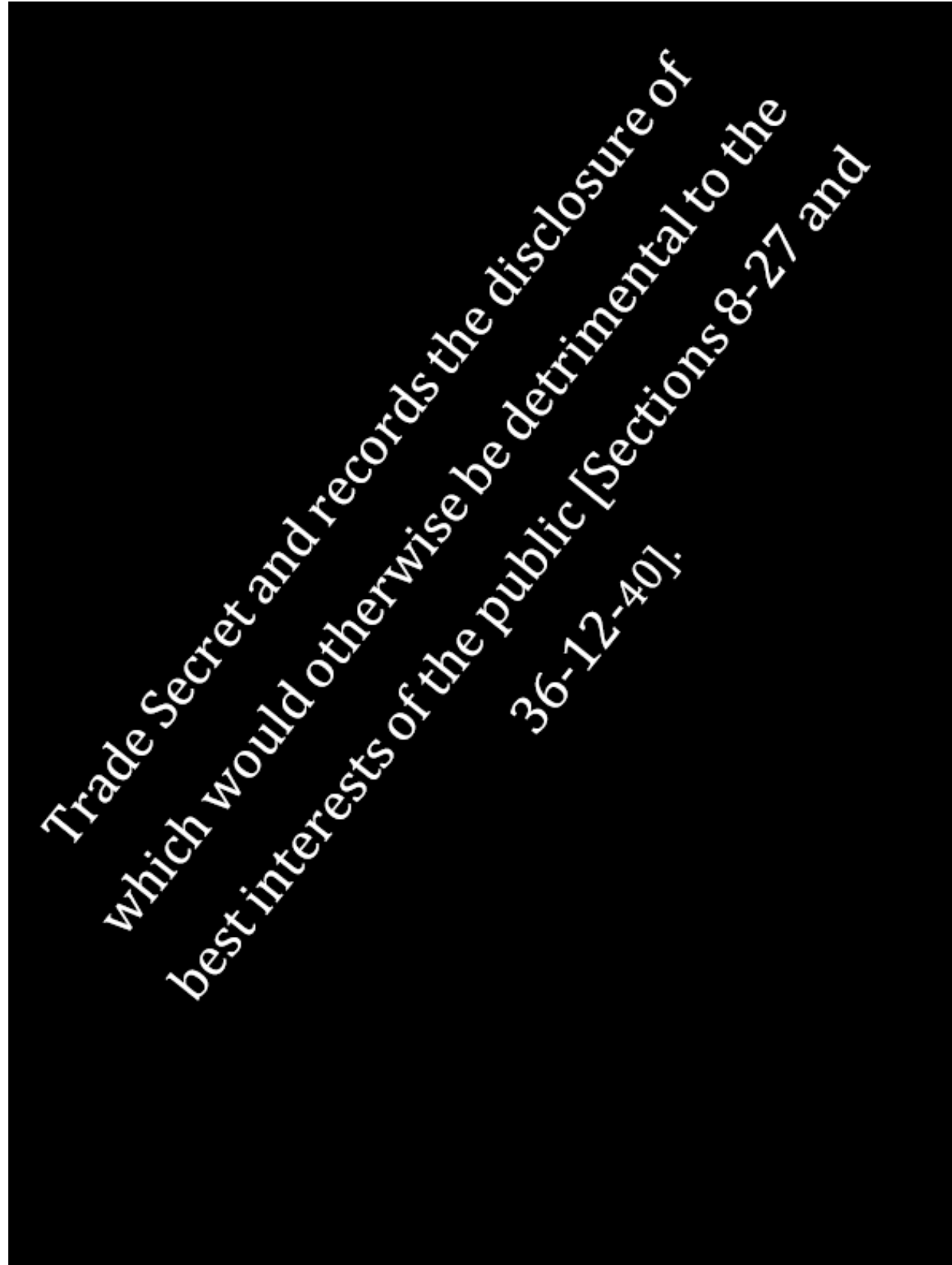


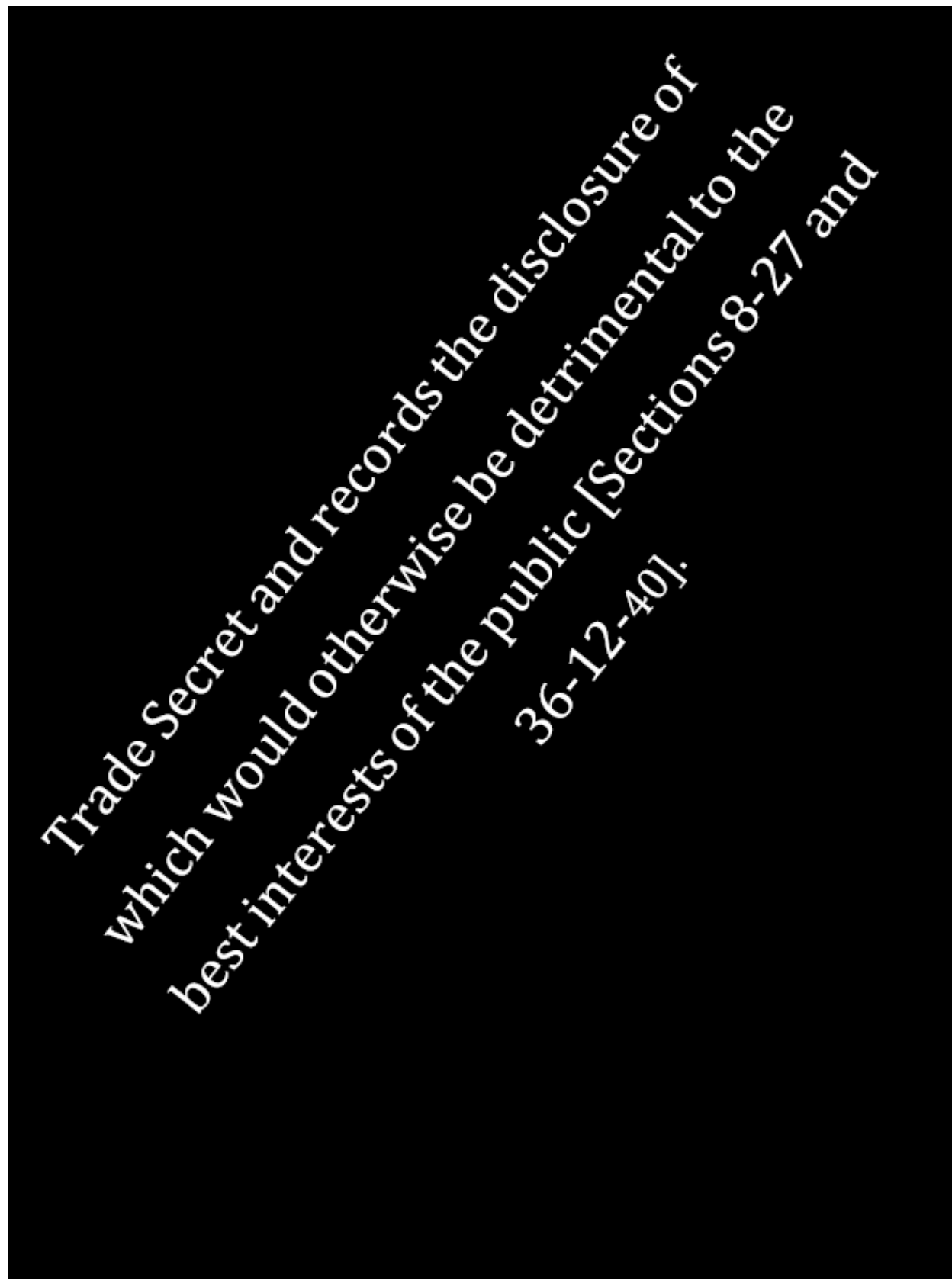
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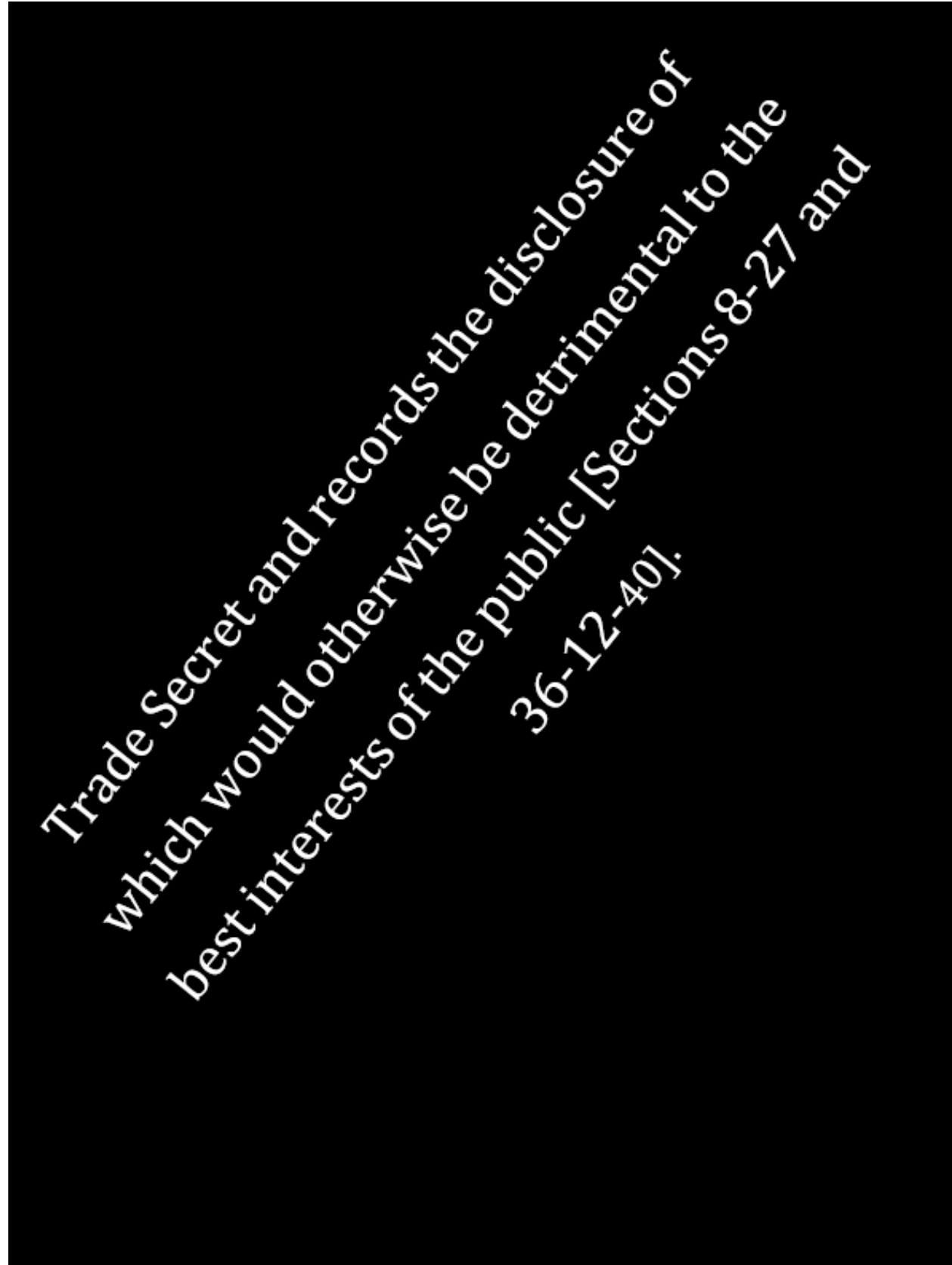


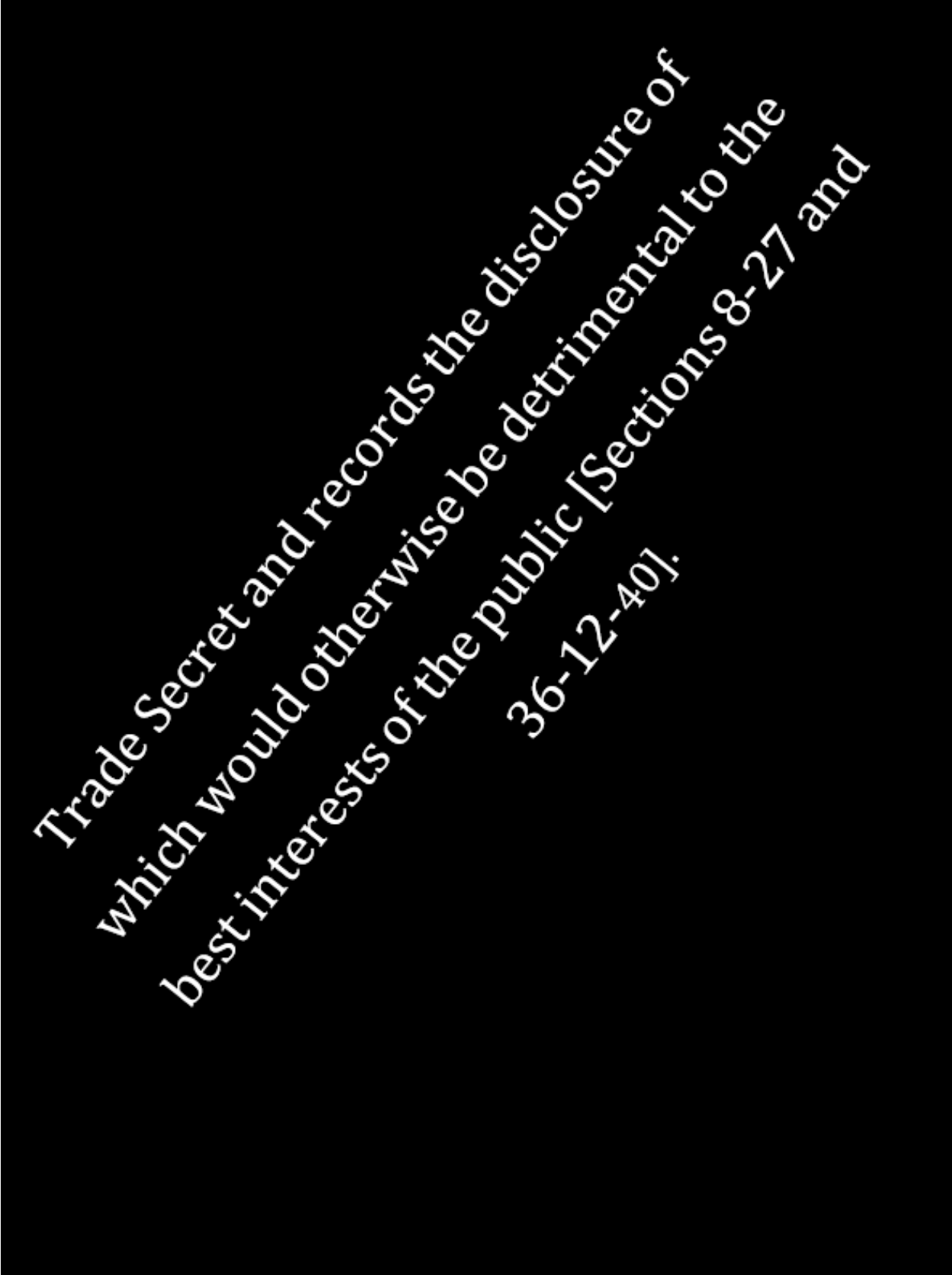
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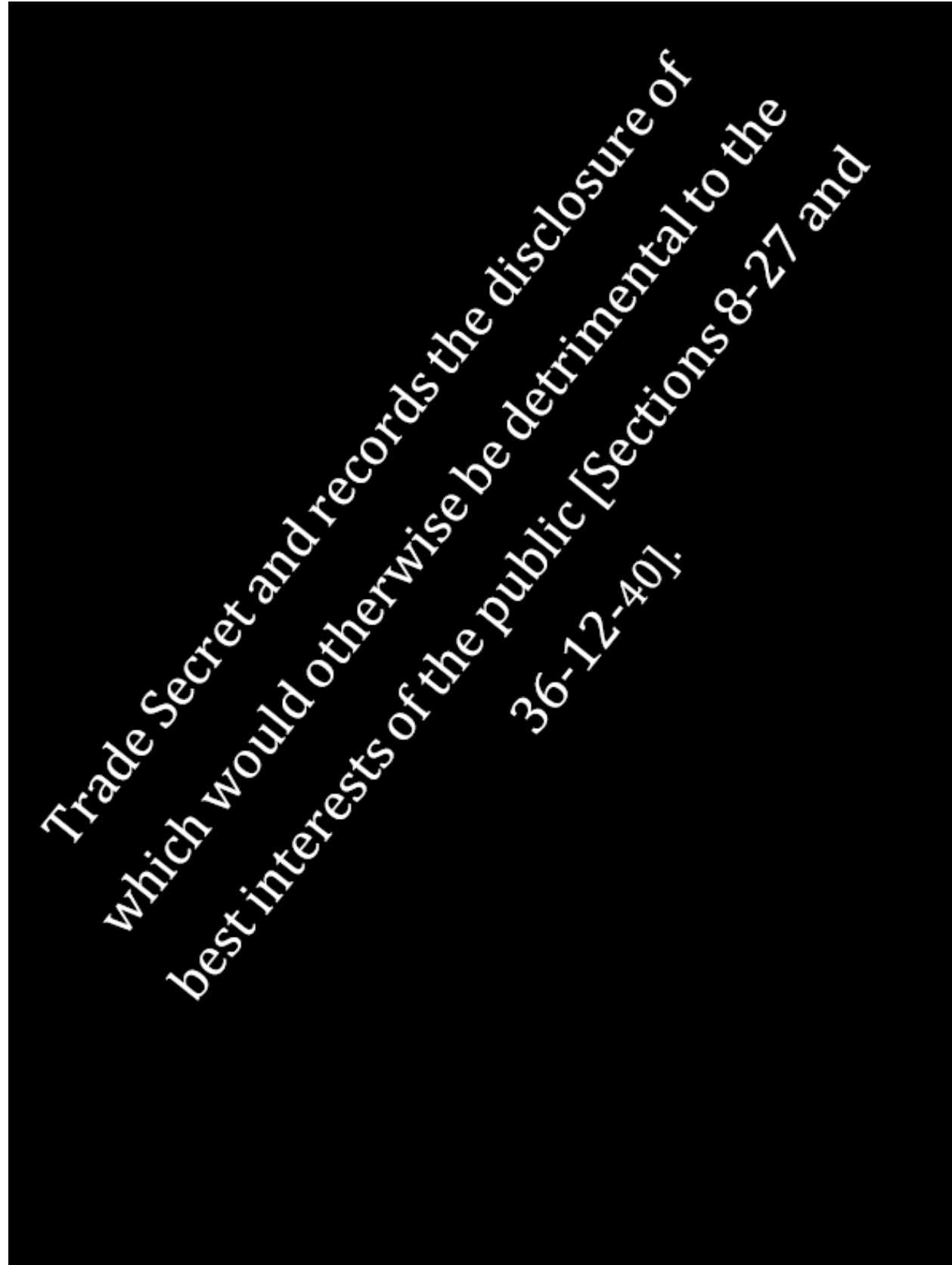


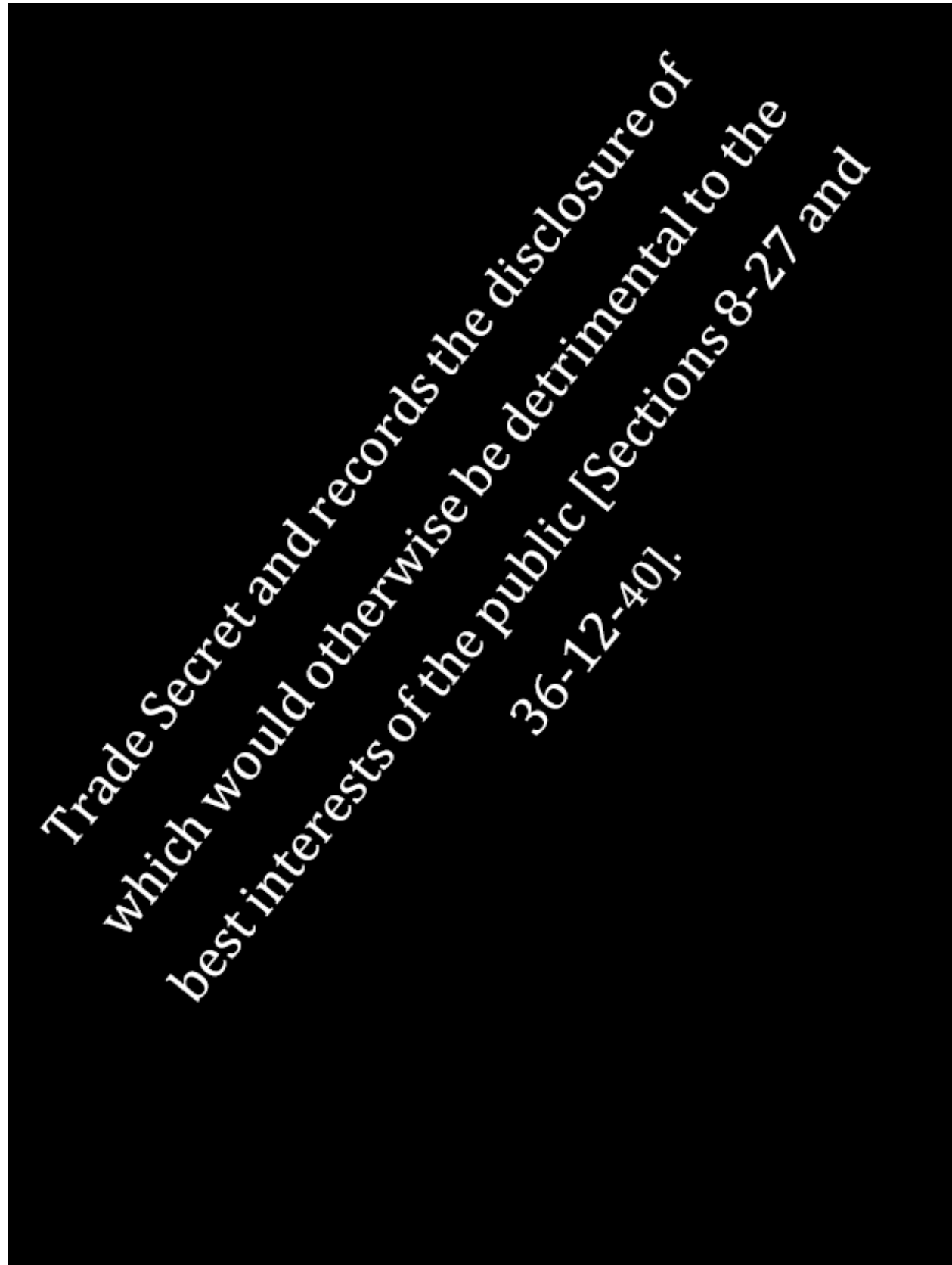




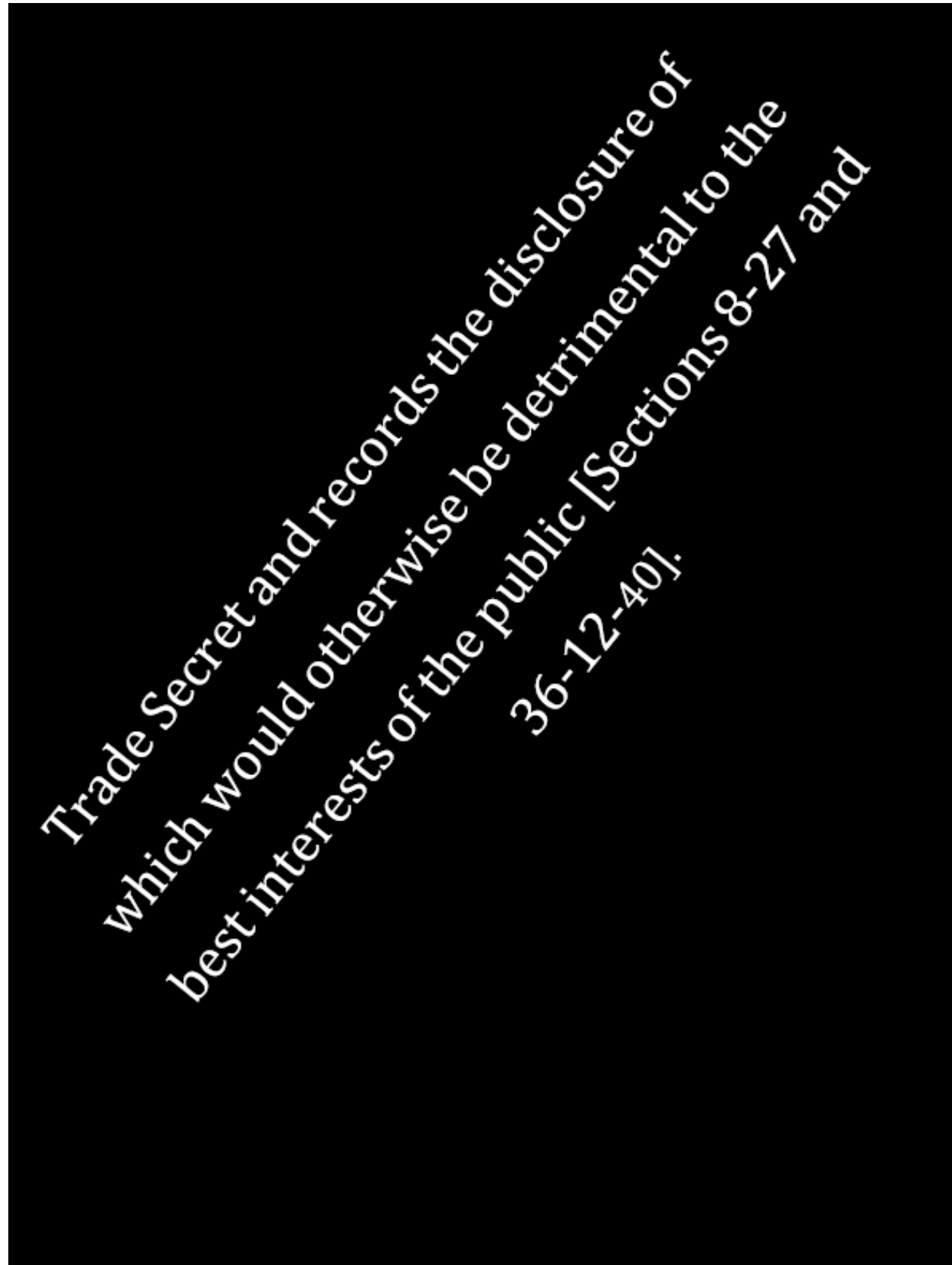


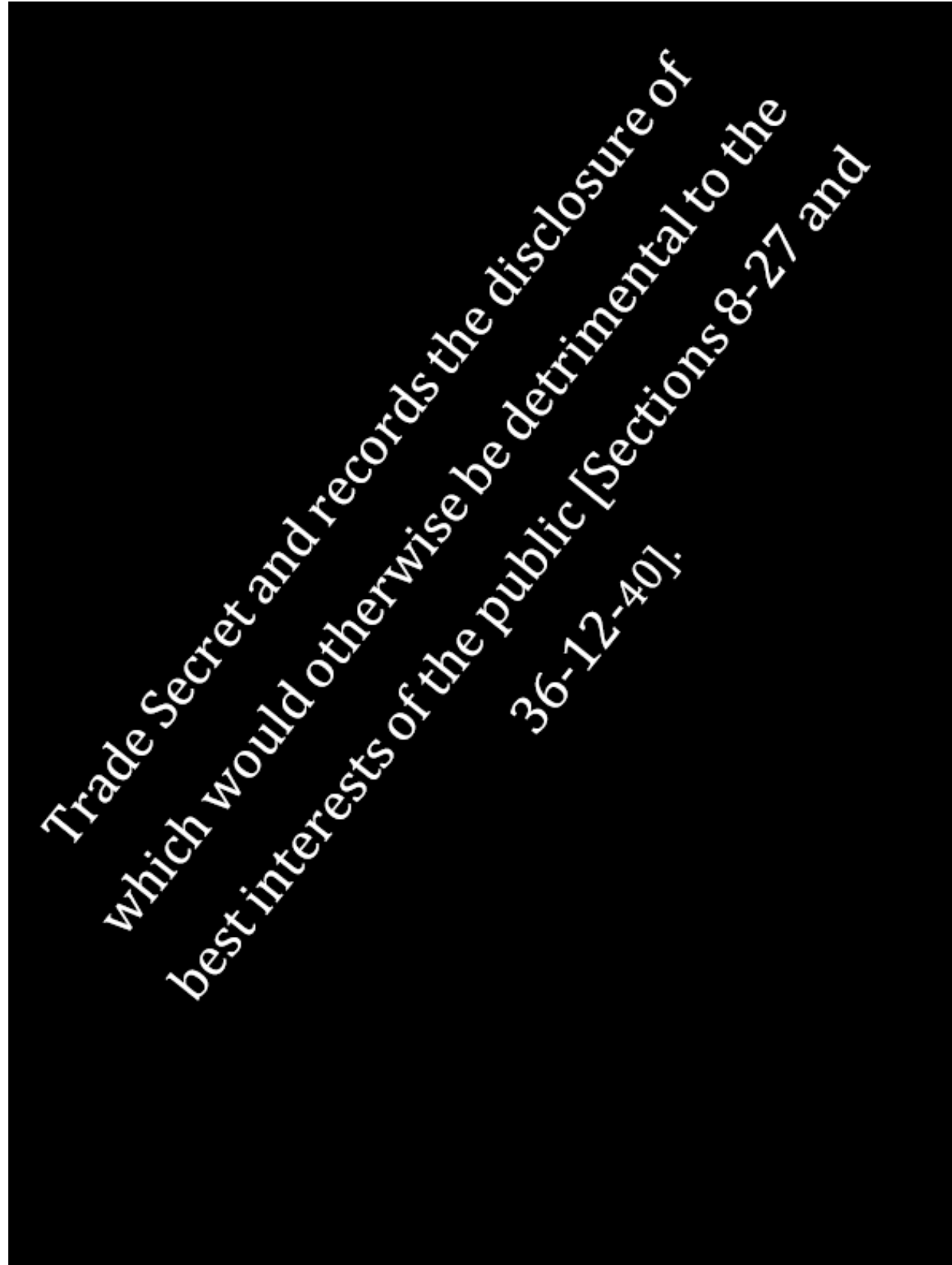


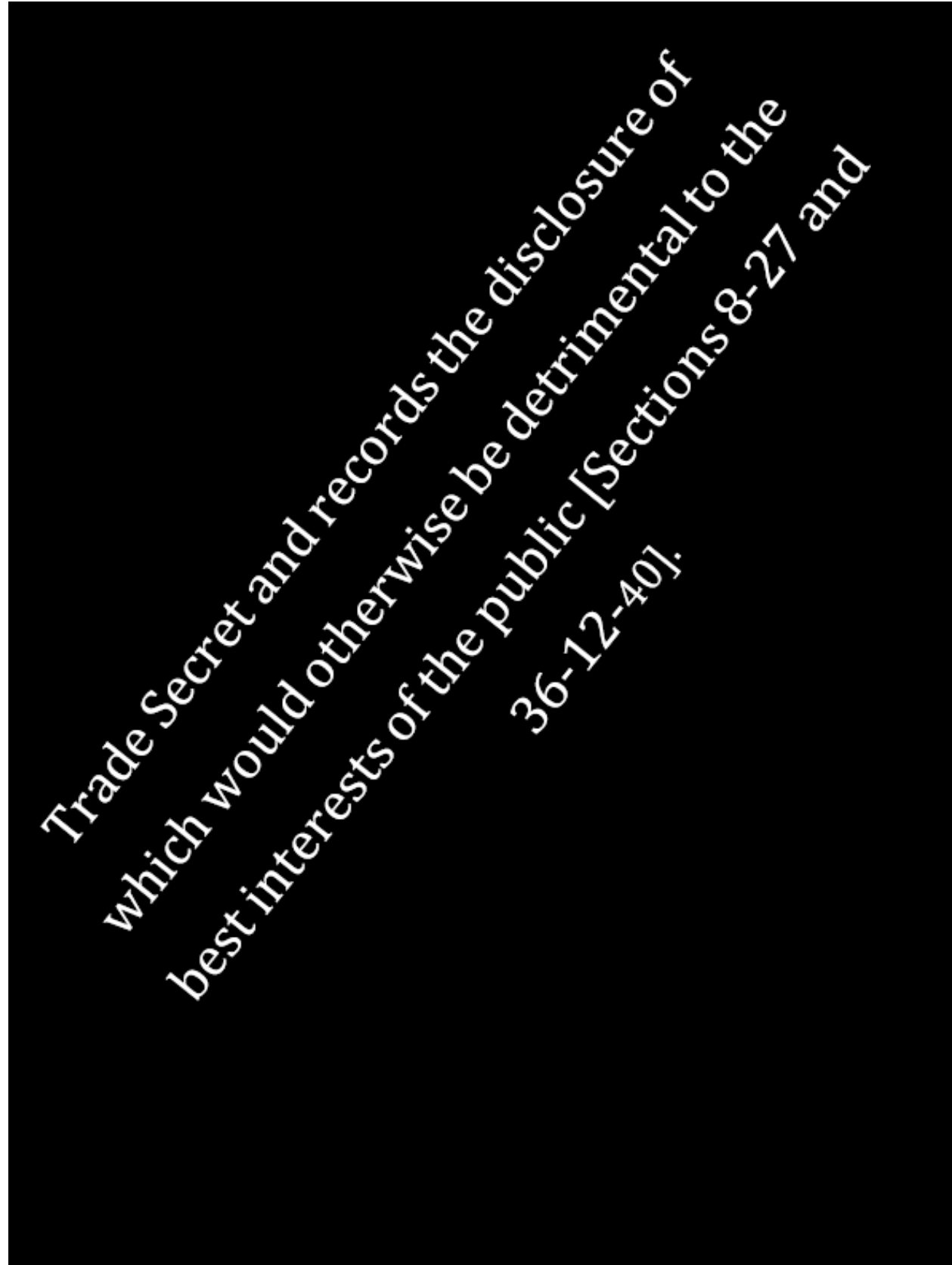


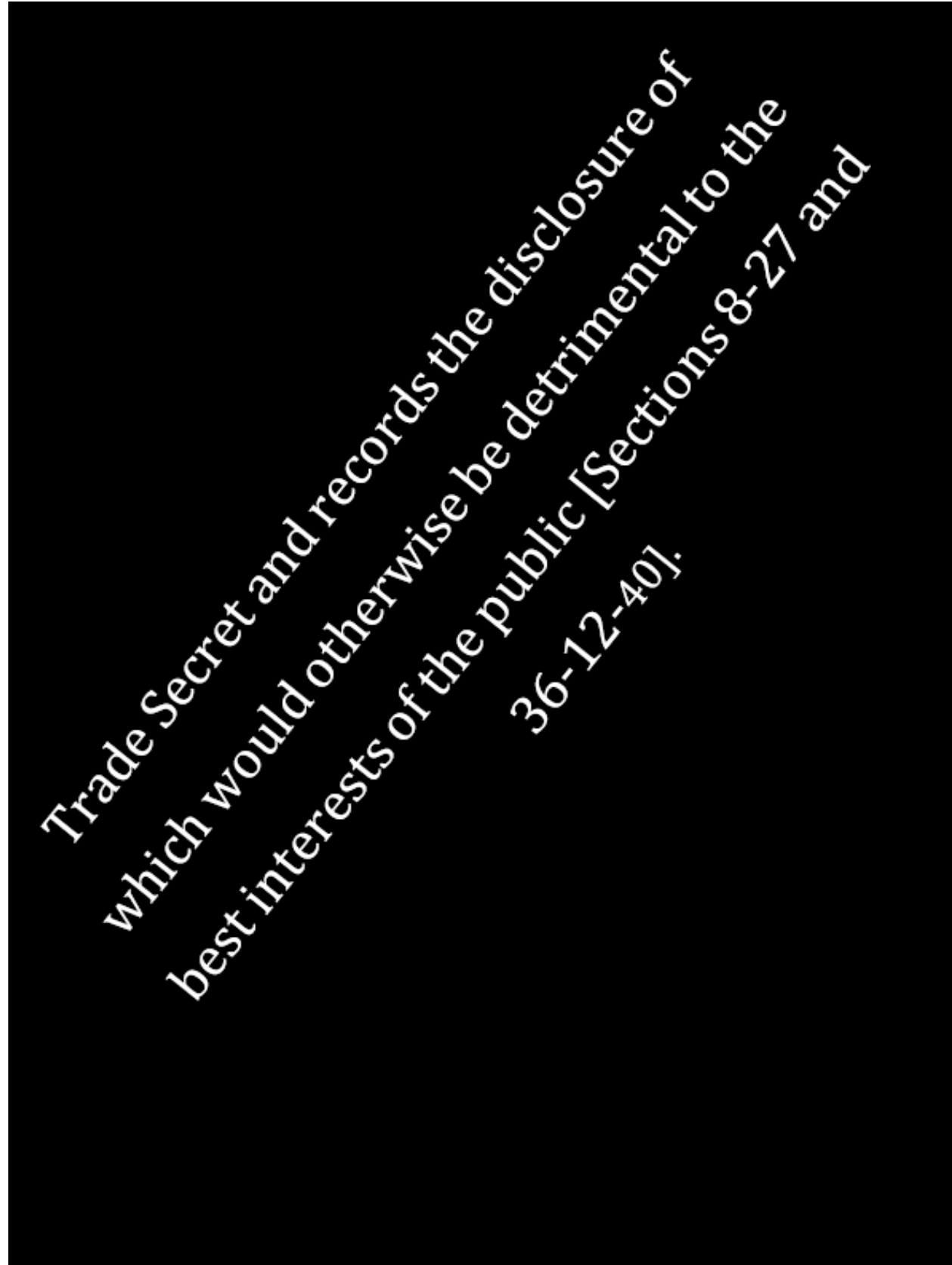




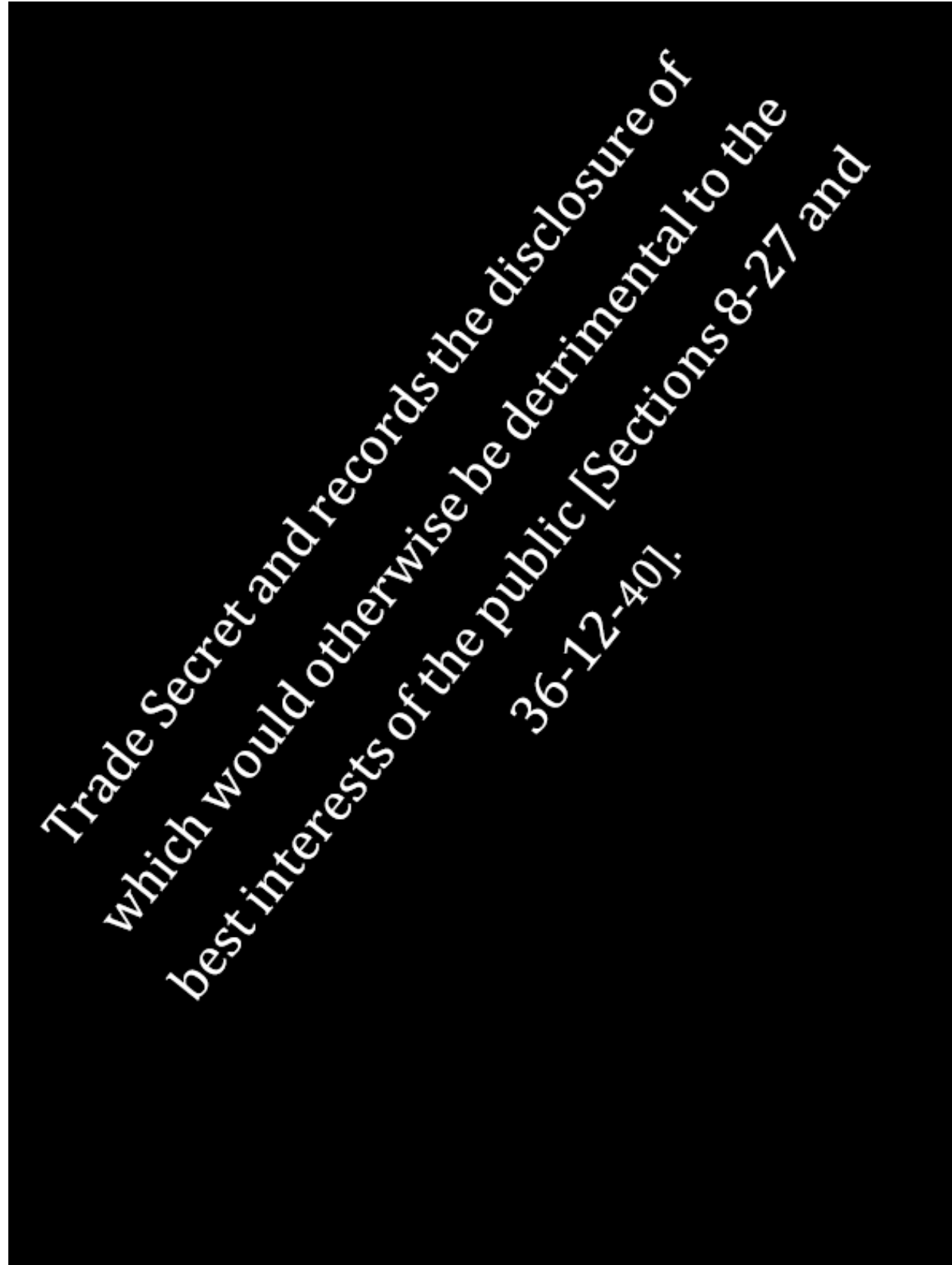


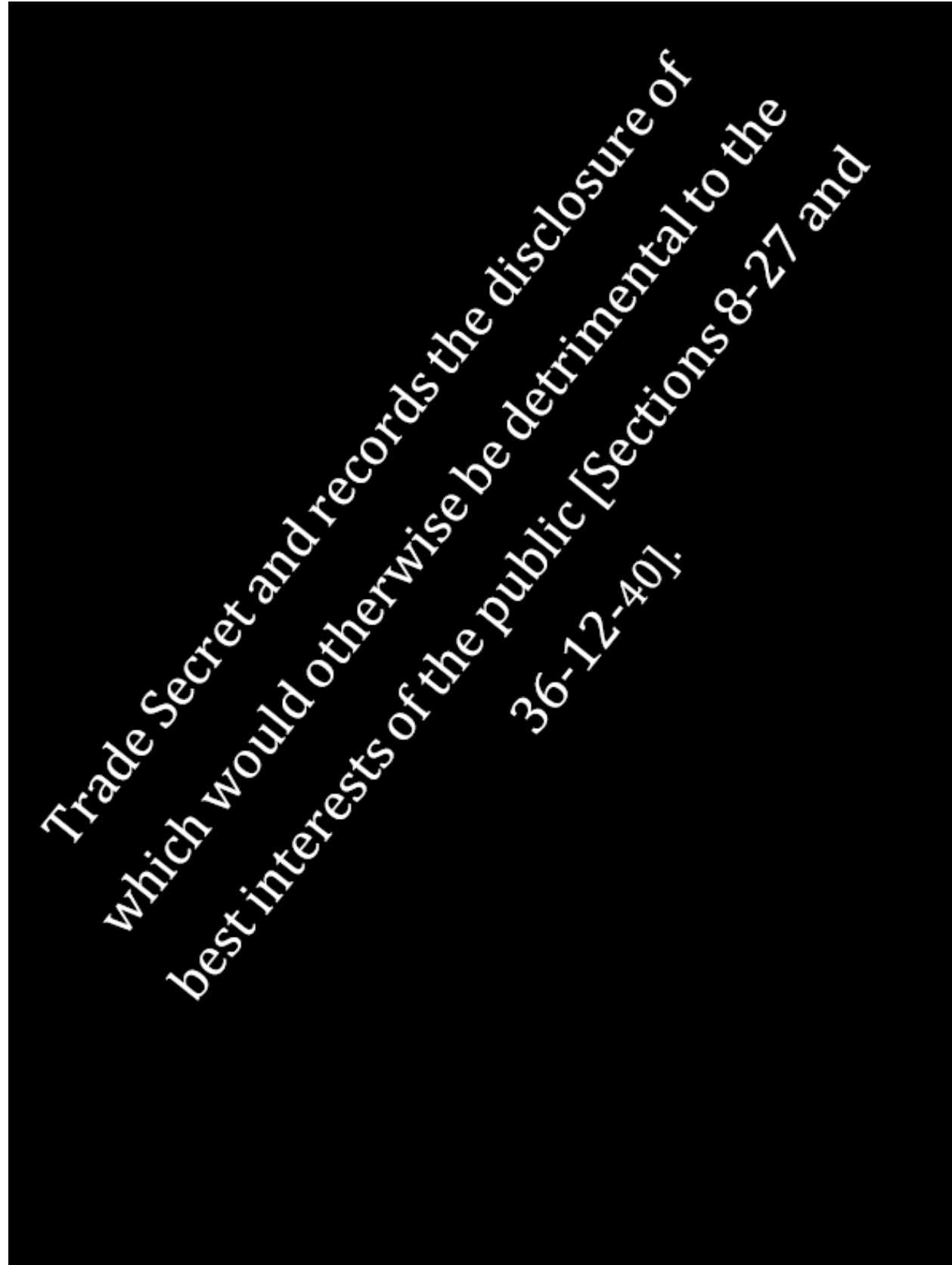


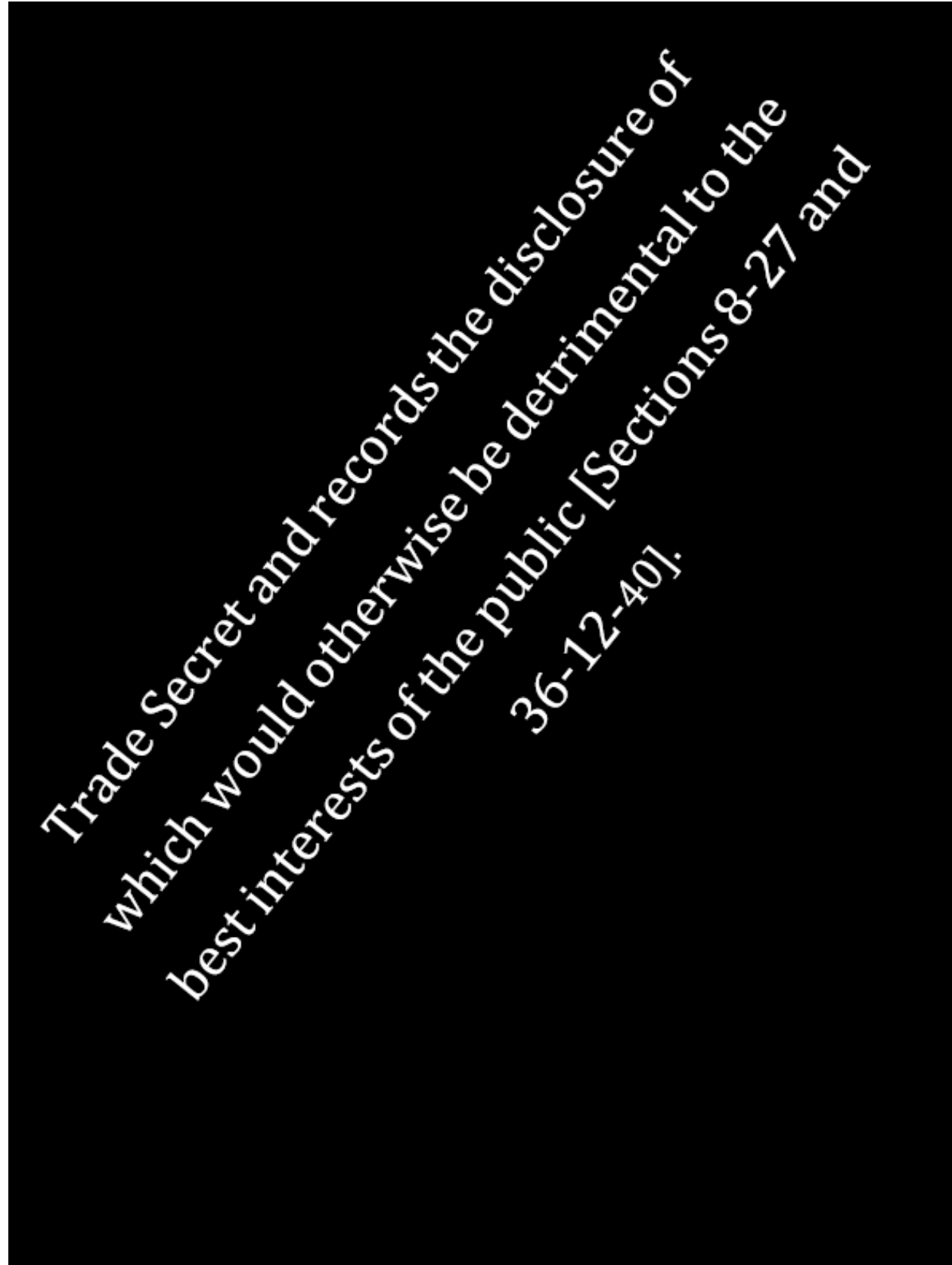


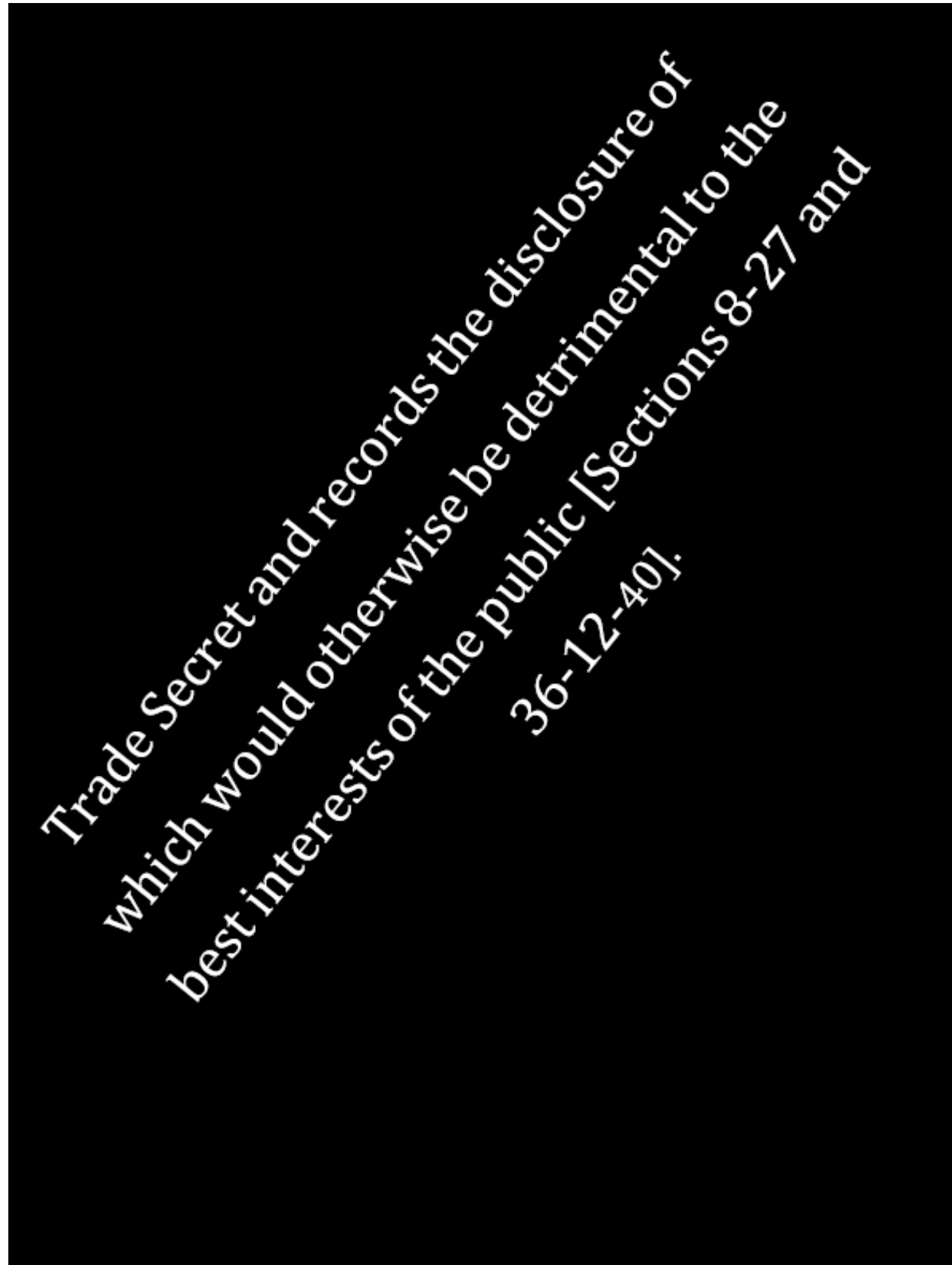


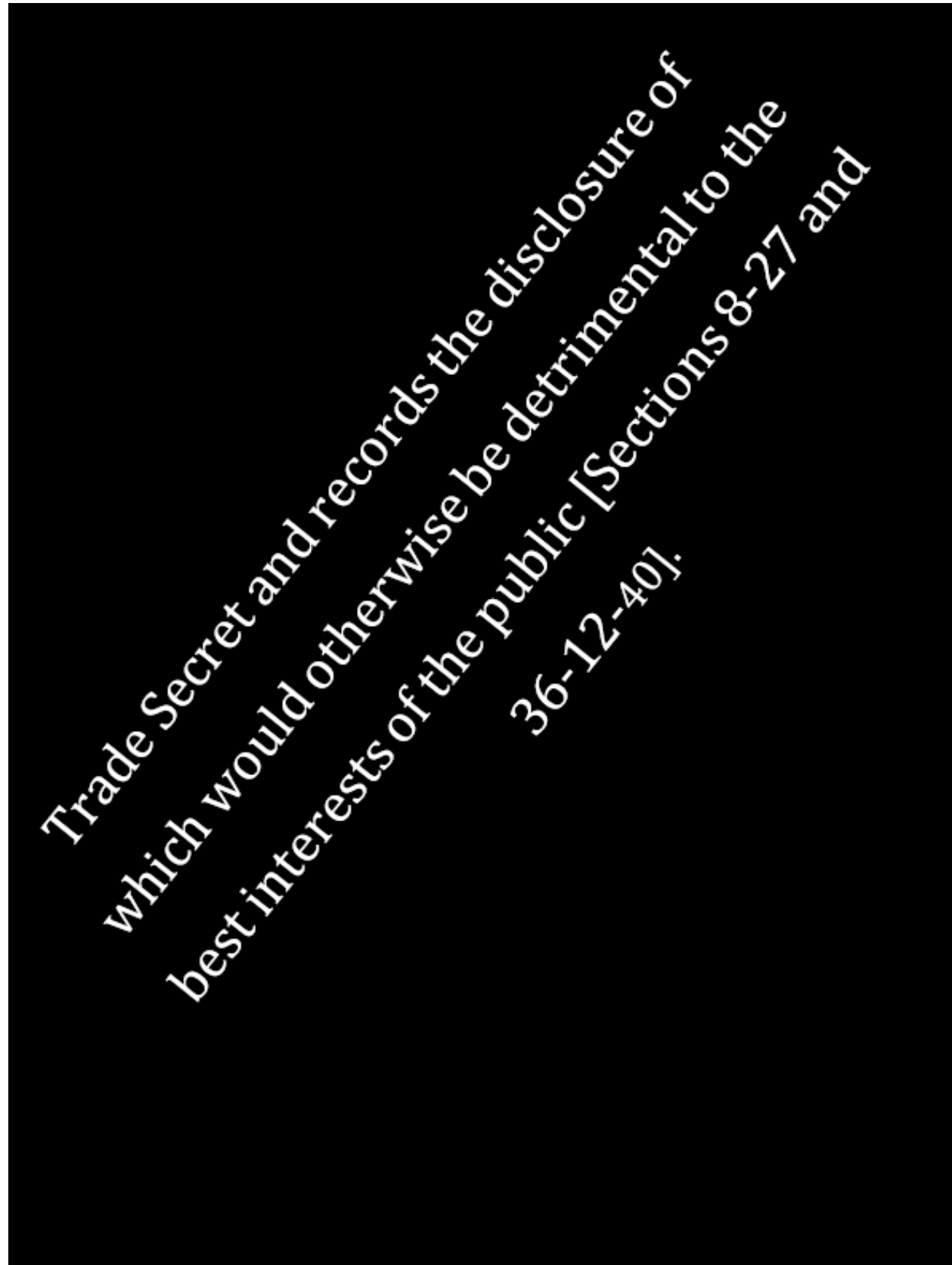
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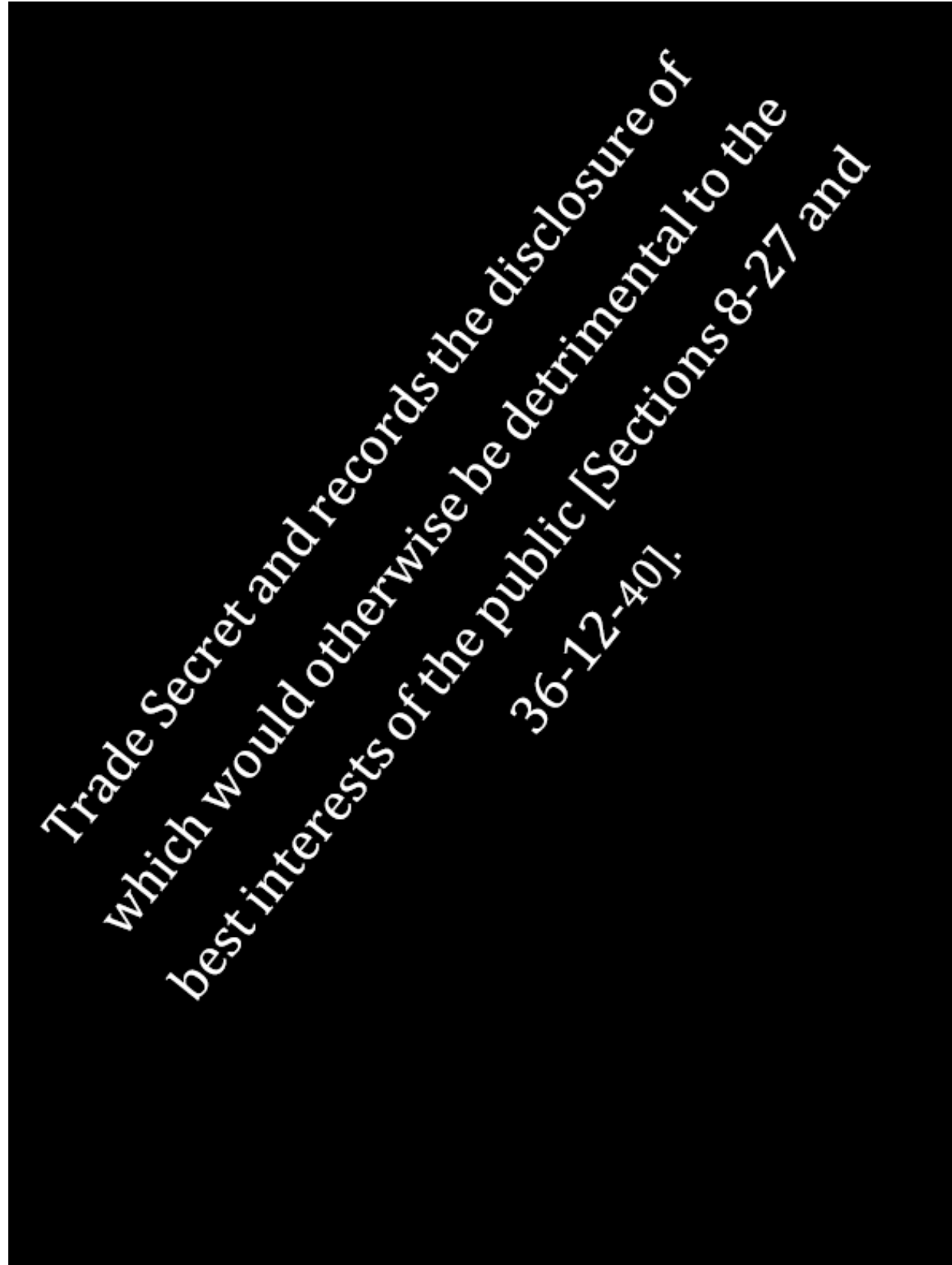


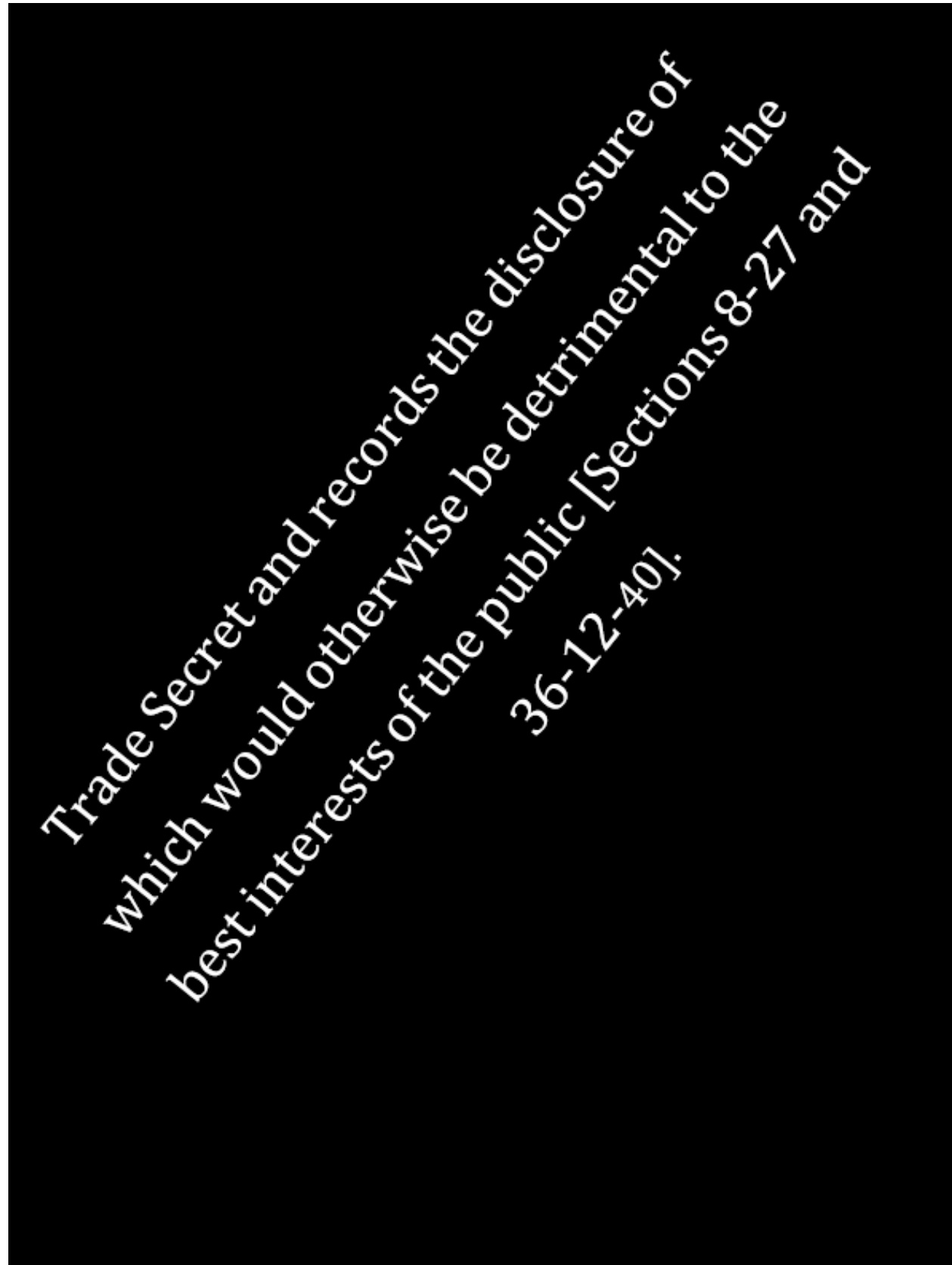


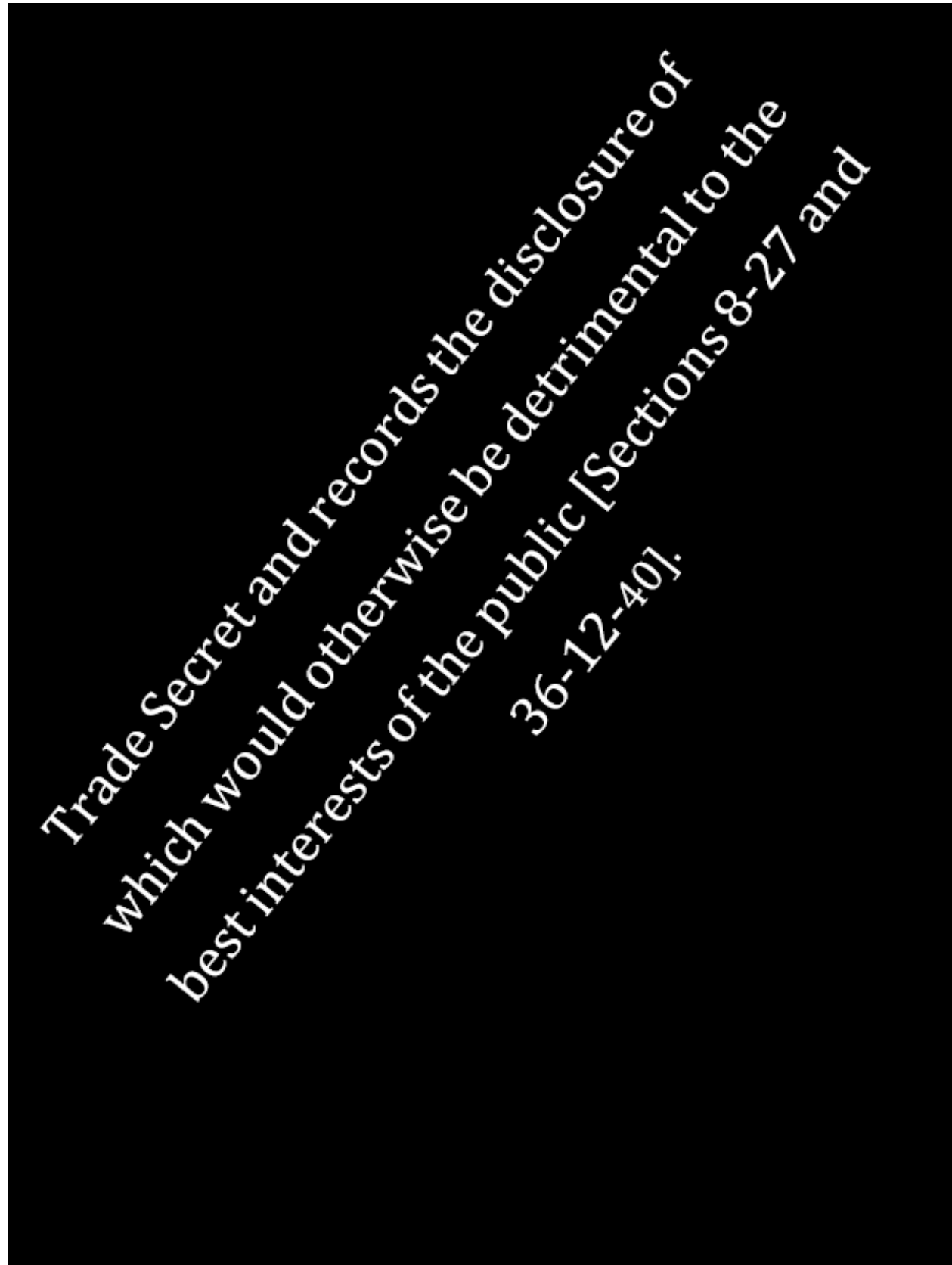


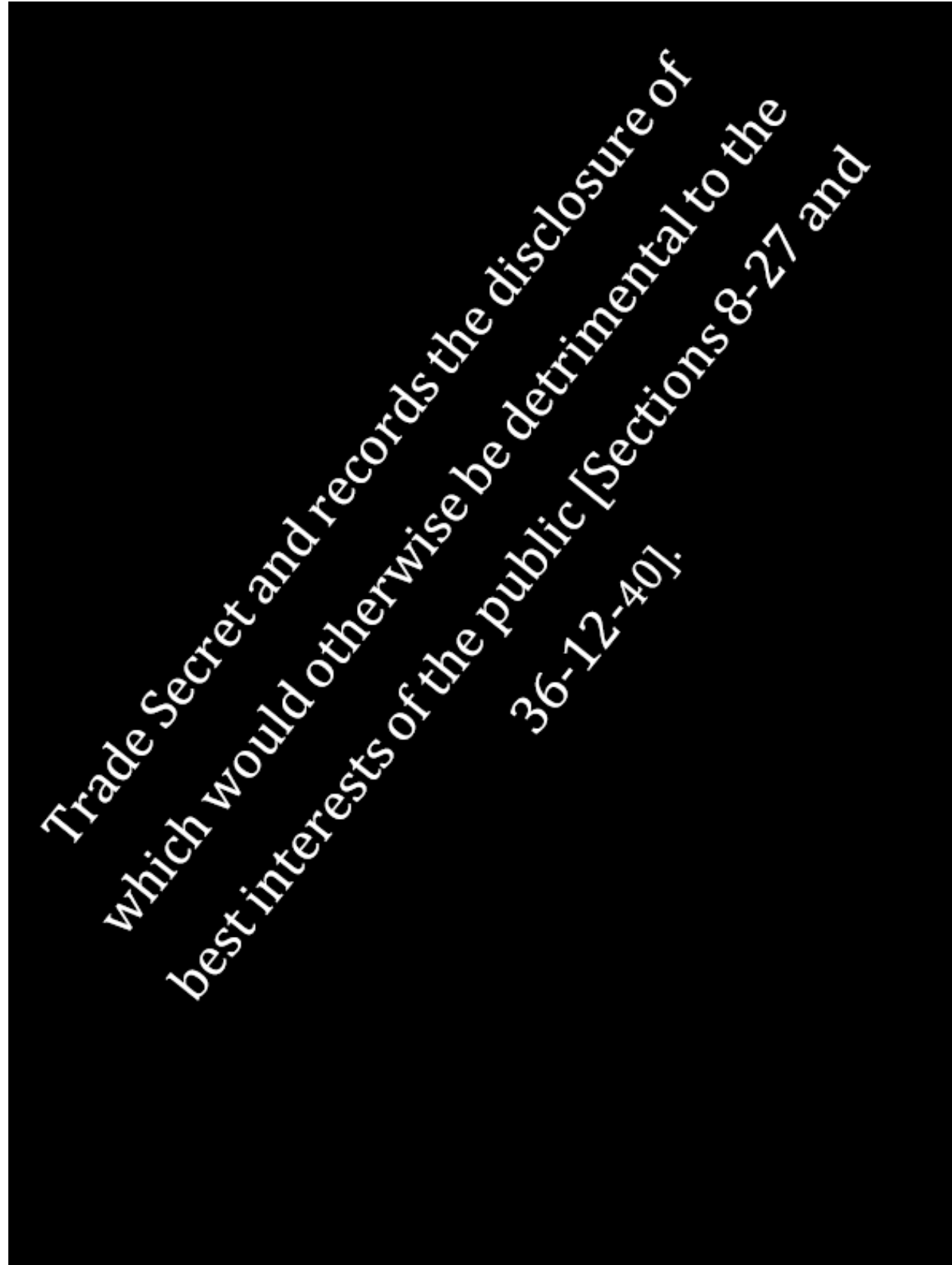


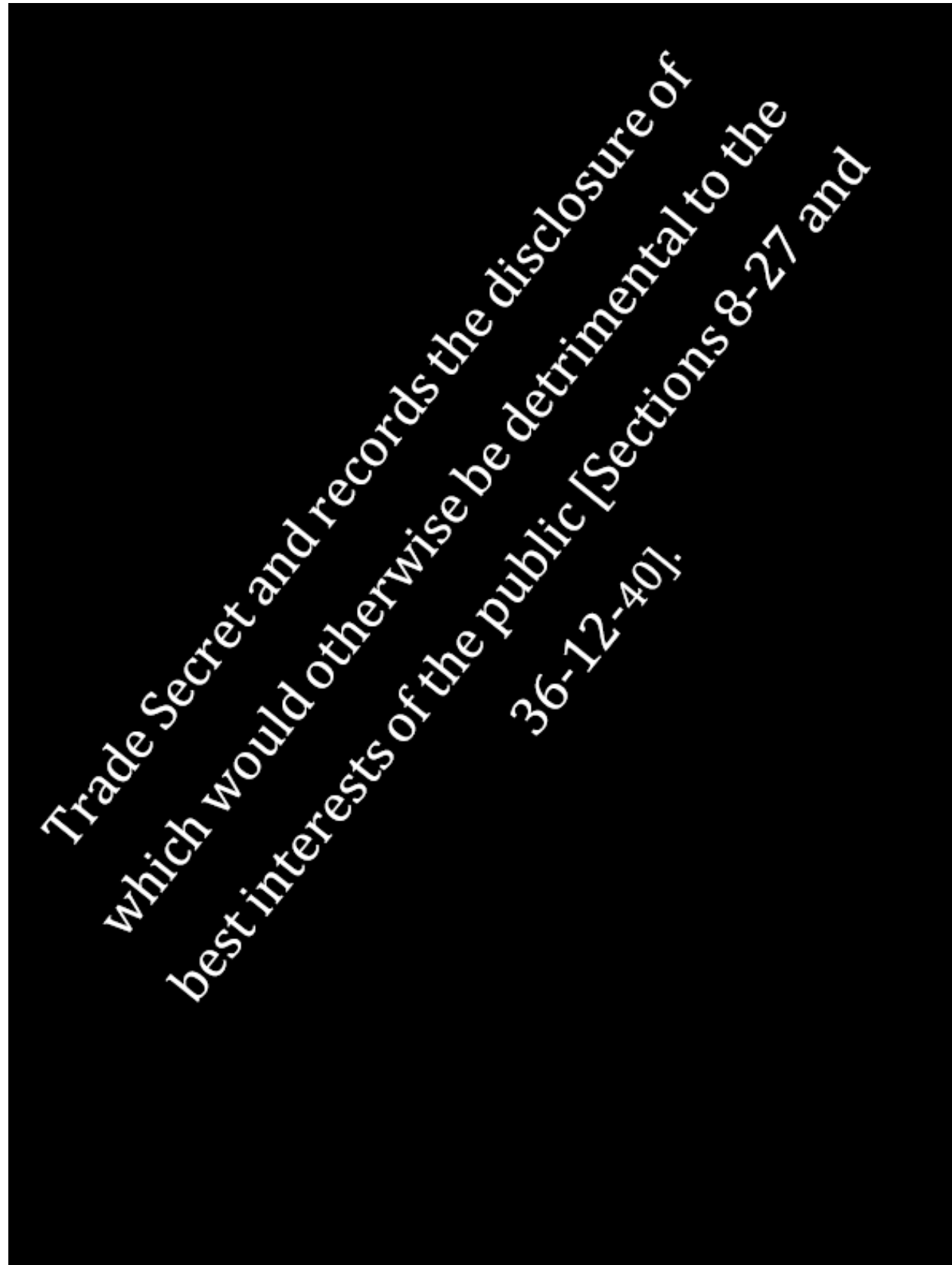


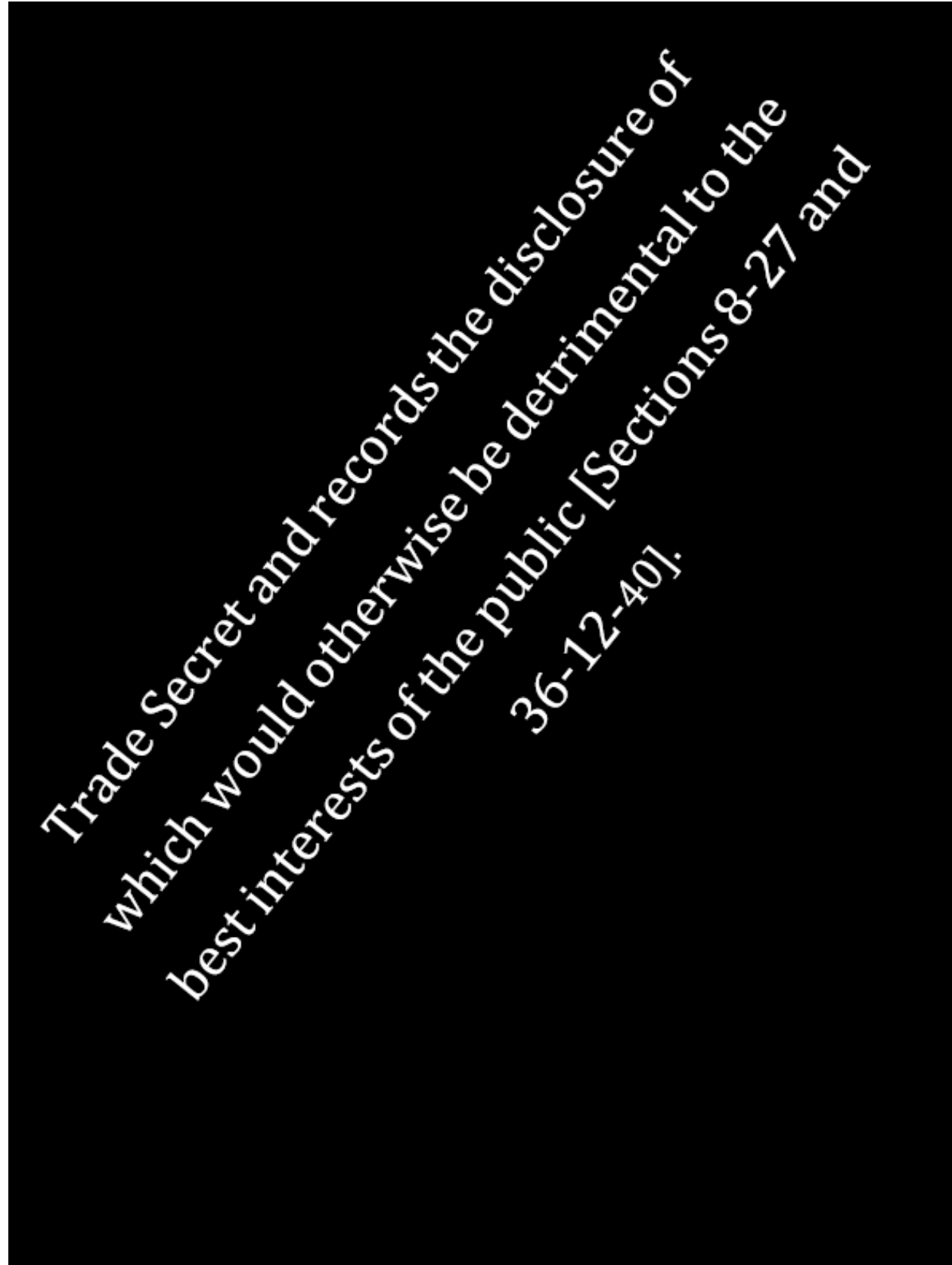






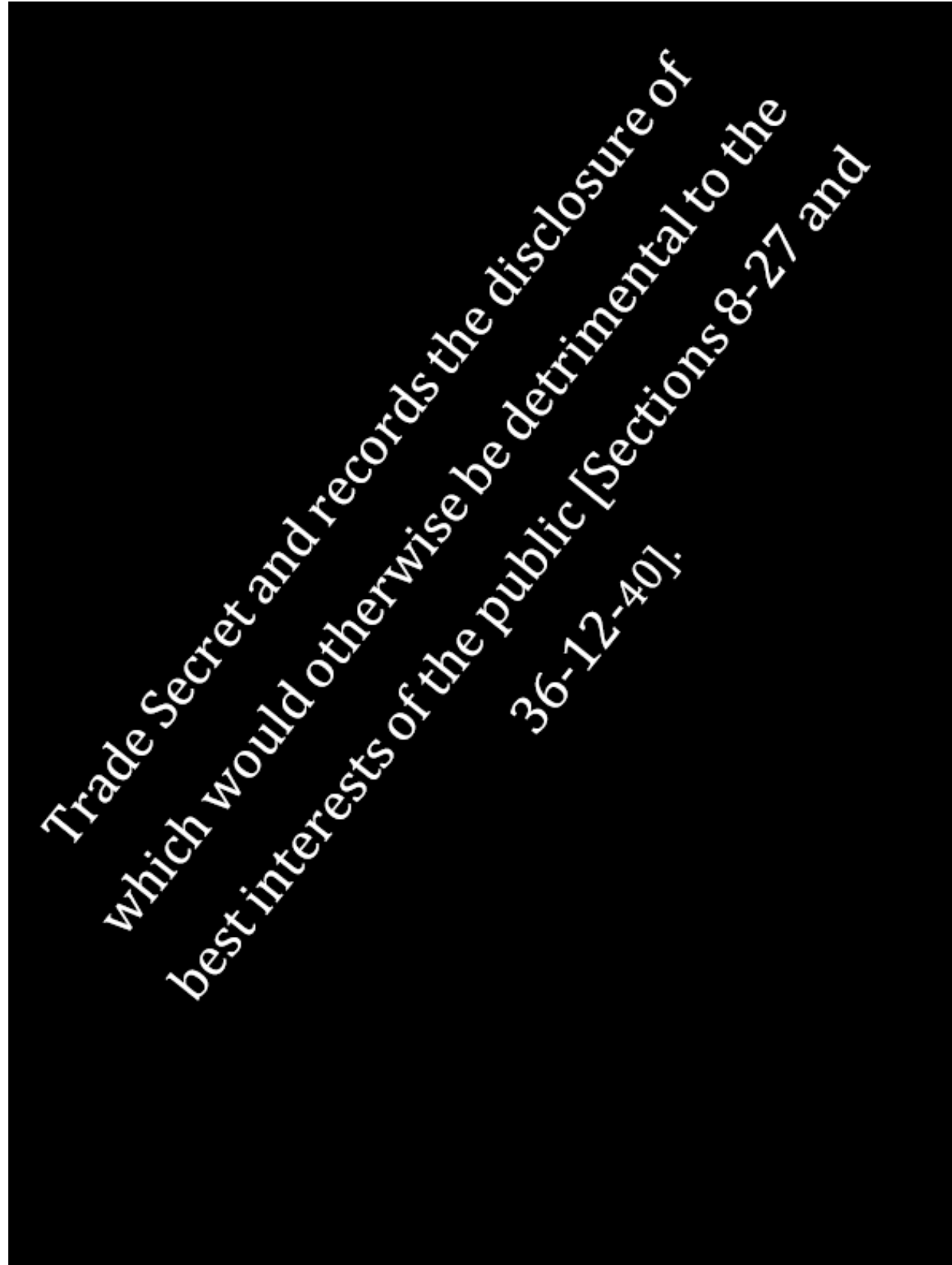




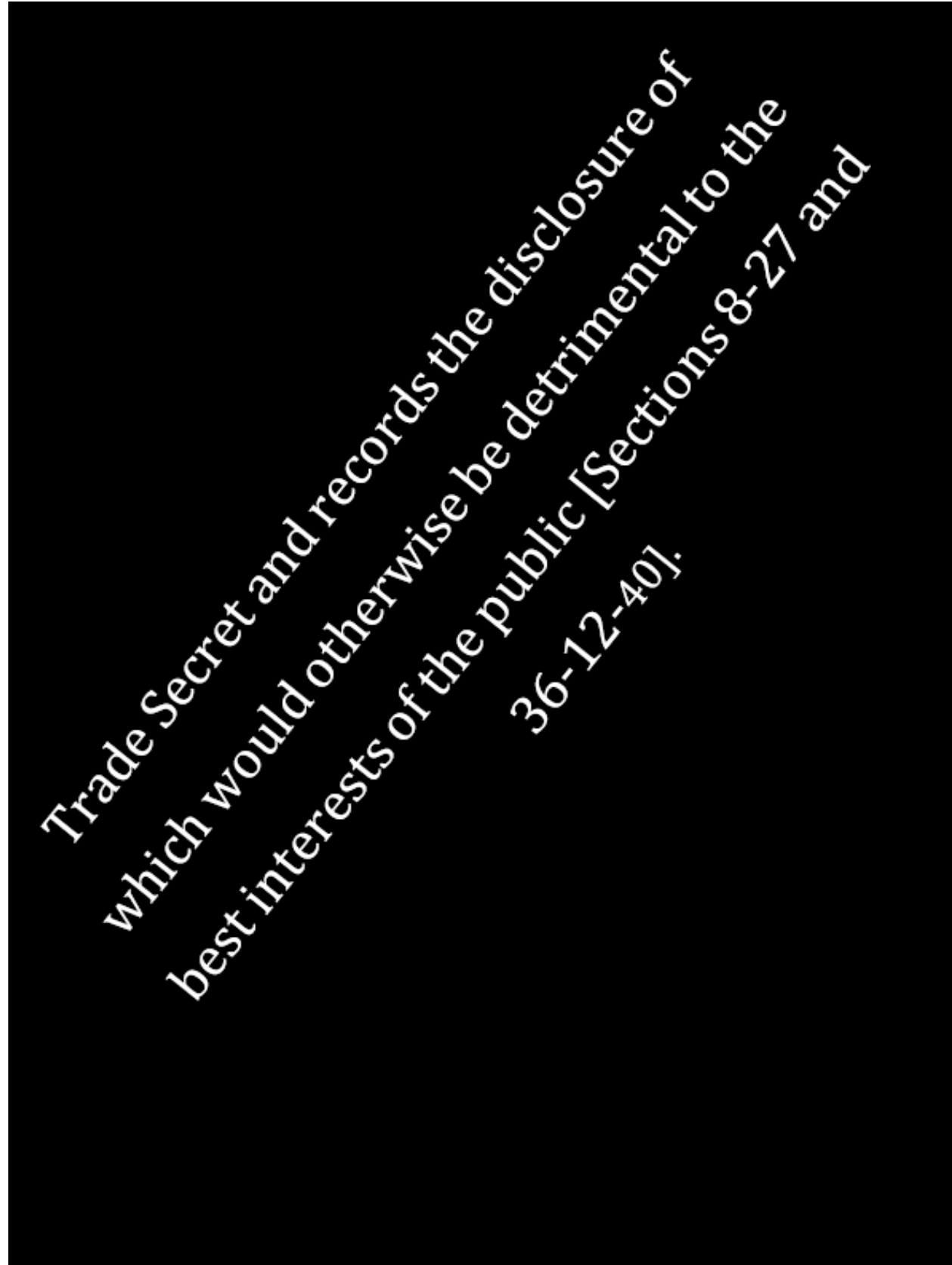


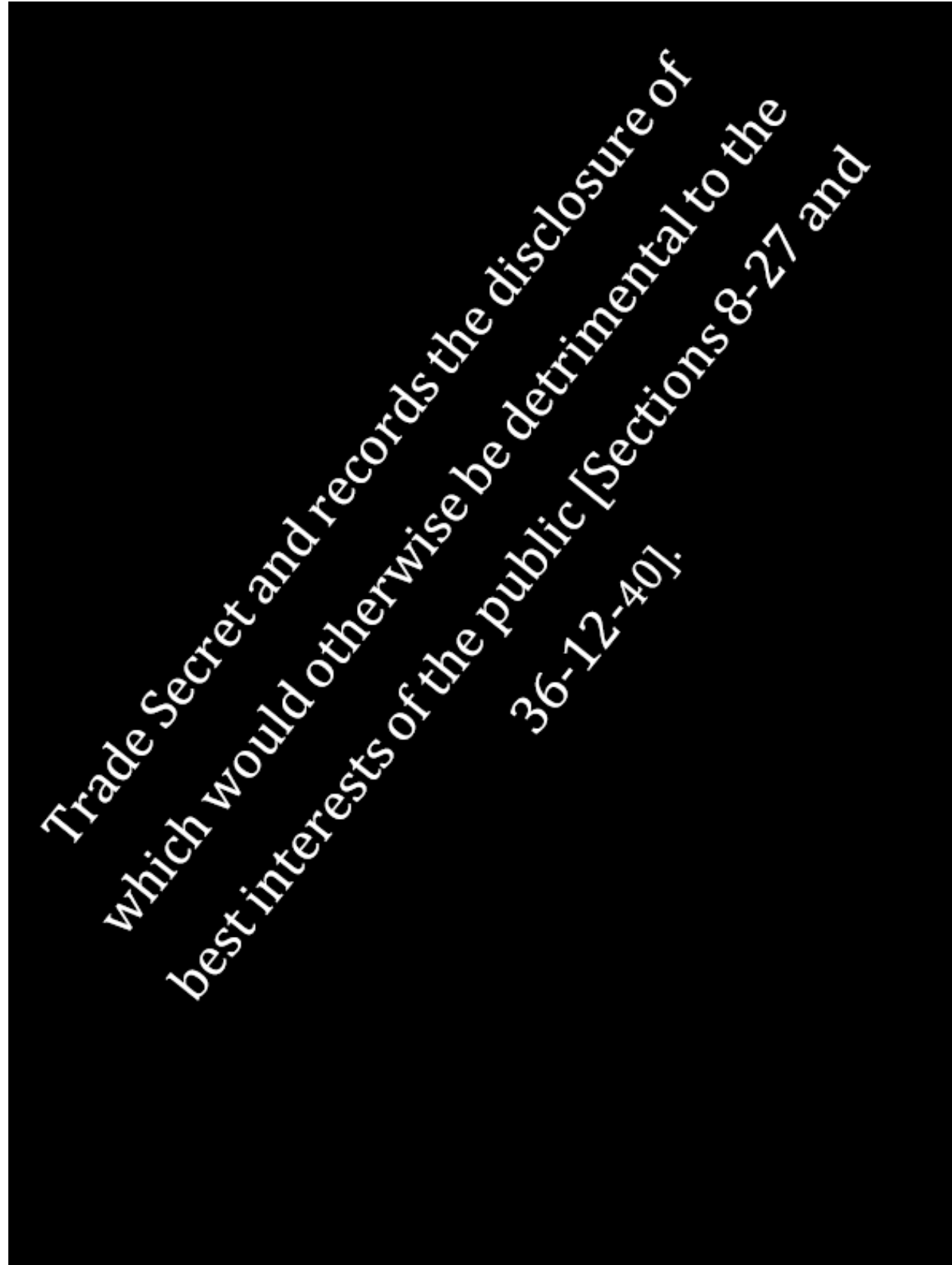


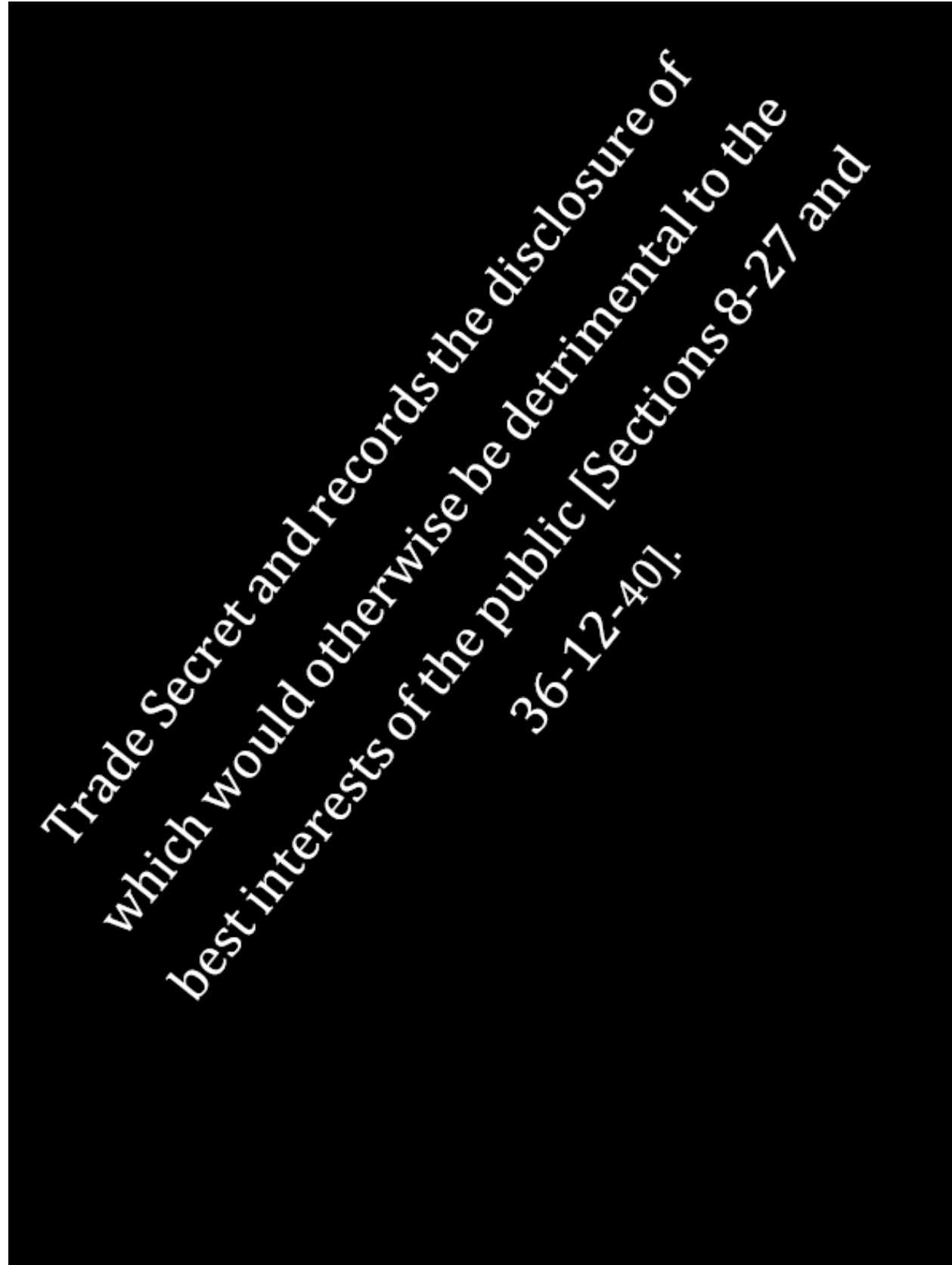


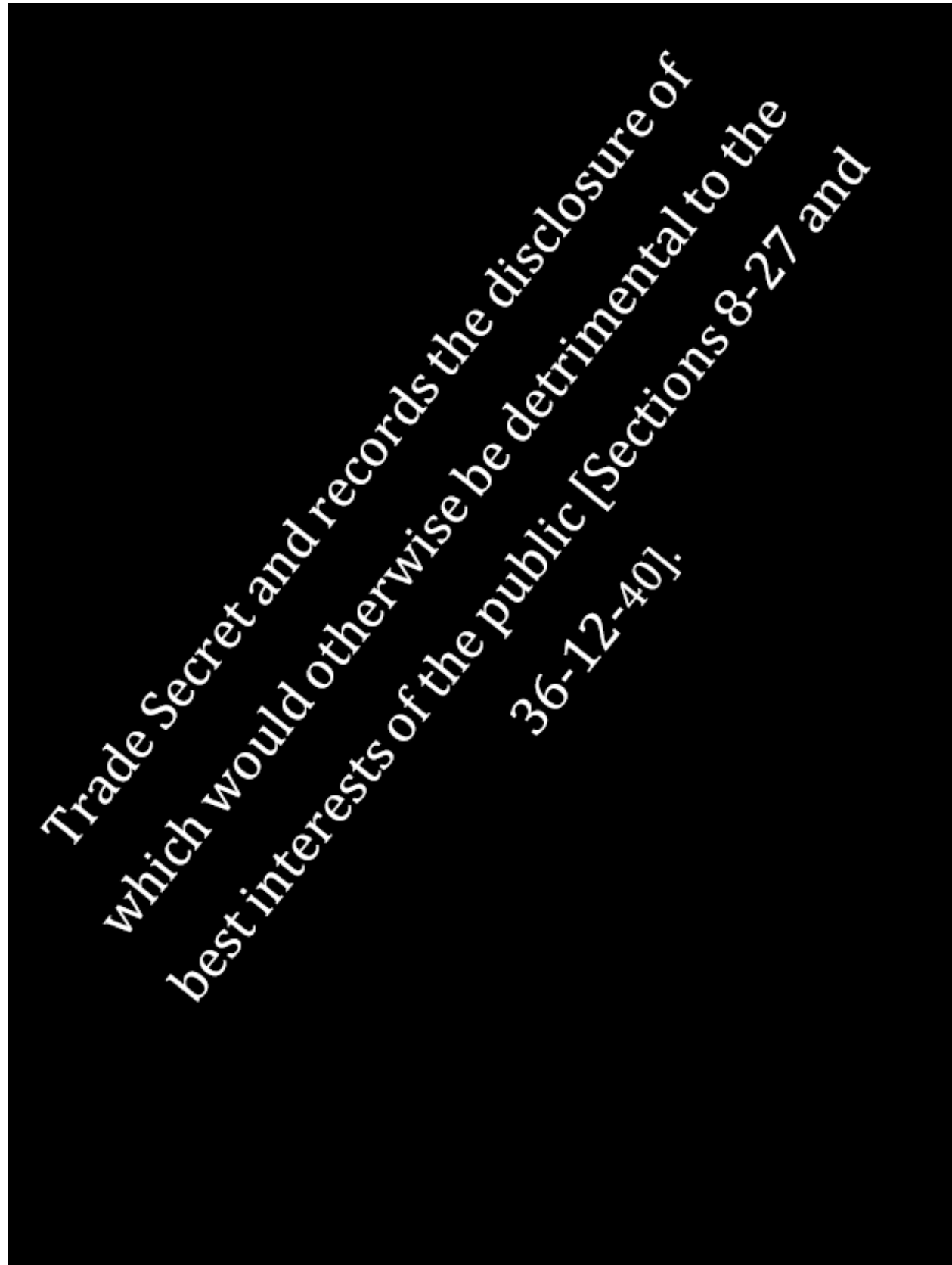


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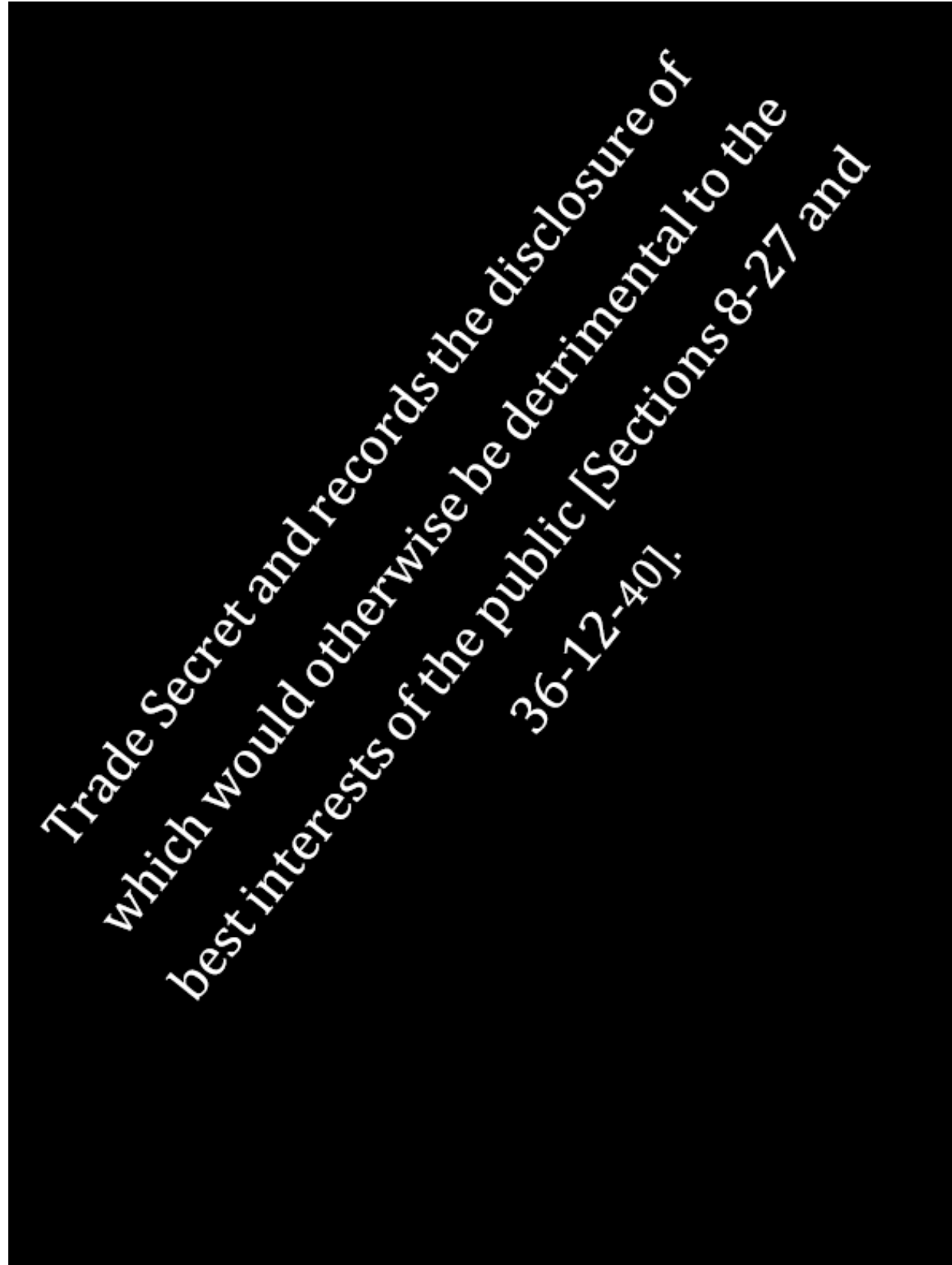


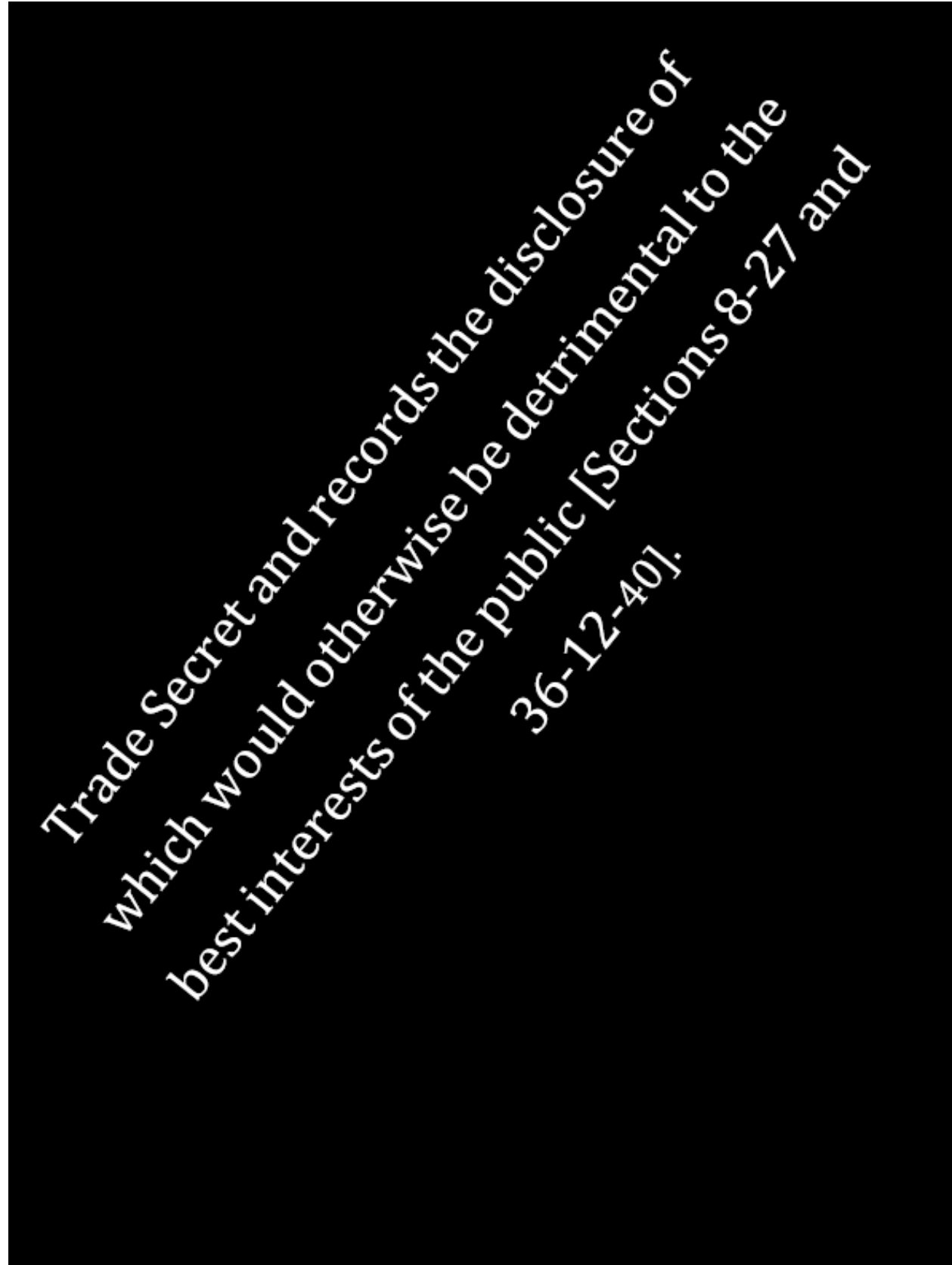


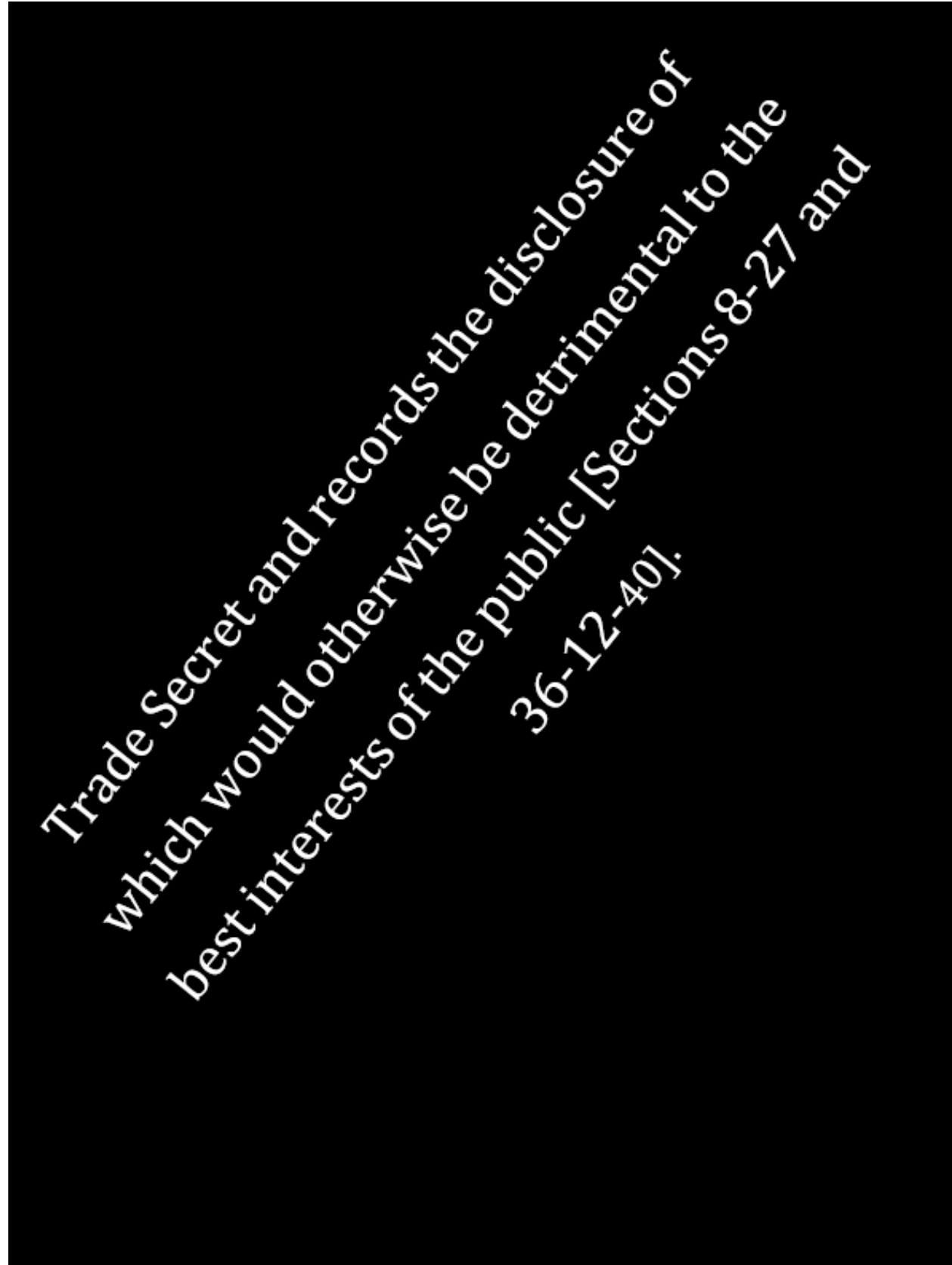


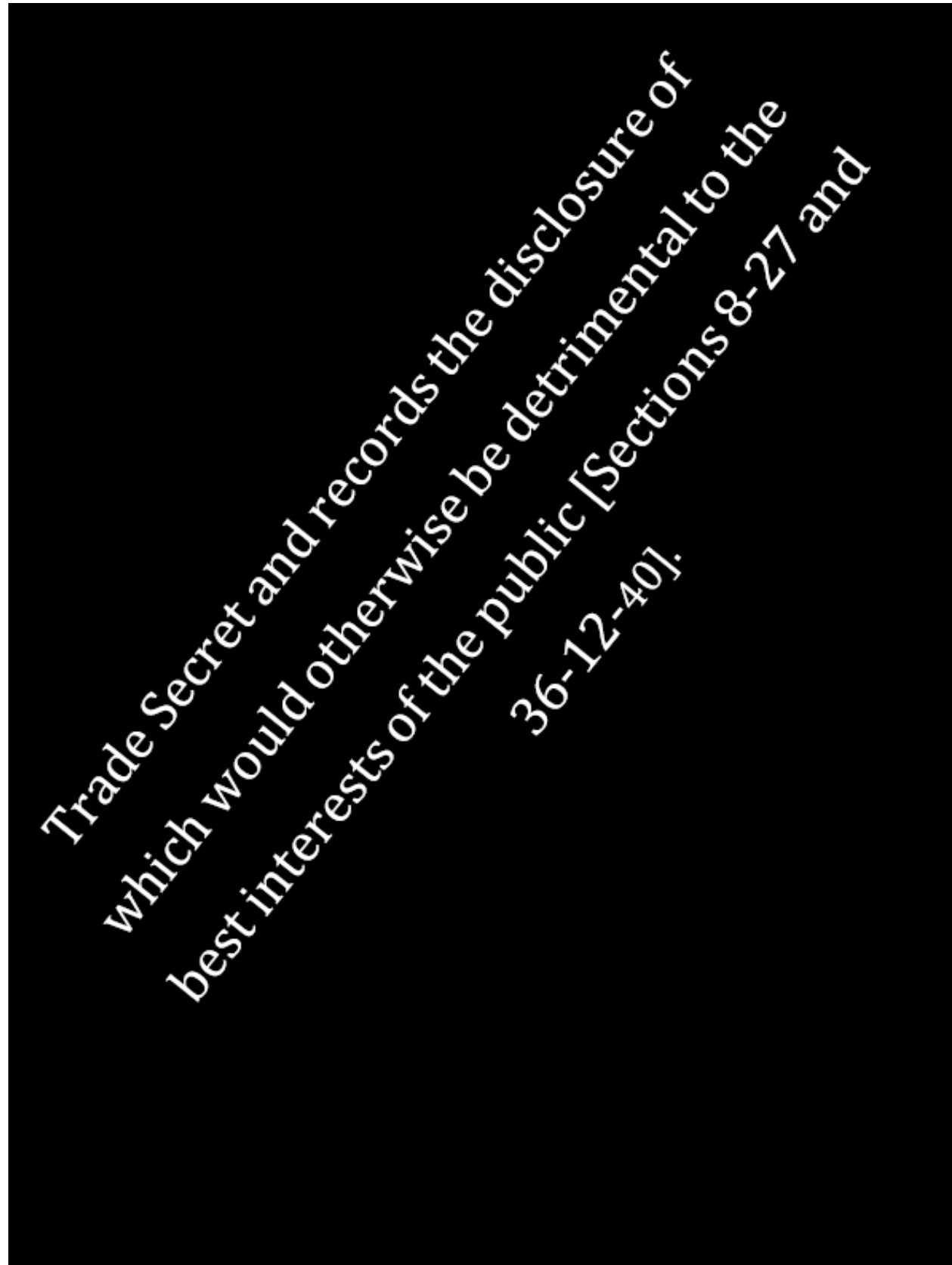


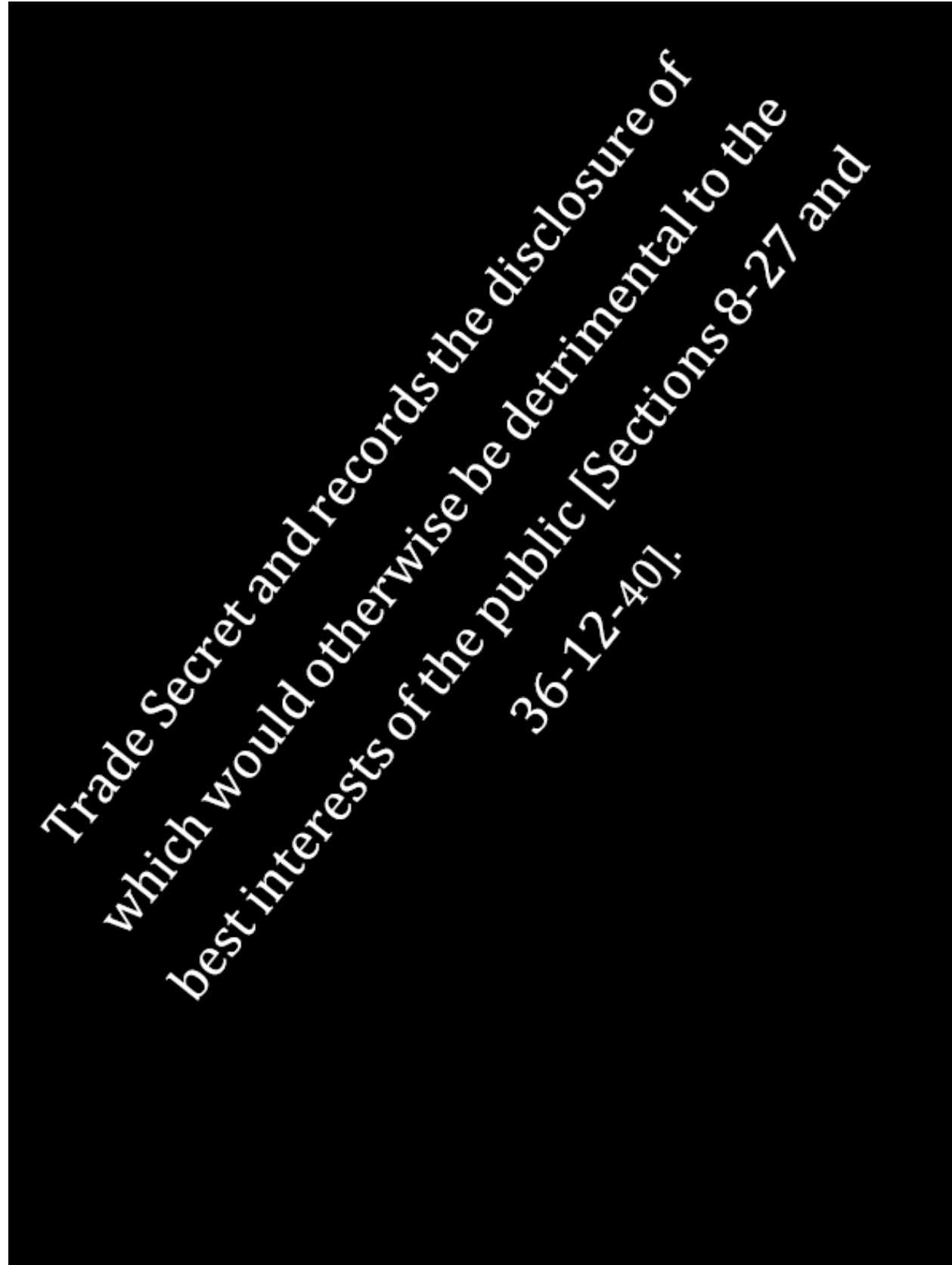


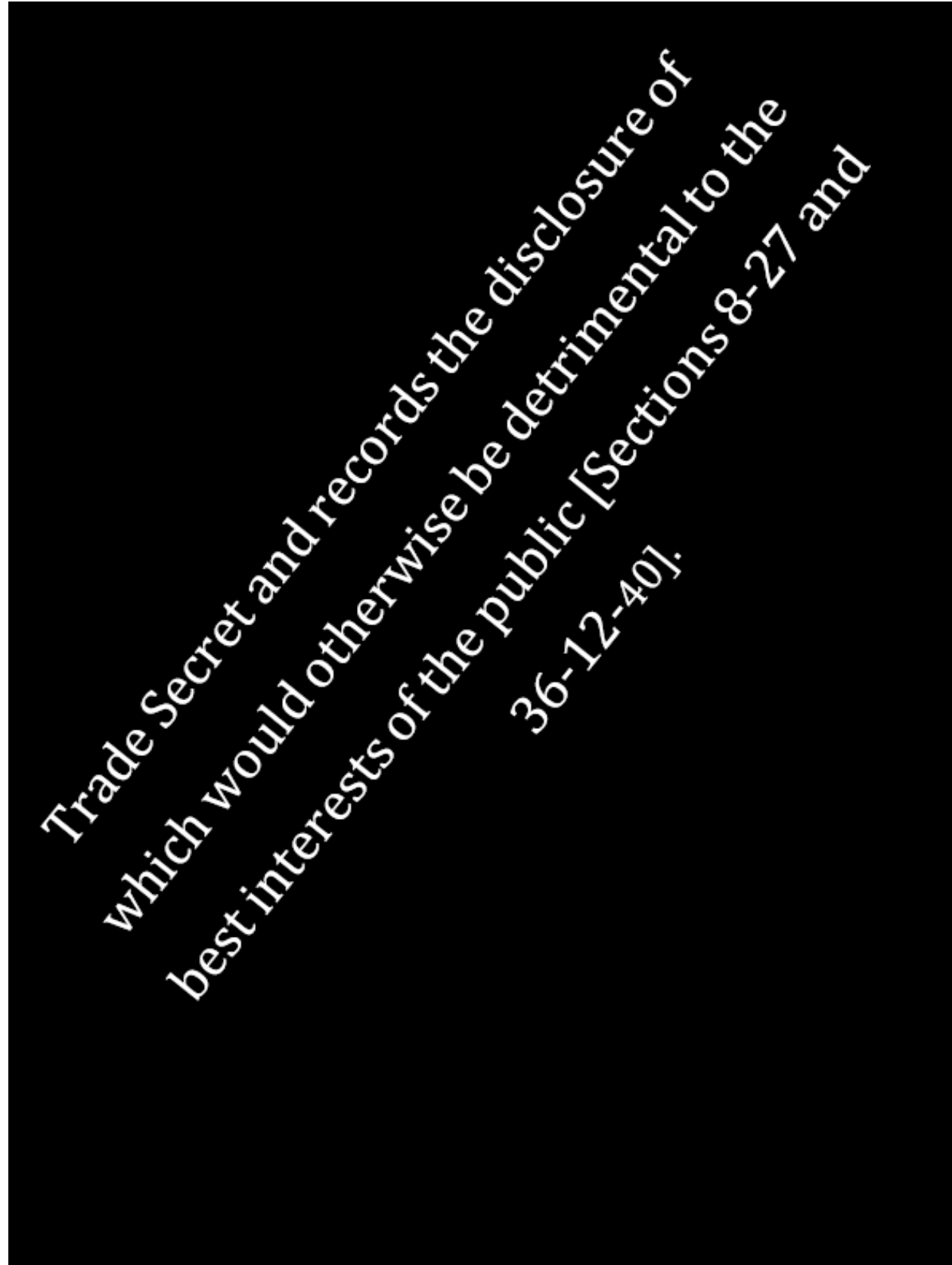






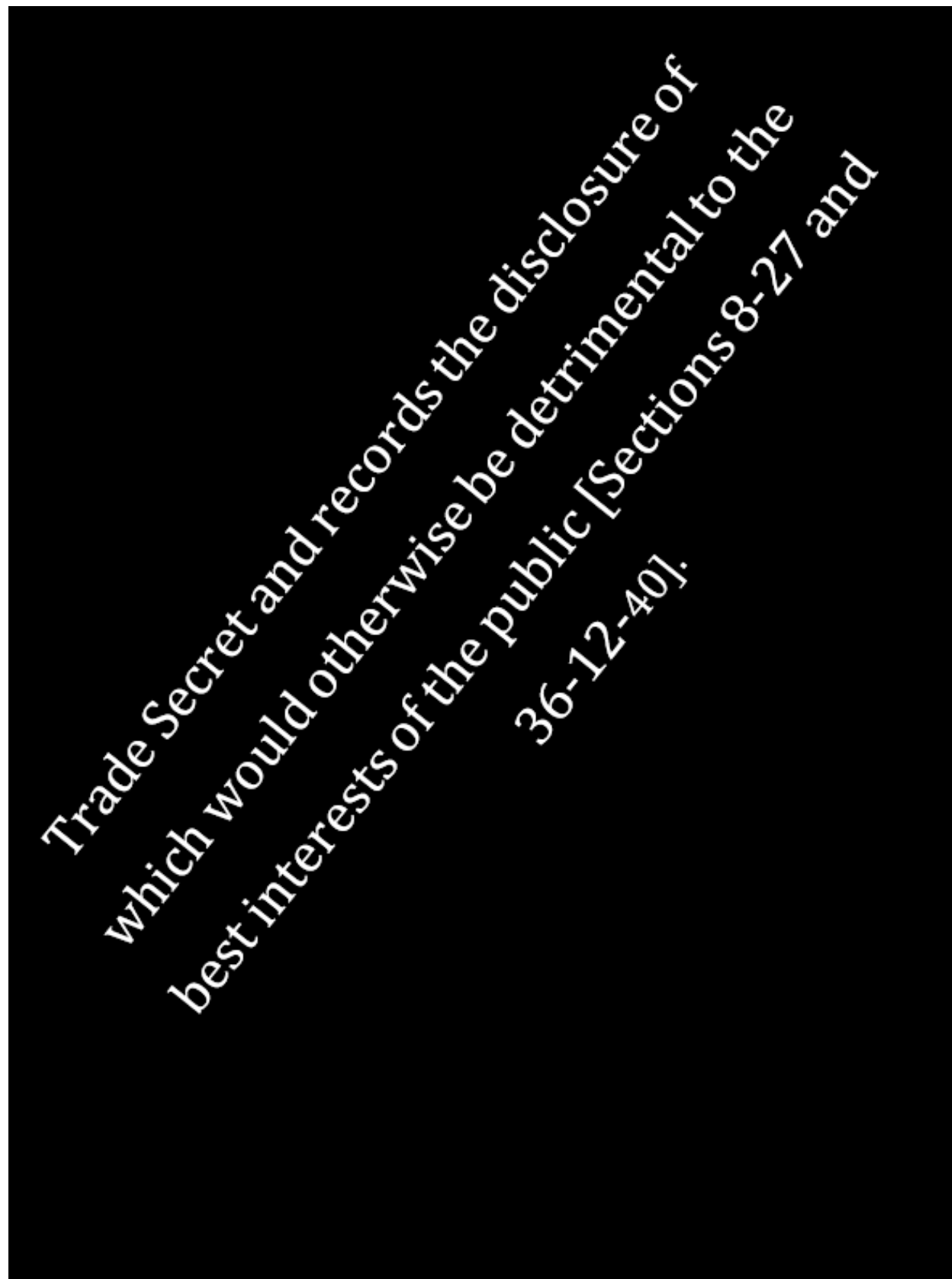


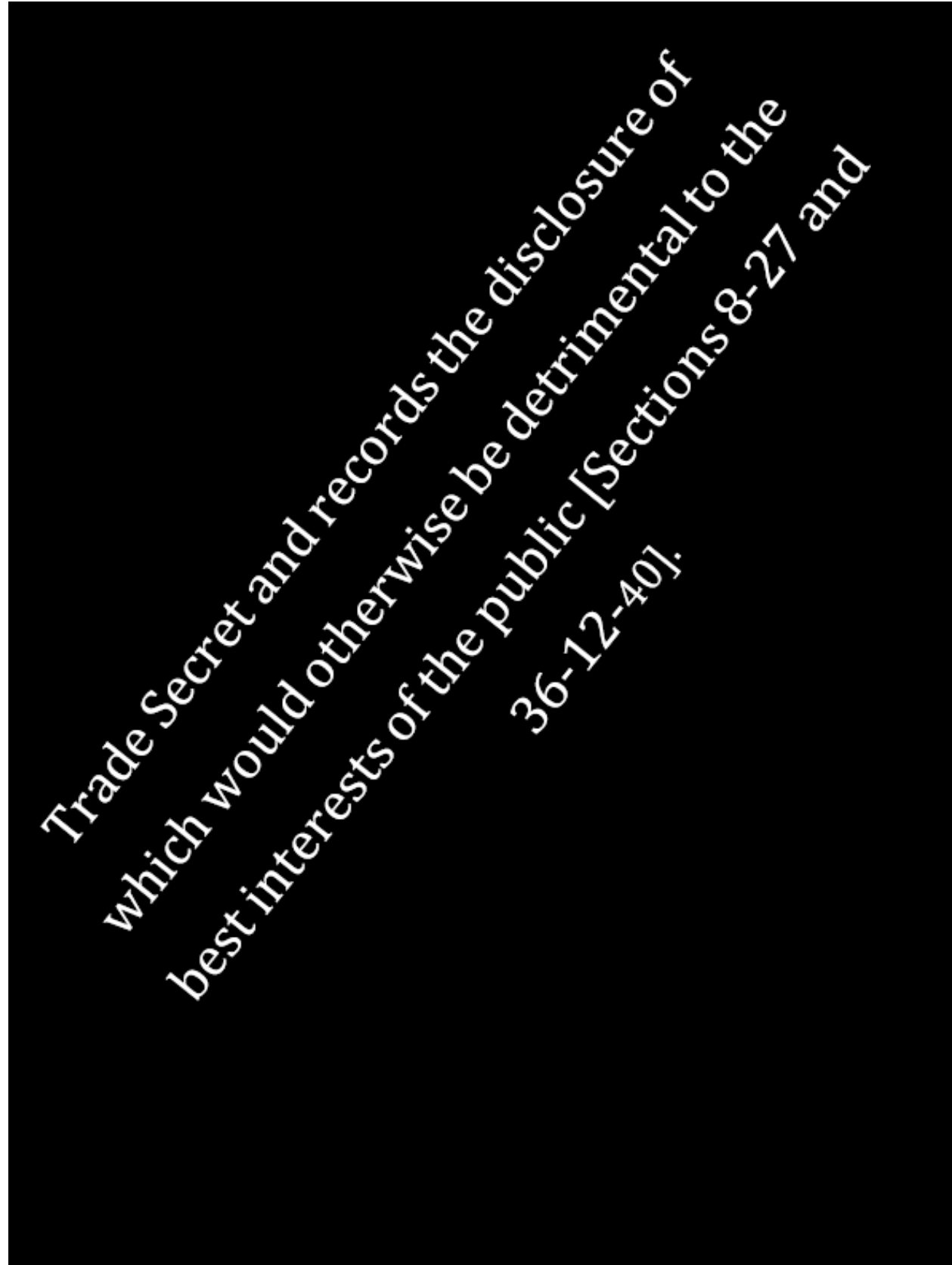


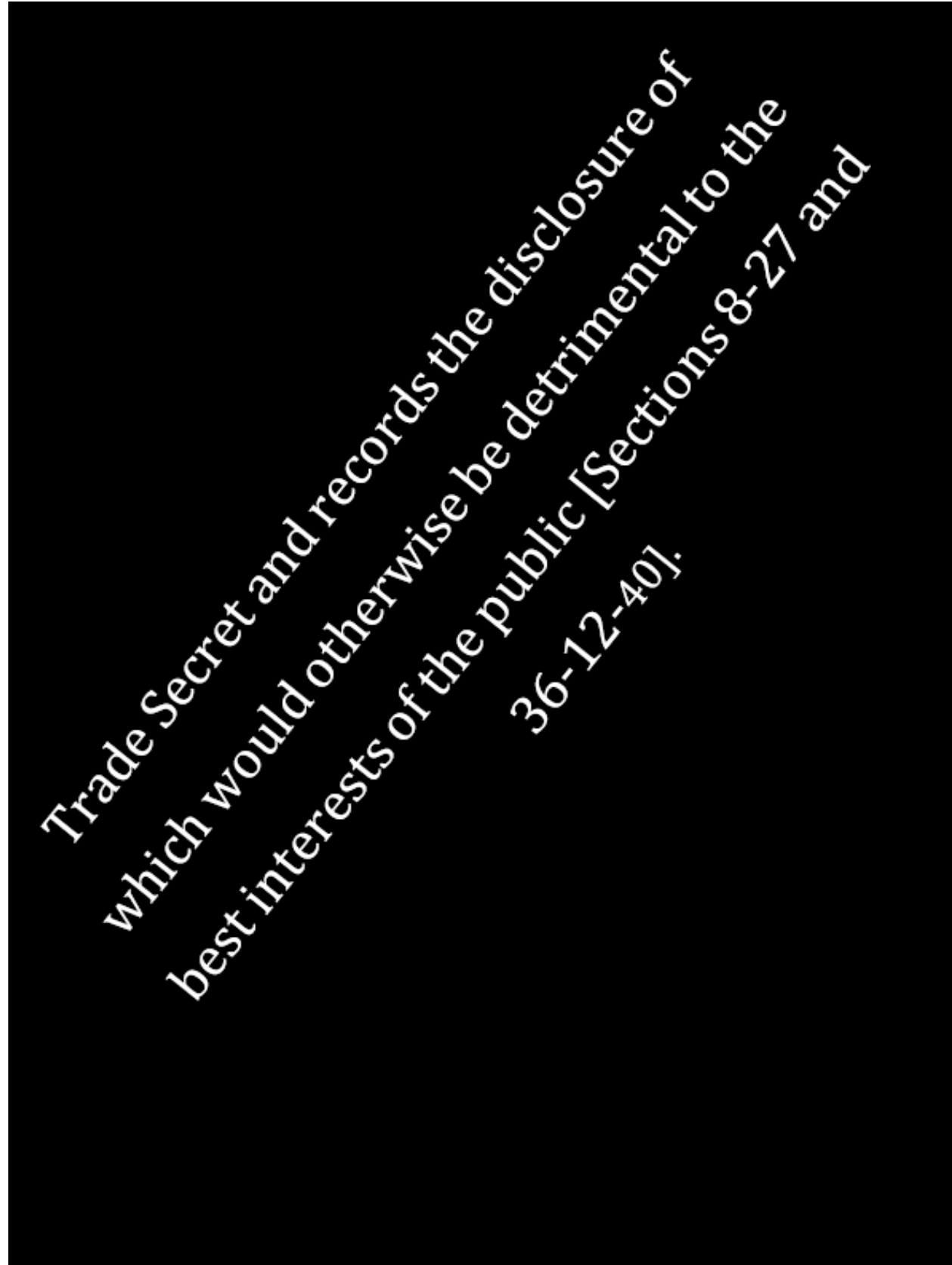


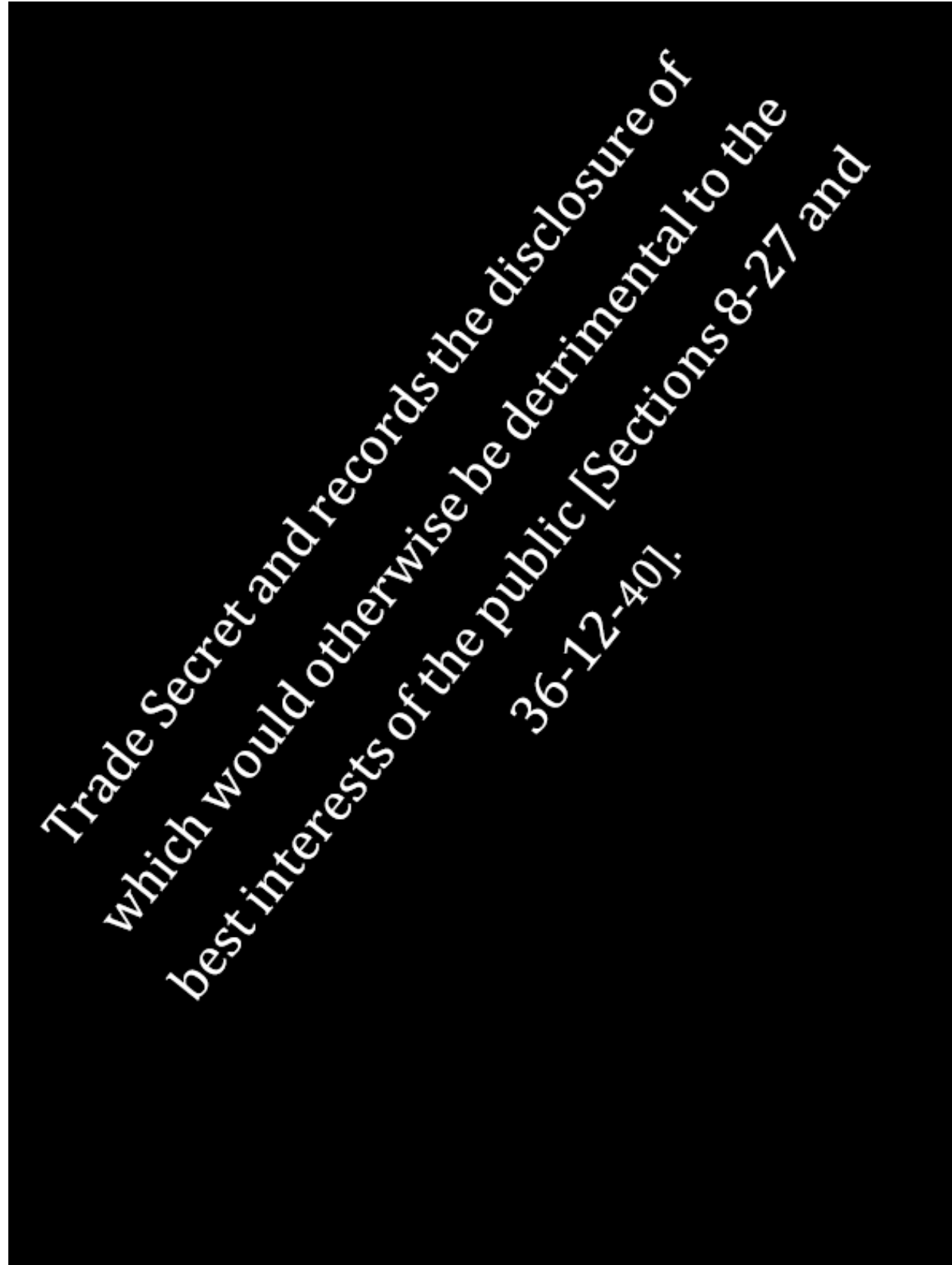


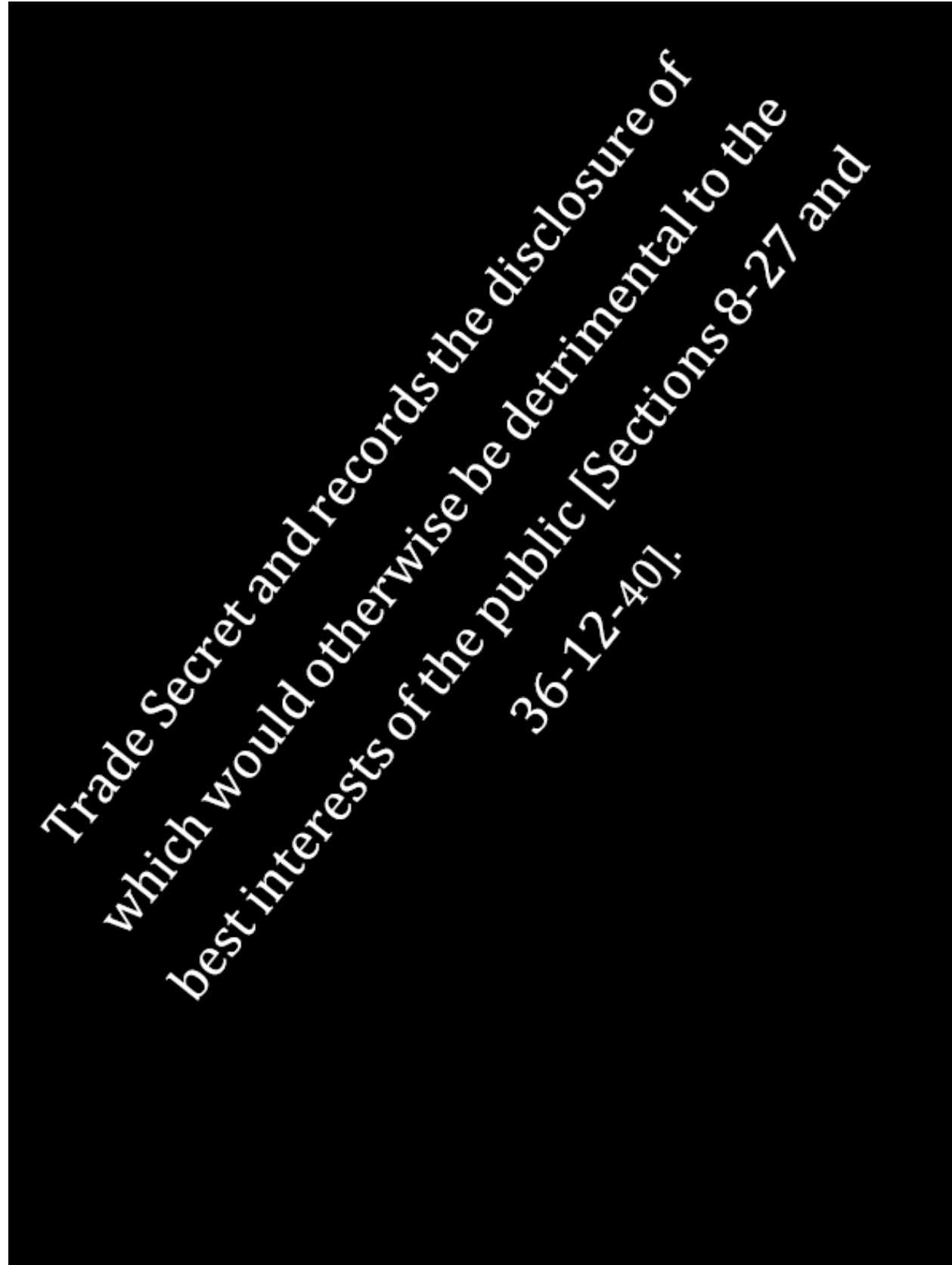


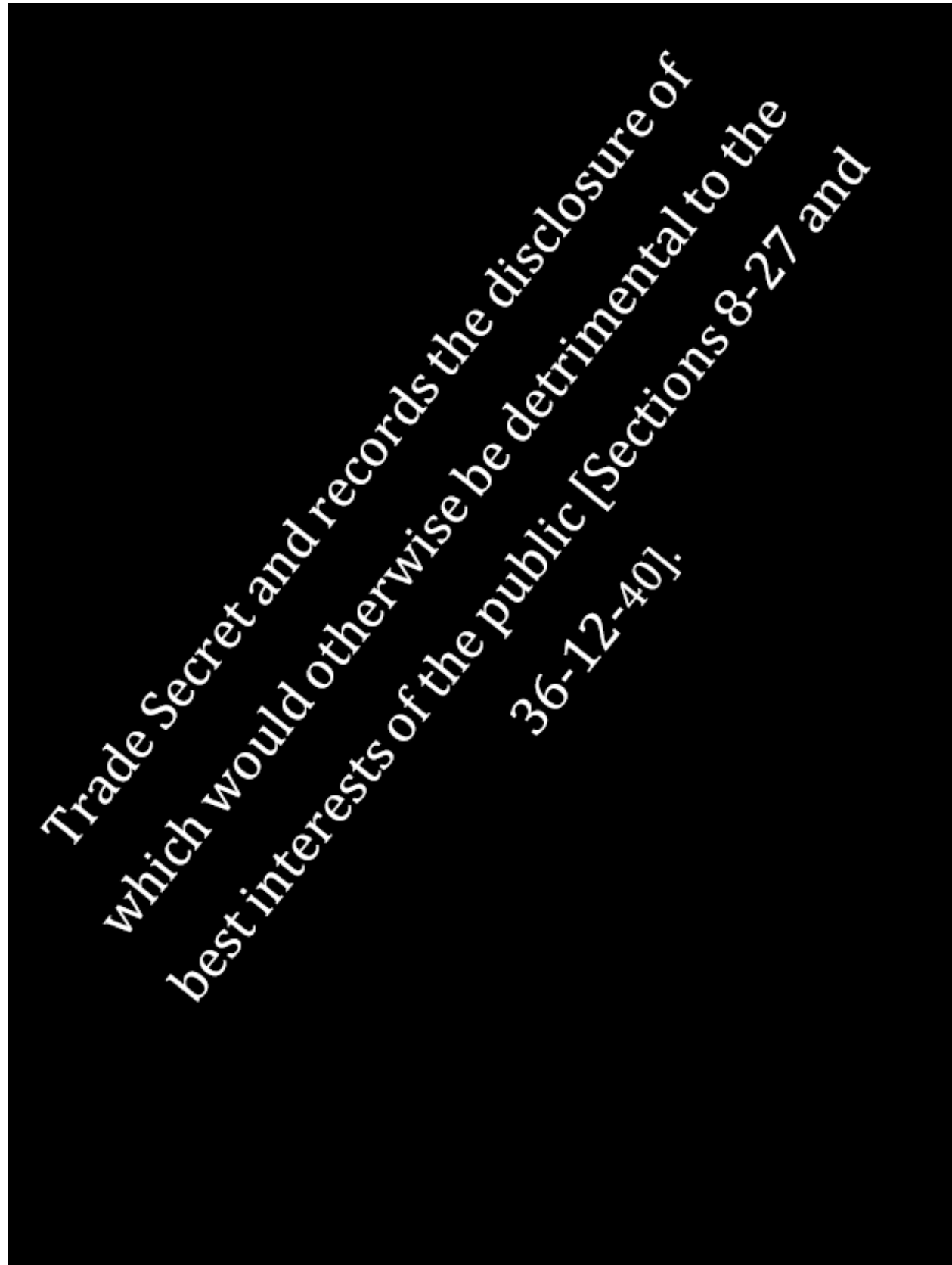






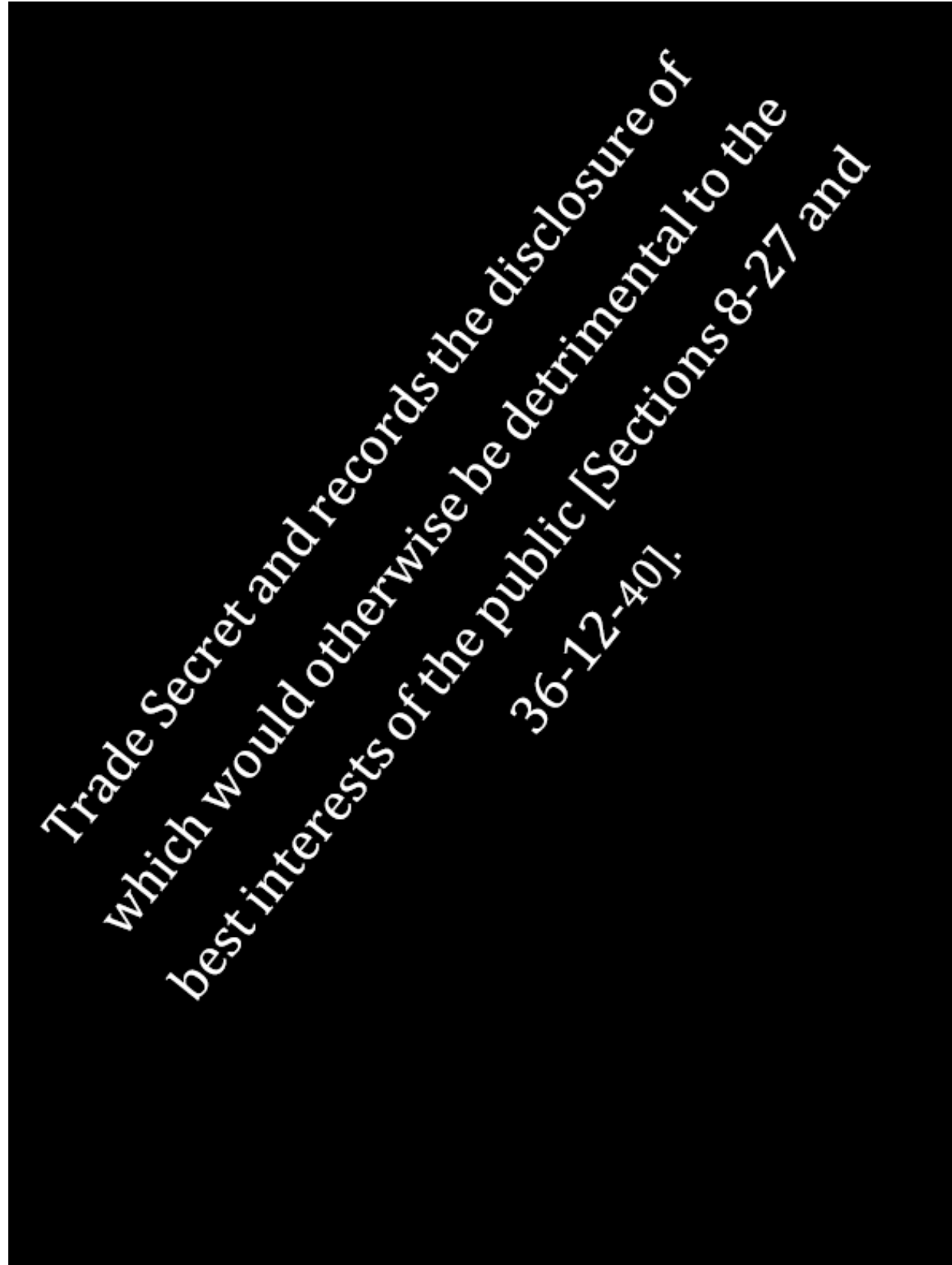


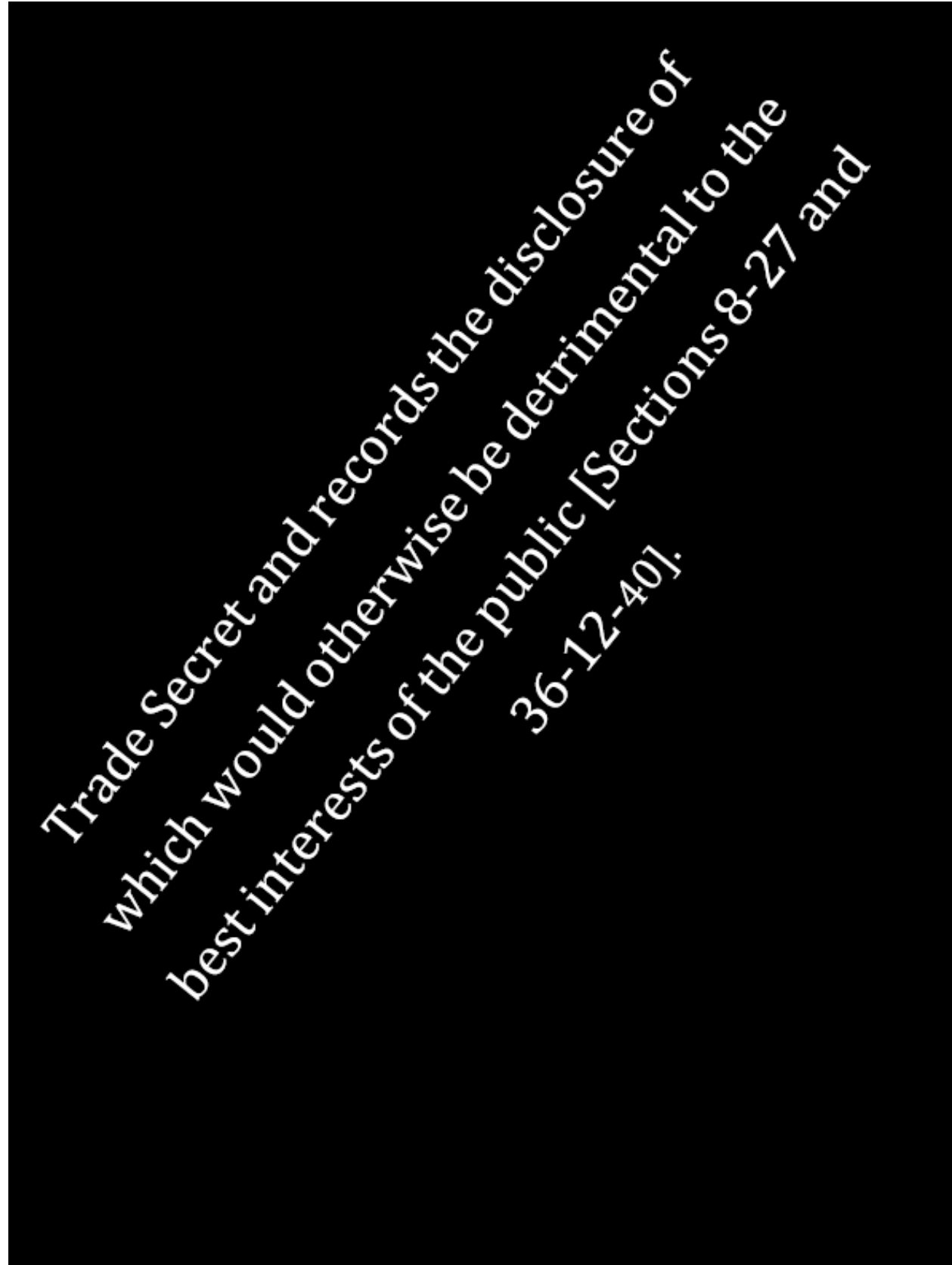




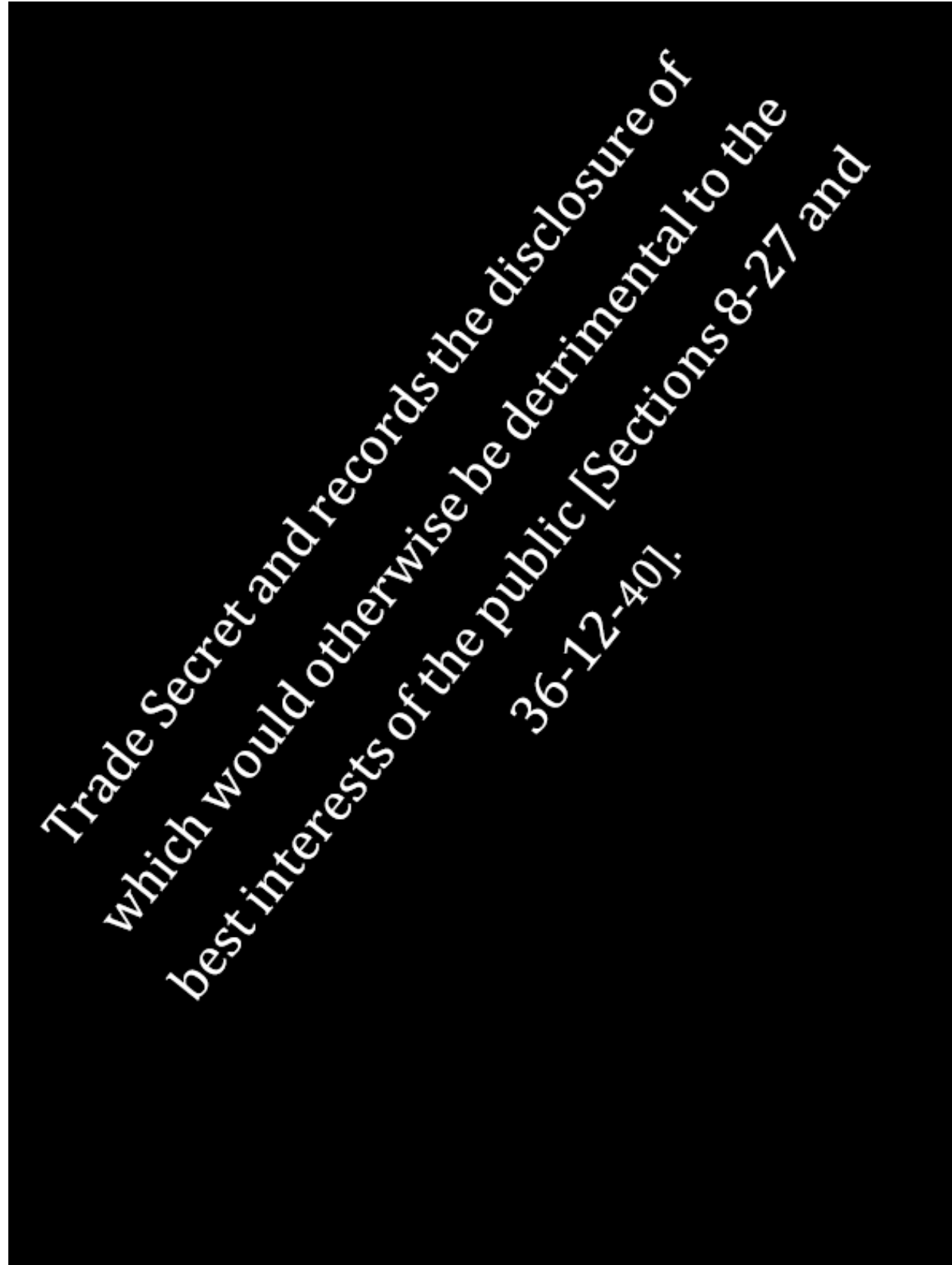
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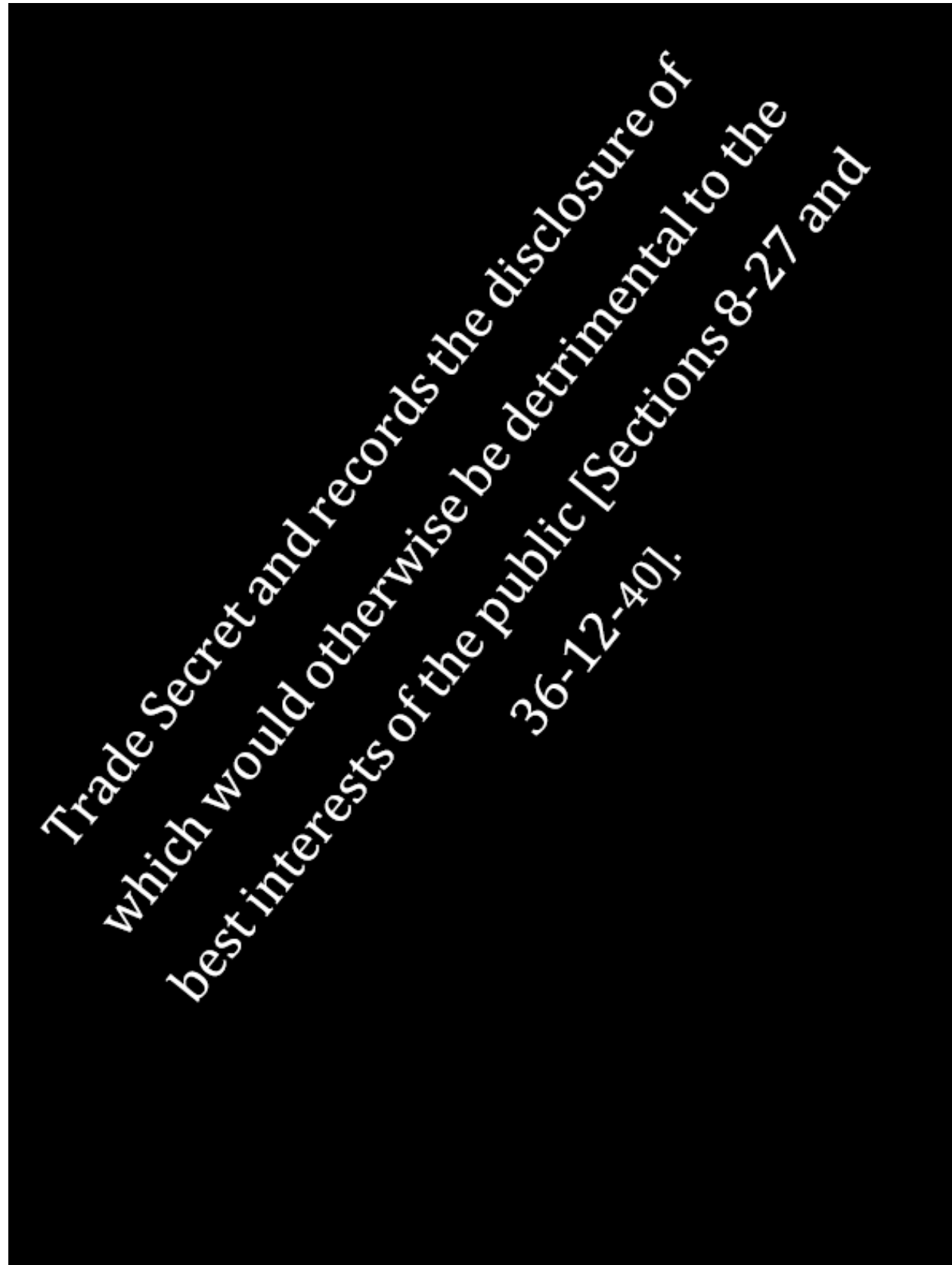


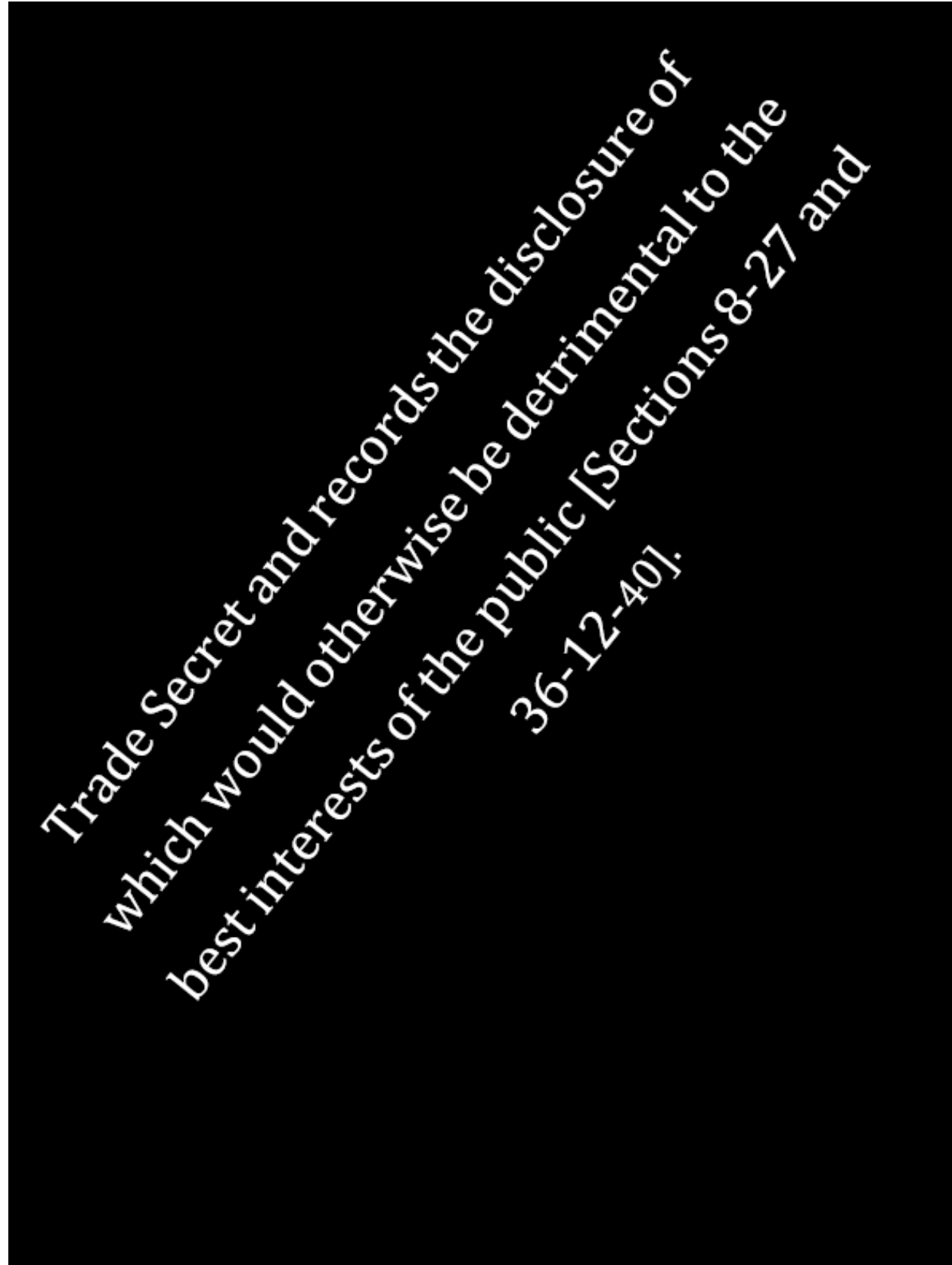




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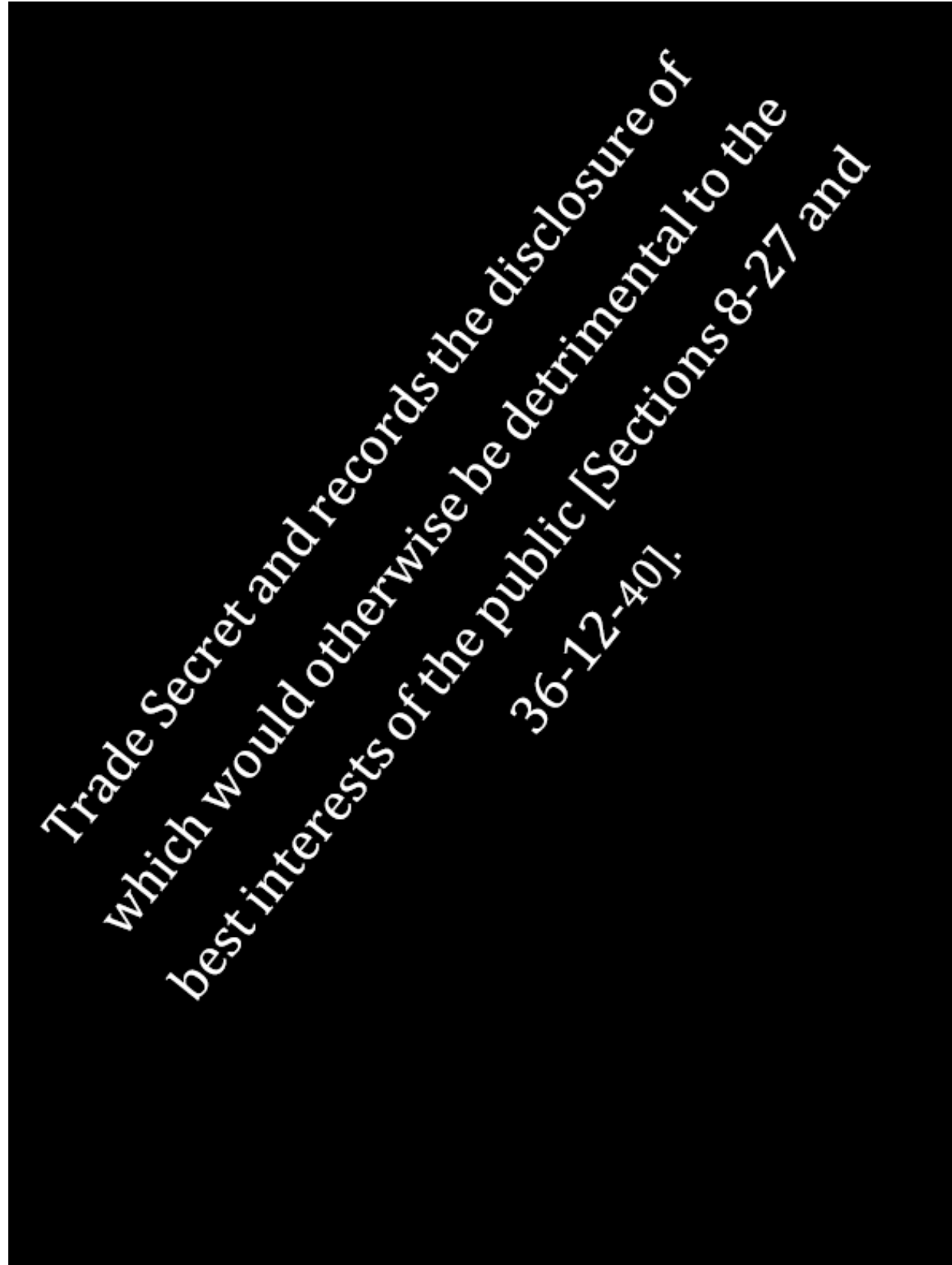


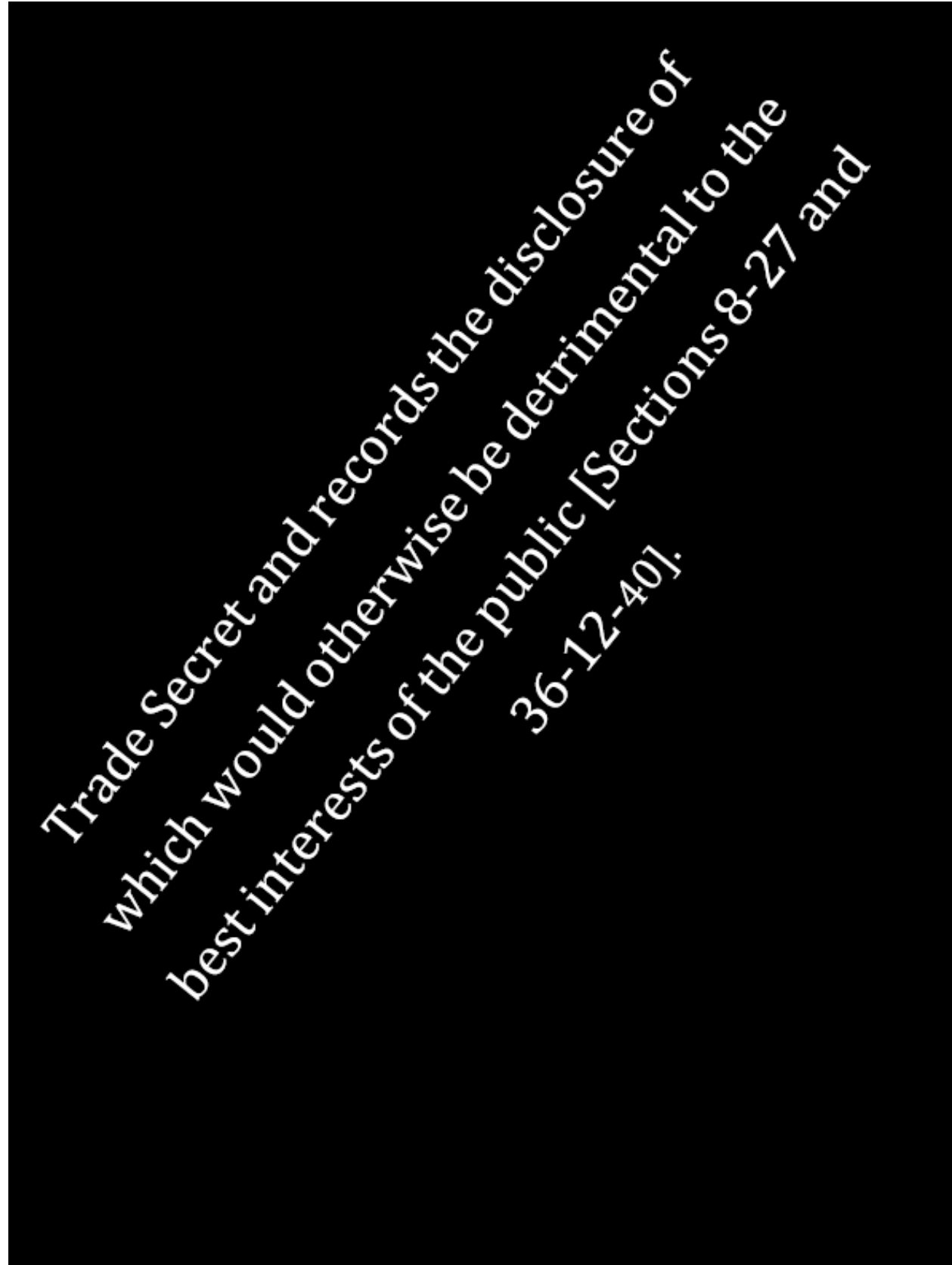


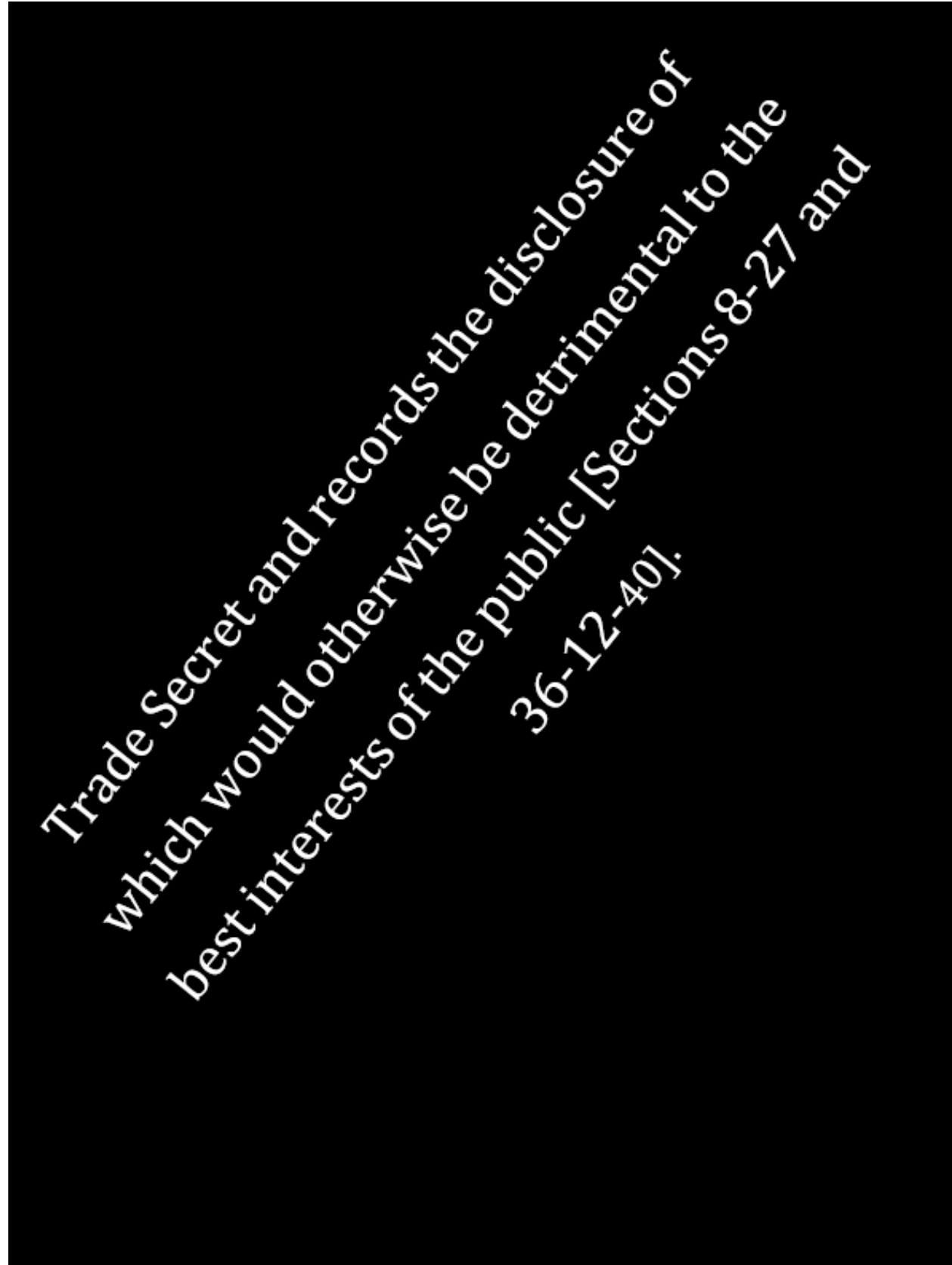


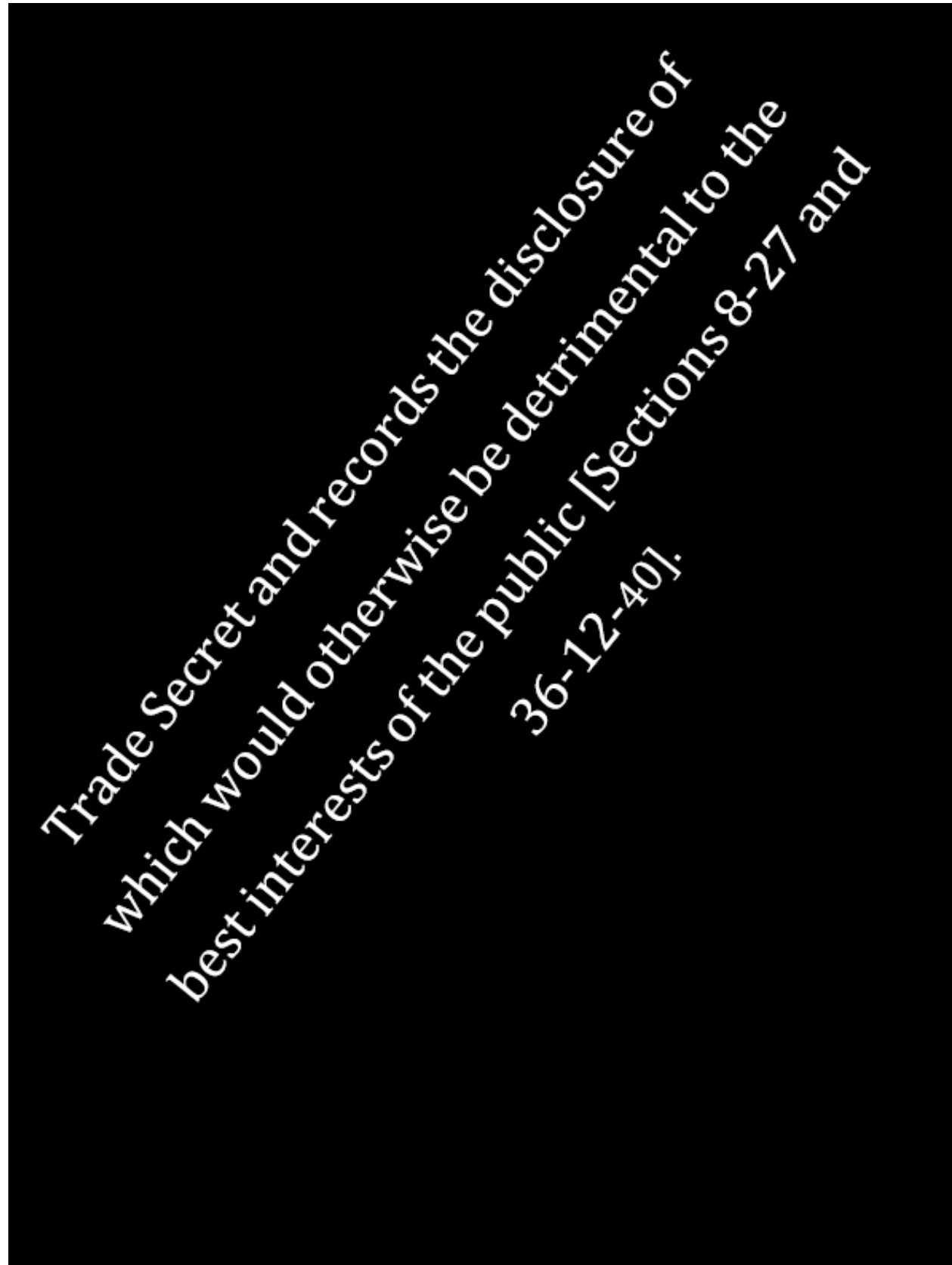


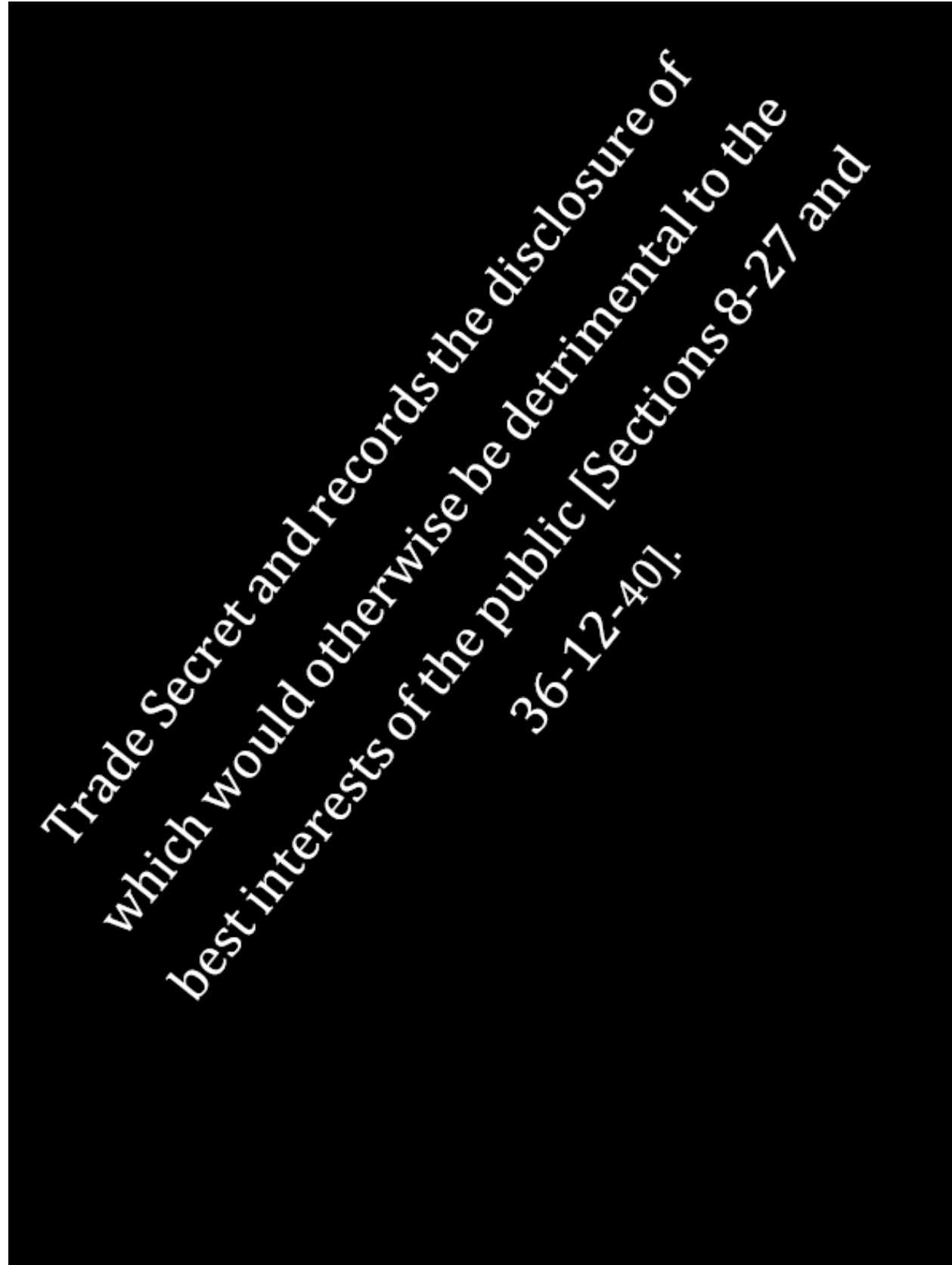


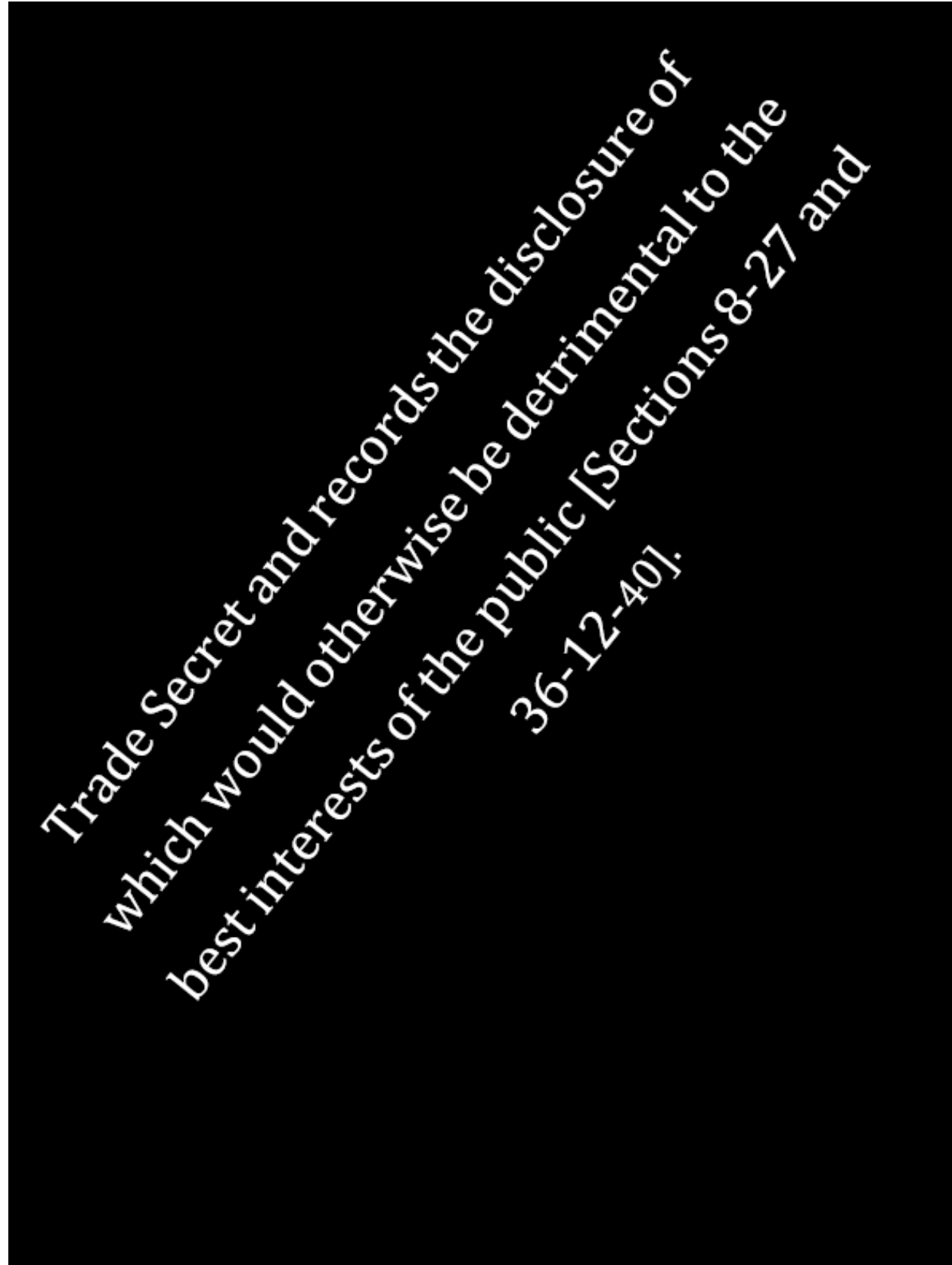






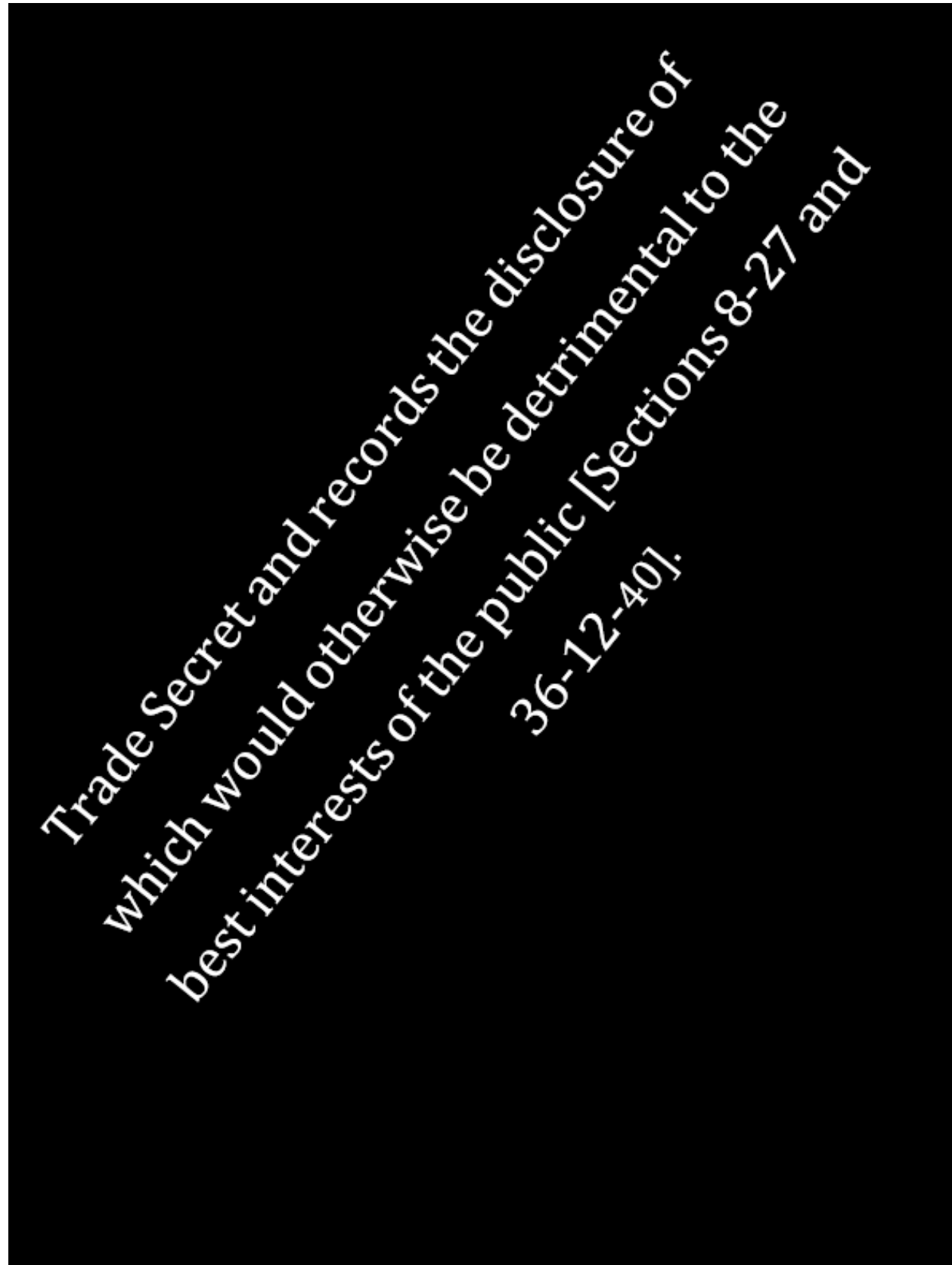


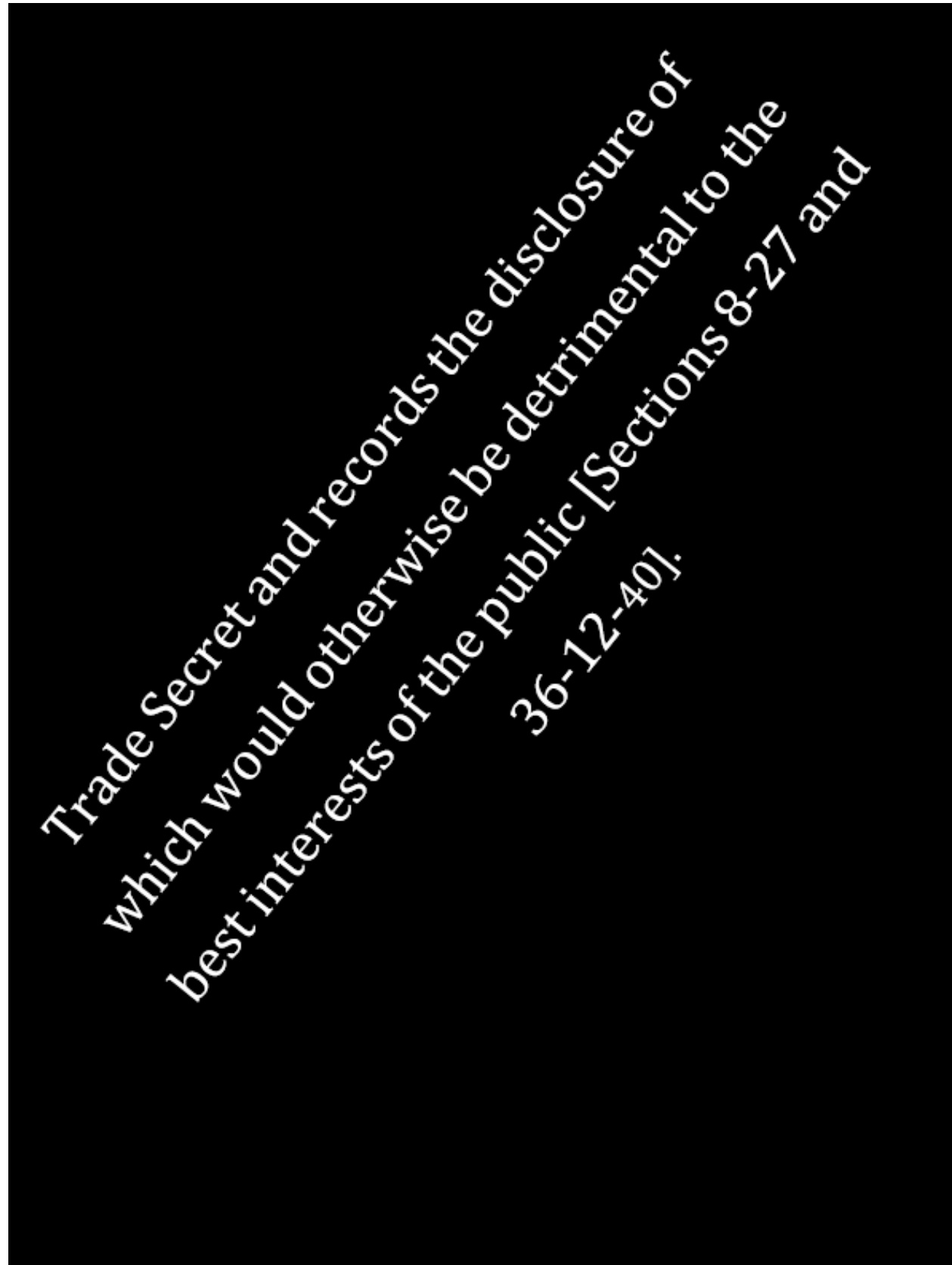


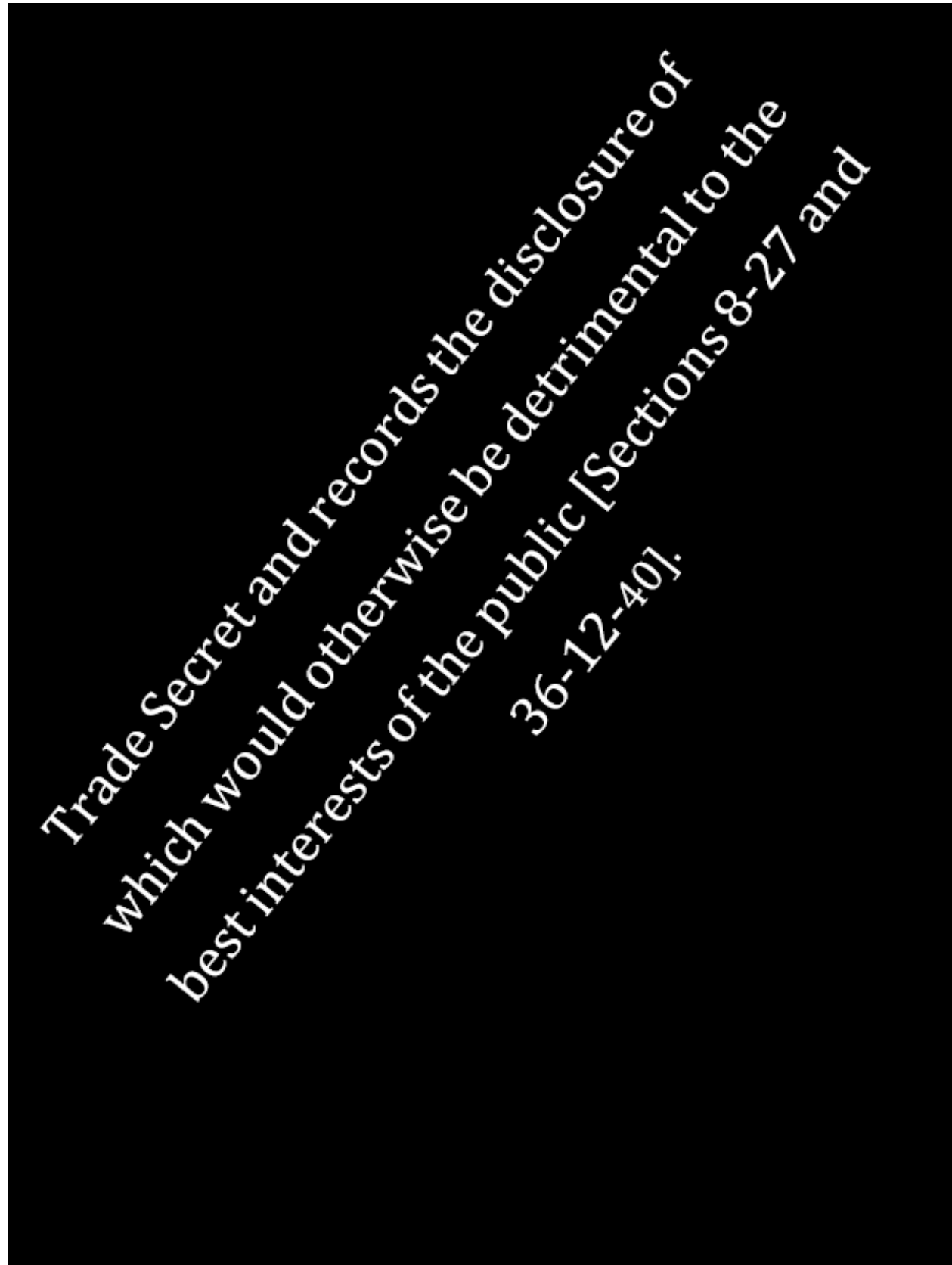


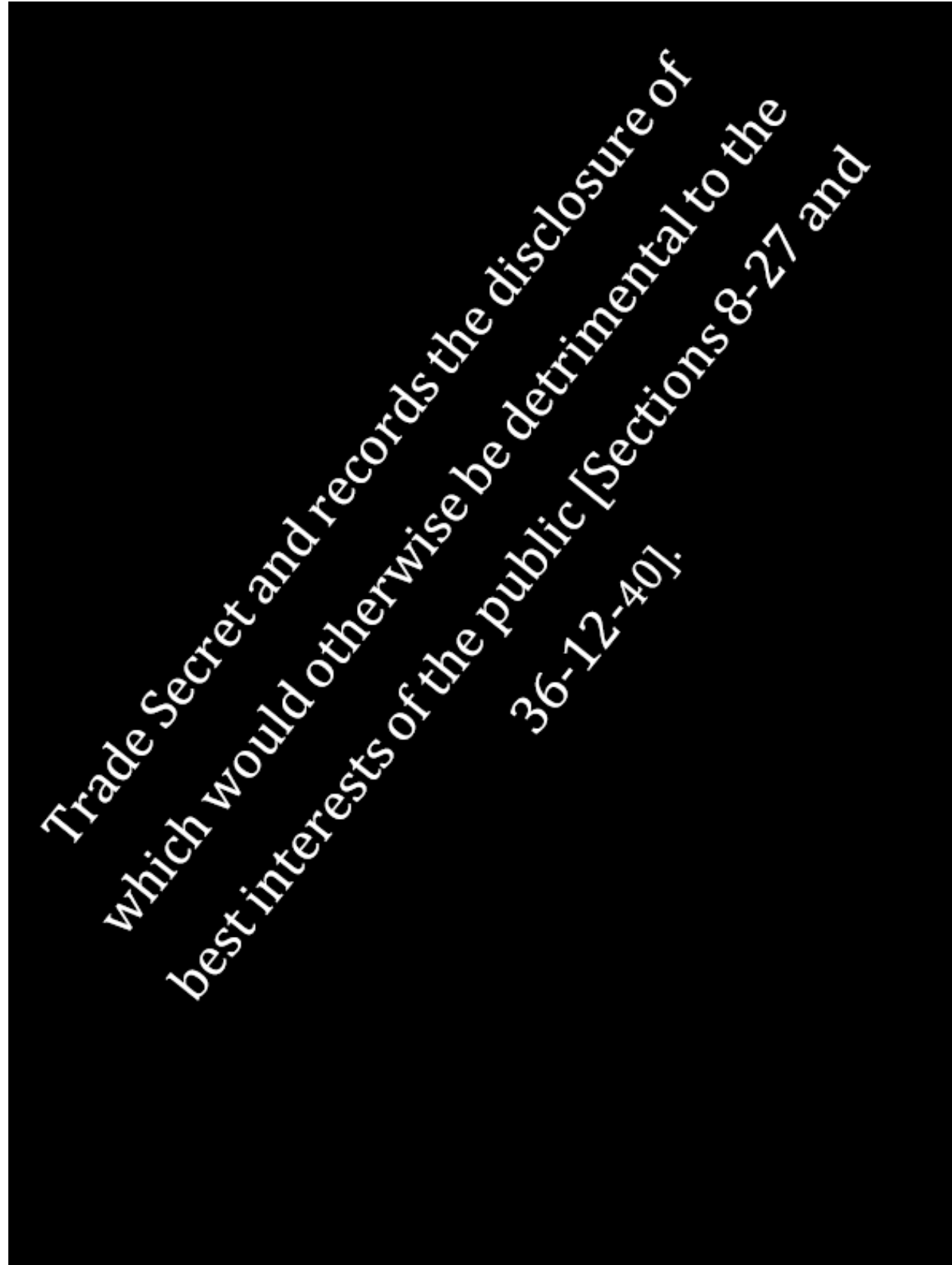


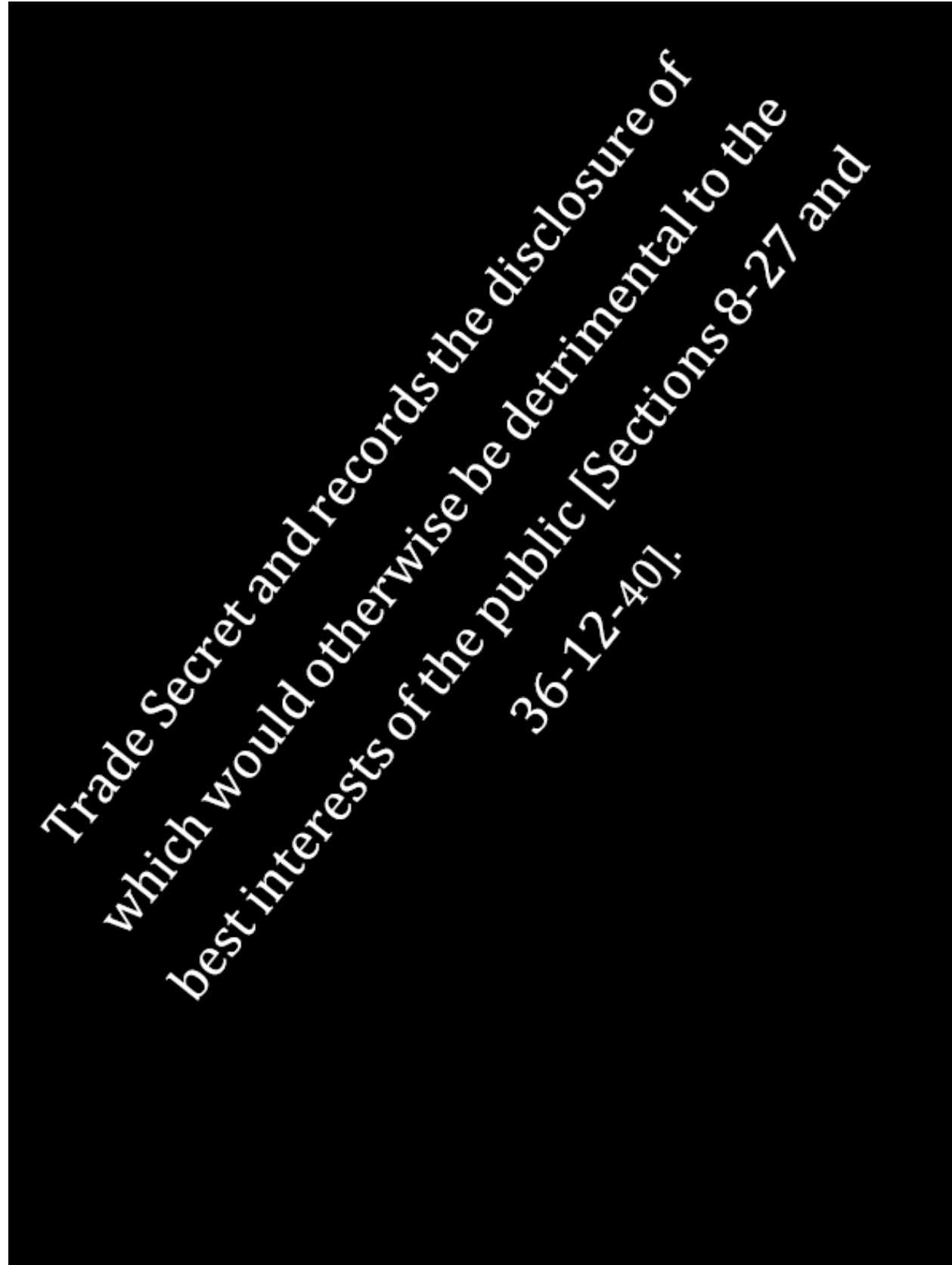


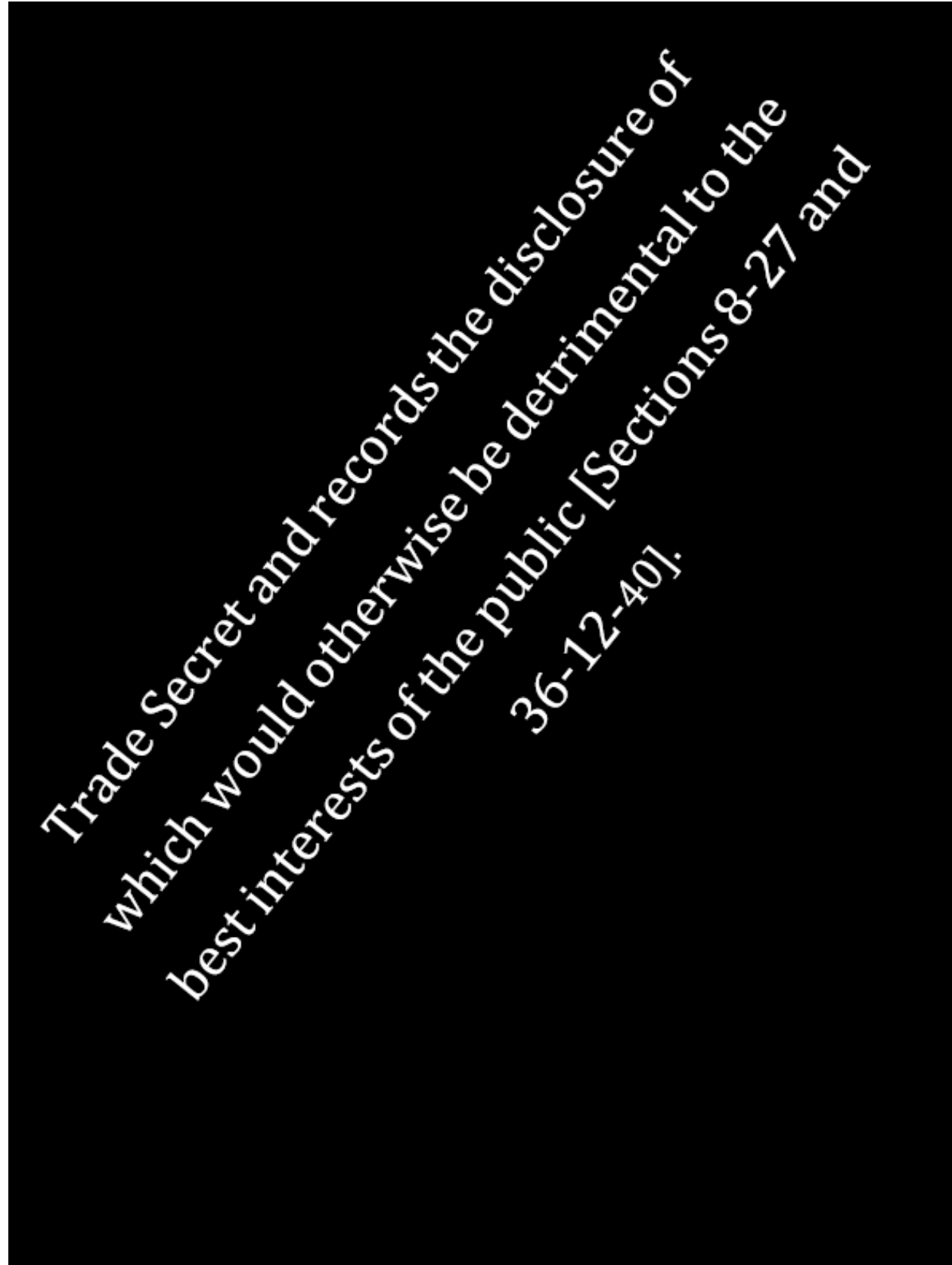






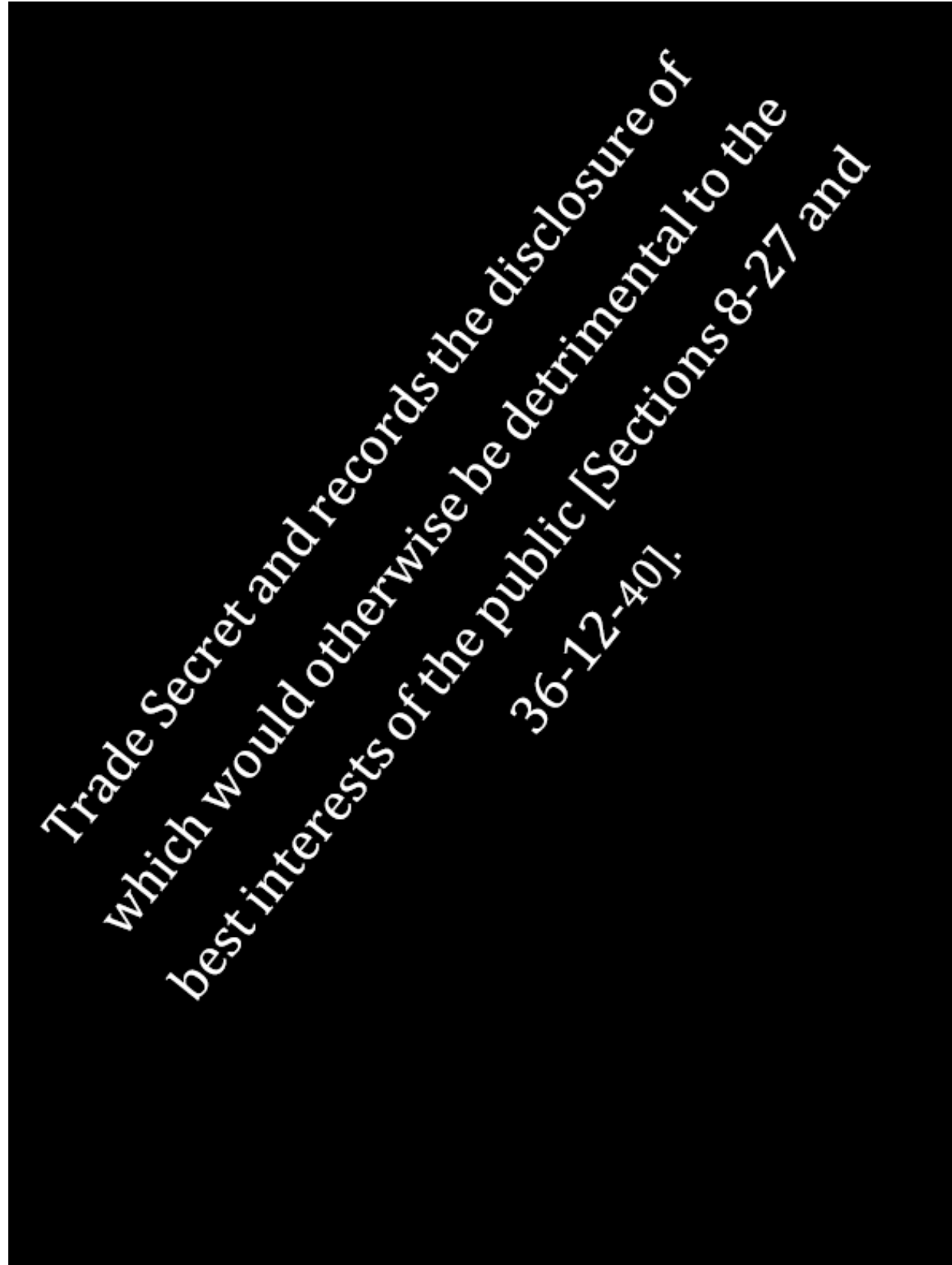


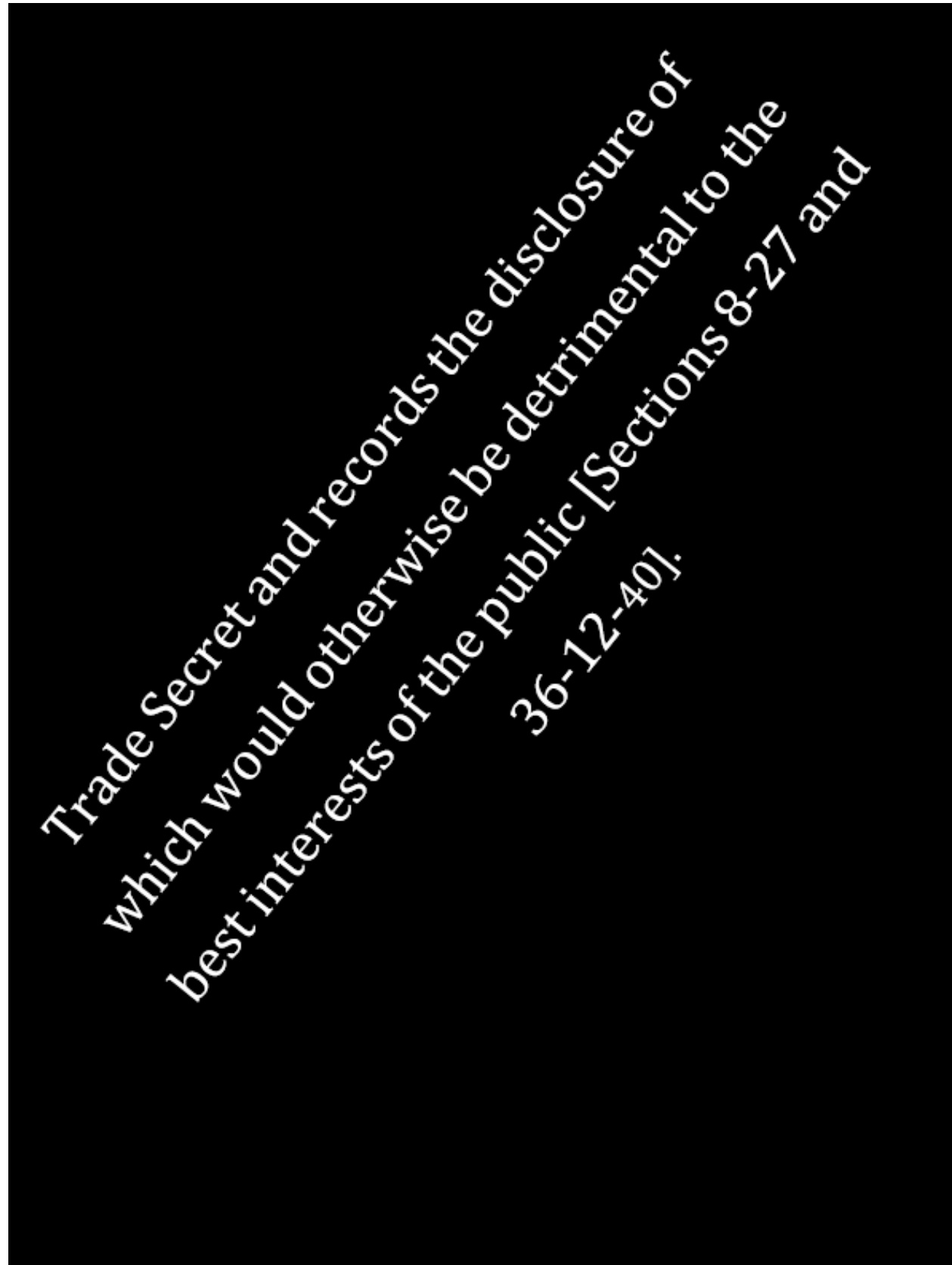


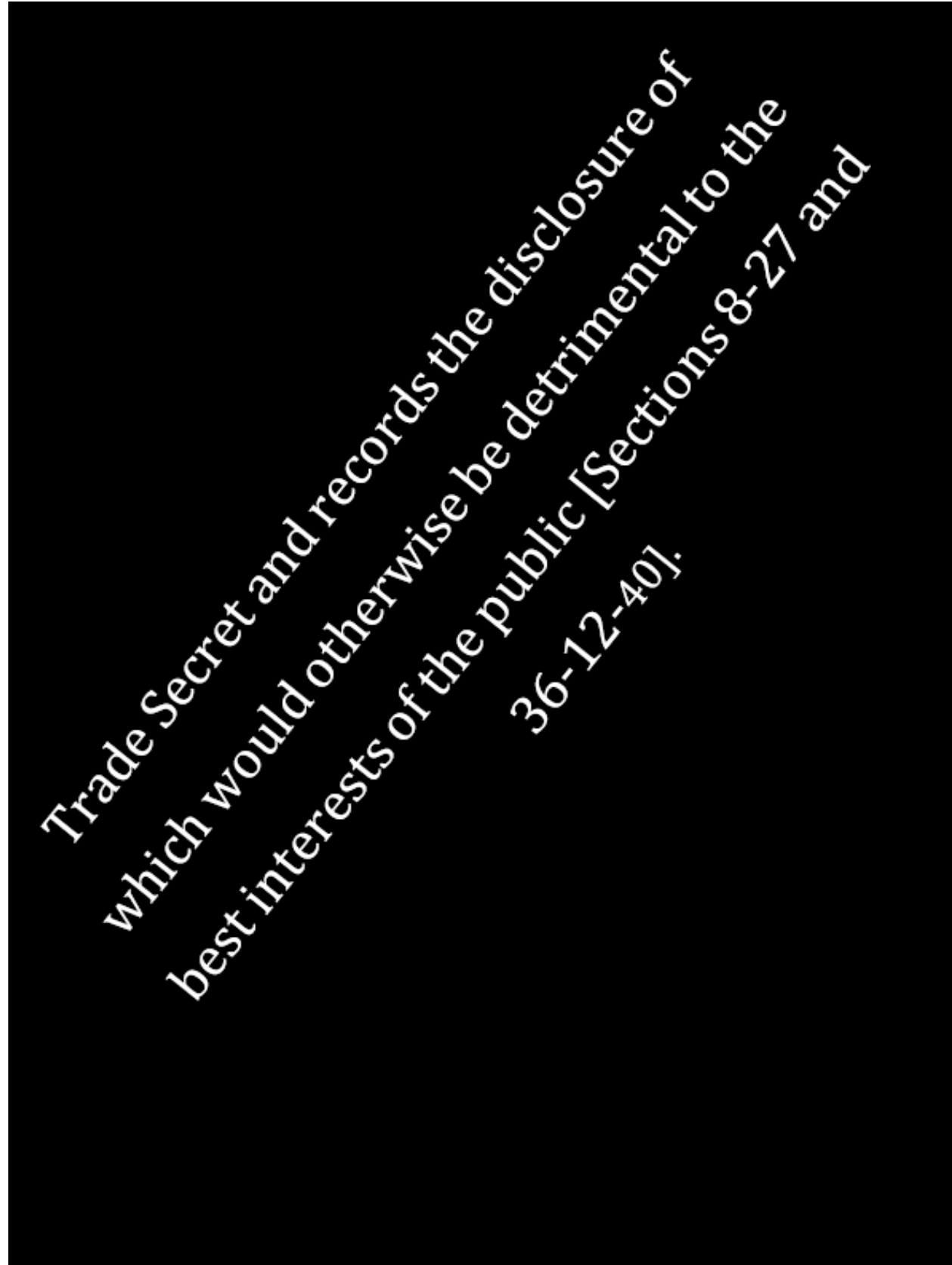


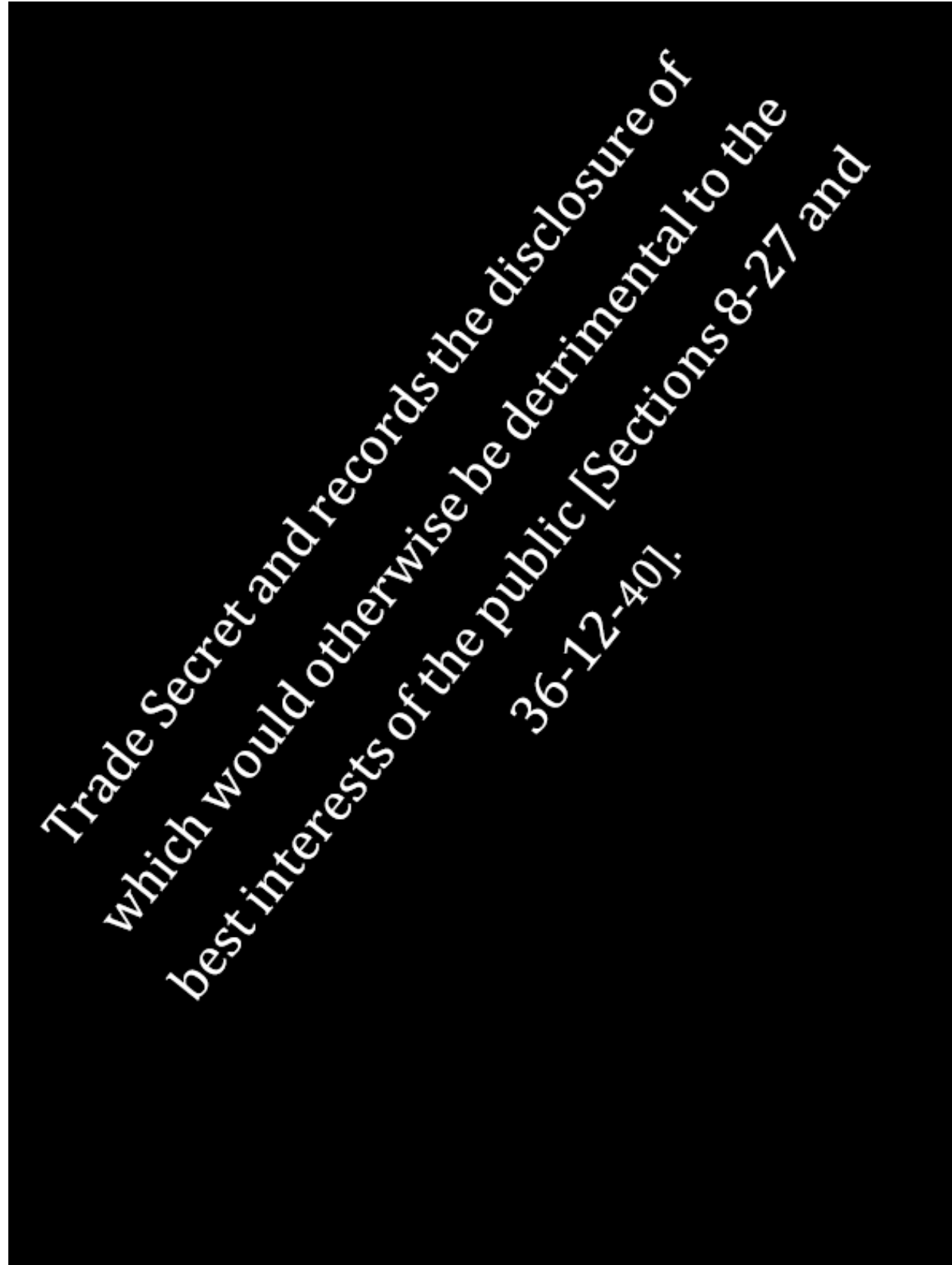


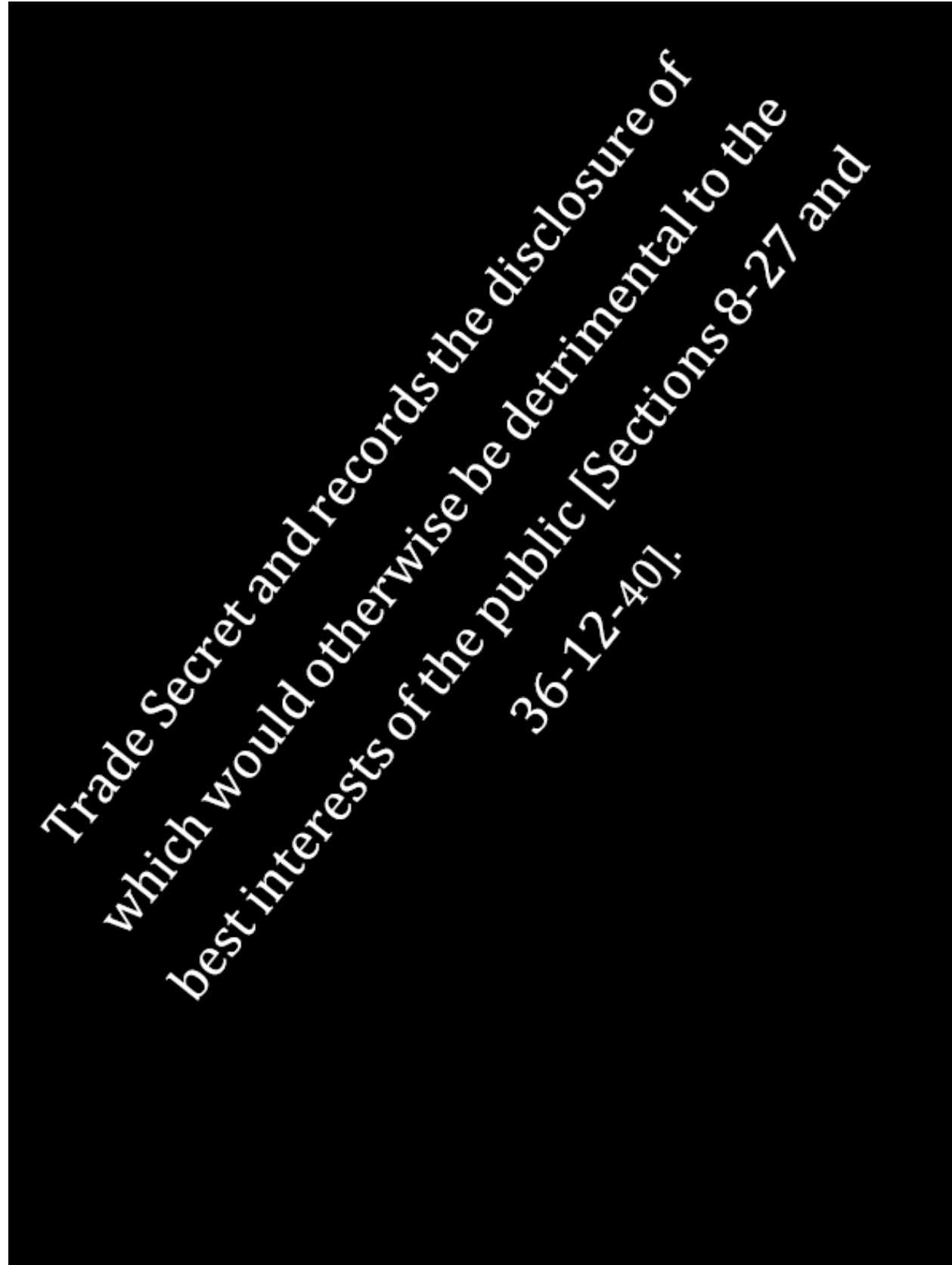












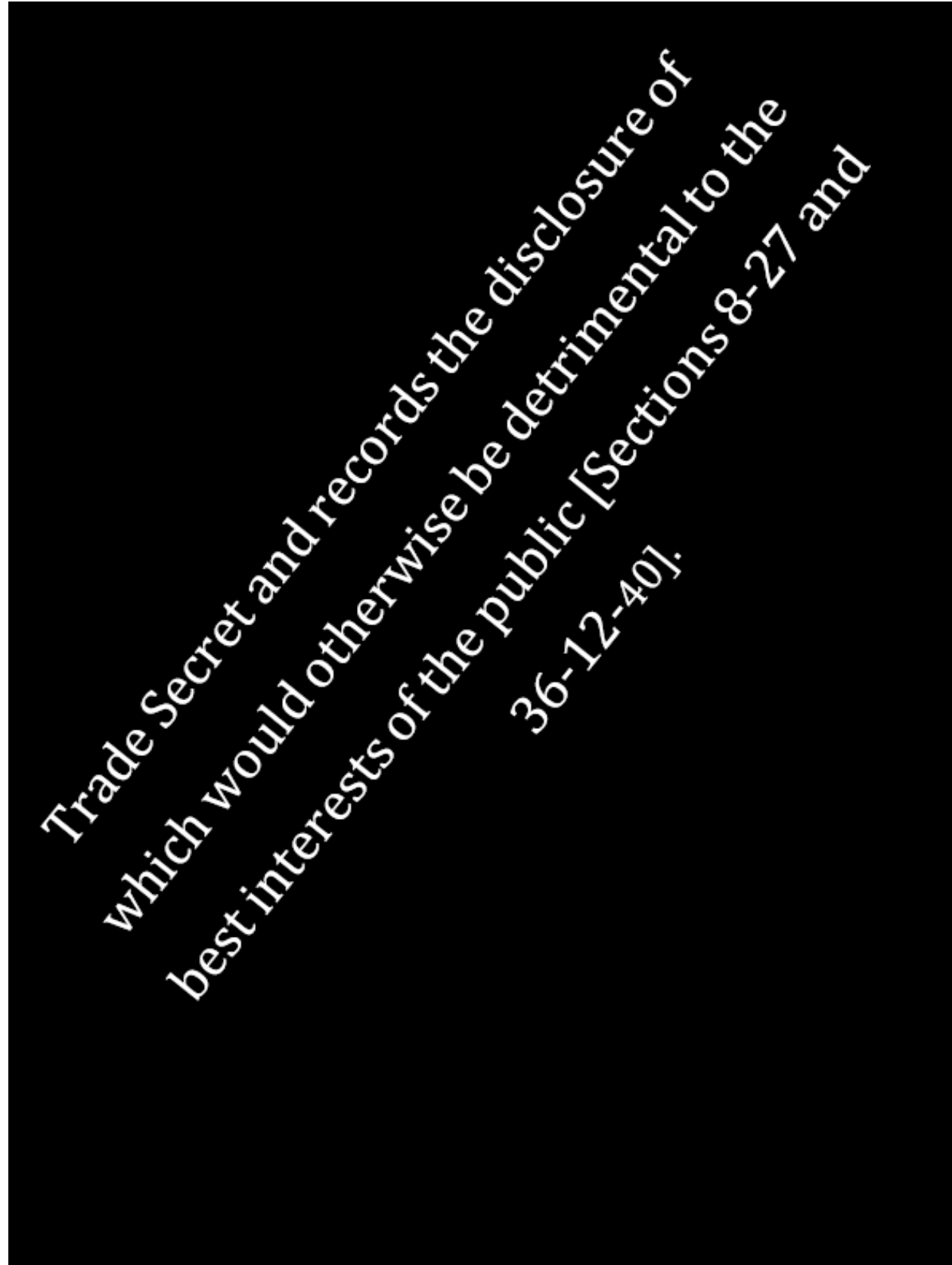


Exhibit 17 – Receiving and Shipping Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

The Company's following receiving and shipping plan is designed to ensure that the movement of cannabis products between Company's dispensary and Alabama cultivators, processor, or the State Testing Laboratory follows State rules and regulations [§538-x-8-.05(3)(j)].

17.1 Cannabis Received for Storage and/or Dispensing

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.1.1 Plan for Problematic Shipments

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.1.2 QR Codes from Cultivator or Processor

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.2 Secure Transporter's Manifest for Incoming Cannabis

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.3 Recording Incoming Shipments in the Statewide Tracking System

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.4 Packaging and Labeling of Cannabis Received by Dispensary

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.5 Cannabis and Cannabis Products Prepared for Shipment and Receiving

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.6 Secure Transporter's Manifest for Outgoing Cannabis

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

17.7 Recording Outgoing Cannabis in the Statewide Tracking System

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 18 – Facilities

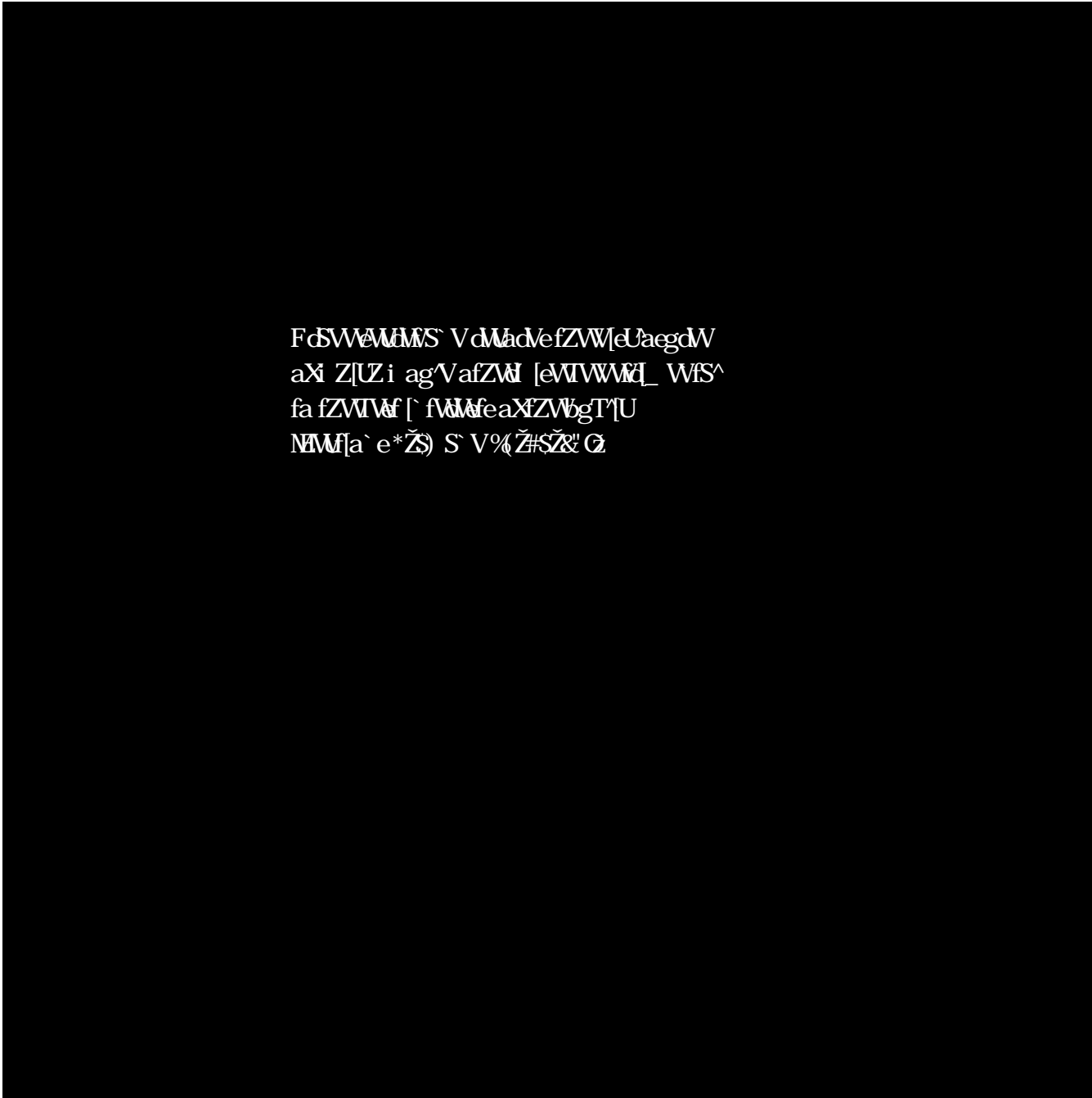
Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

FdSWAMMS VdMadVefZWW[eUaegdW
aXi Z[Uzi agVafZWI [eVIVWVd_ WfS^
fa fZVIVf [fVIVfaXZVbgT^U
NMM[a` e*ZS) S` V%Z#SZ& Q

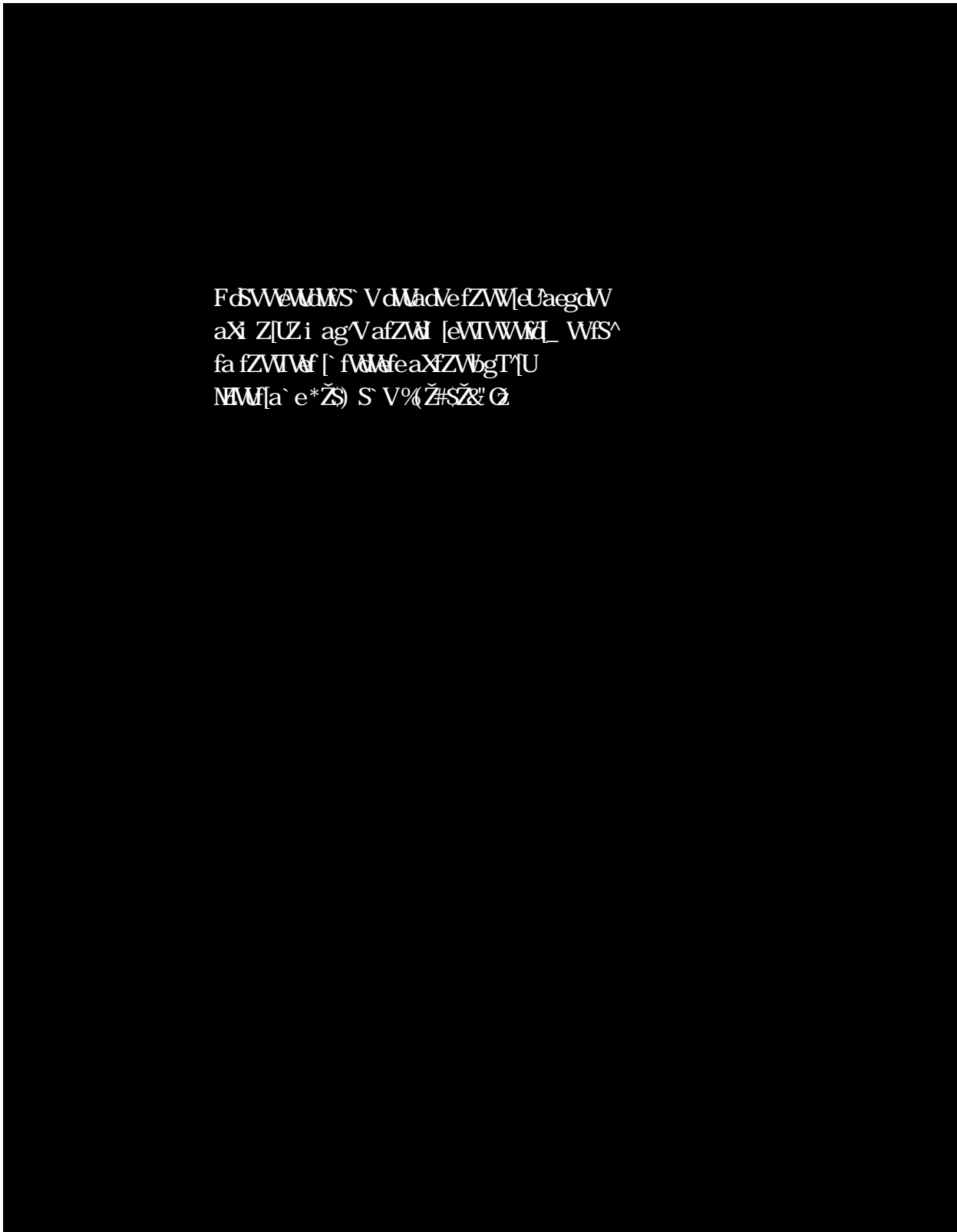
This Facilities Plan is completed as of the date of application. All pre-licensure obligations have been met. We will continue to execute this plan in a timely fashion after licensure. A key component to a successful processing operation is a safe, compliant, and suitable facility. The Company has identified a location that meets all three criteria.

18.1 Facility Name and Type

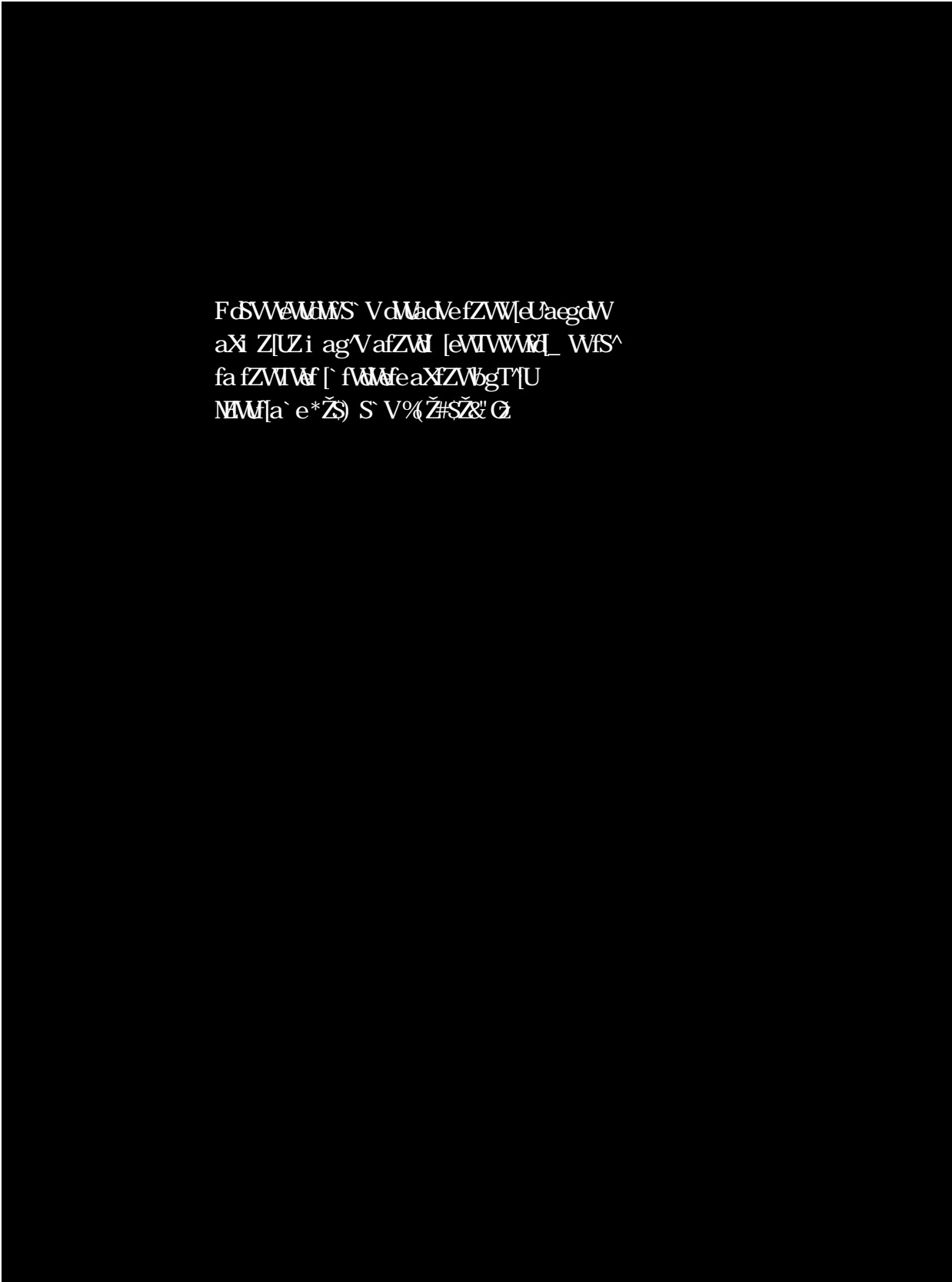


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aXi Z[Uzi agVafZM [eMIVWML_ WfS^
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NM[a` e*Z) S` V%Z#SZ& Q

18.4 Proof of Authorization to Occupy Facility Property

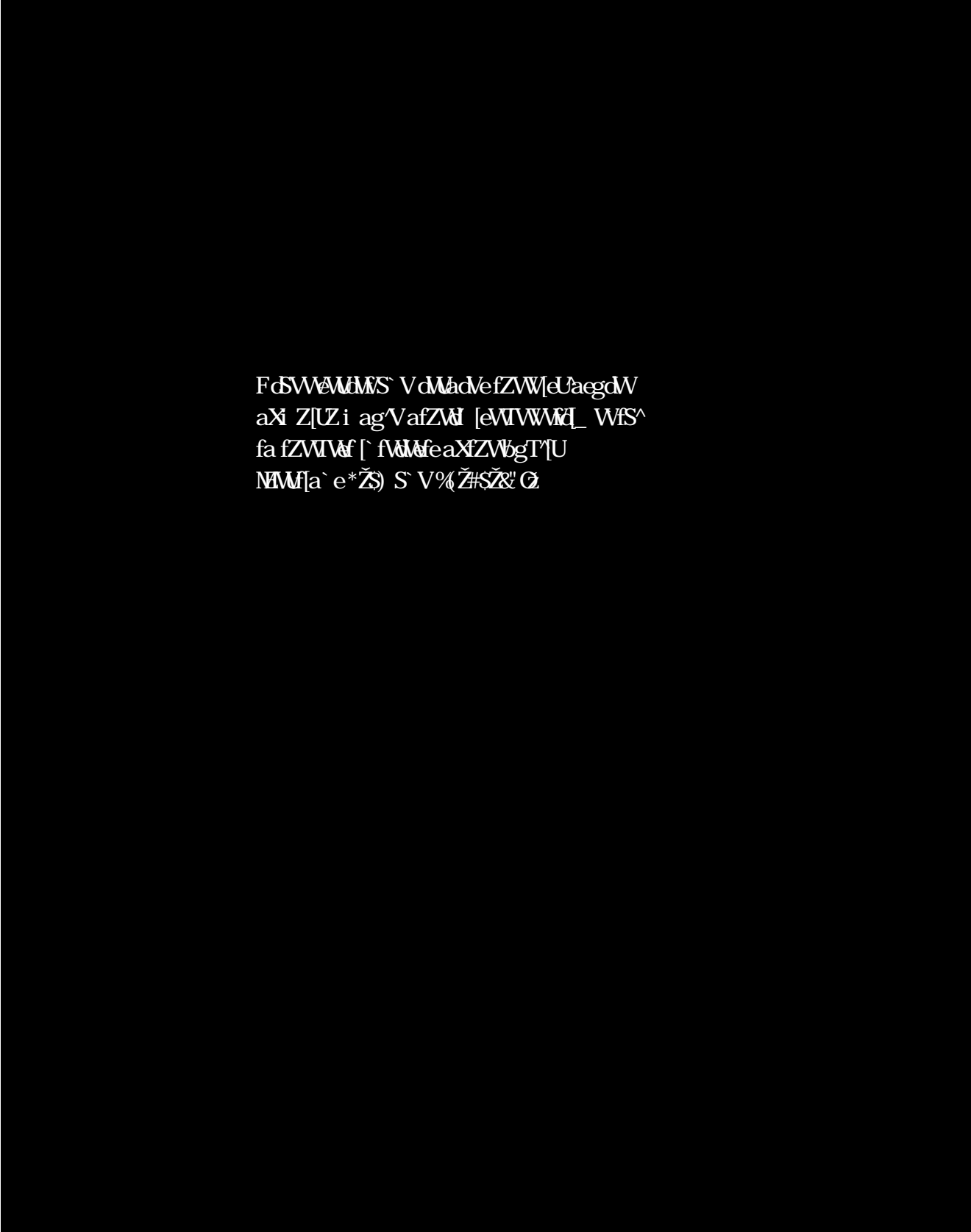


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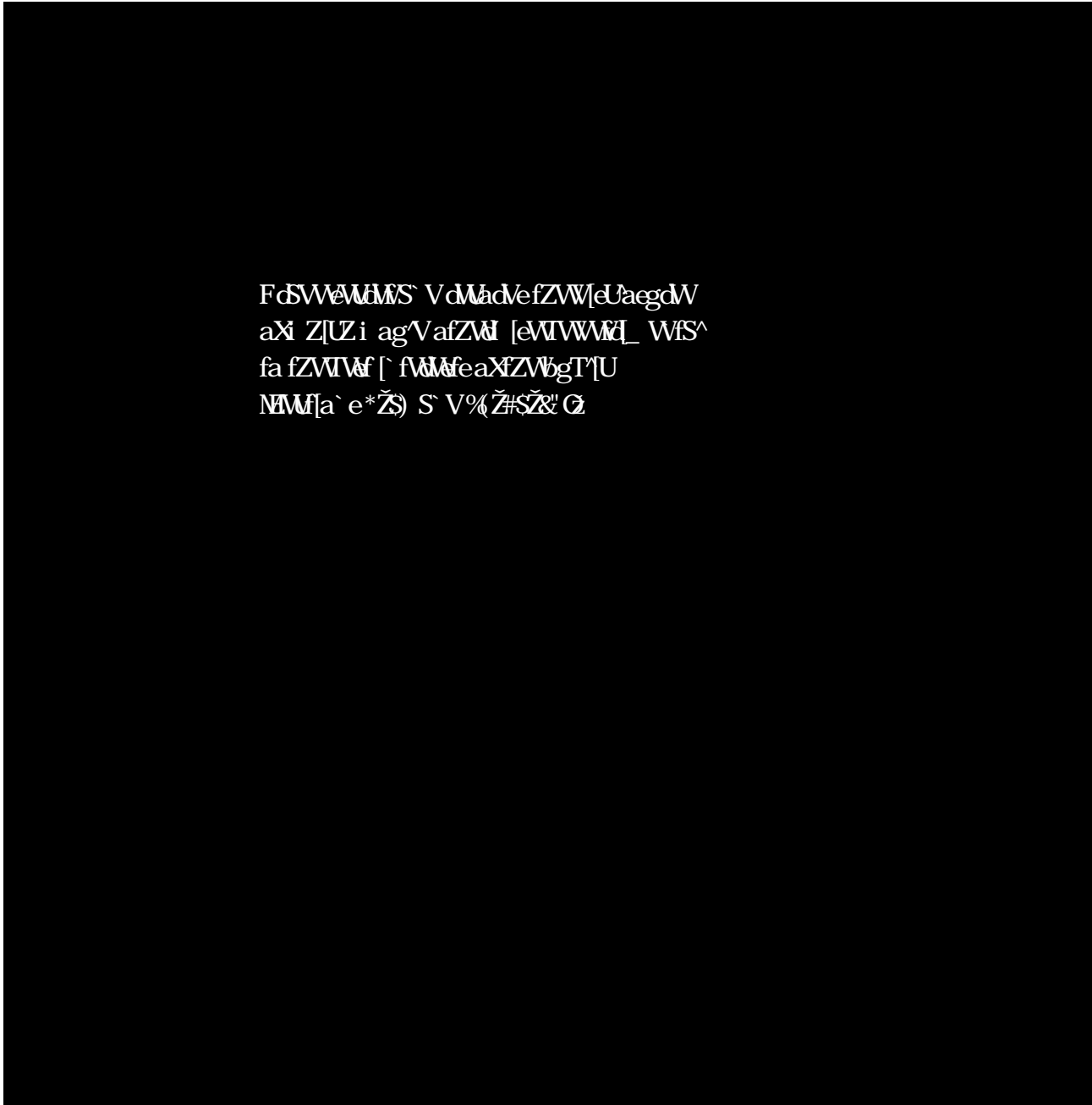


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fa fZMTWf [fMfeaxZWbgT^U
NMf[a` e*Z) S` V% Z#SŽ' Q

18.5 Proof of Local Zoning

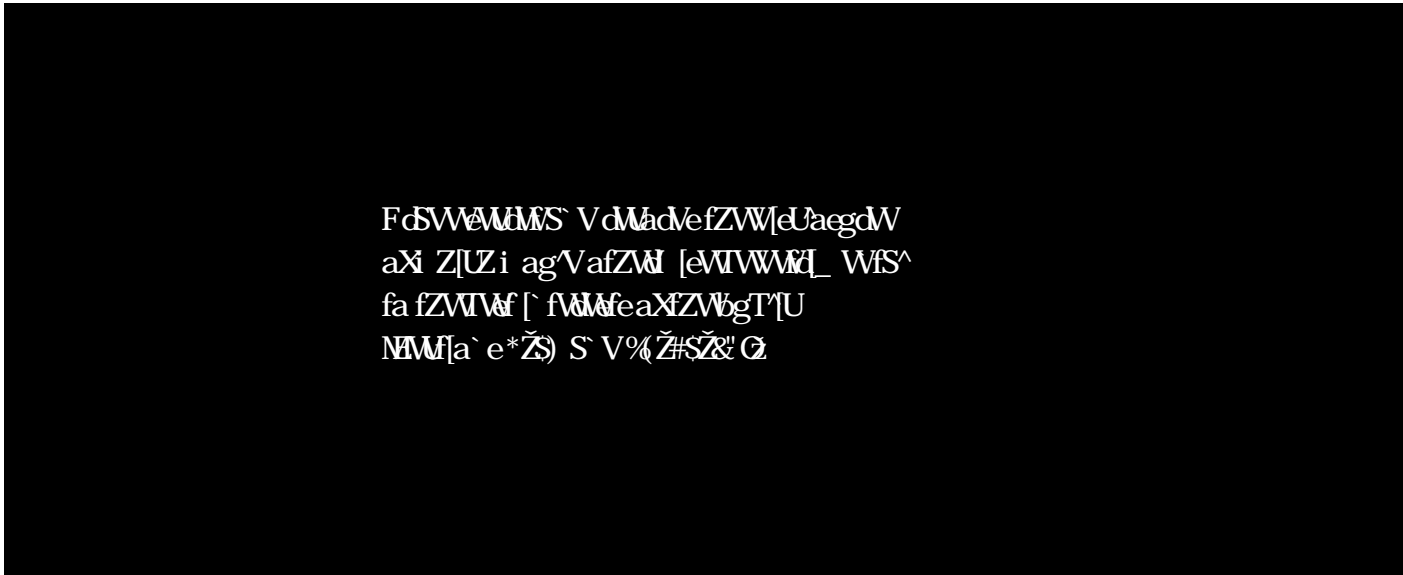
The following demonstrates proof of local zoning and other approvals necessary to operate the business in the local jurisdiction where the business is located, including but not limited to the local jurisdiction's ordinance or resolution approving the operation of medical cannabis facilities there.

18.5.1 Local Cannabis Ordinance



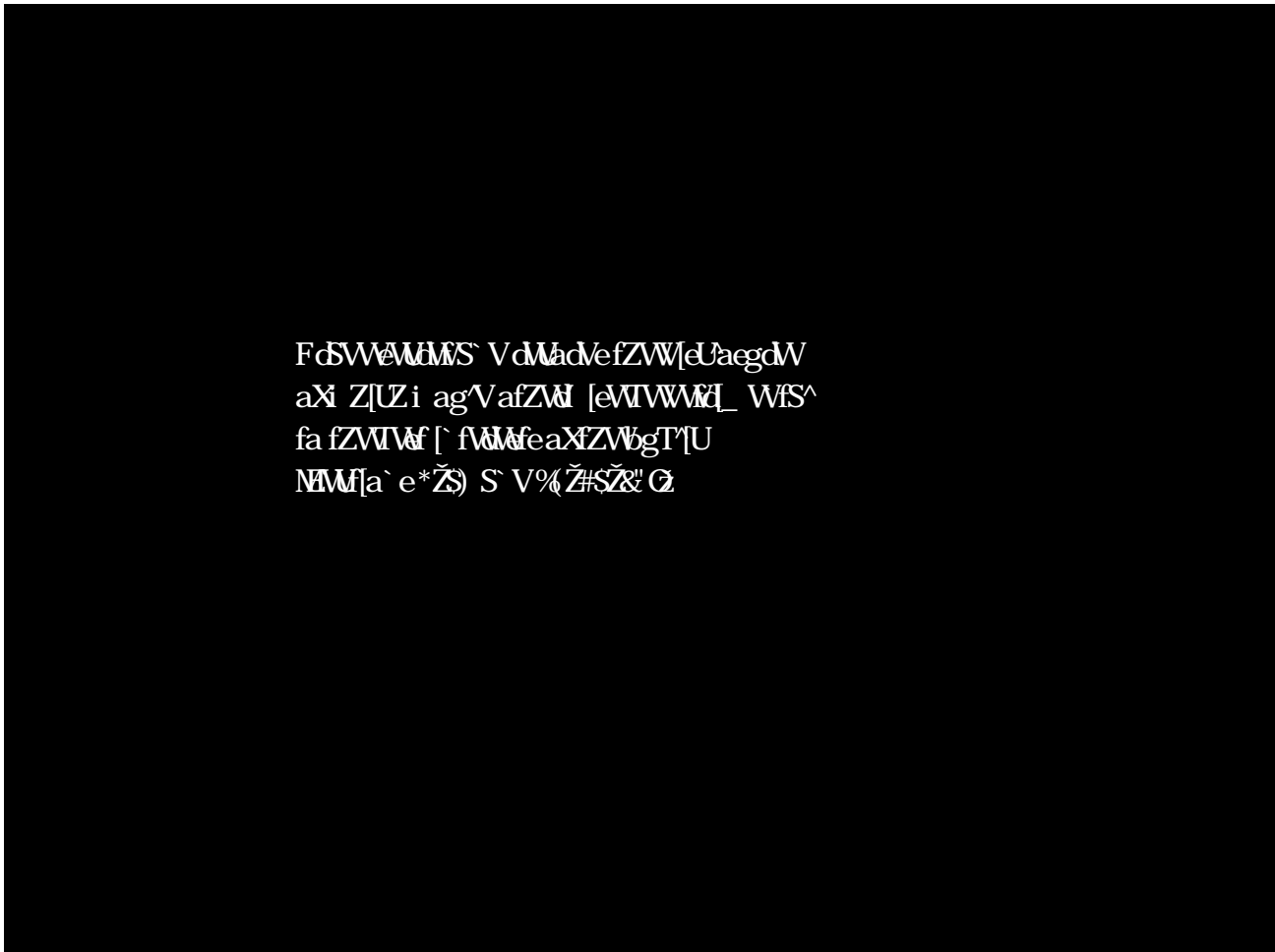
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NMf[a` e*Z) S` V%Z#SZ& Q

FdSWeMMMS` VdMadVefZW[eUaegdW
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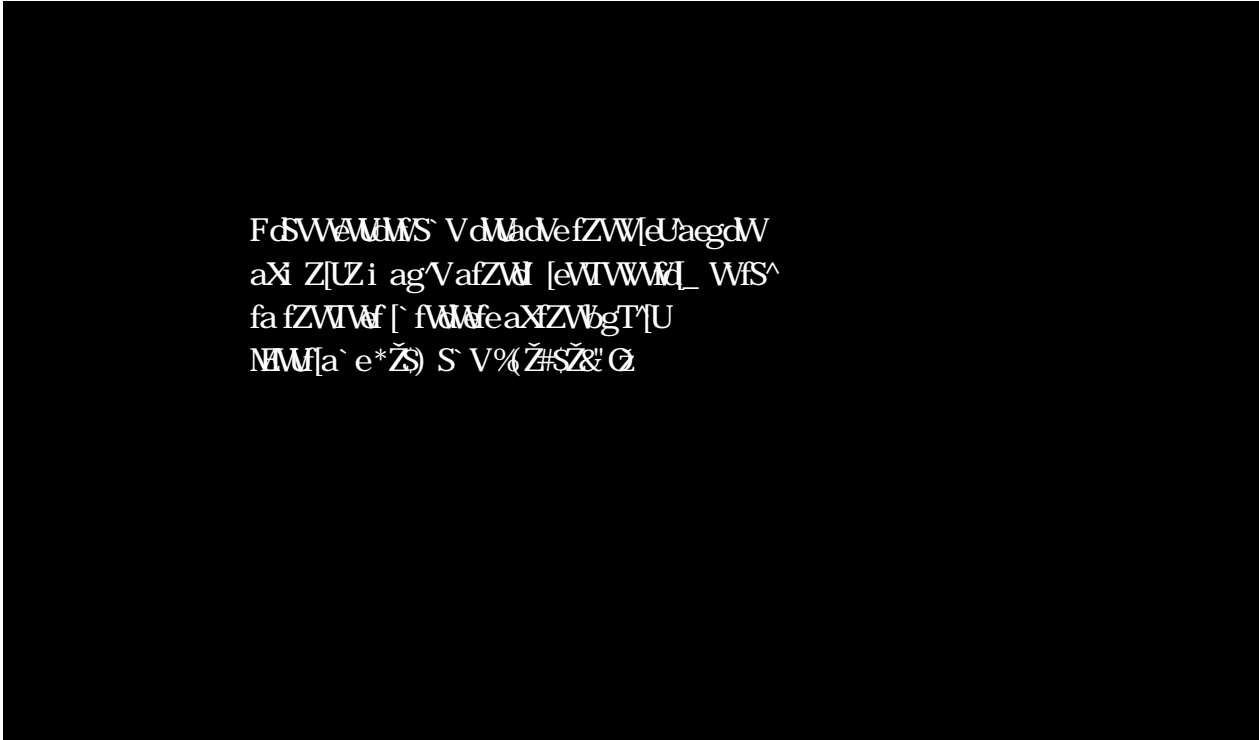


18.6 Blueprint, Floorplan or Schematic of Facility

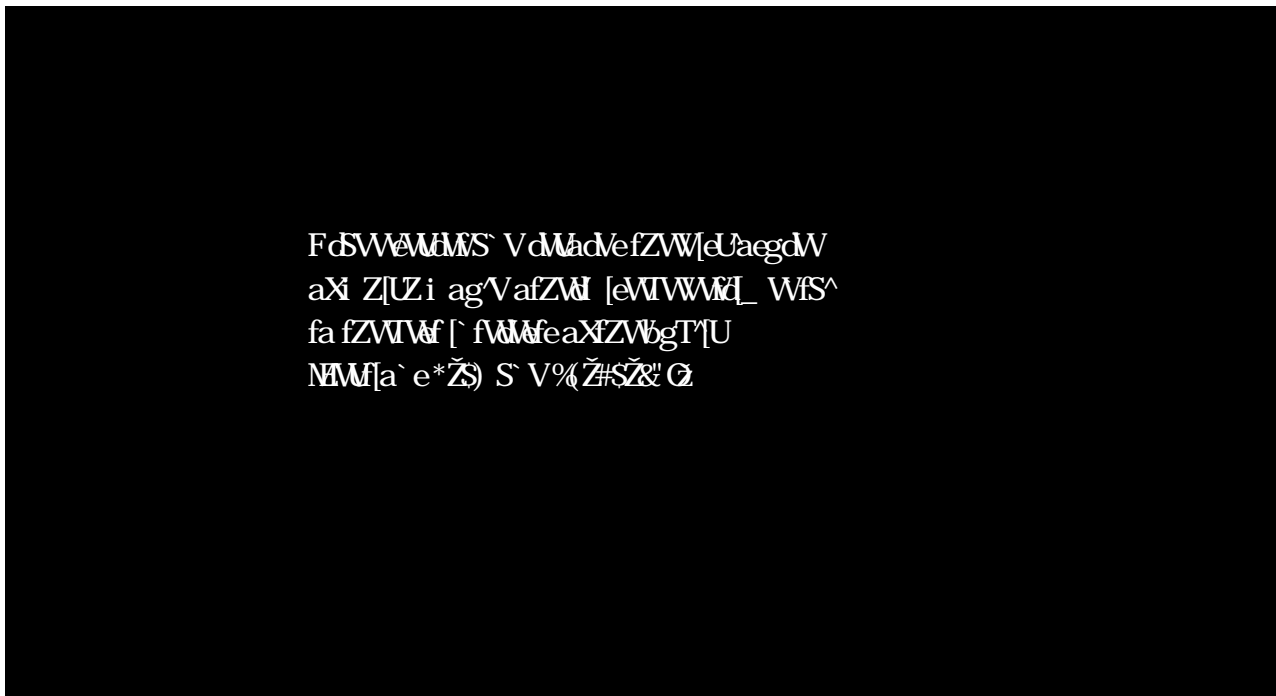
18.6.1 Site Plan



18.6.2 Floor Plan



18.6.3 Access Control Plan



18.6.4 Camera Plan

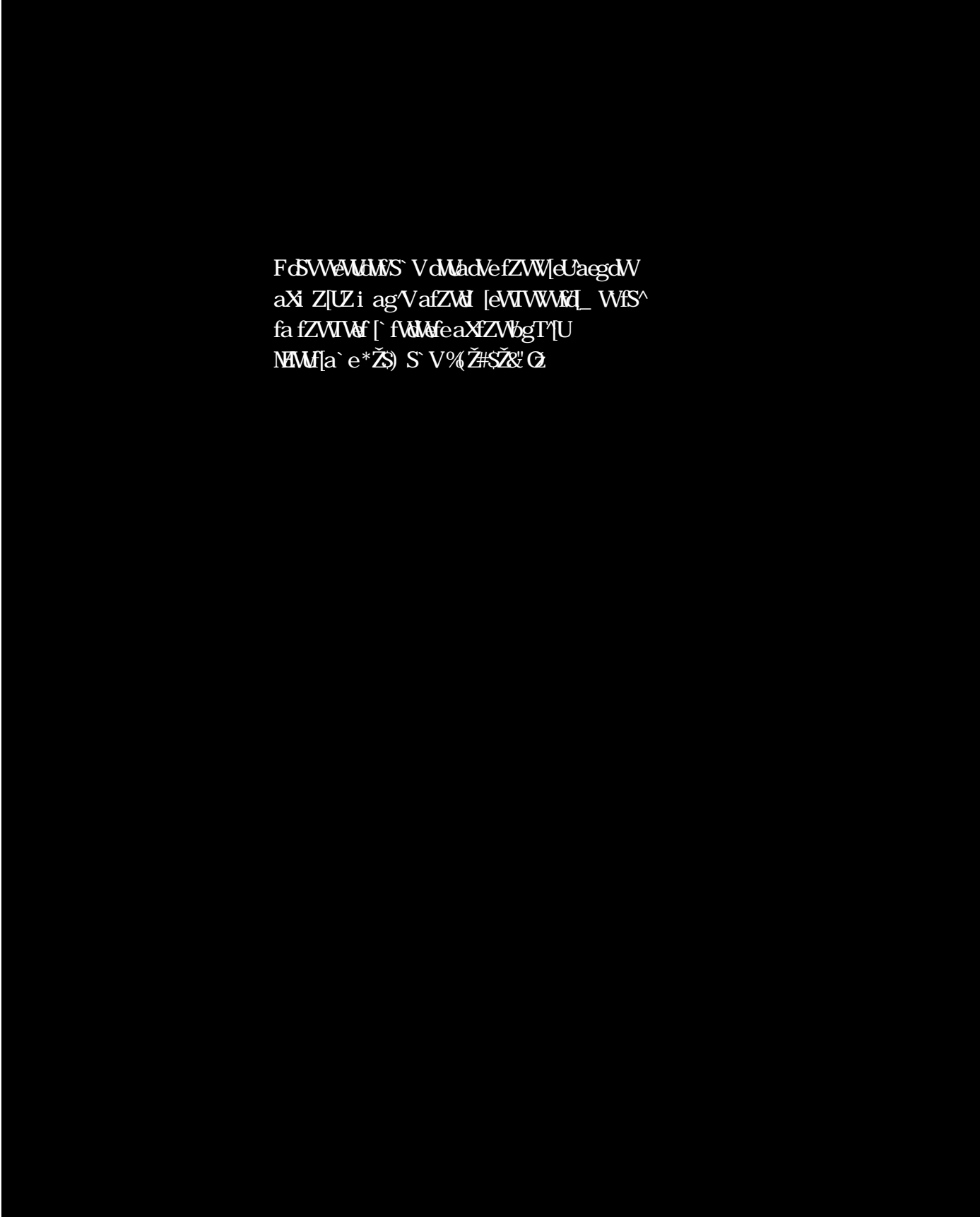
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18.6.5 Intrusion Plan

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18.7 Timetable for Completion and Operations

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Exhibit 19 – Security Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

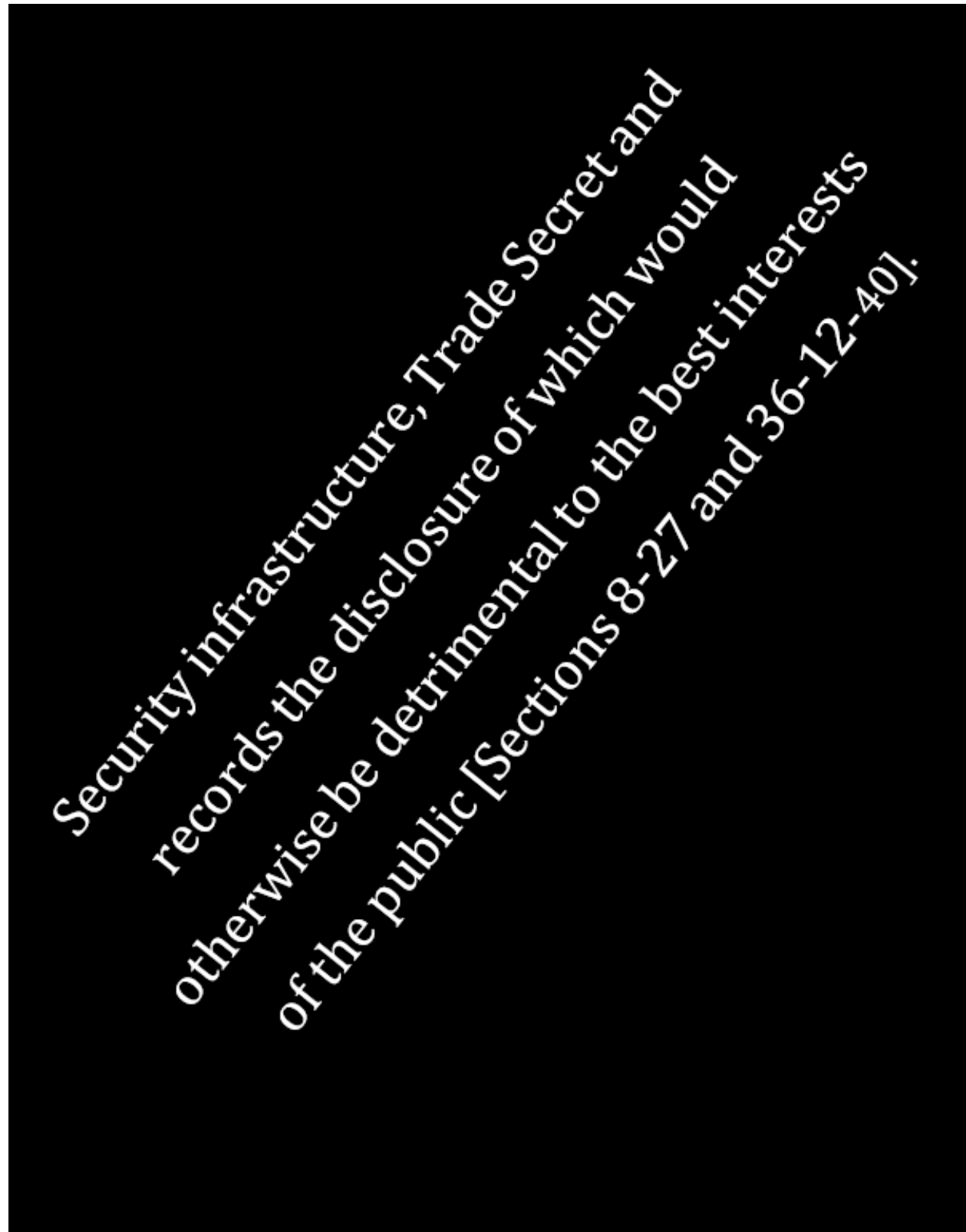
Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

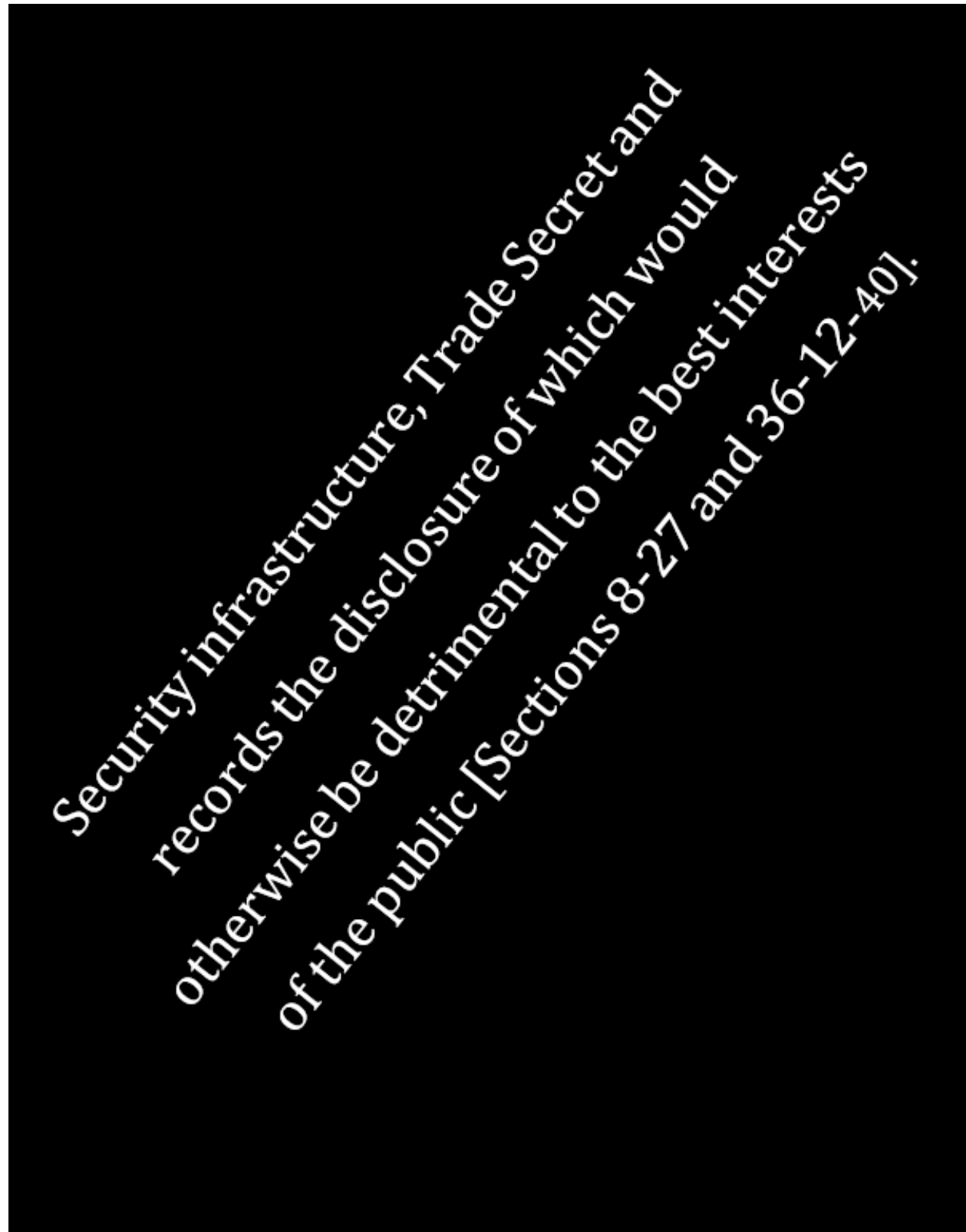
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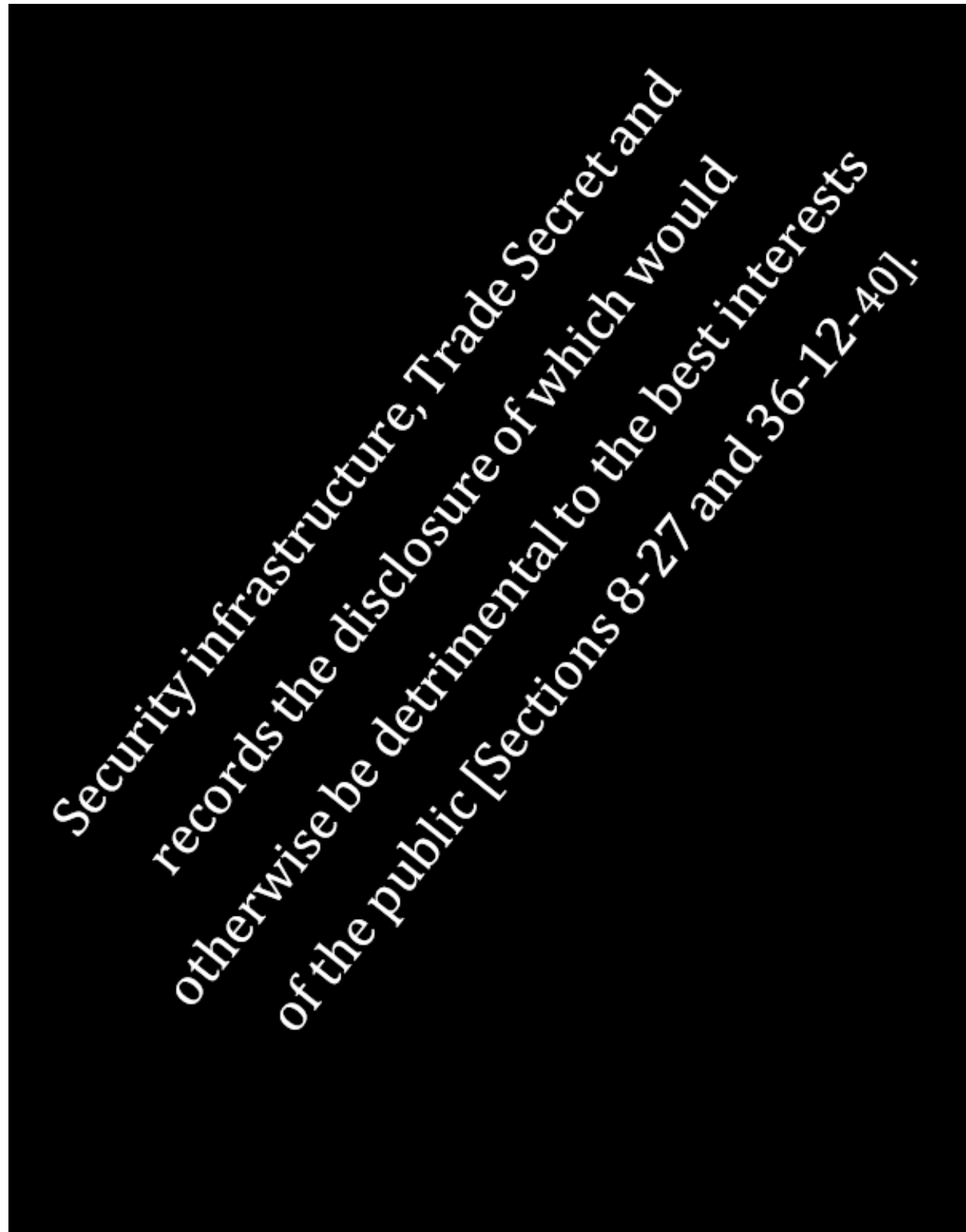
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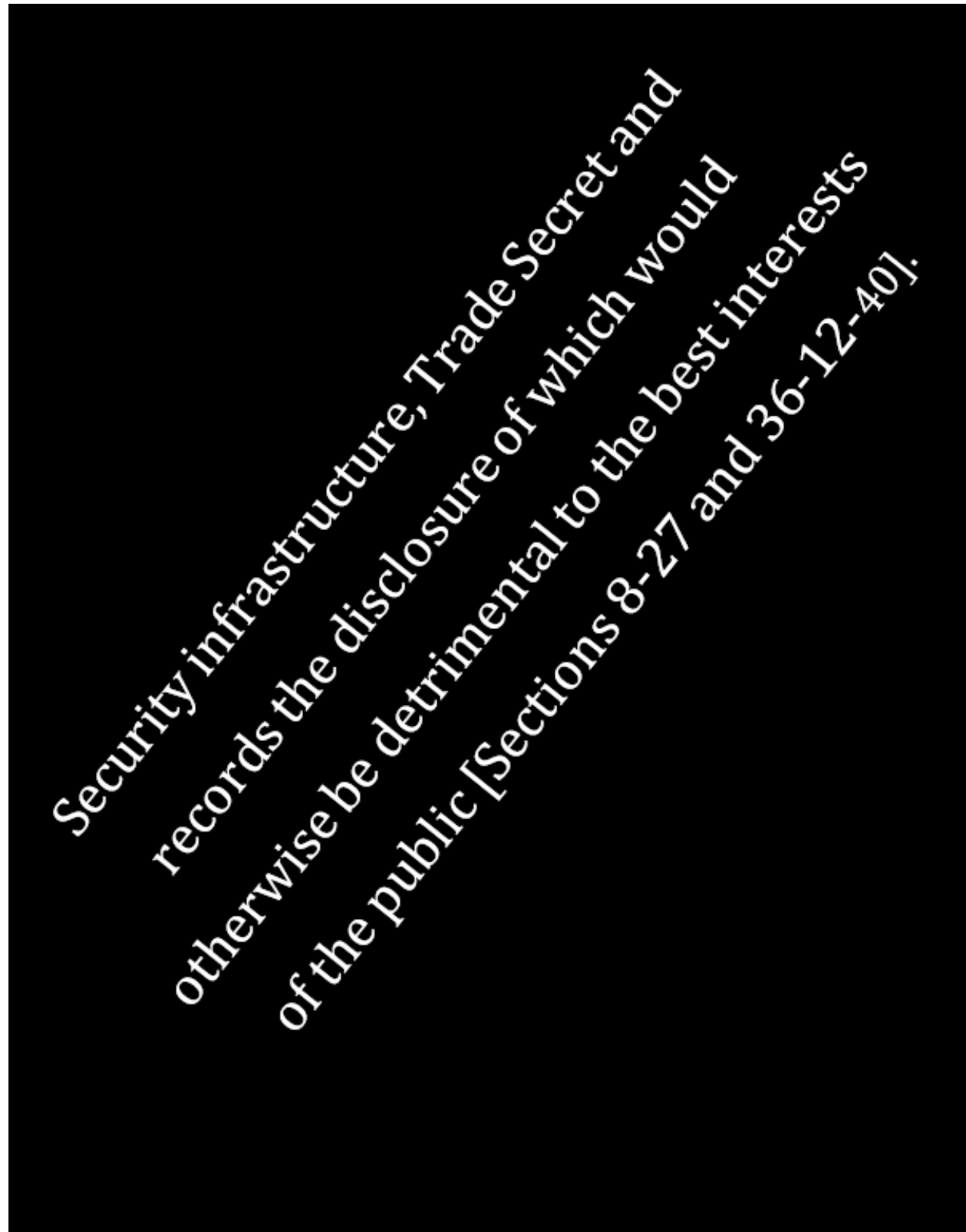
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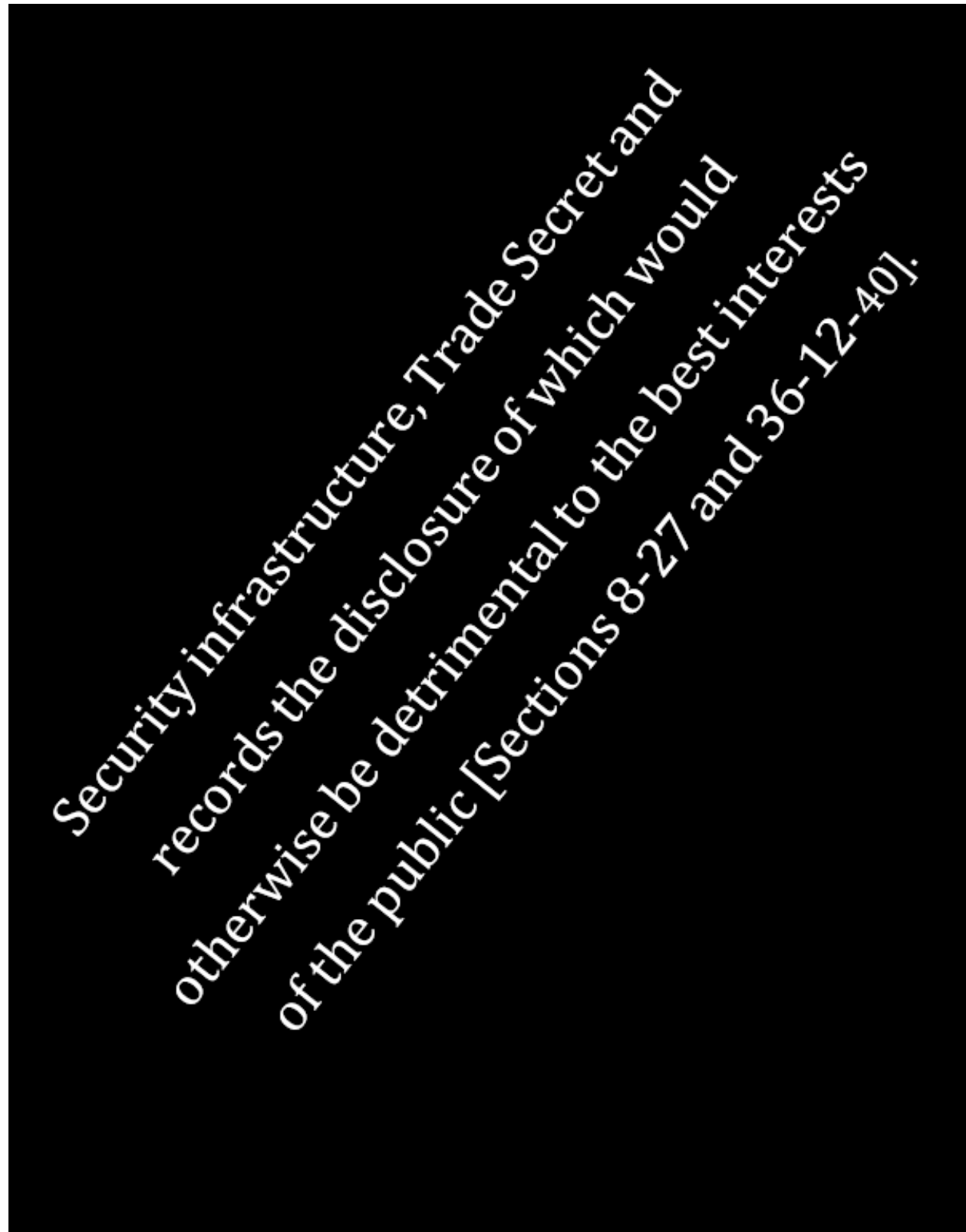
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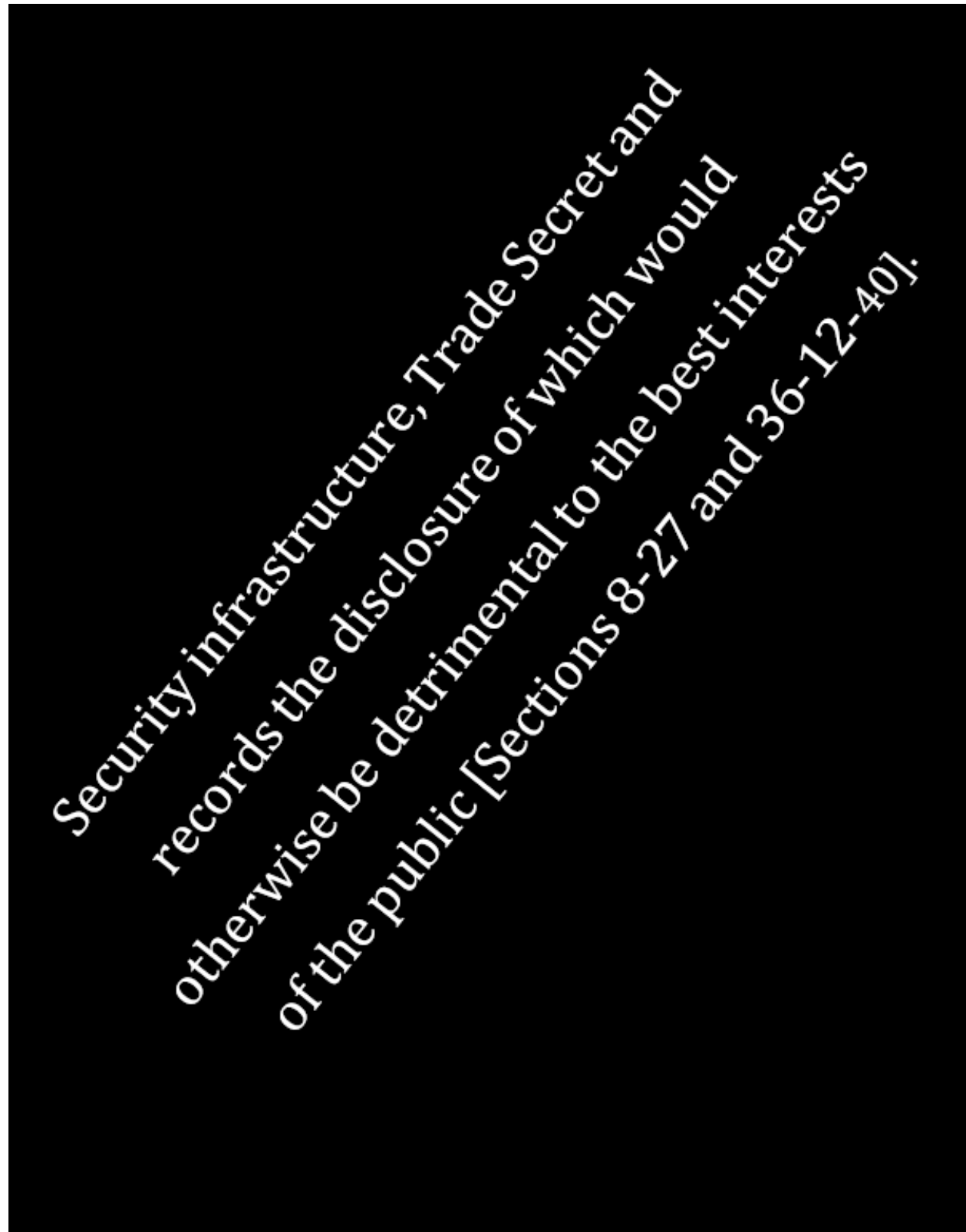


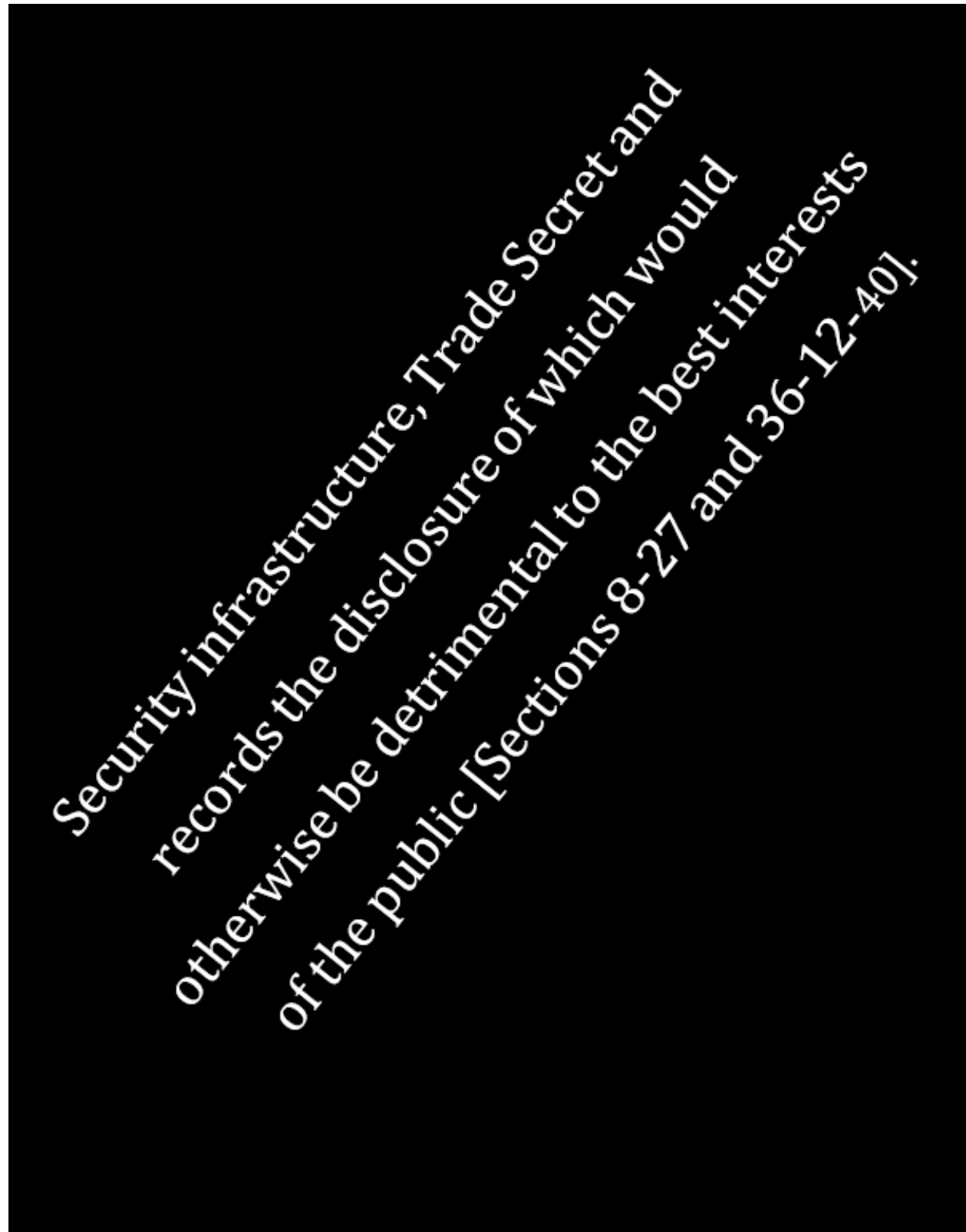


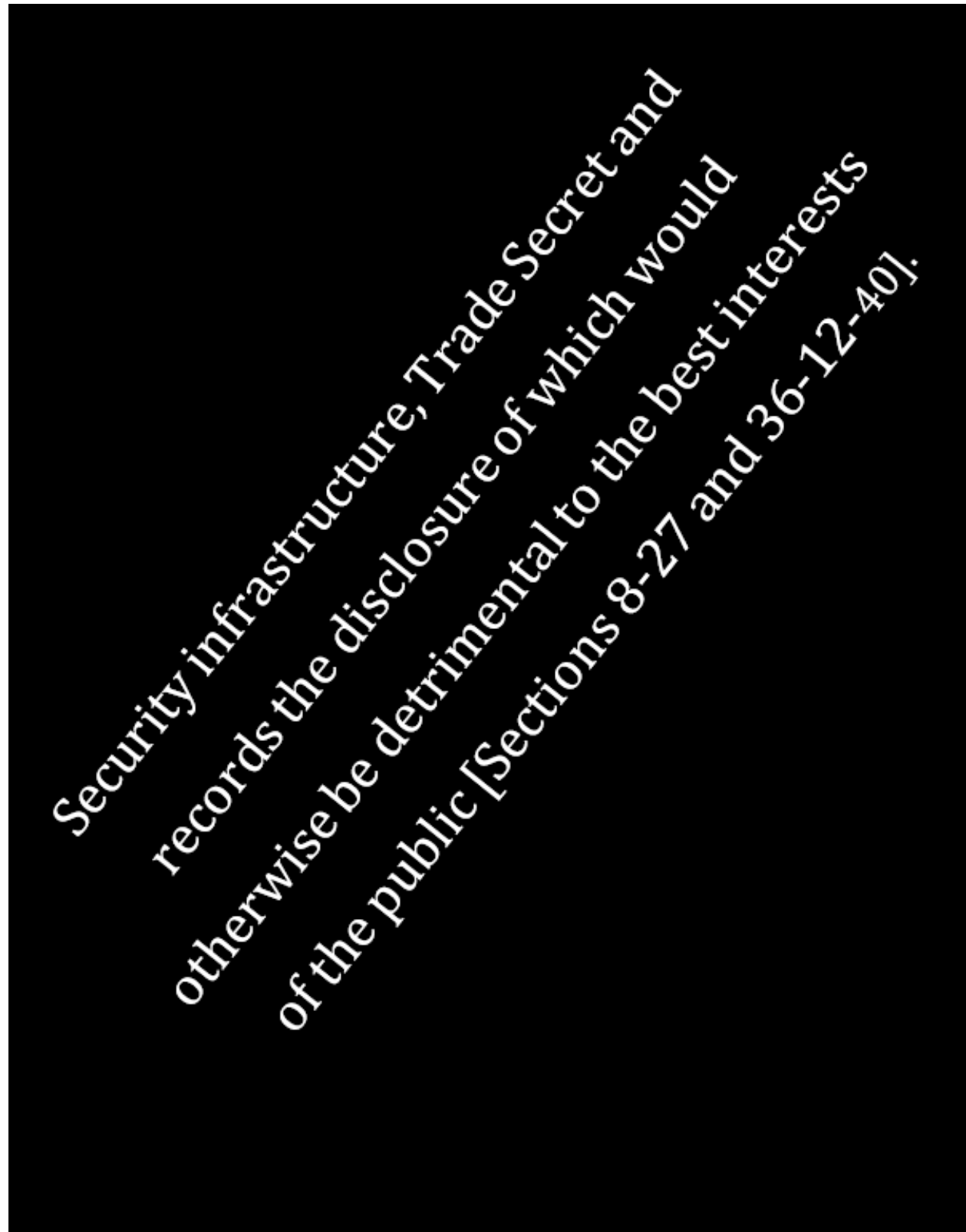


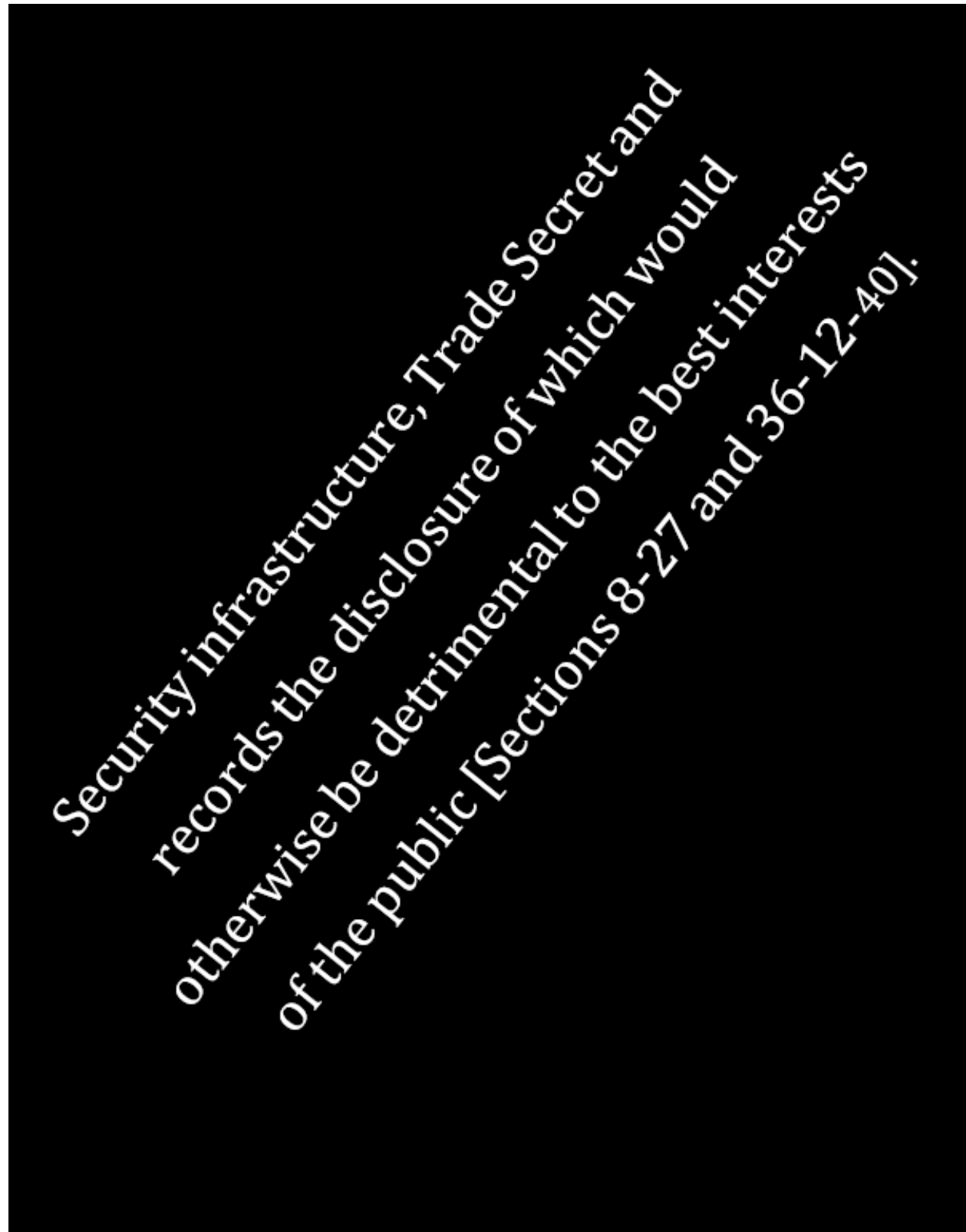


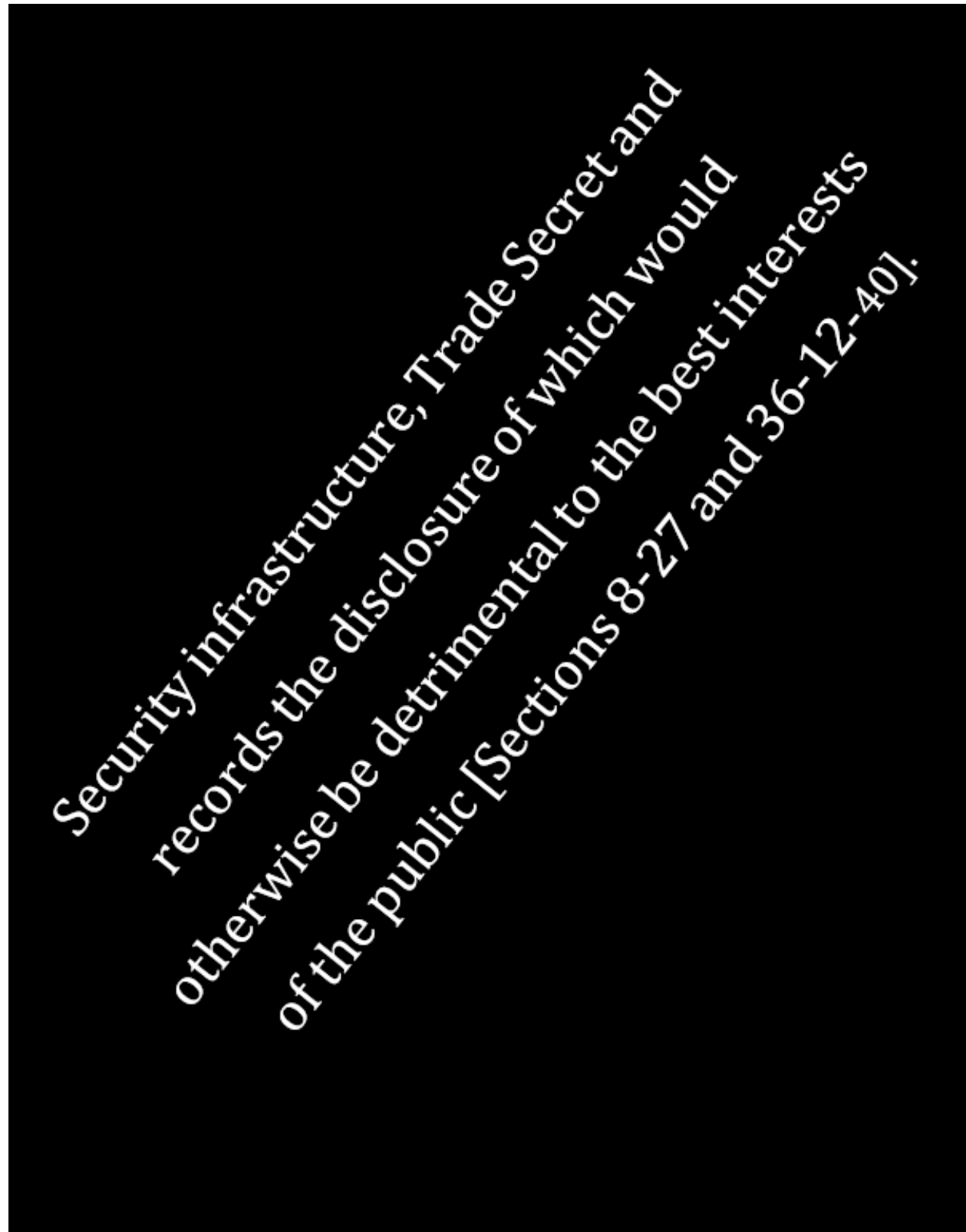


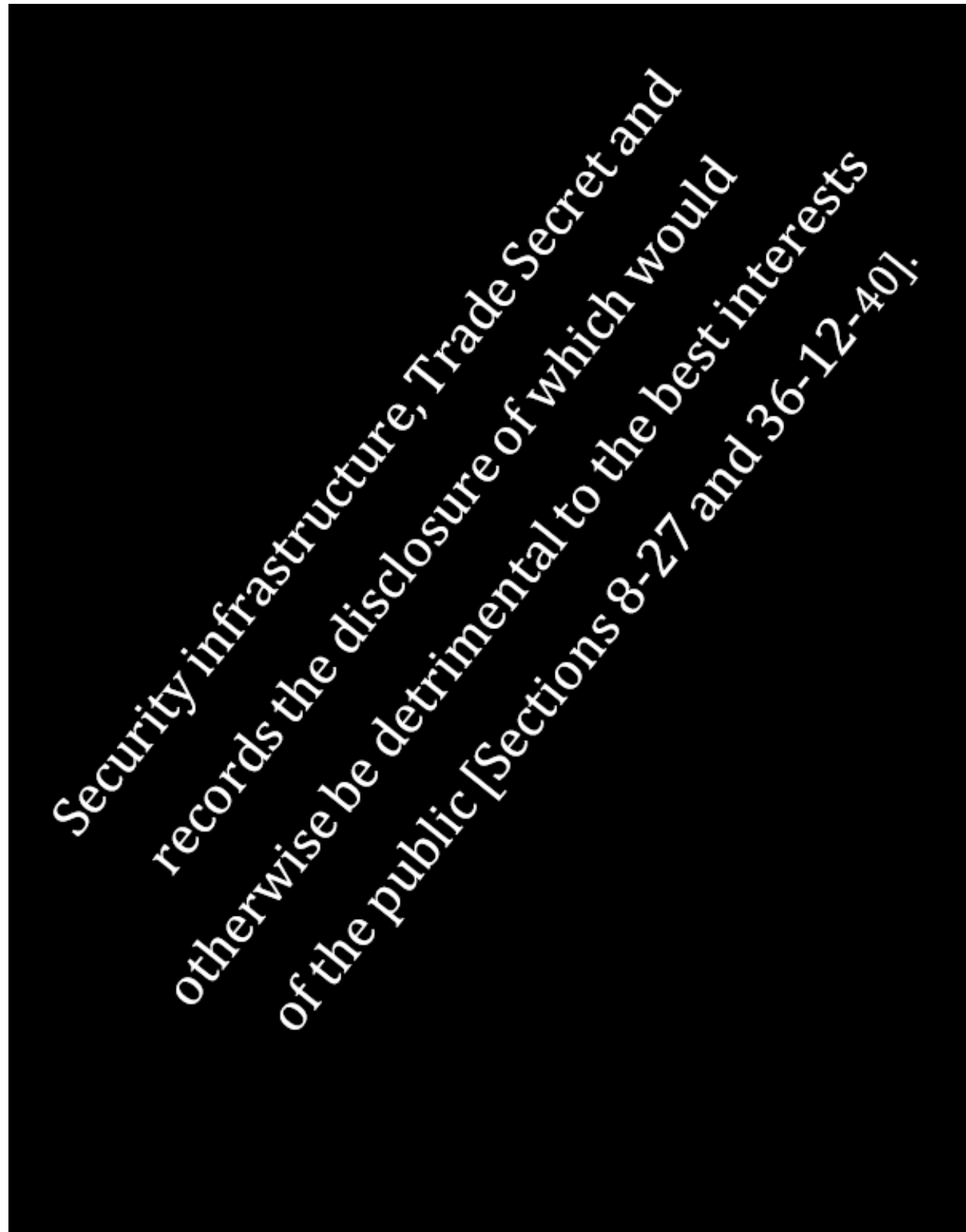


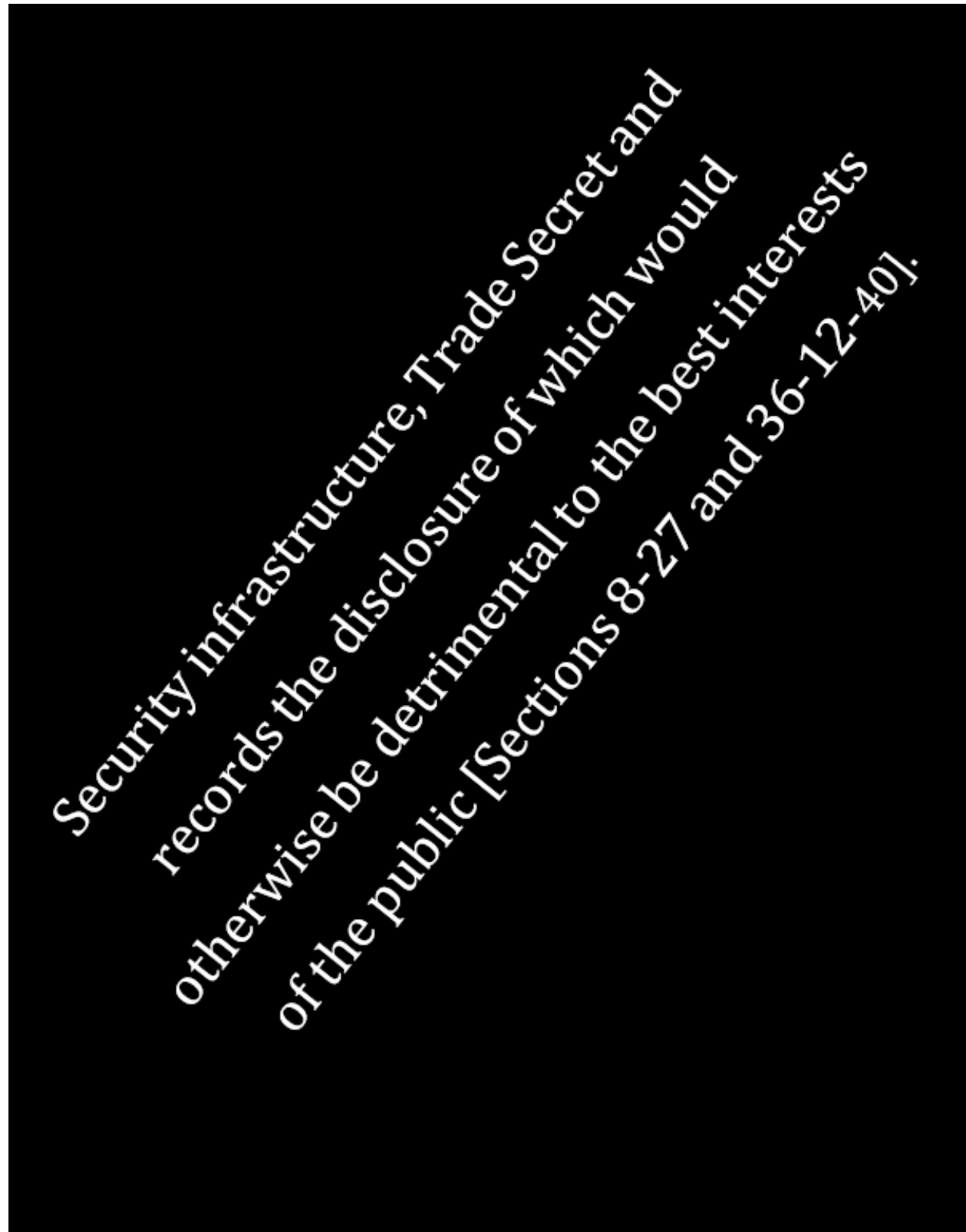


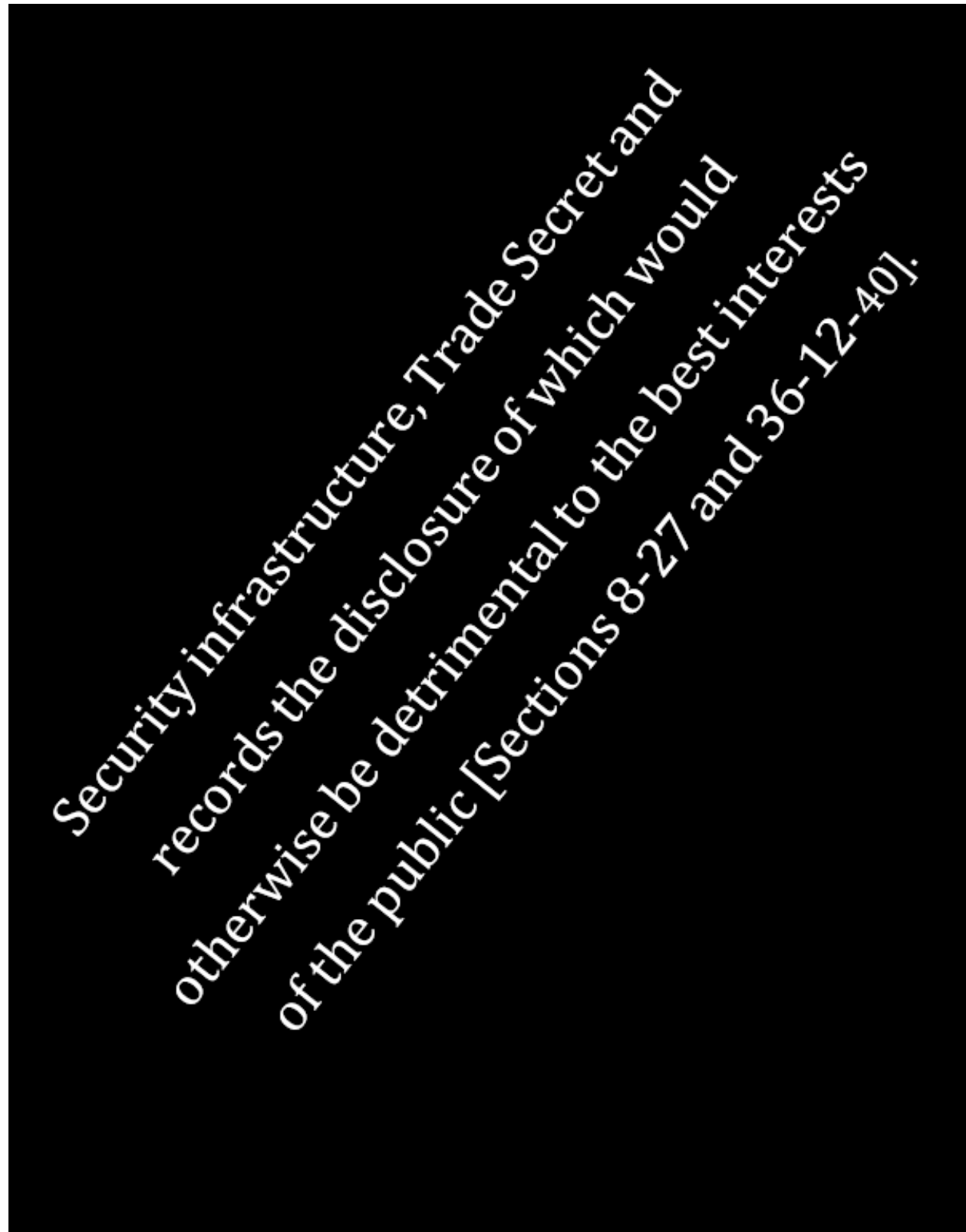


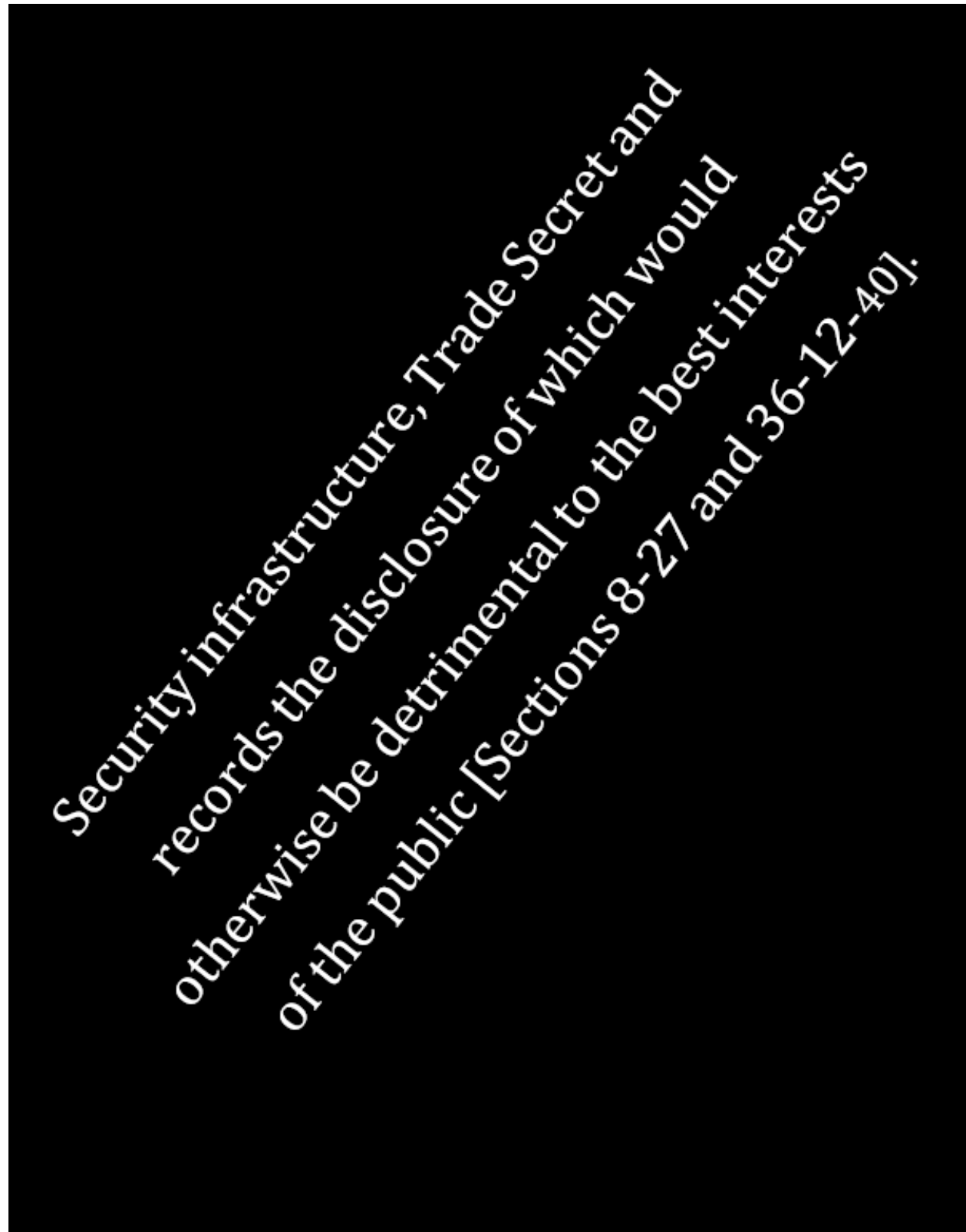


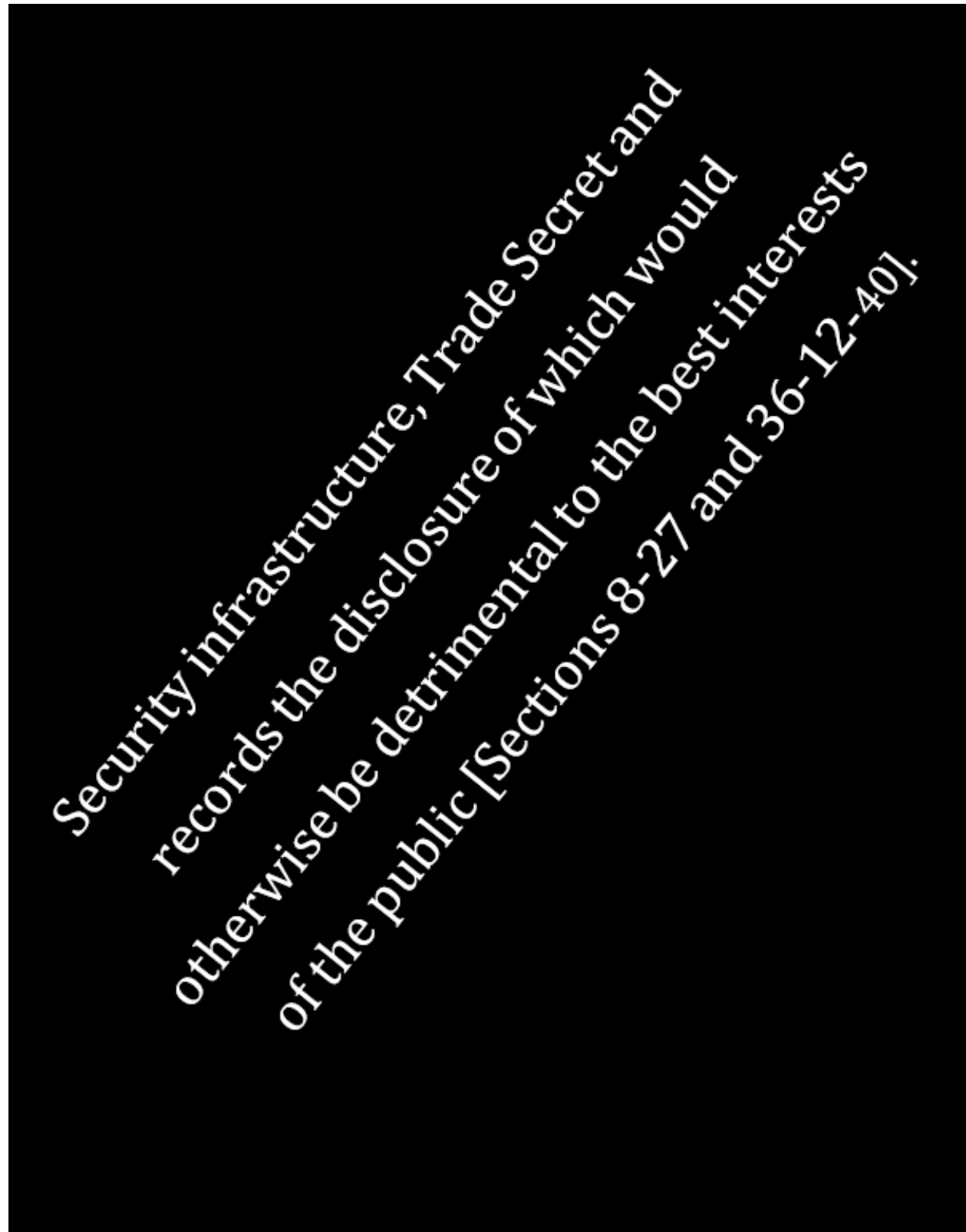


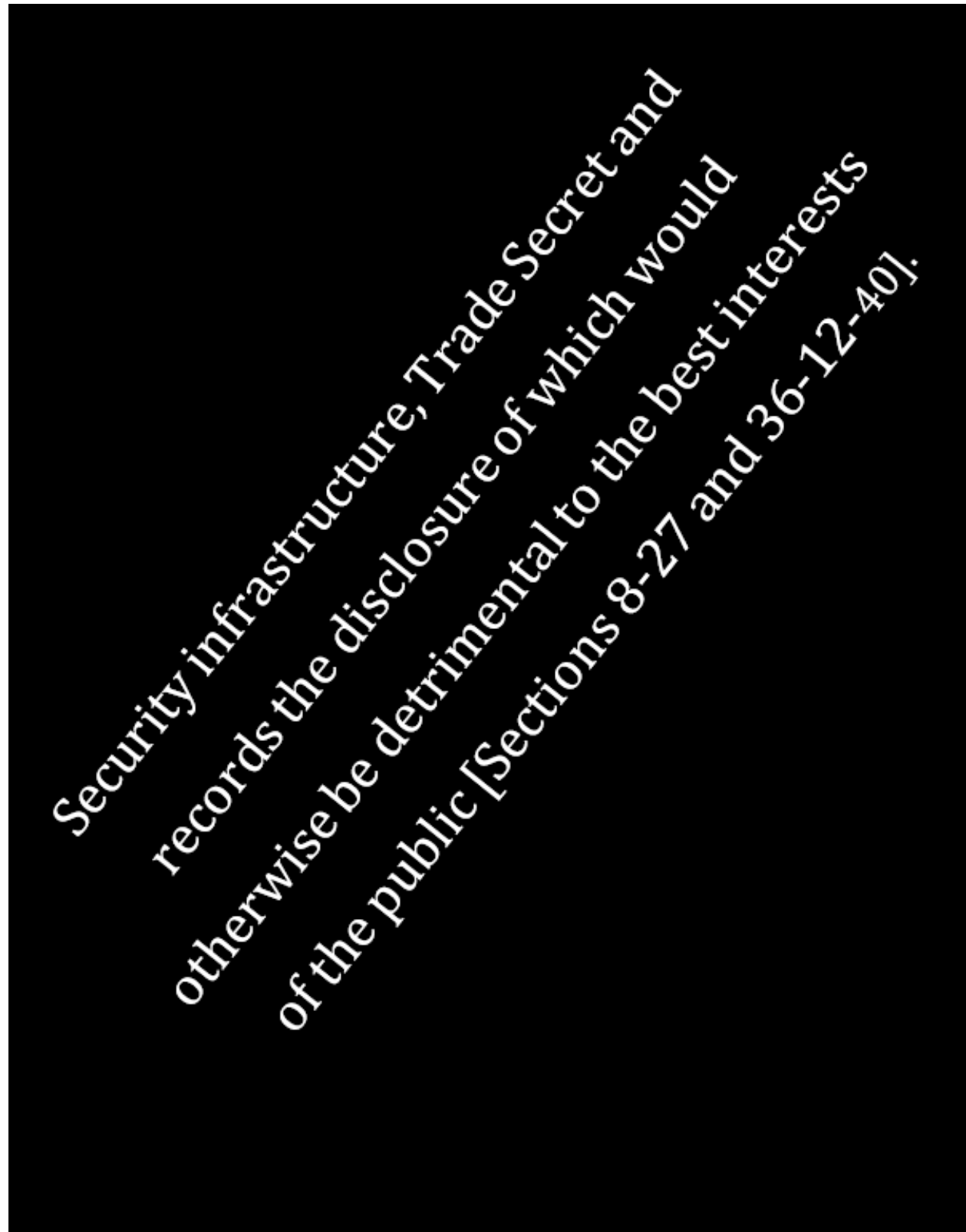


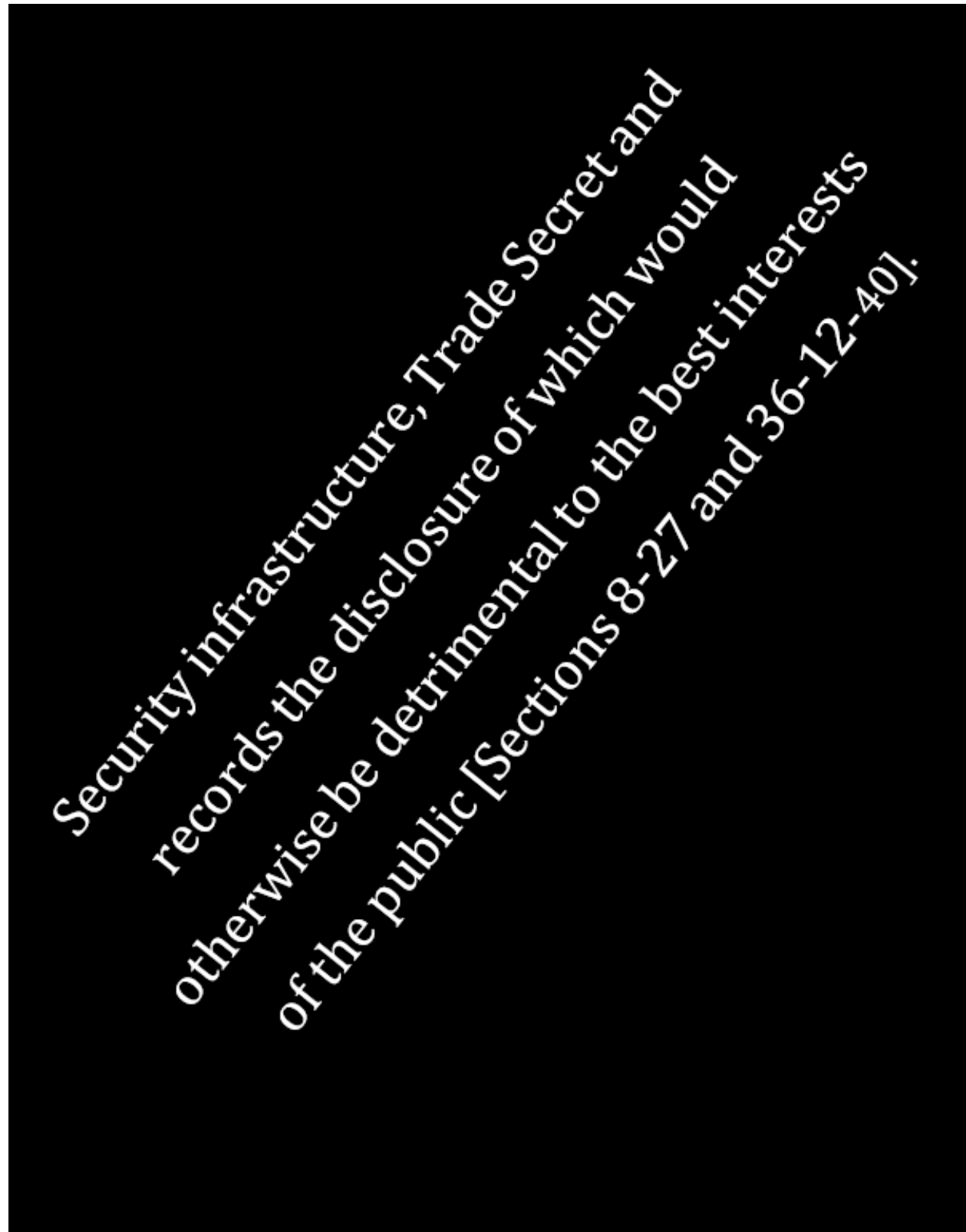


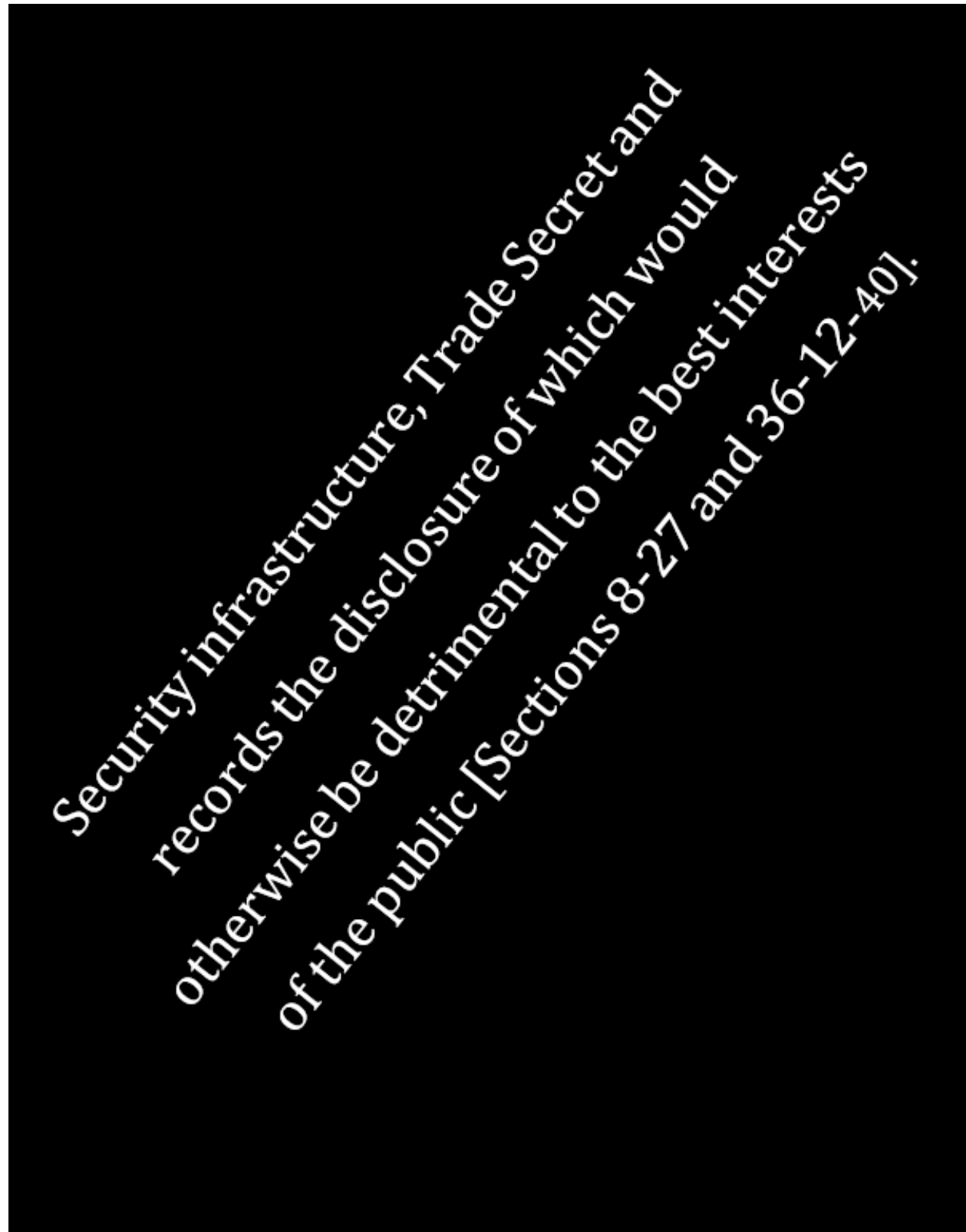












Security Infrastructure, Trade Secret and records the disclosure of which would otherwise be Detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Security Infrastructure, Trade Secret and records the disclosure of which would otherwise be Detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit - Personnel

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner _____

Title of Verifying Individual

12/25/2022 _____

Verification Date

REDACTED COPY

FORM G: PERSONNEL ROSTER & VERIFICATION

Guaranteed Investments AL, LLC

Business License Applicant Name

Dispensing

License Type

Complete the following information, current to within thirty (30) days prior to the date of application, for all personnel (each leader and employee) affiliated with the Applicant. Attach additional forms if necessary.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Leader/Employee Name

Title/Position

SSN

Telephone

Email

Street Address

City

State

Zip

REDACTED COPY

Leader/Employee Name

Title/Position

SSN

Telephone

Email

Street Address

City

State

Zip

Leader/Employee Name

Title/Position

SSN

Telephone

Email

Street Address

City

State

Zip

Leader/Employee Name

Title/Position

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Telephone

Email

Street Address

City

State

Zip

Leader/Employee Name

Title/Position

SSN

Telephone

Email

Street Address

City

State

Zip

Leader/Employee Name

Title/Position

SSN

Telephone

Email

Street Address

City

State

Zip

Applicant Verification: The undersigned hereby verifies that the information provided hereinabove (and attached, as necessary) constitutes a complete and accurate roster of personnel of the Applicant. The undersigned further verifies that, if the Applicant is issued a business license, each individual listed hereinabove (and attached, as necessary) will be registered to the AMCC website and will d checks.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

Exhibit 21 – Business Leadership Credentials

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner

Title of Verifying Individual

12/25/2022

Verification Date

21.1 Curriculum Vitae

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

21.2 Business Roles

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

21.3 5-Year Hiring Plan

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 22 - Employee Handbook

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

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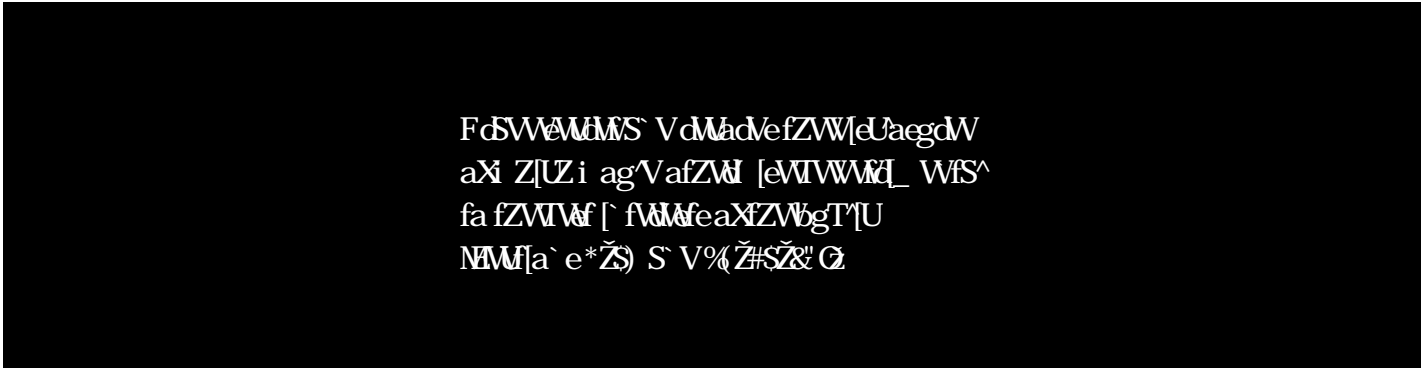
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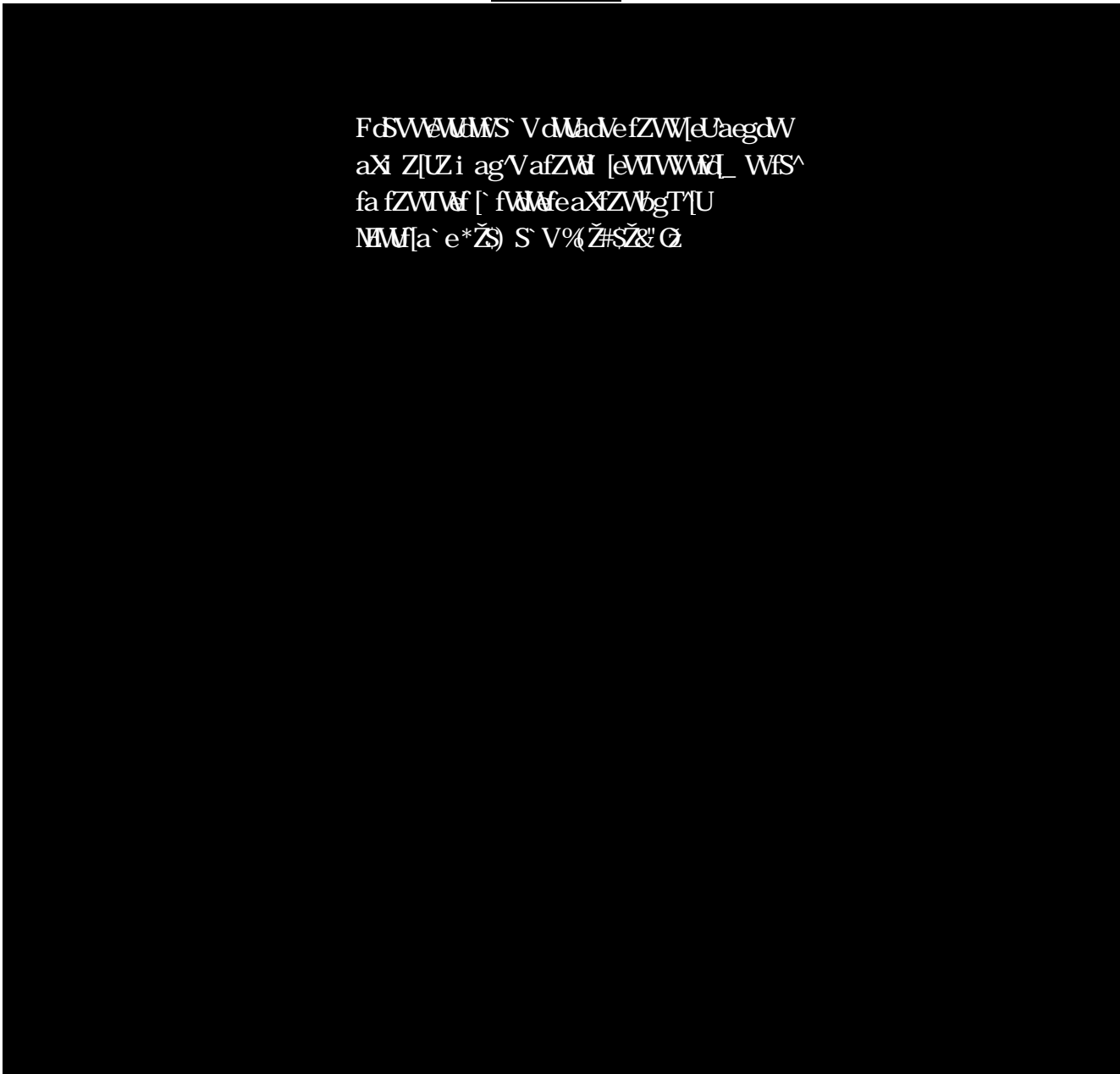
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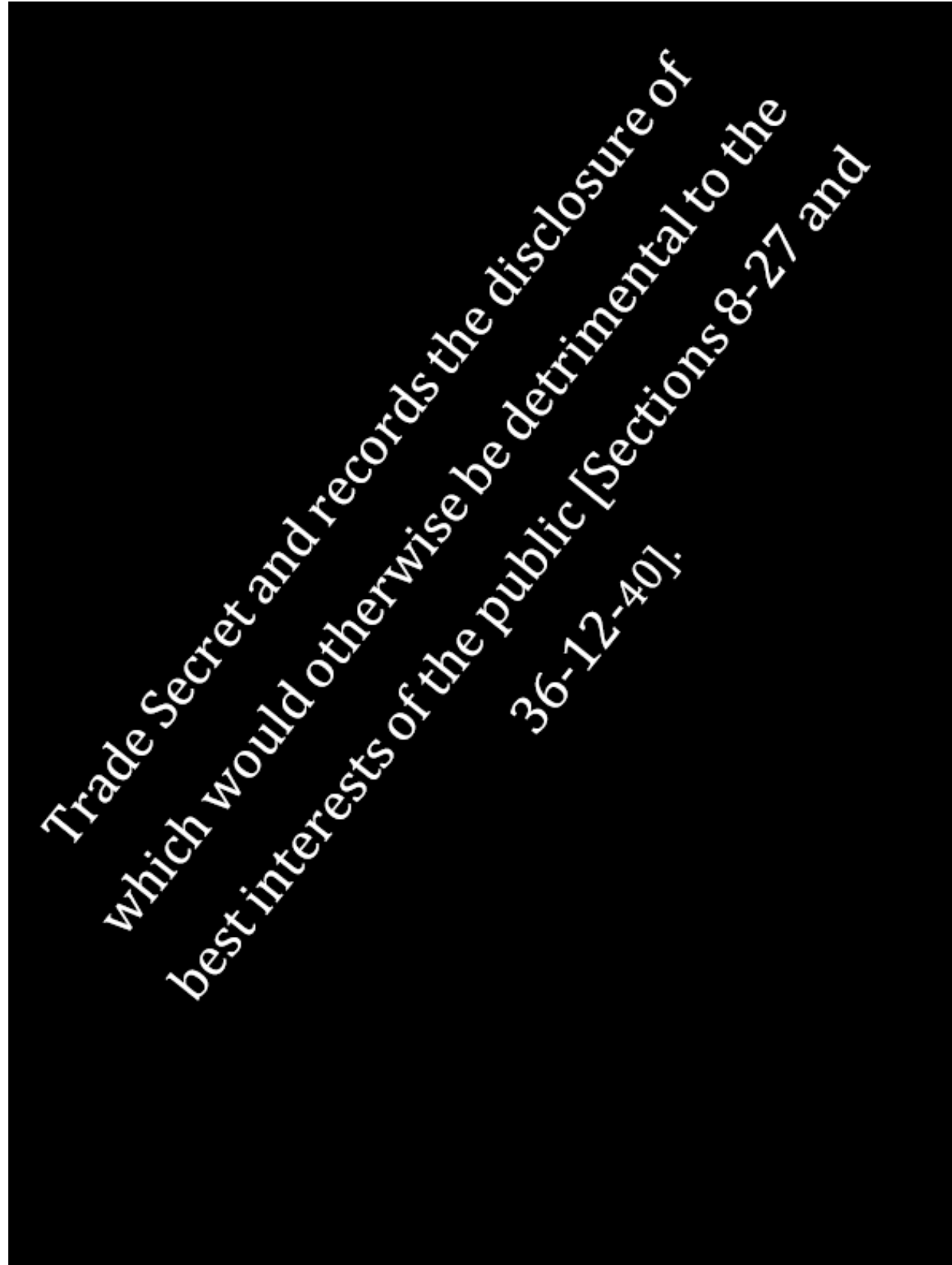
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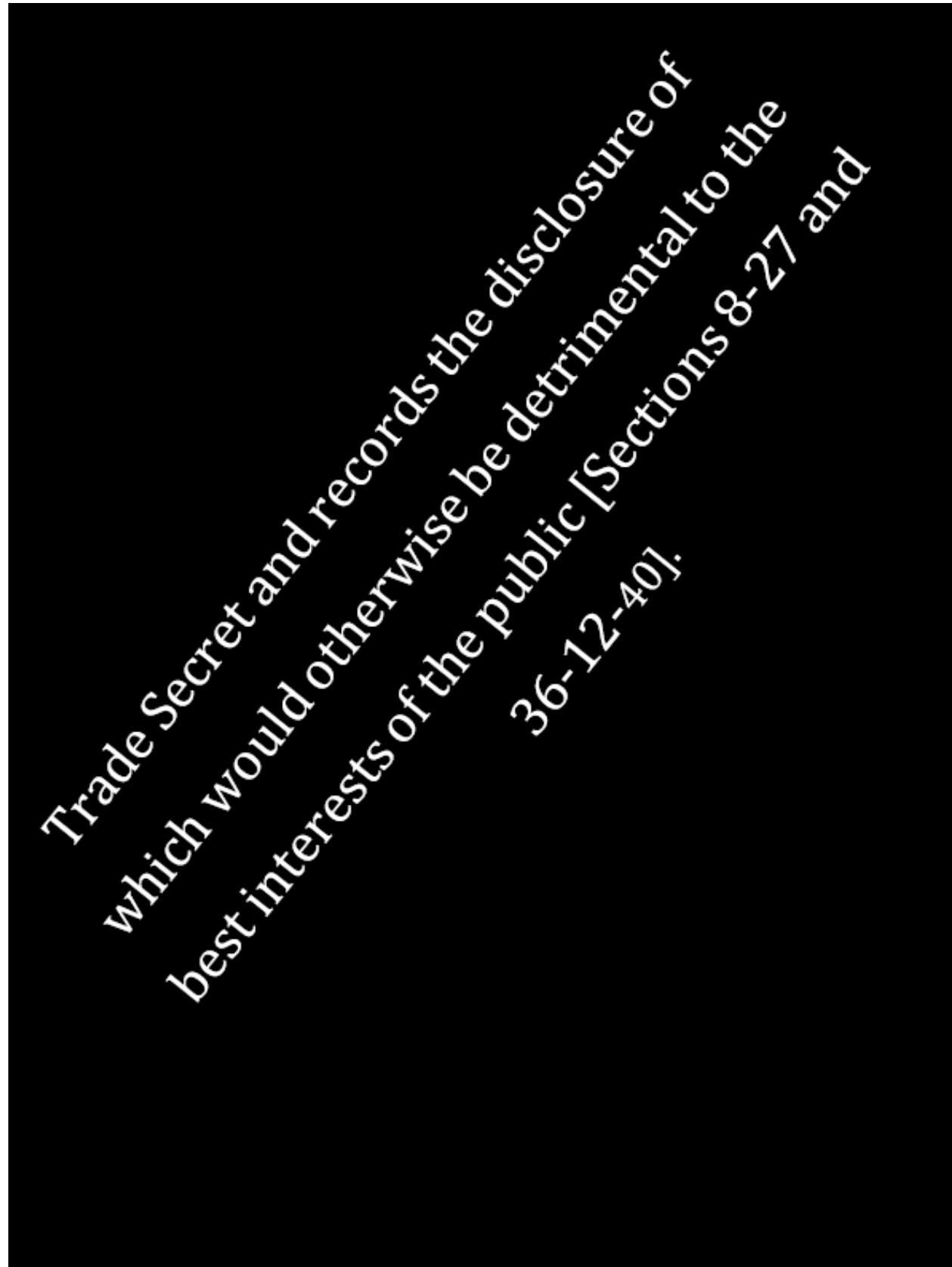
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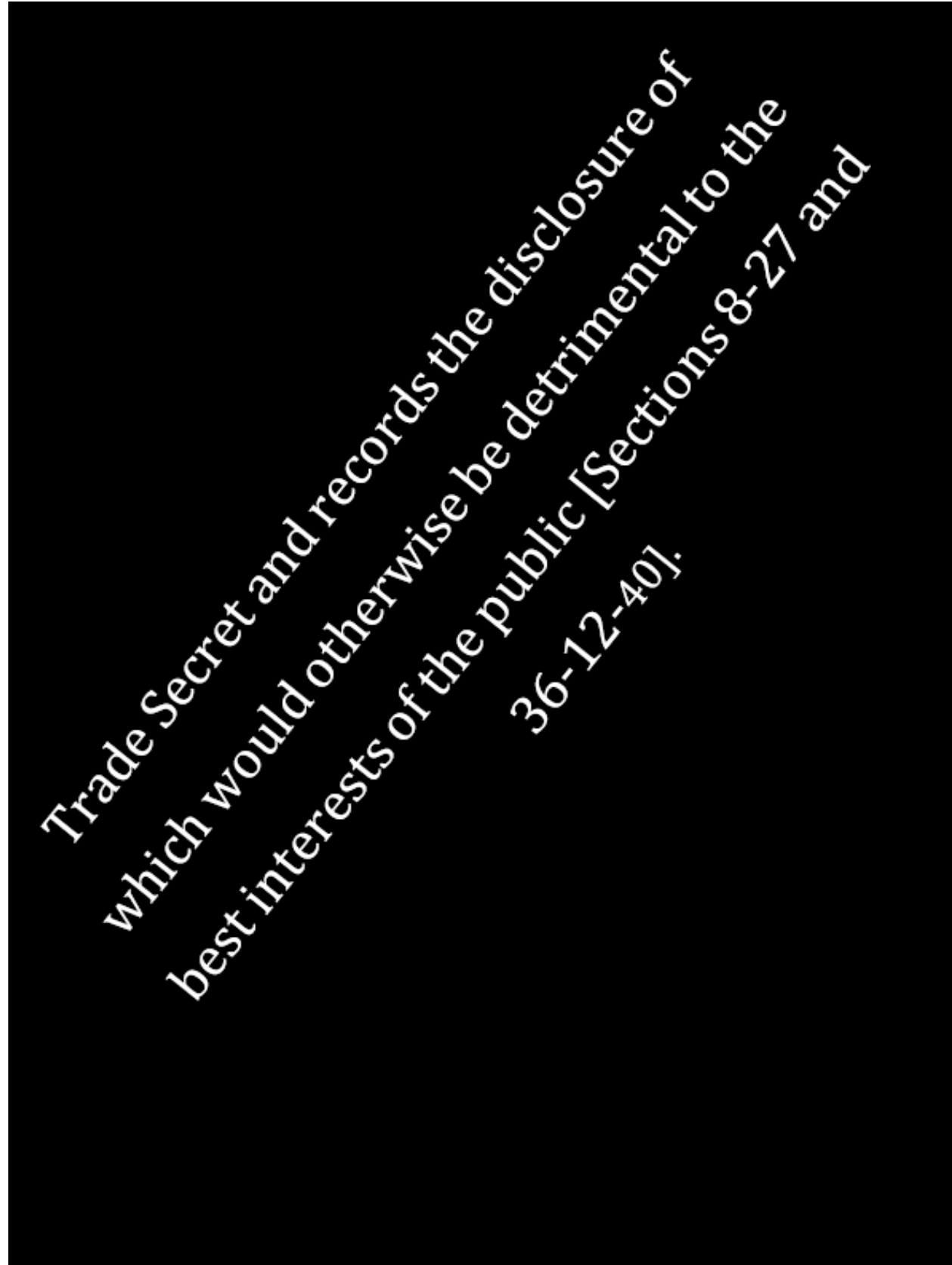


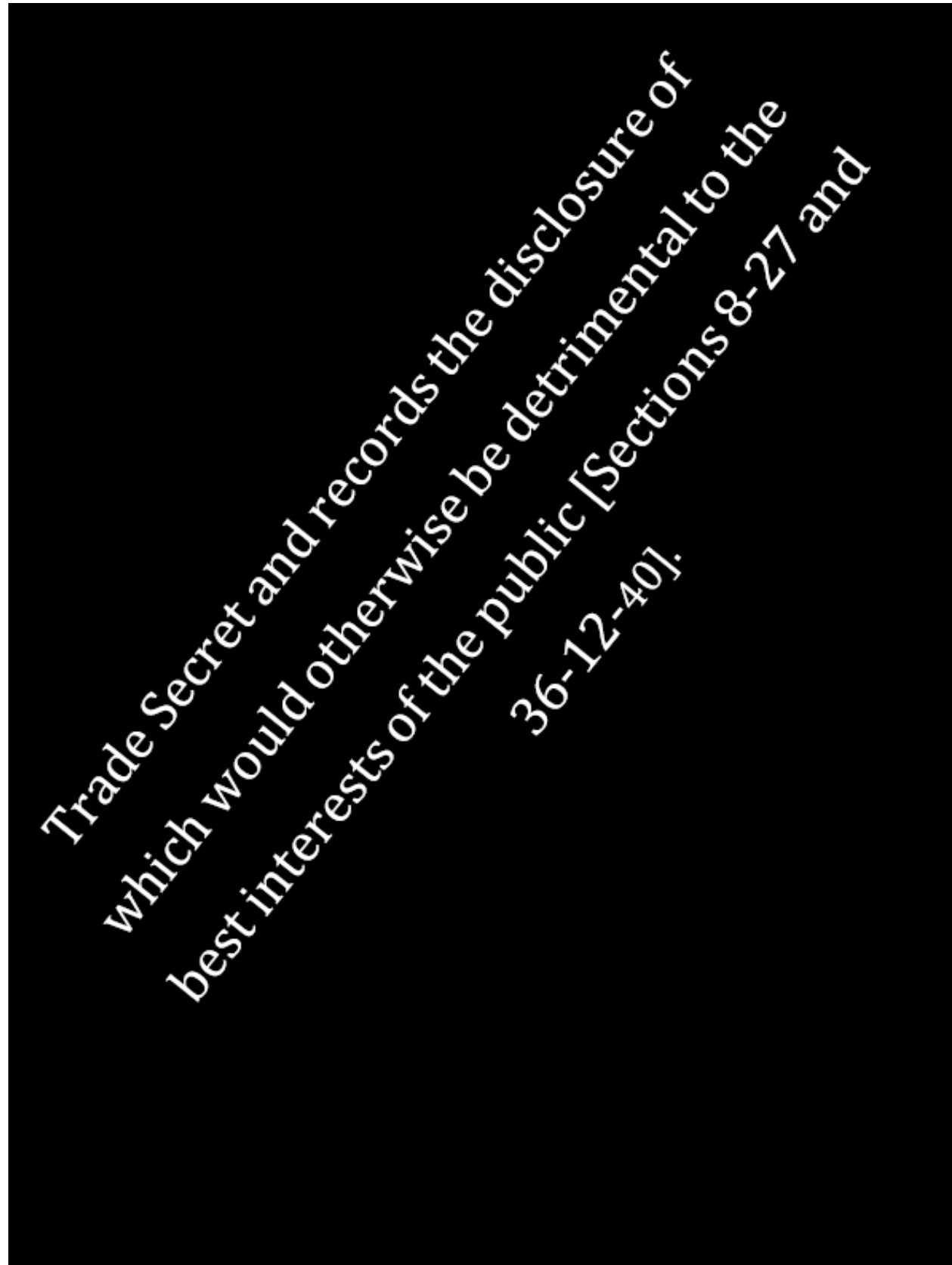
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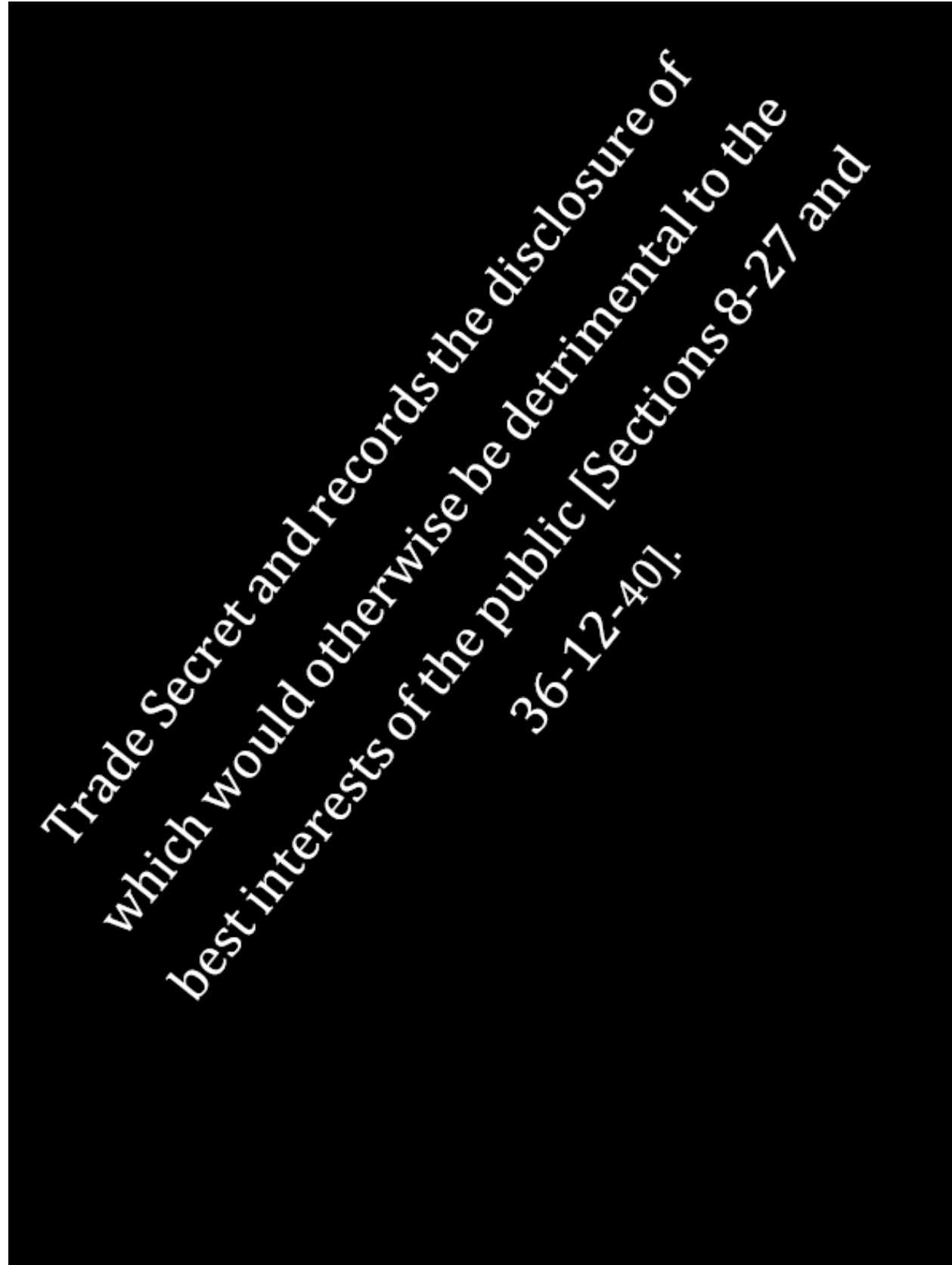


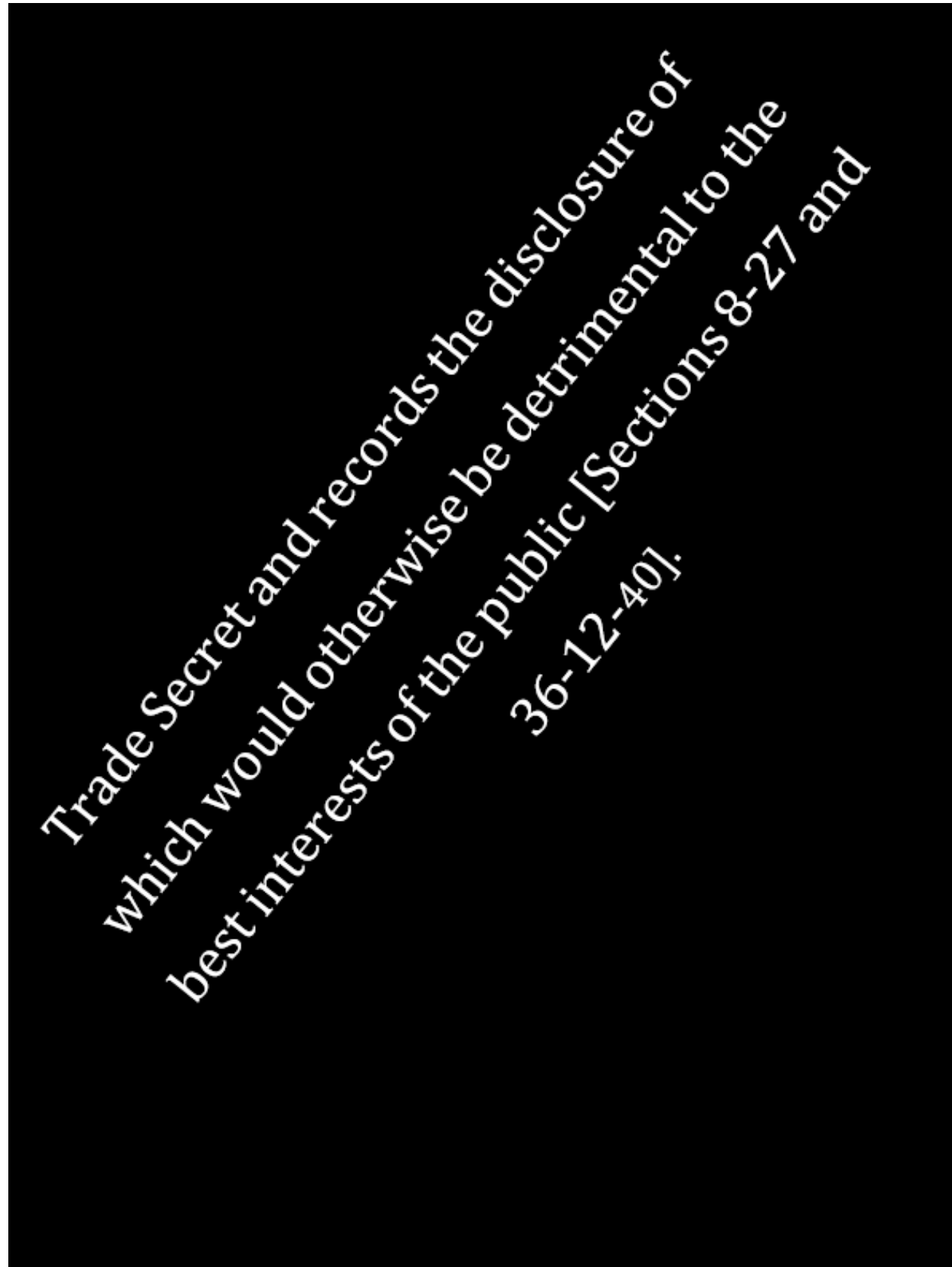






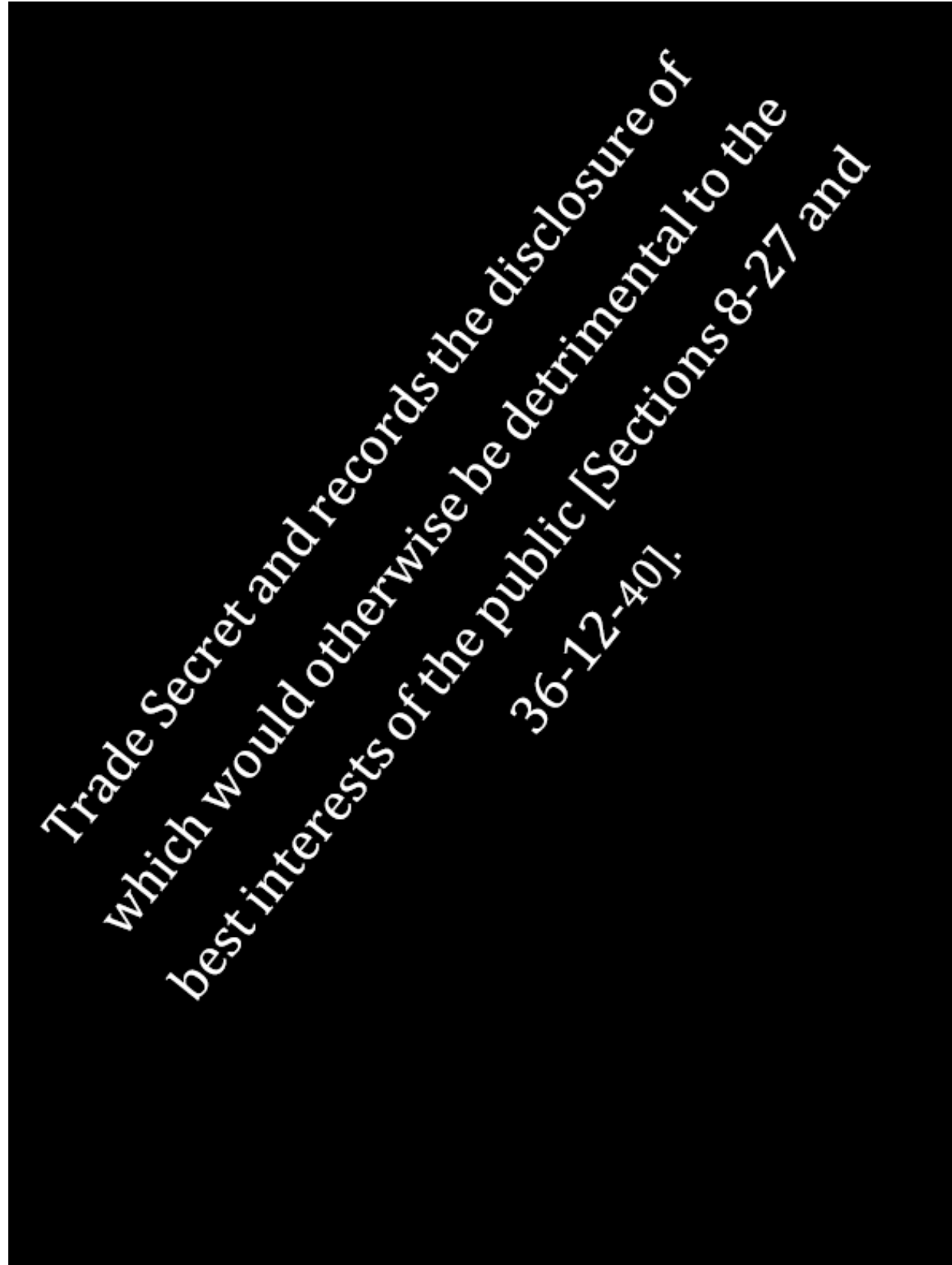


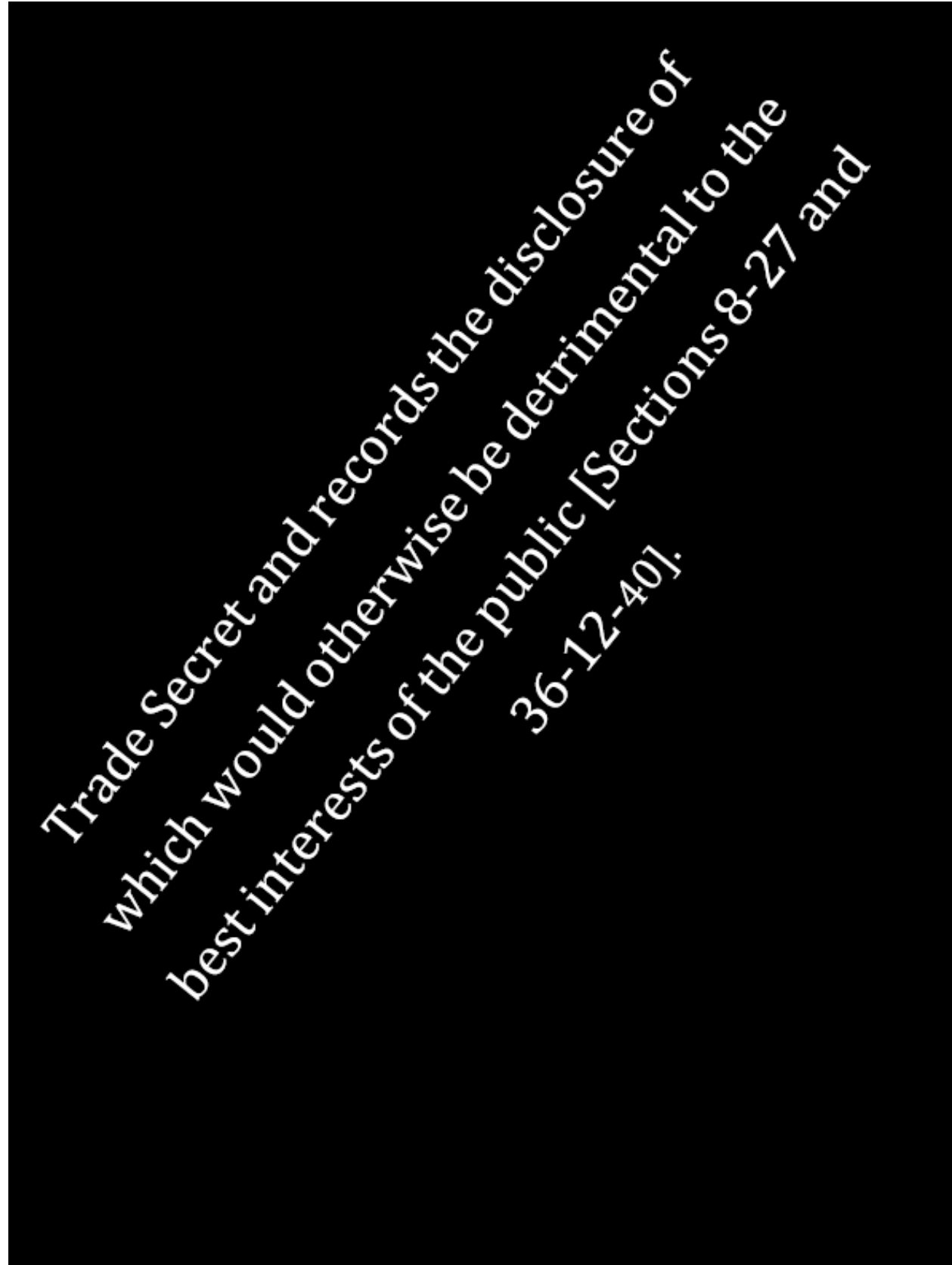


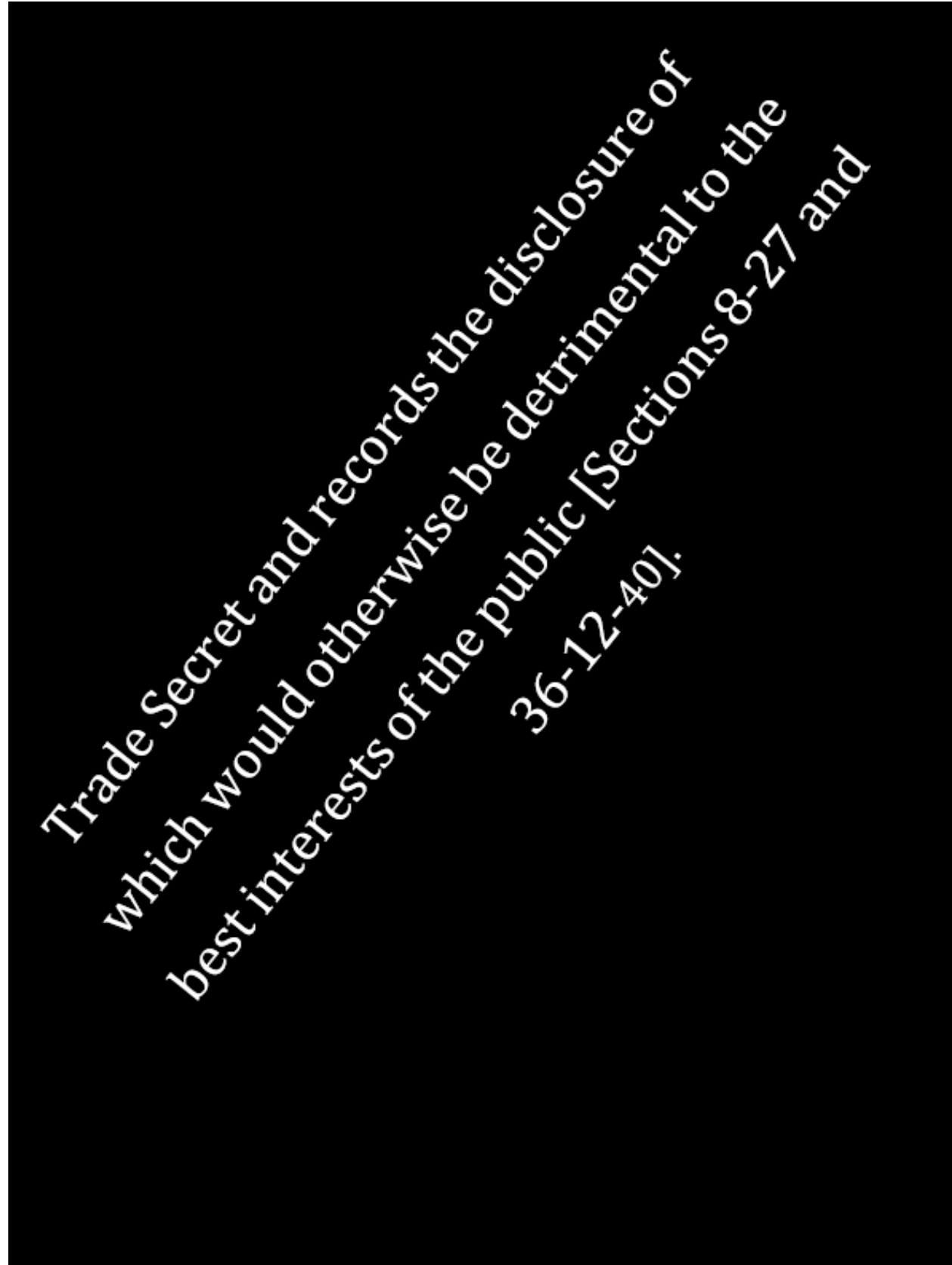


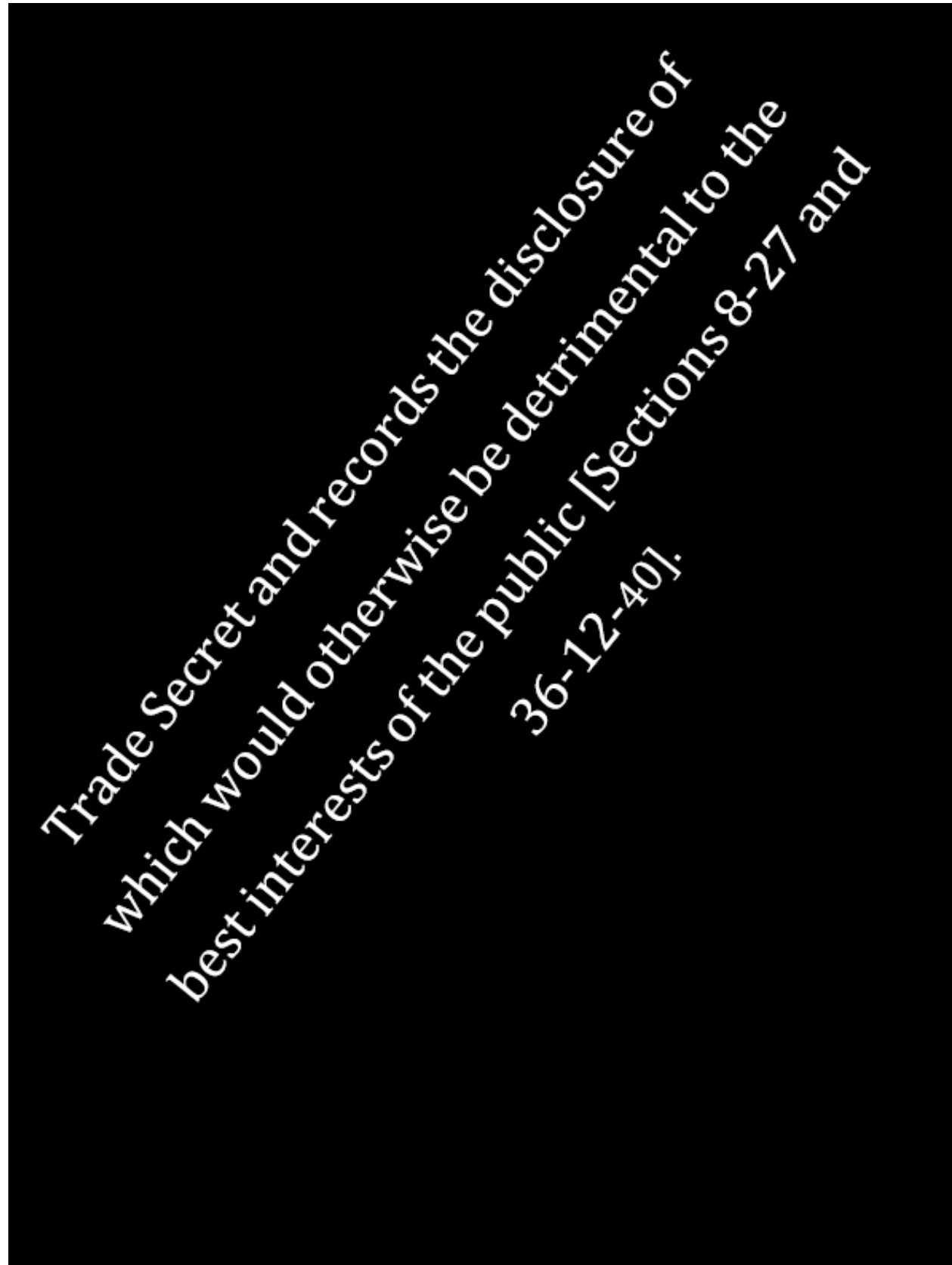


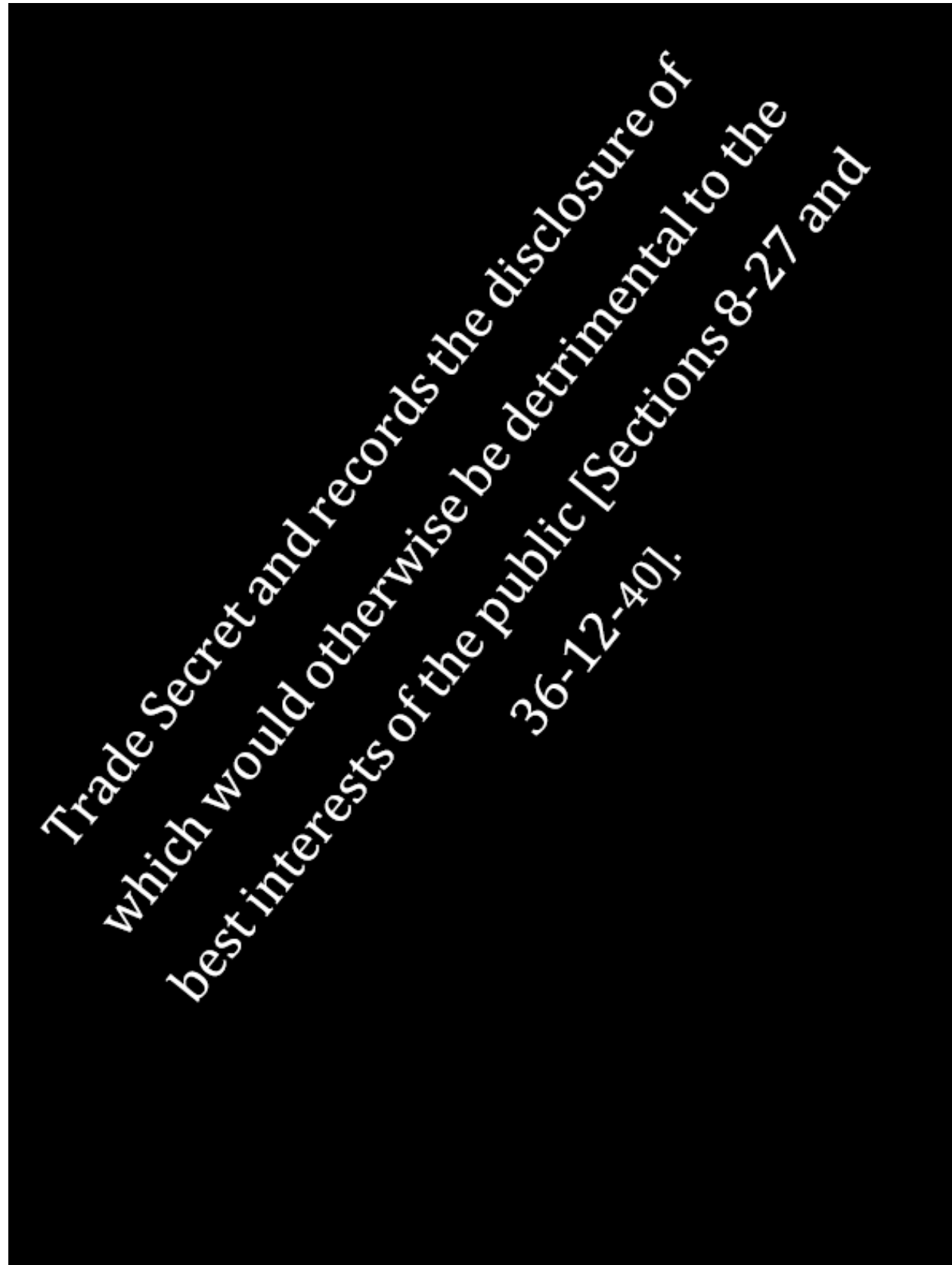


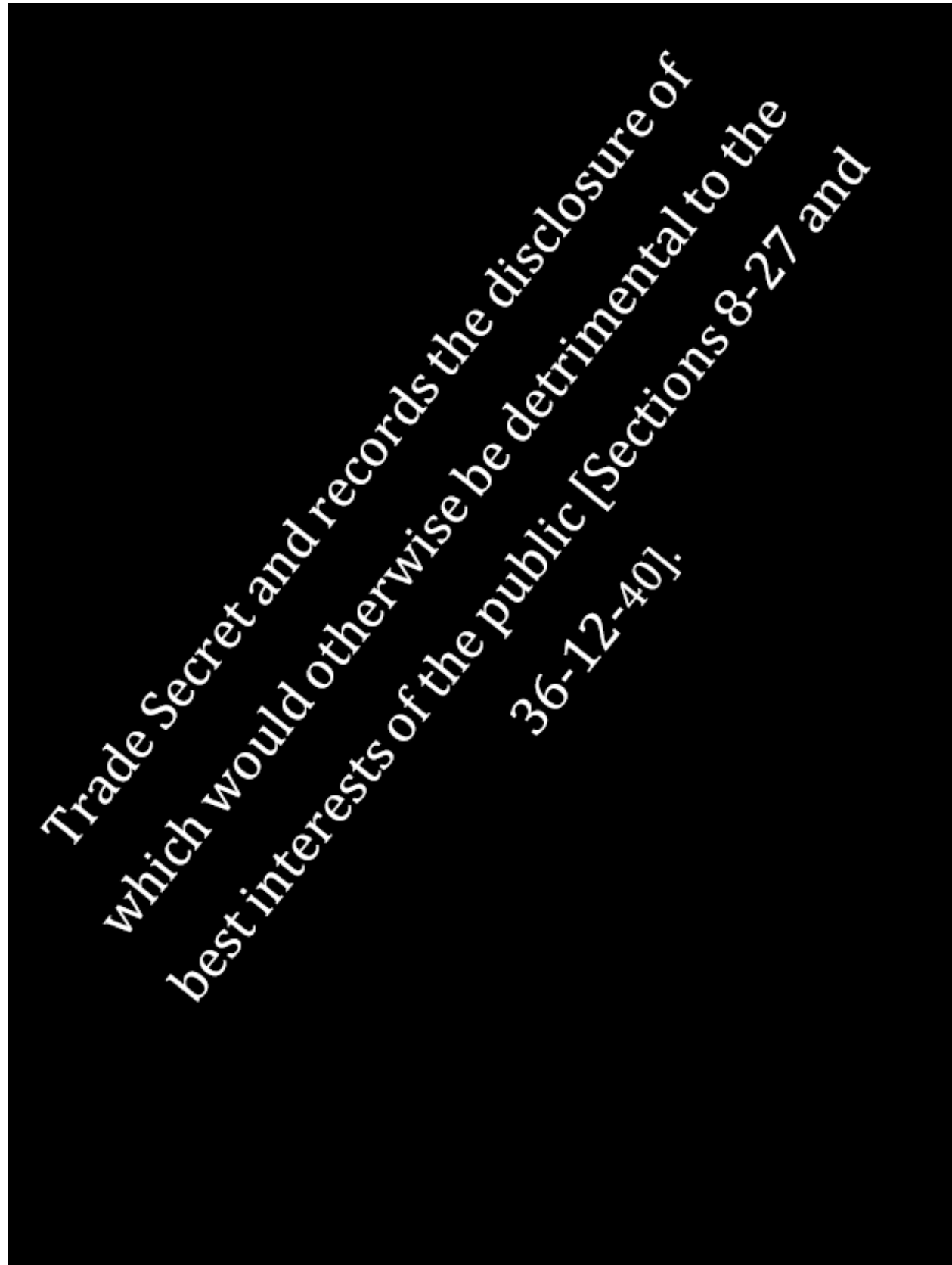








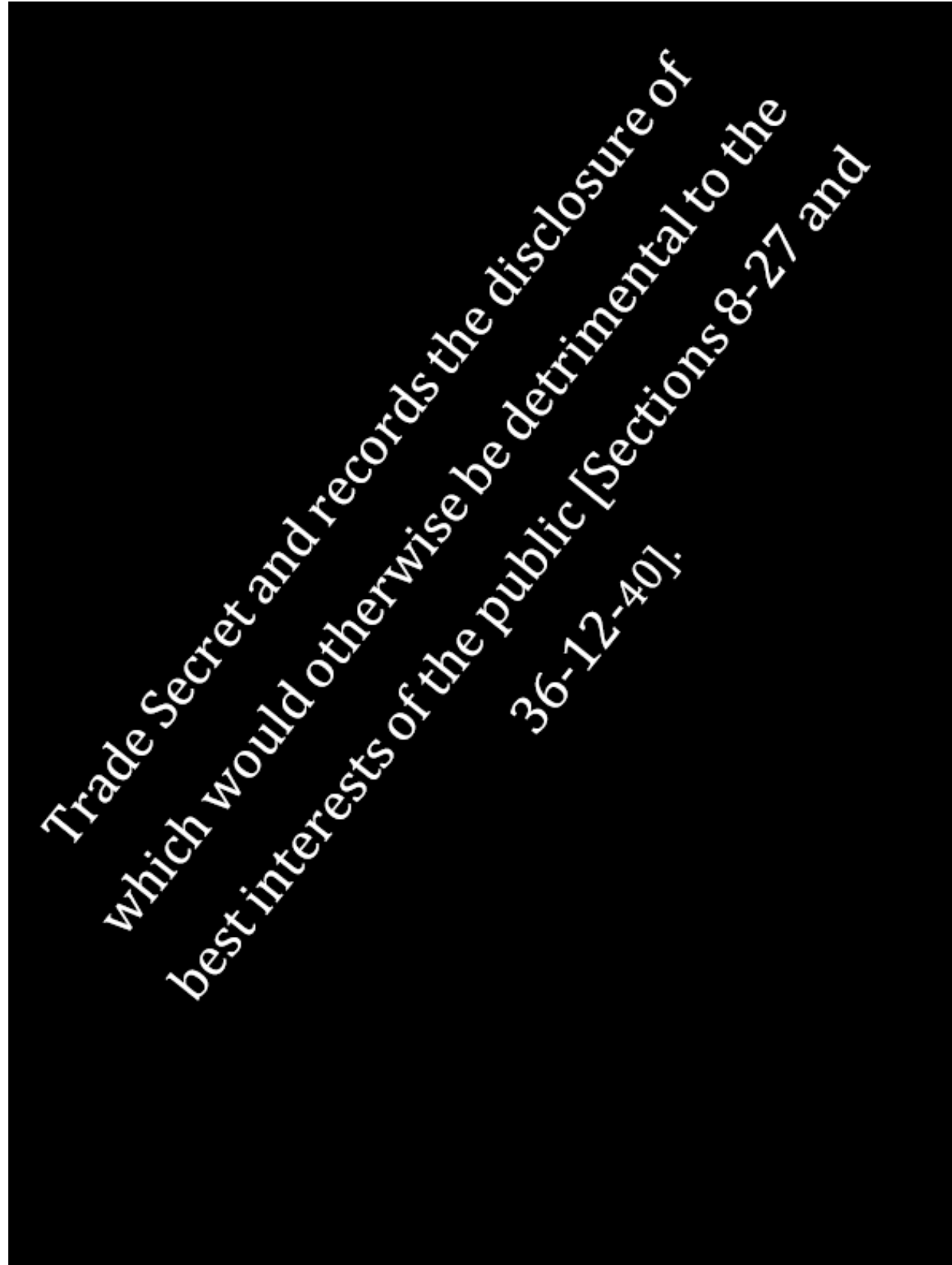


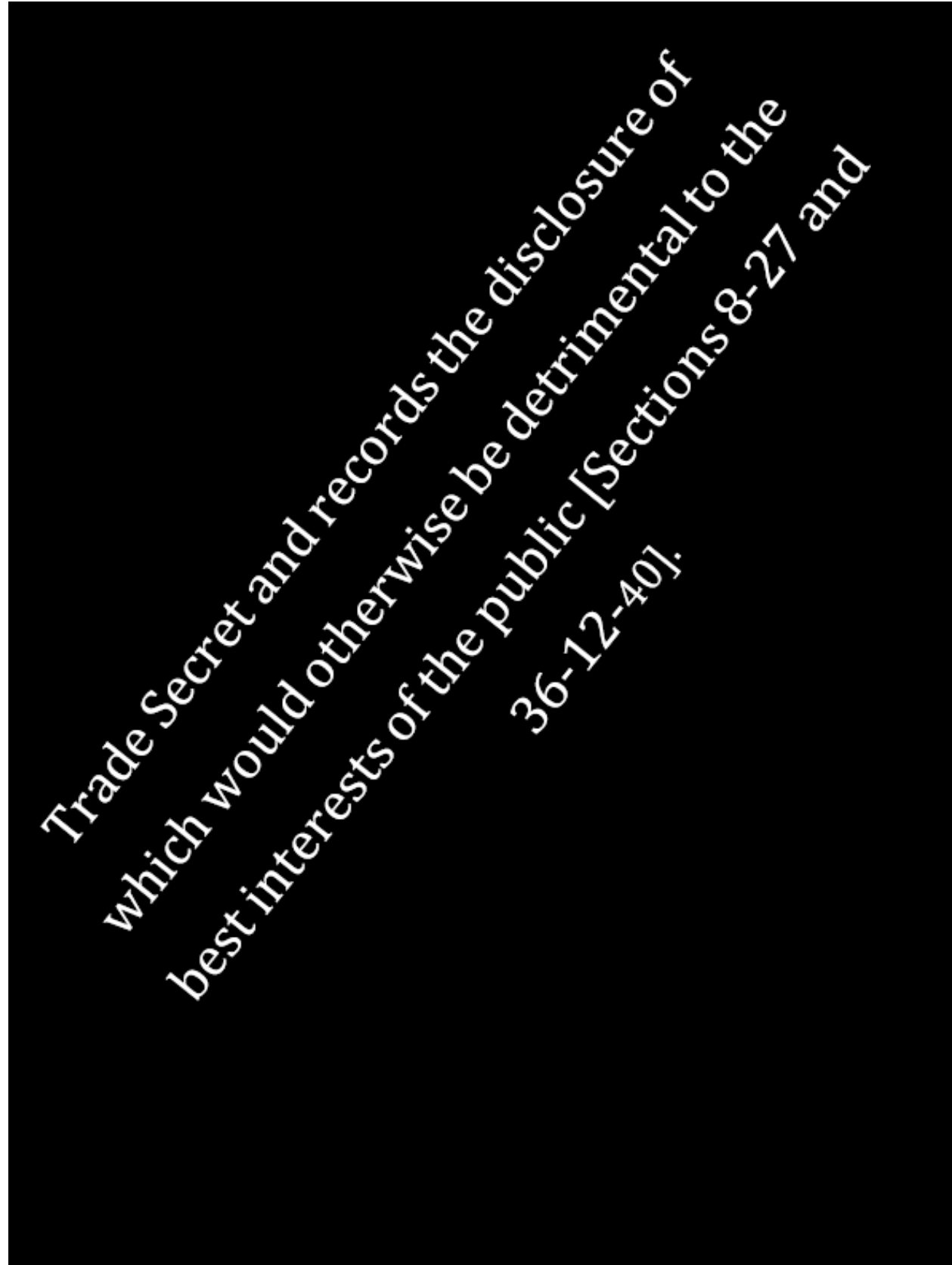


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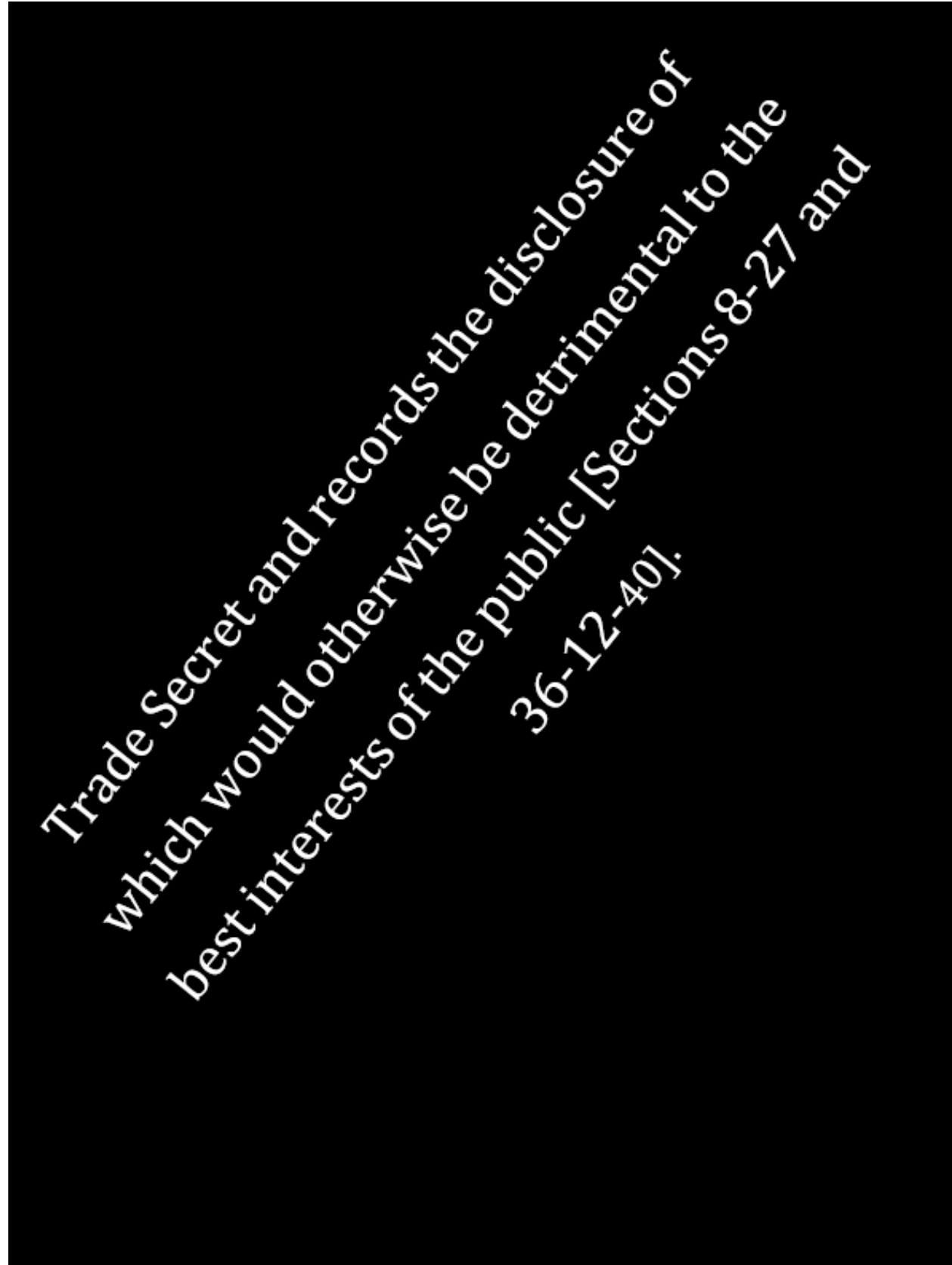


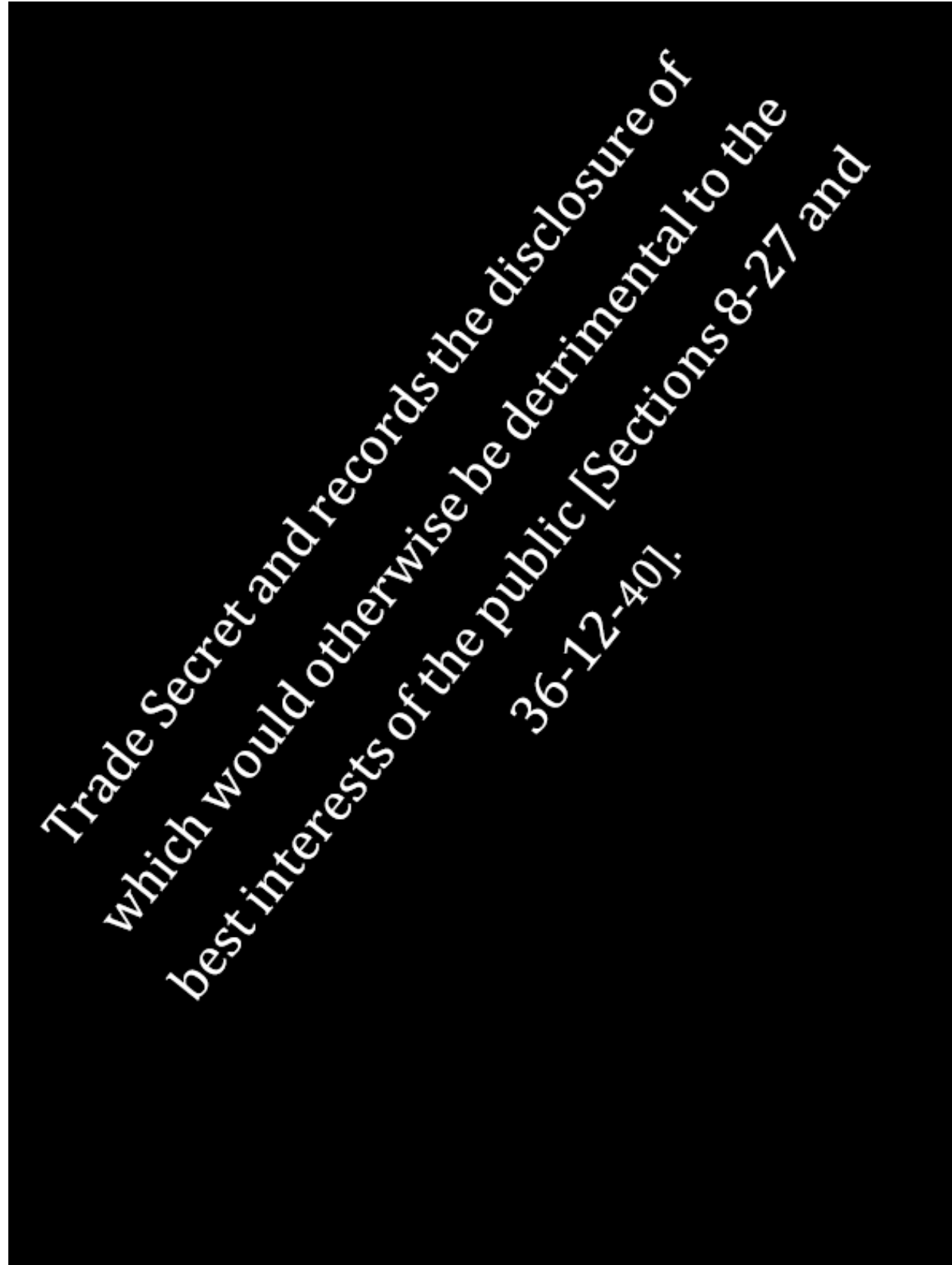


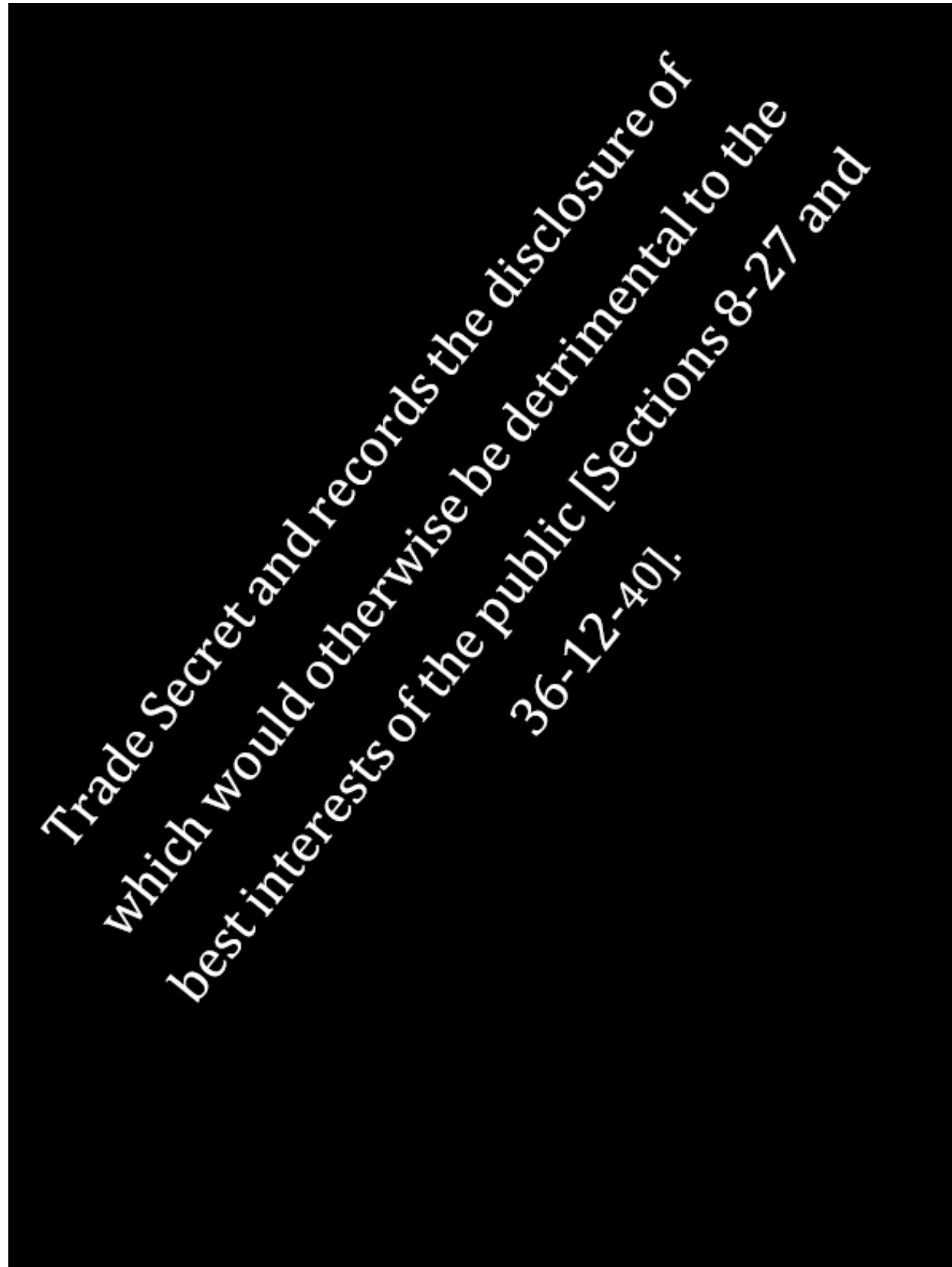


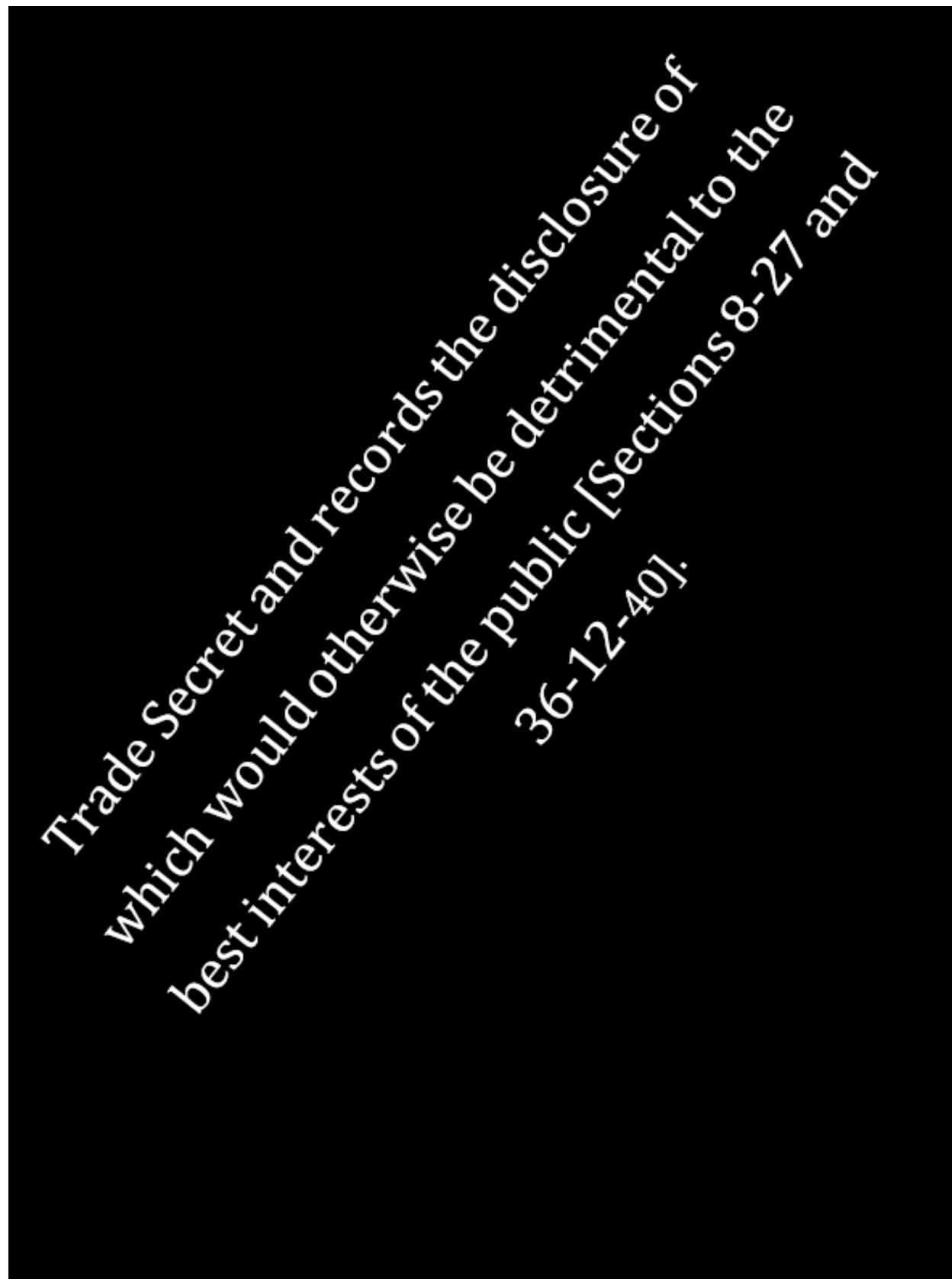


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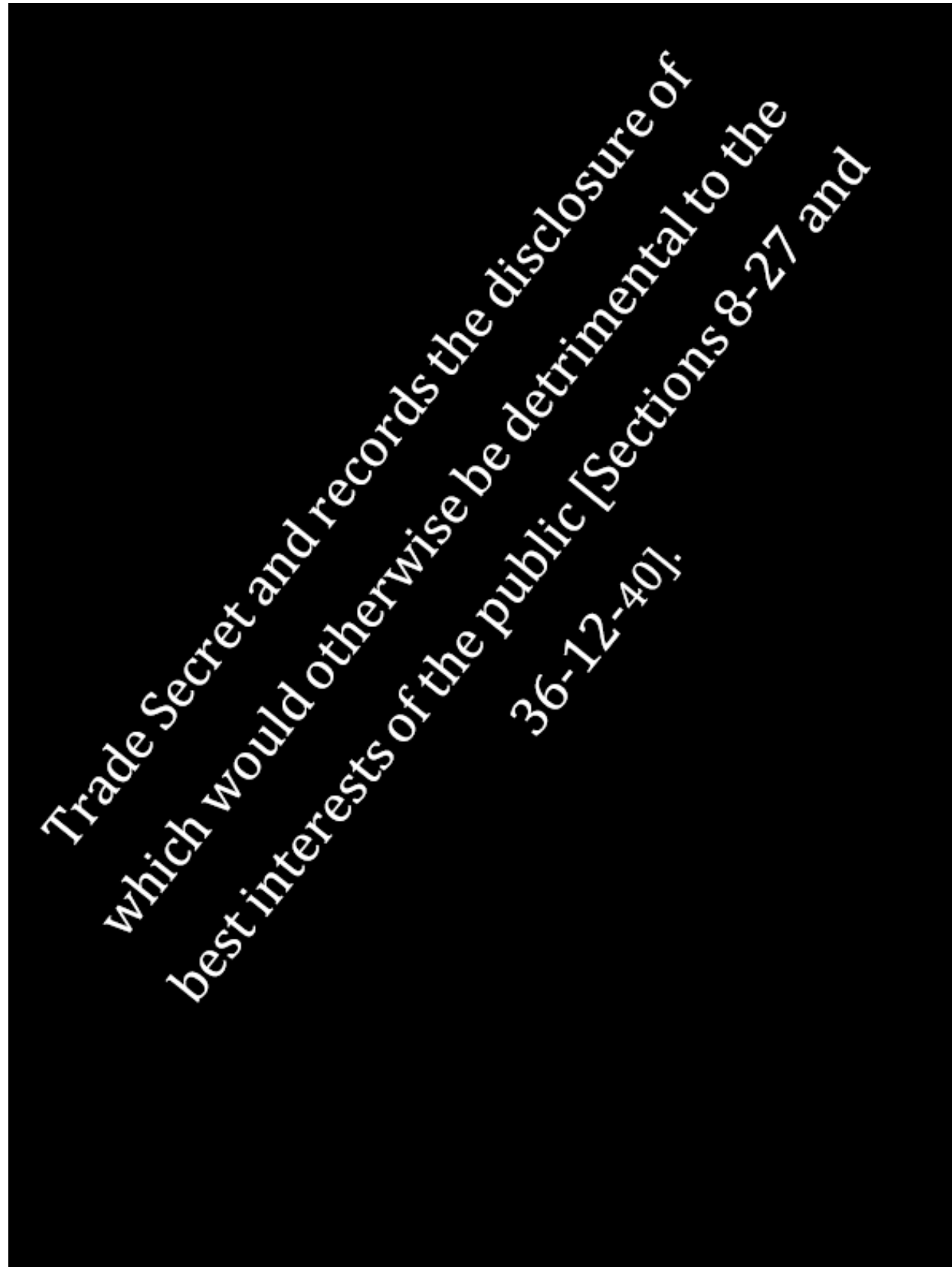


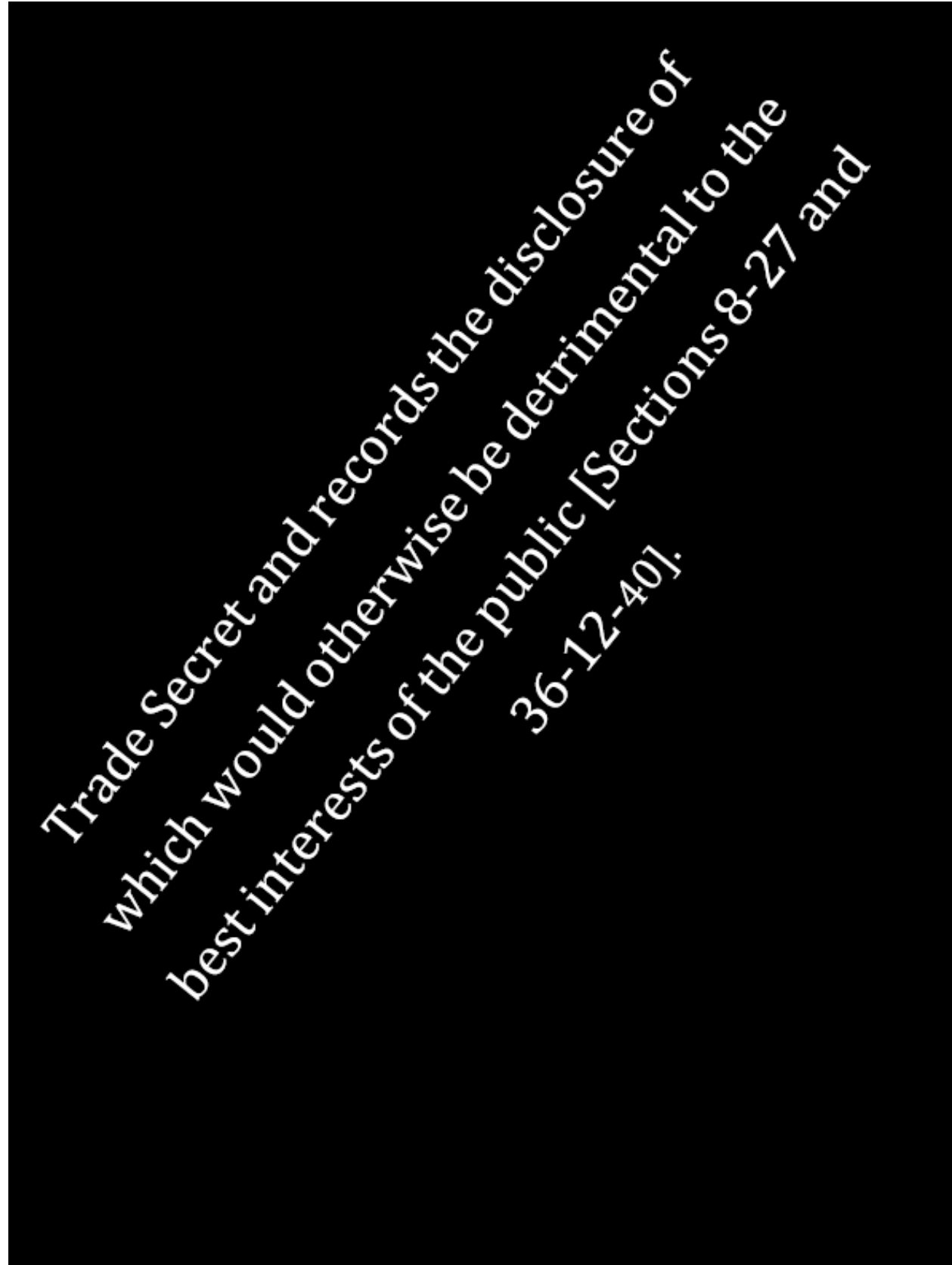


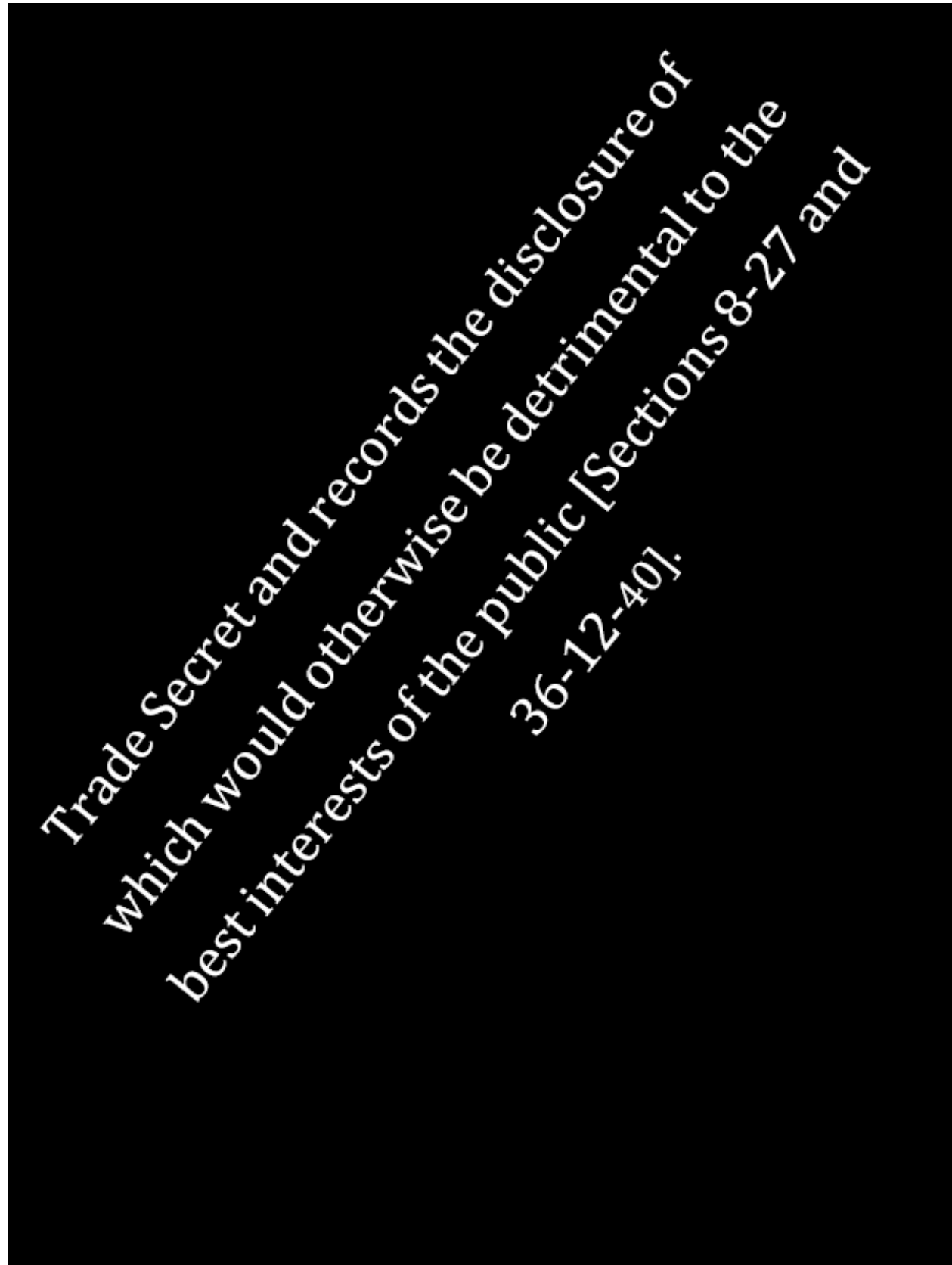


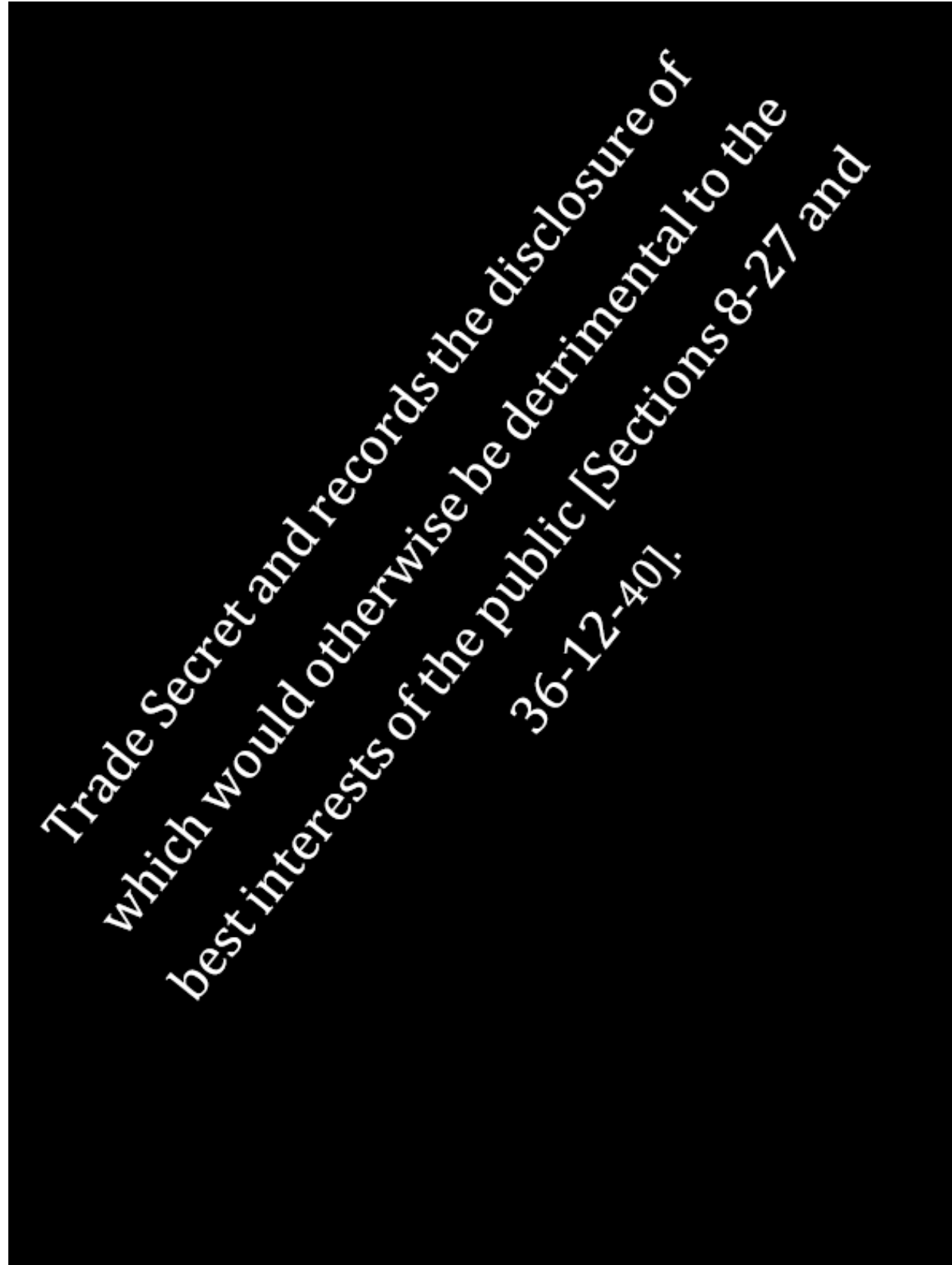




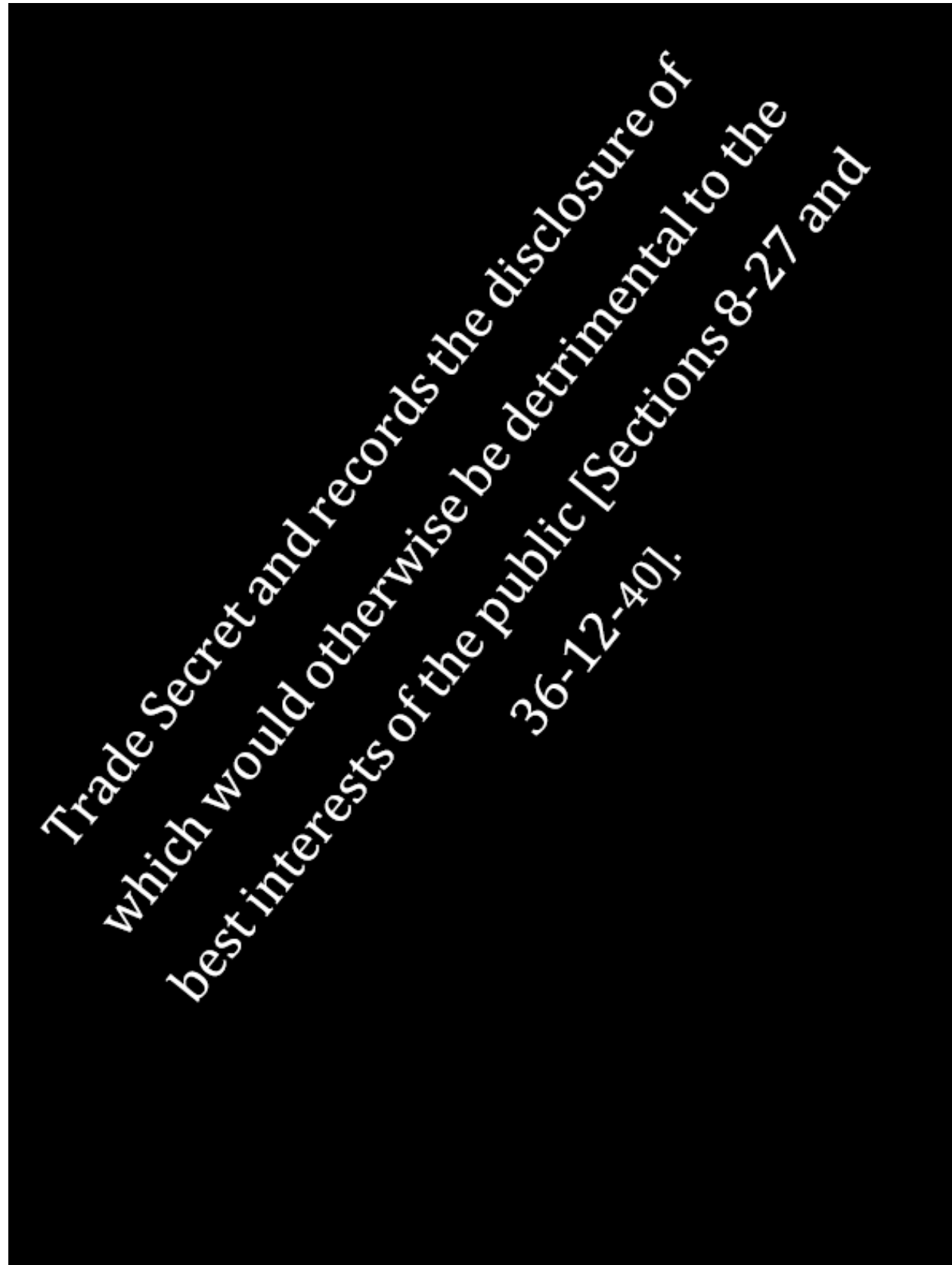


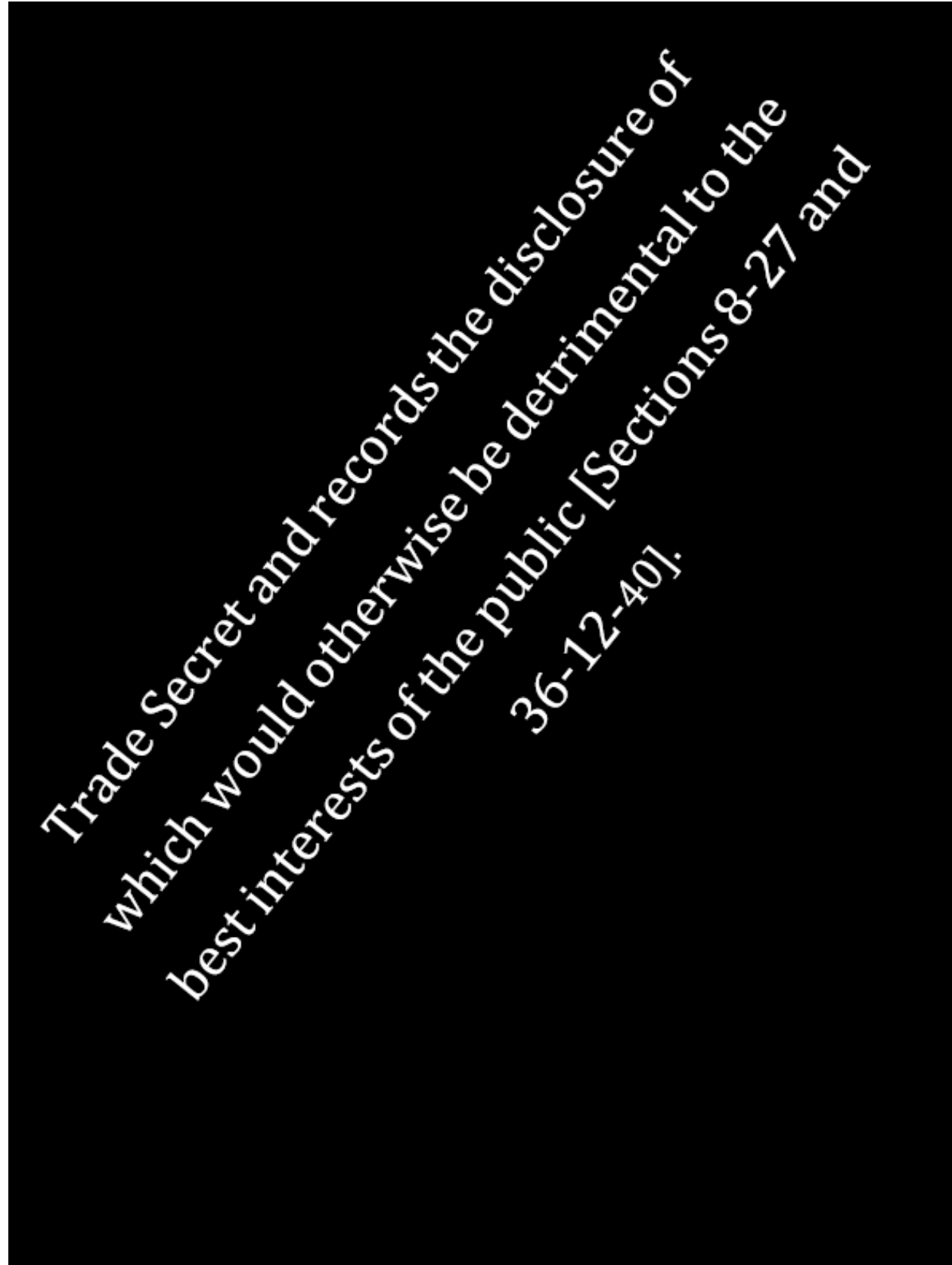






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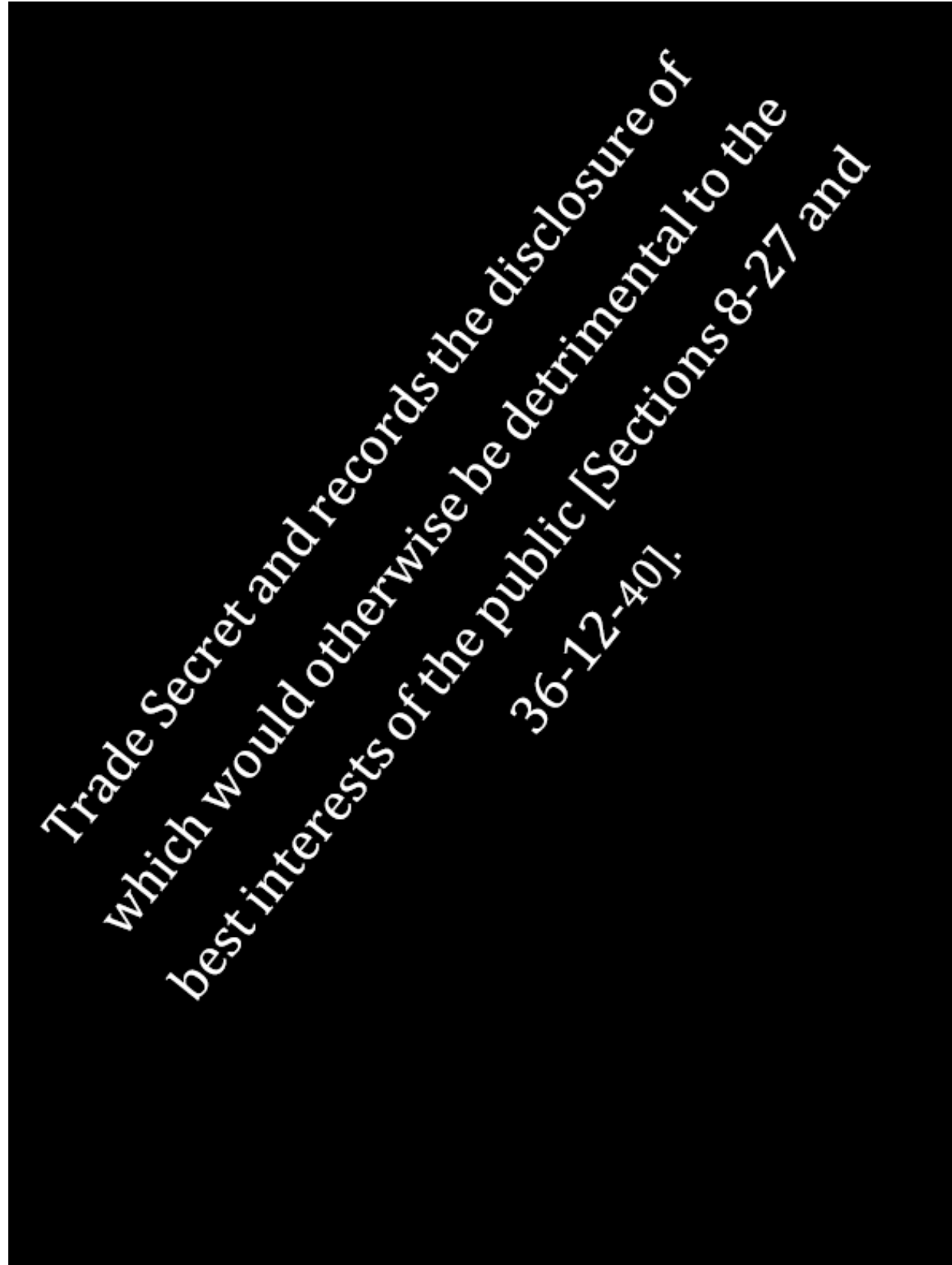


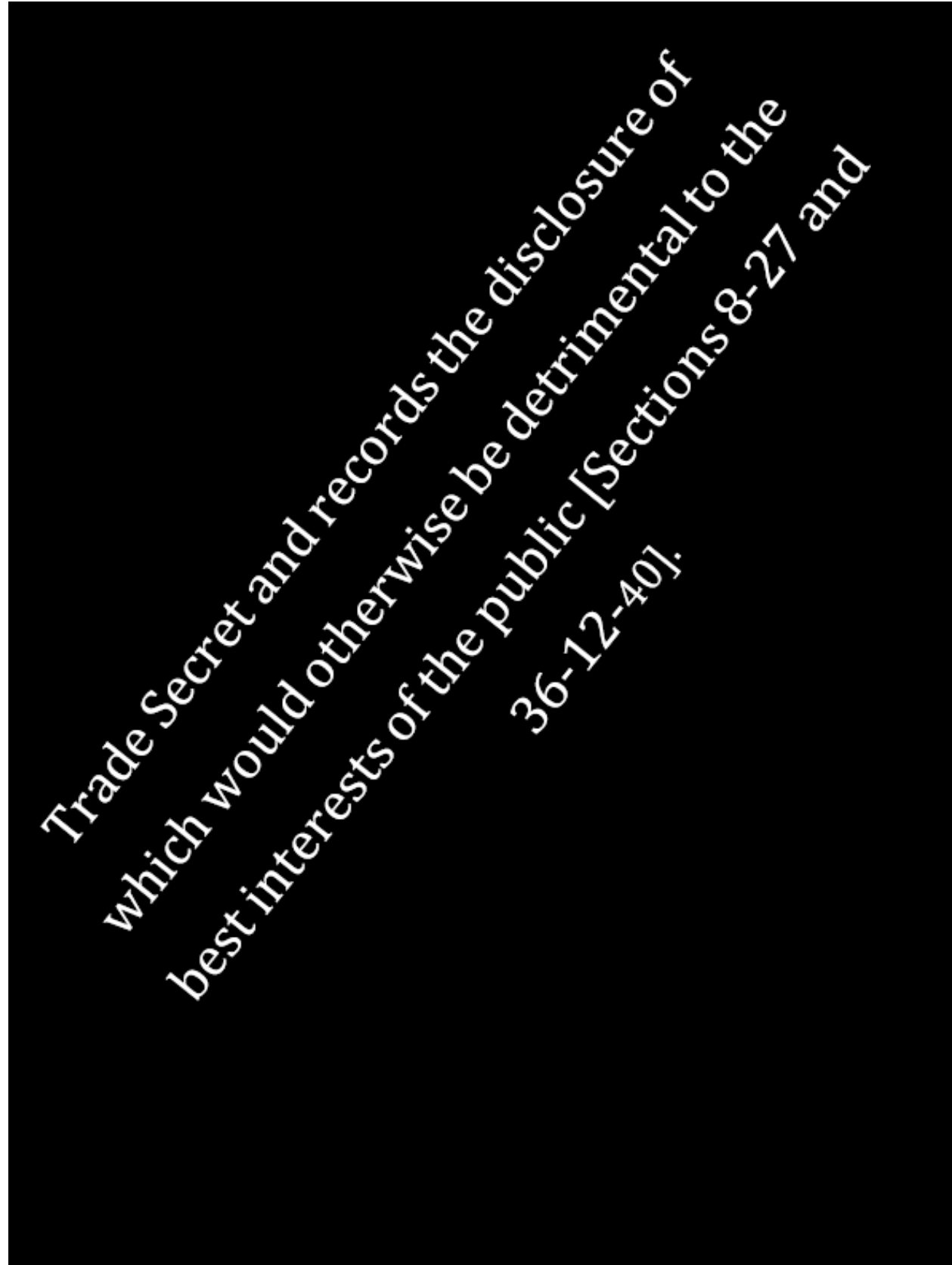


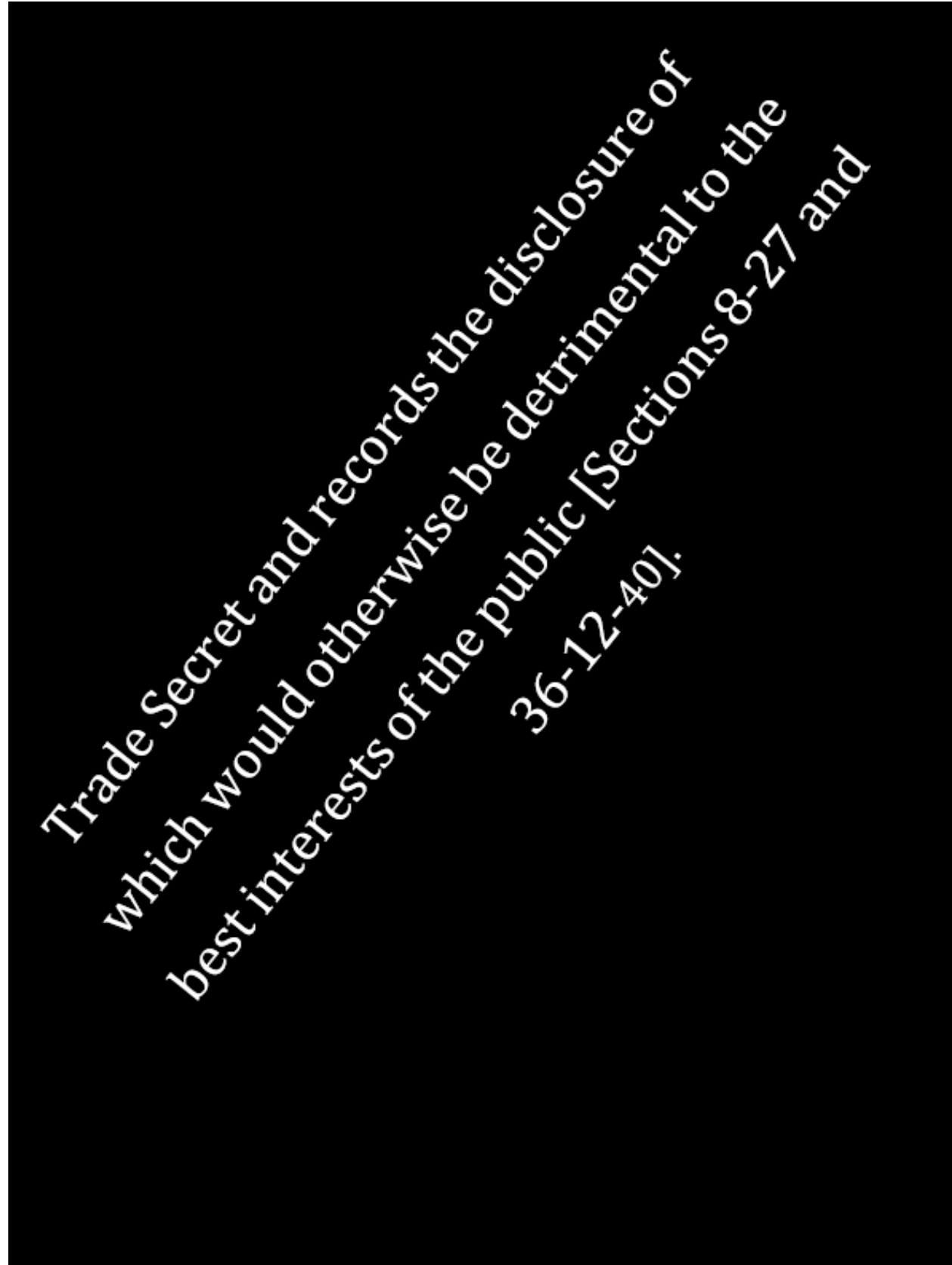


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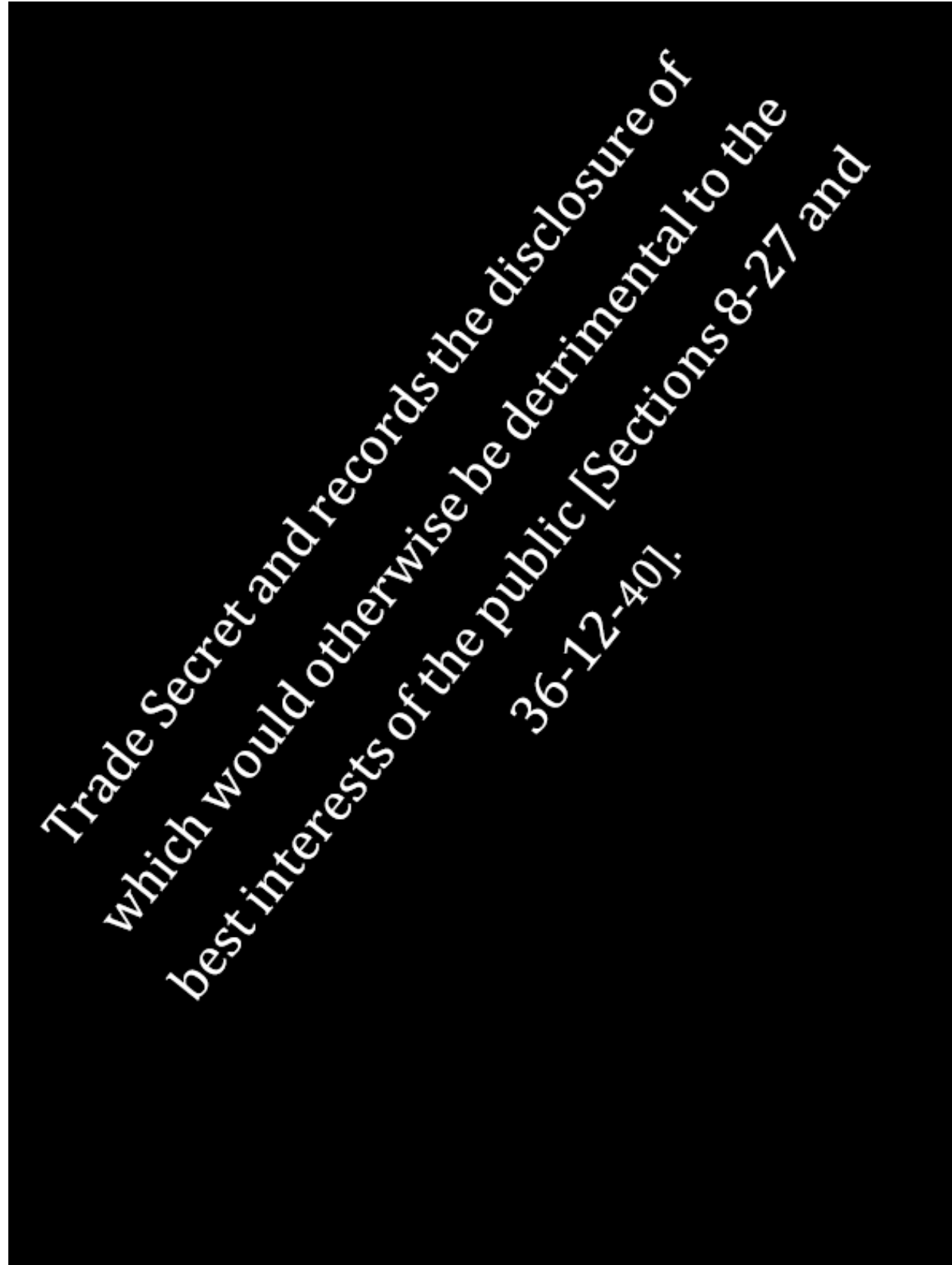




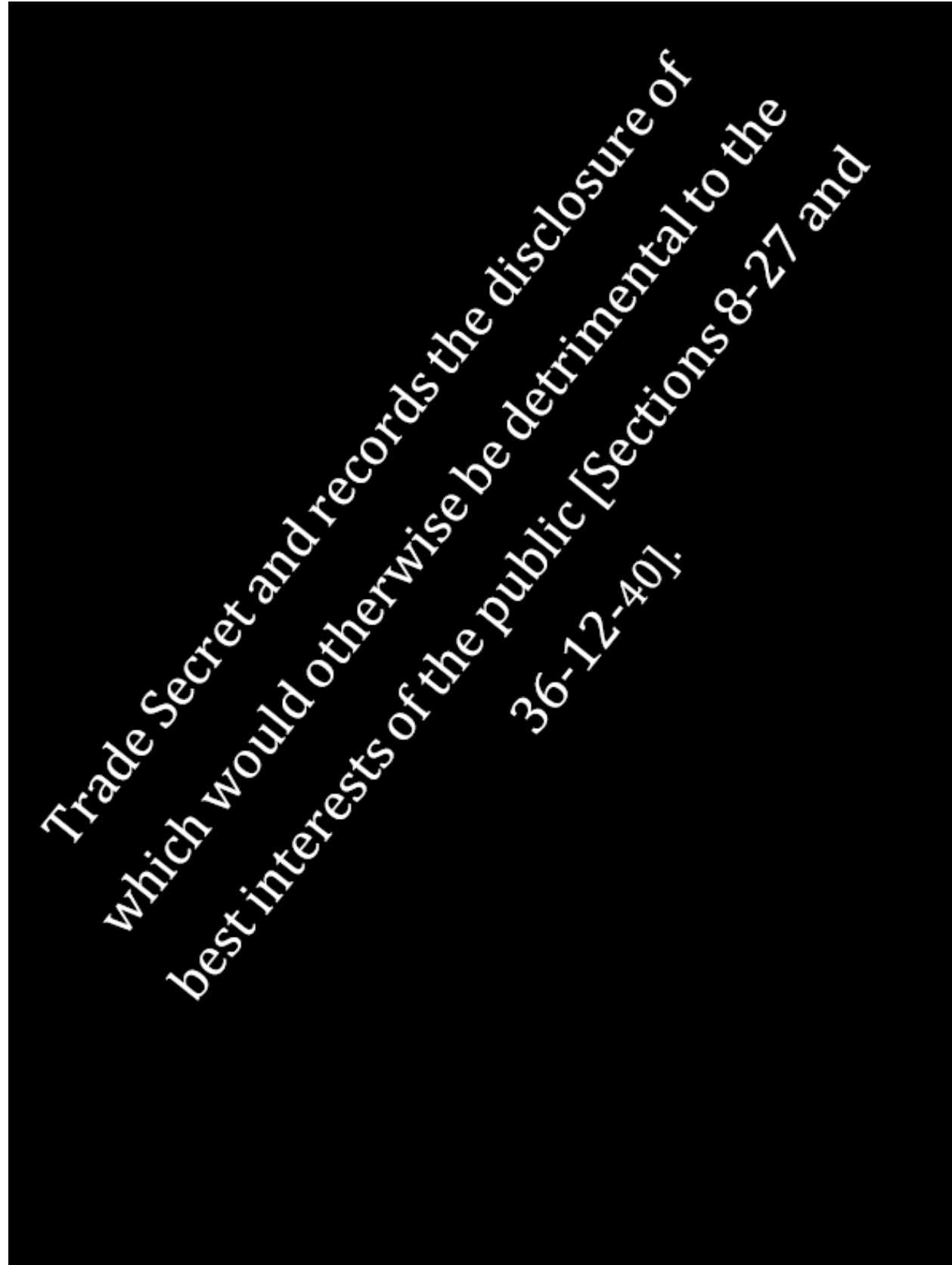


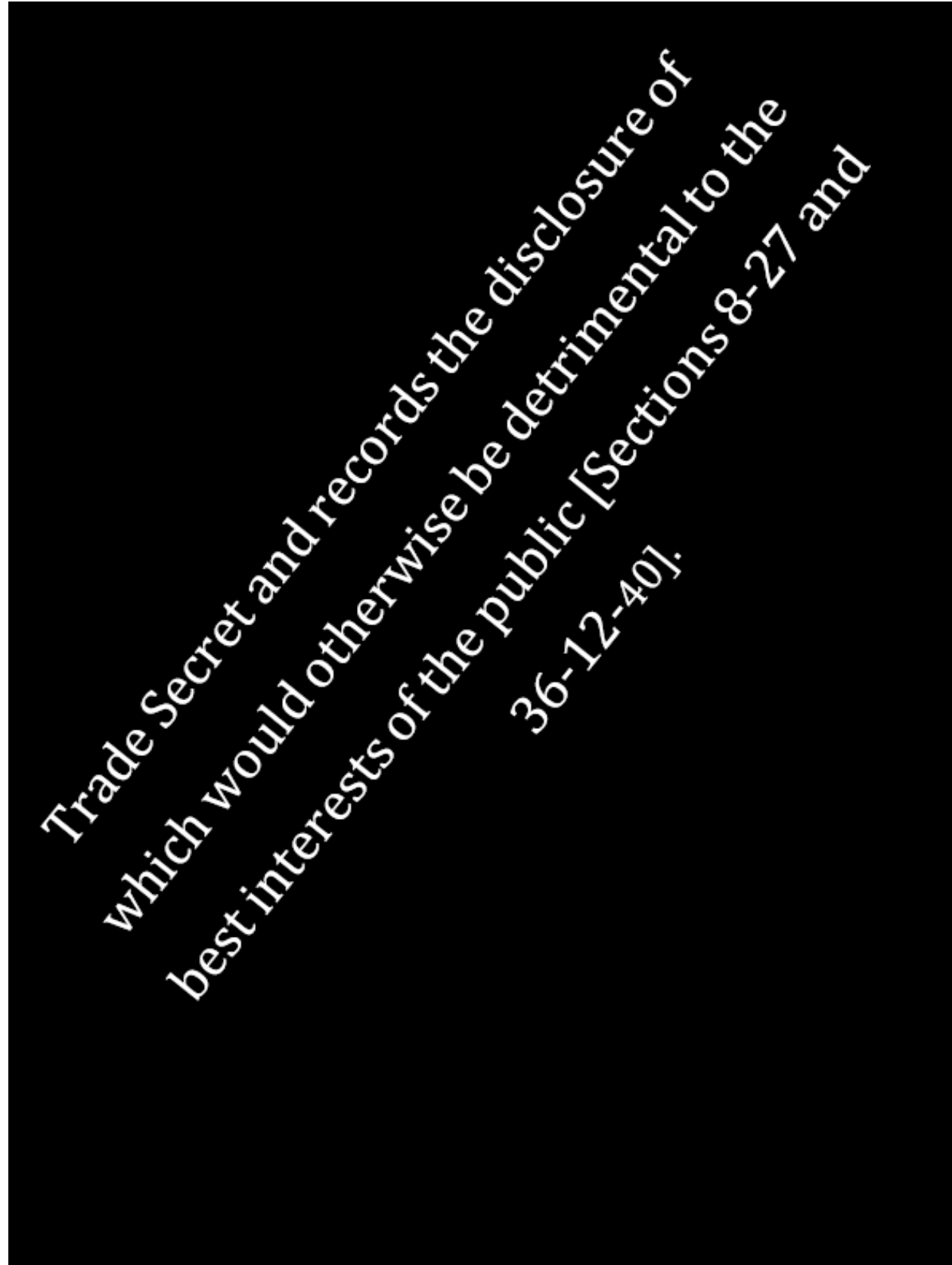


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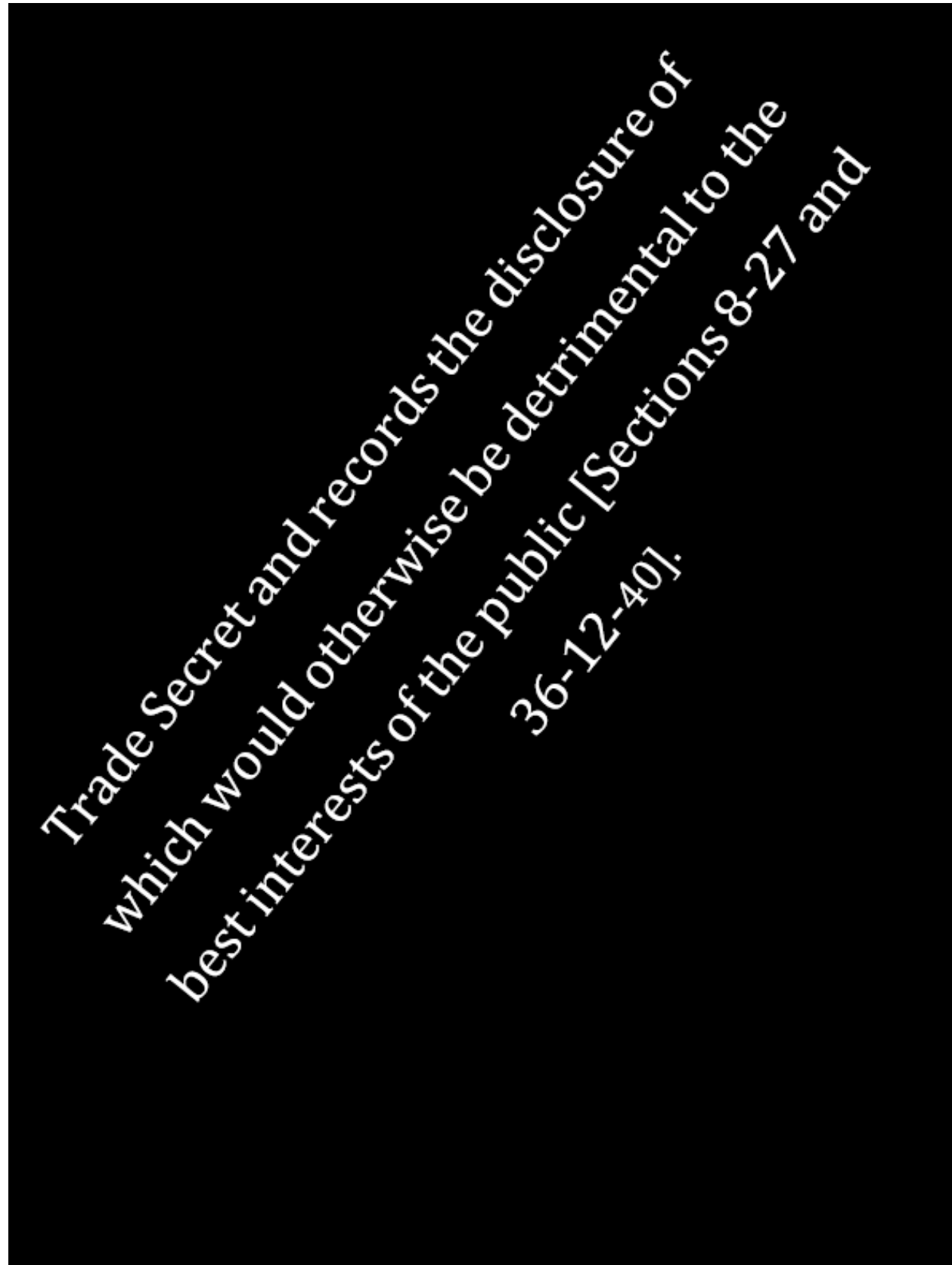


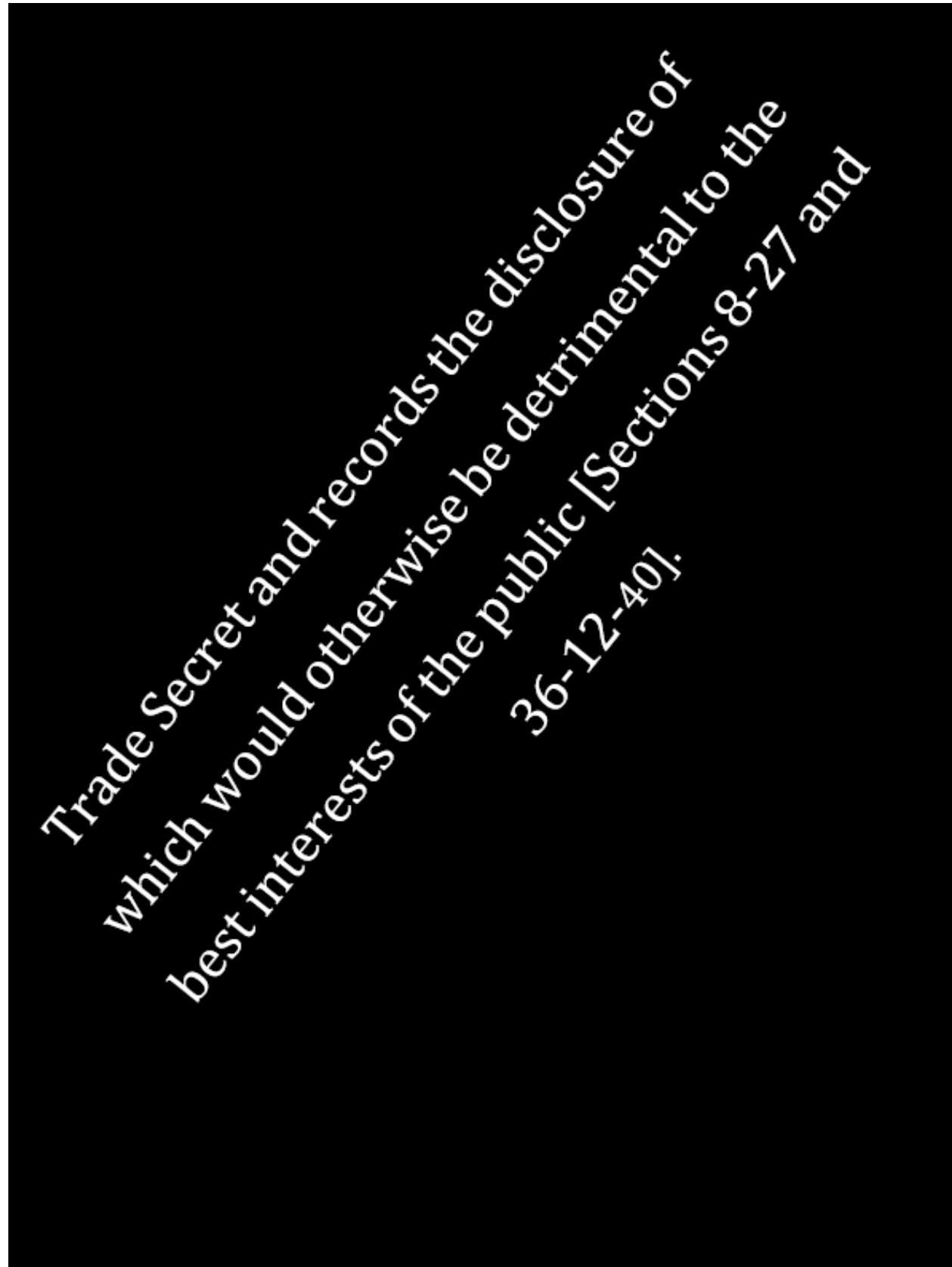


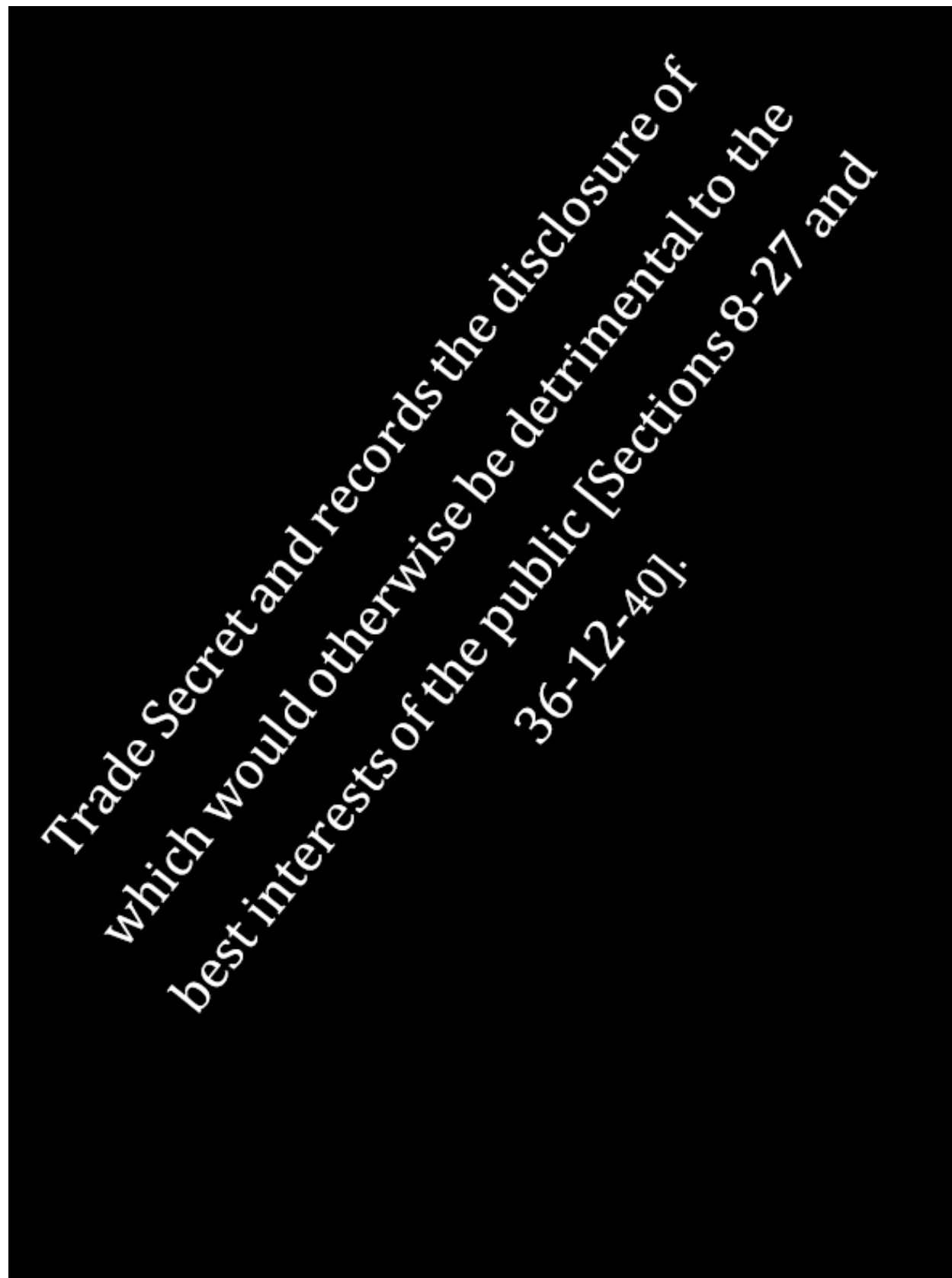
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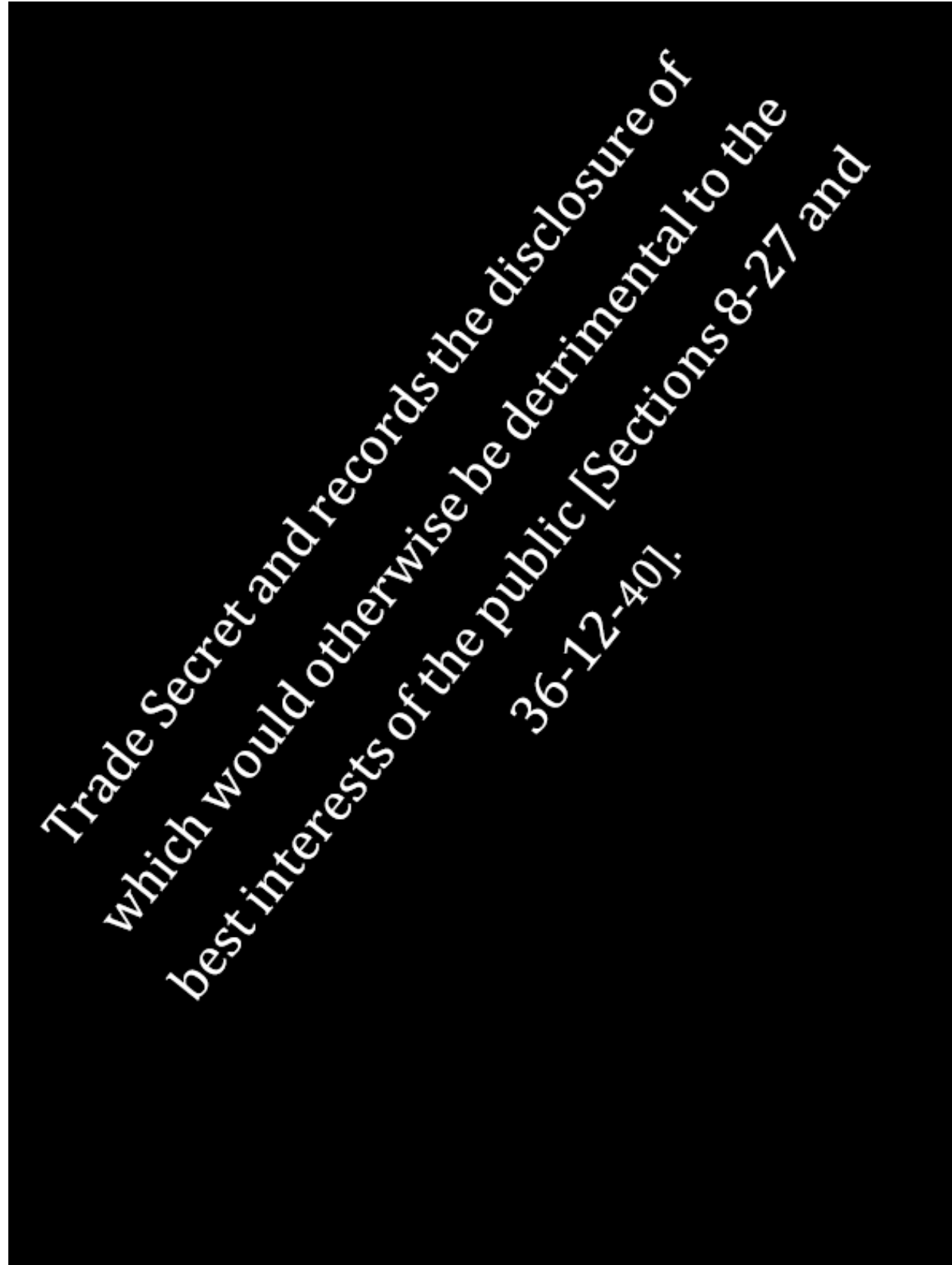




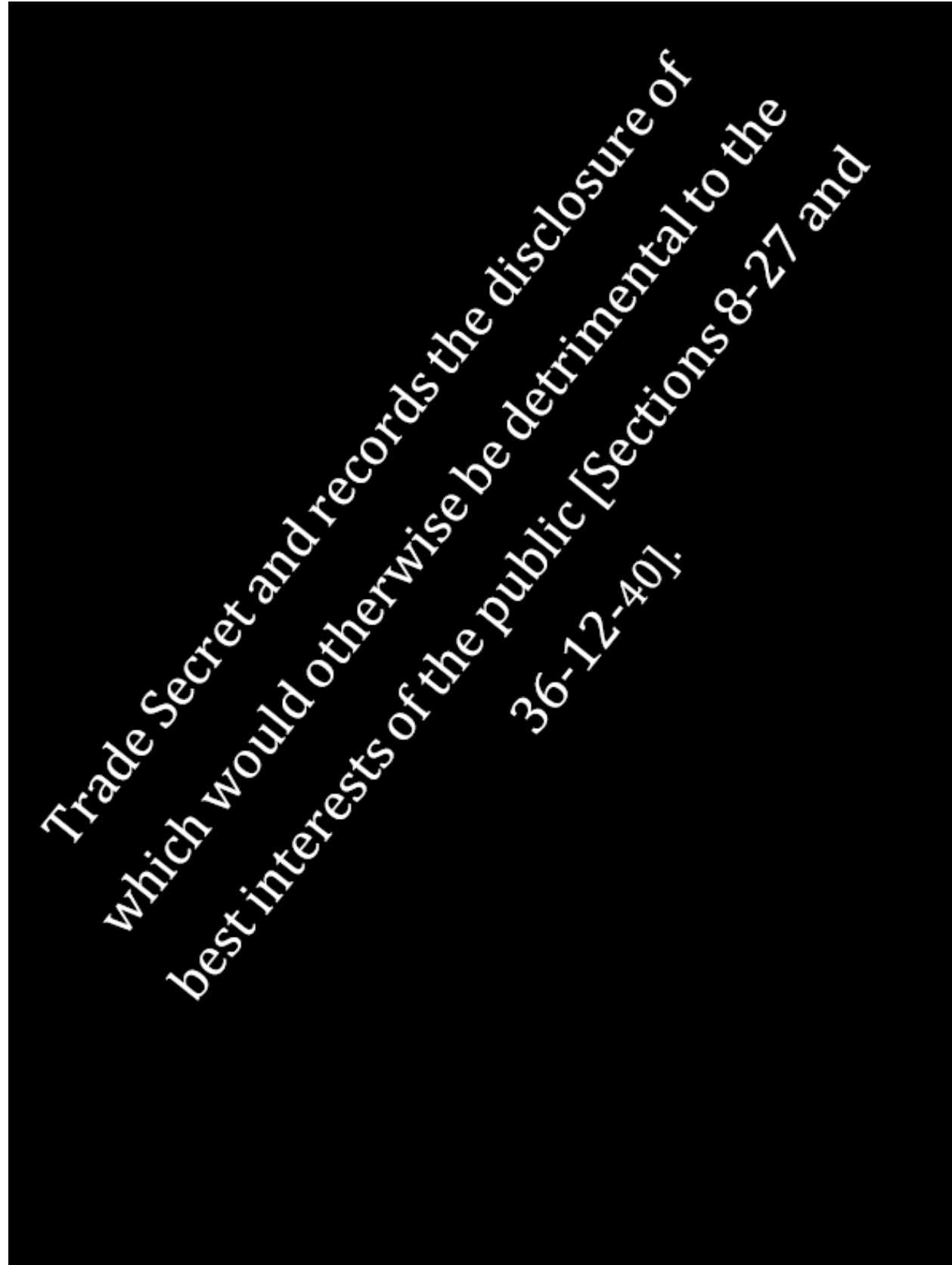


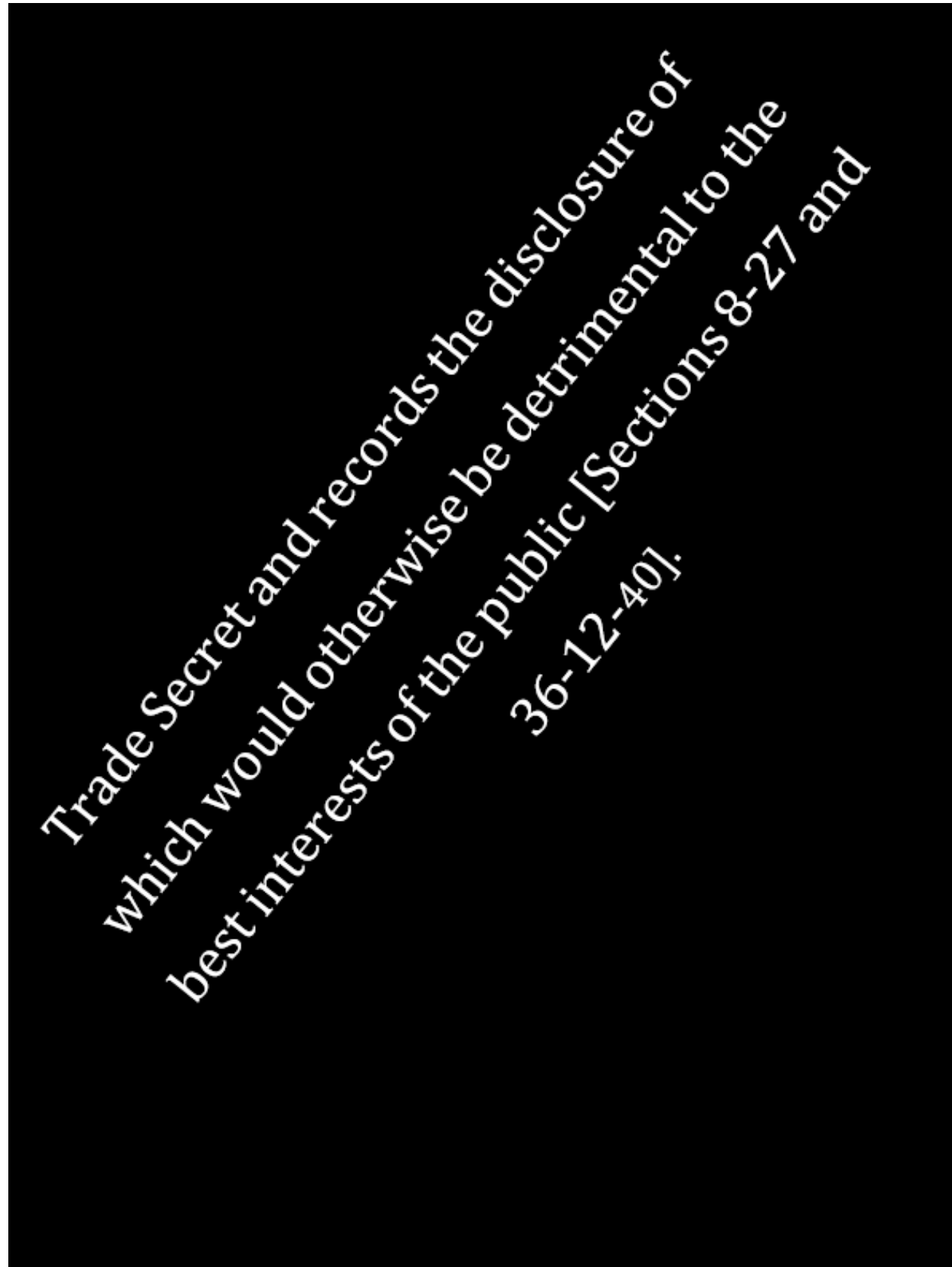






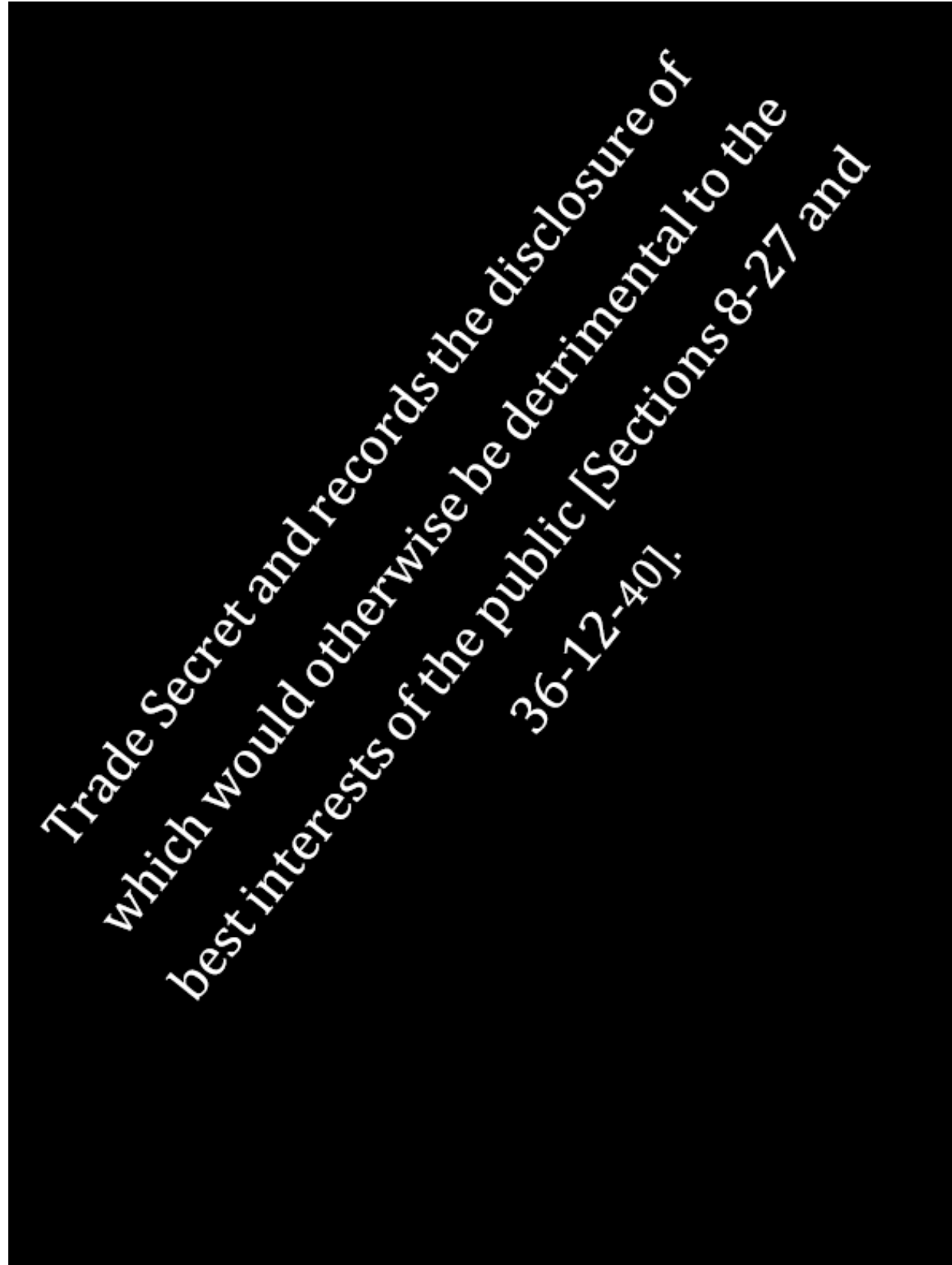
Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



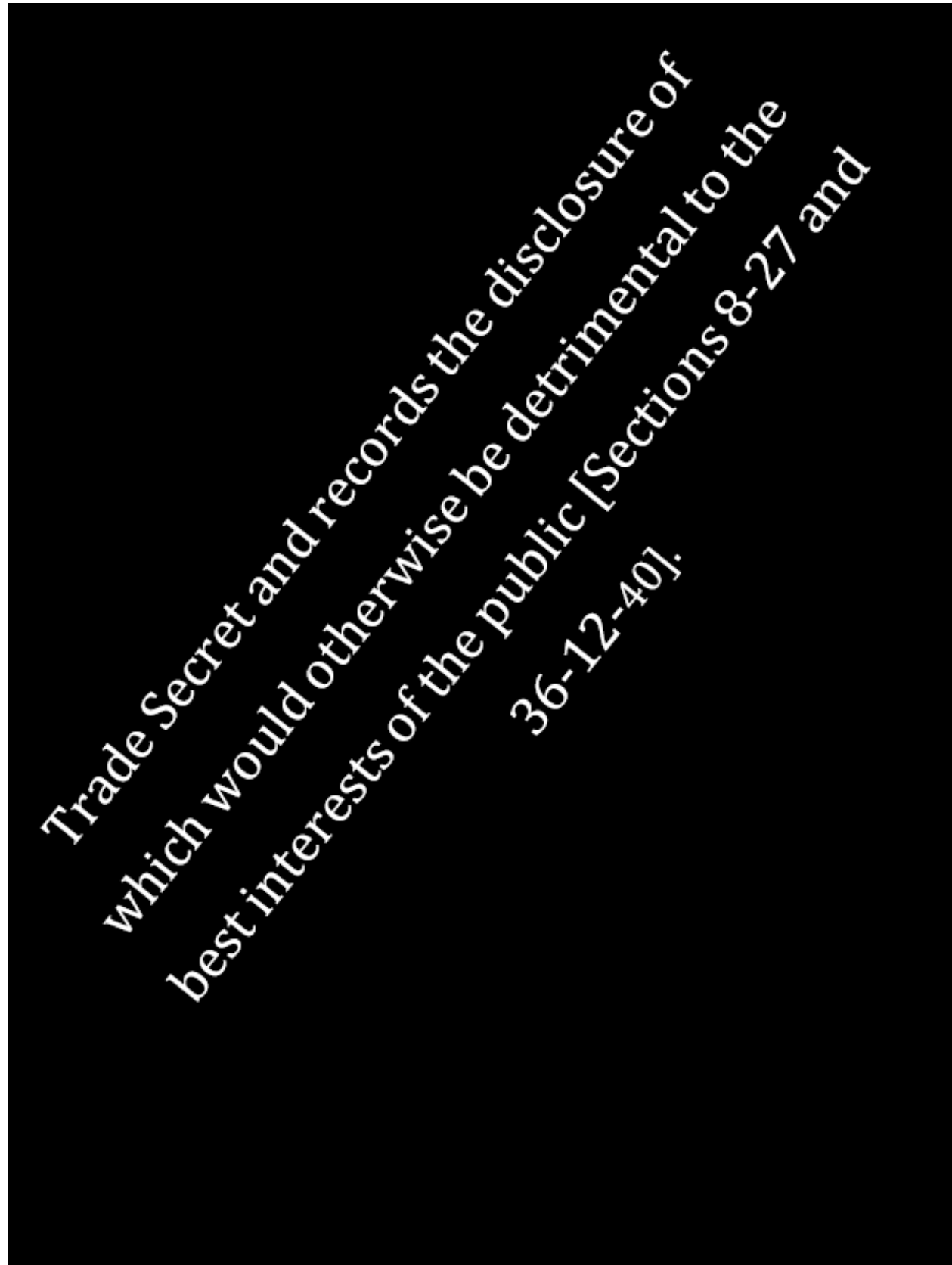


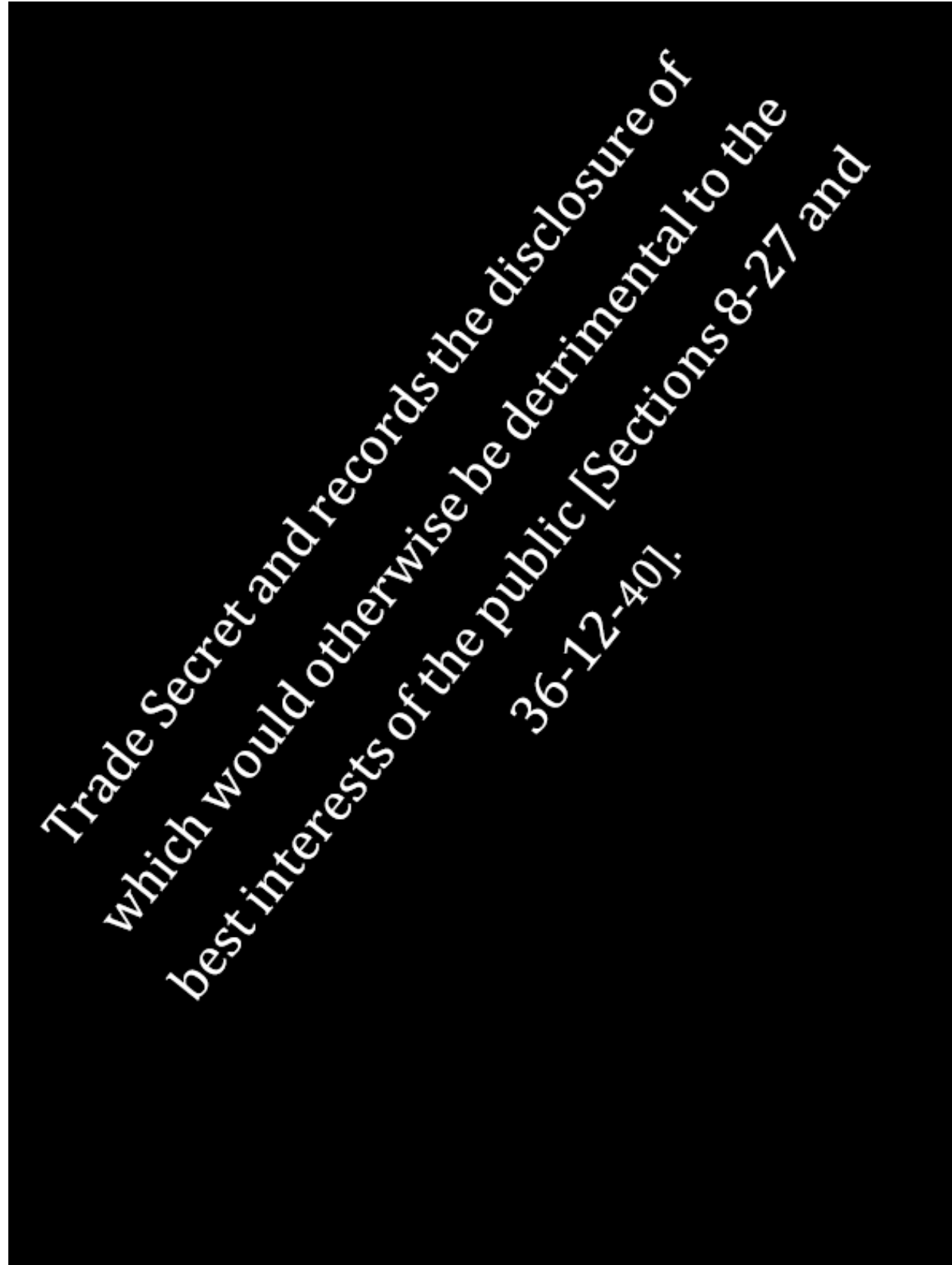


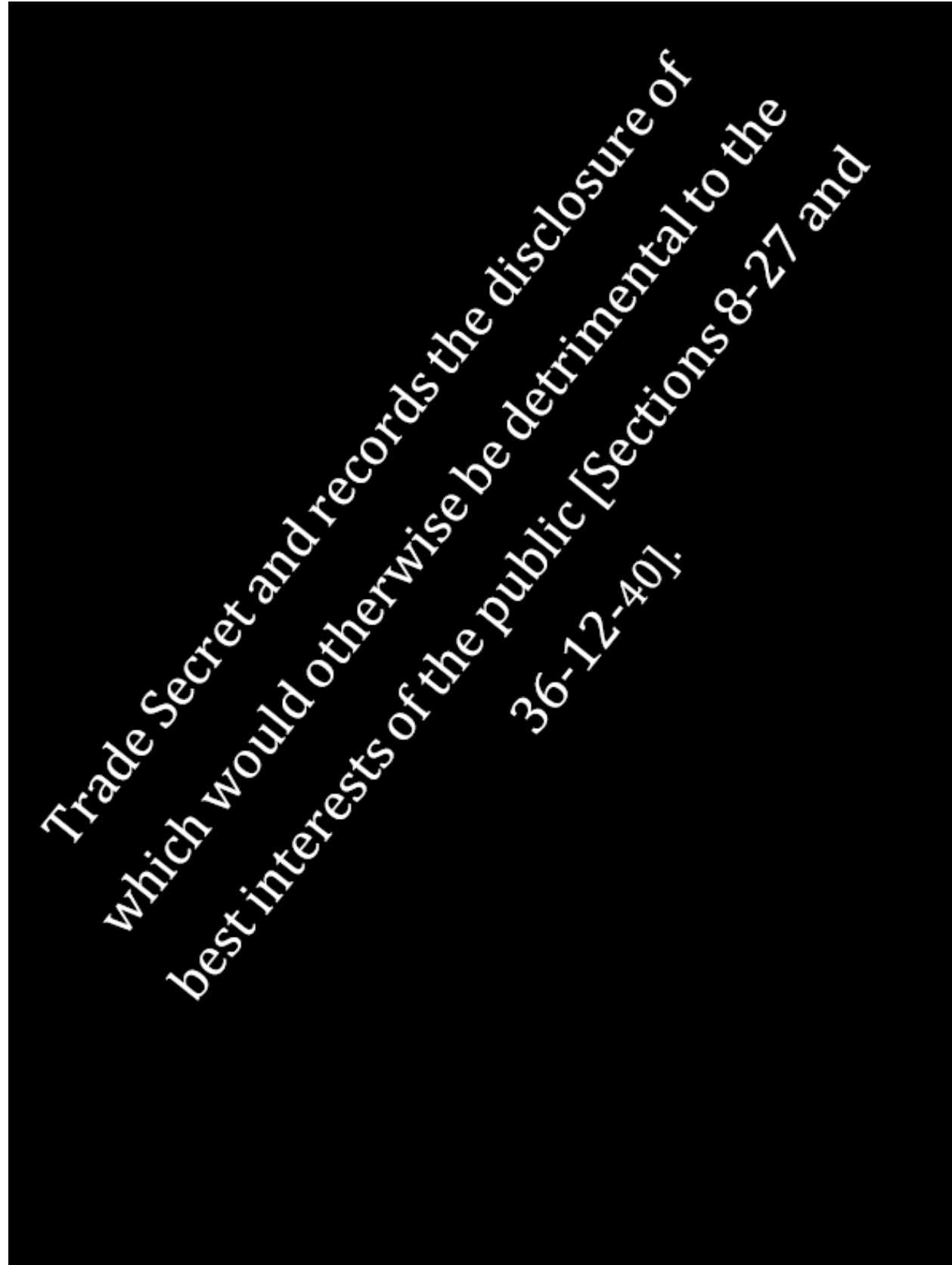




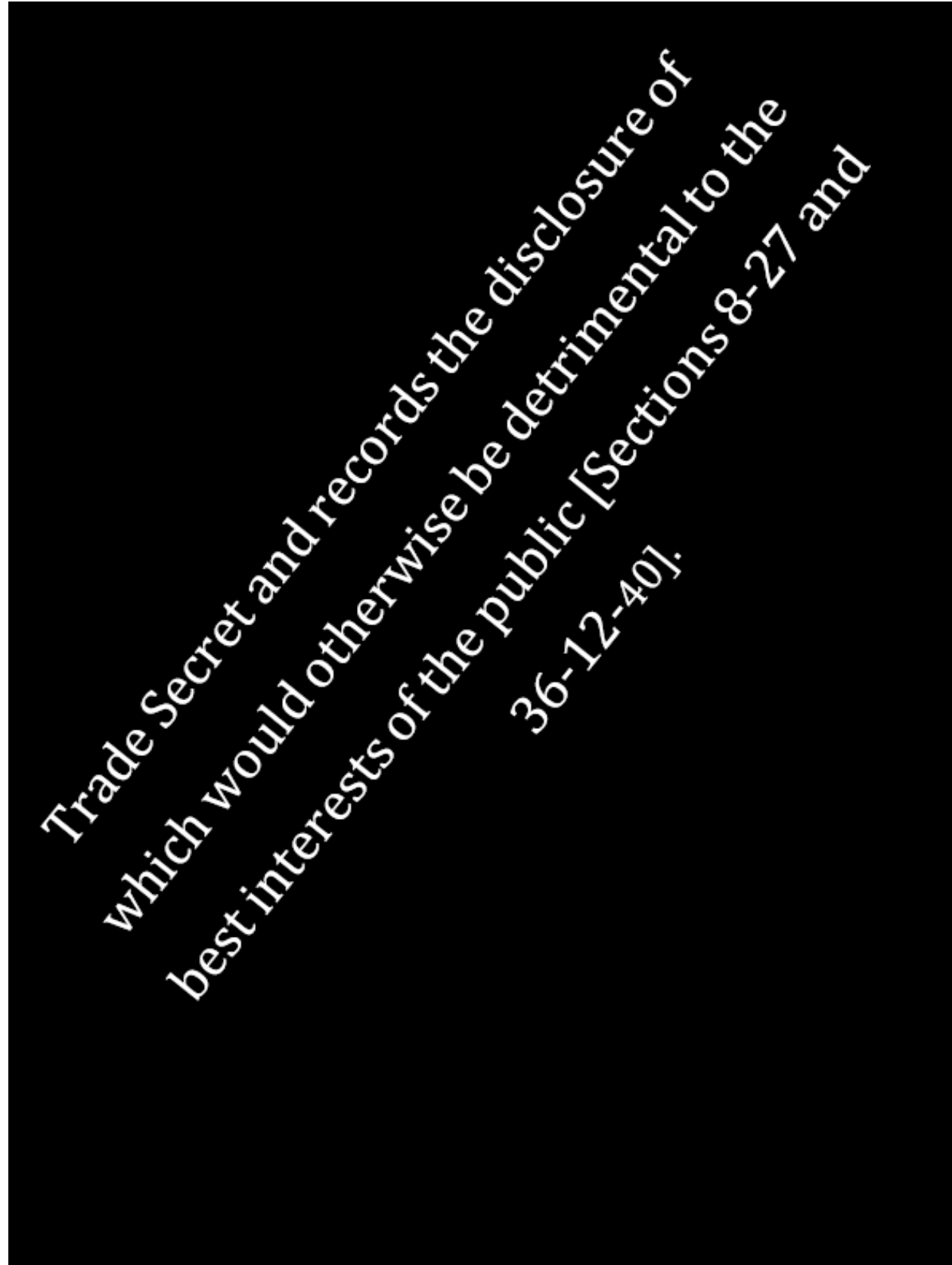
Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].





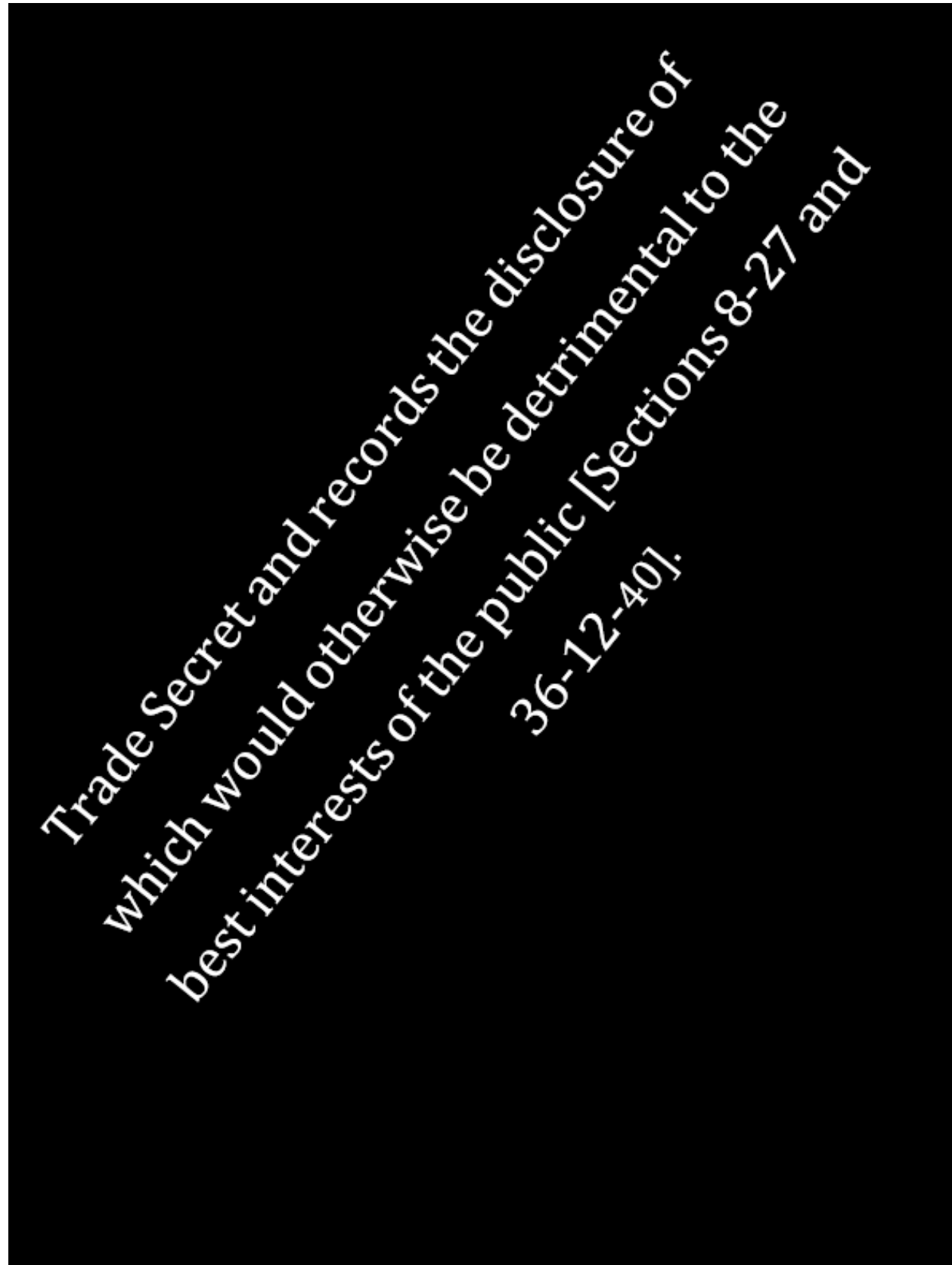


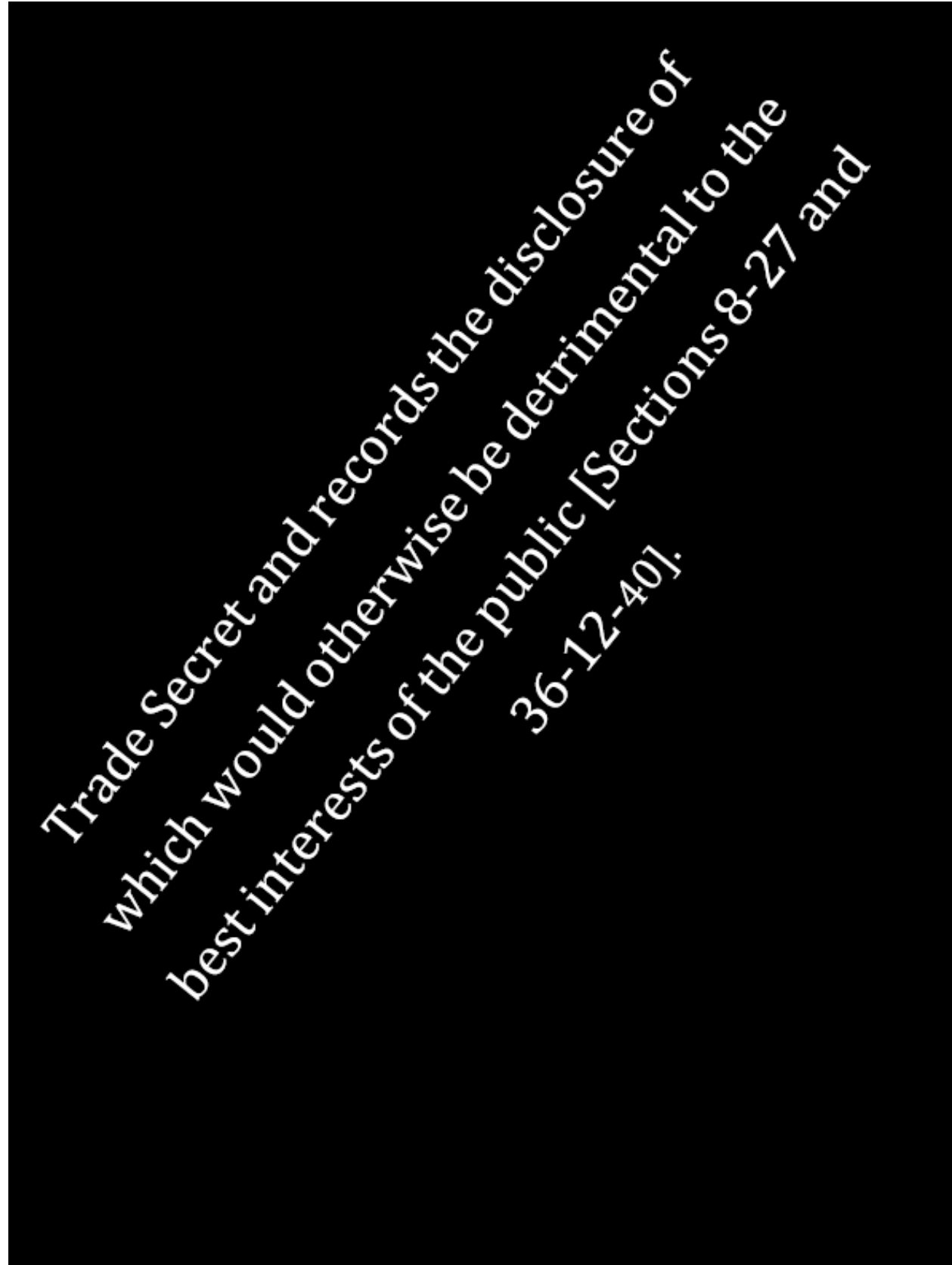
Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



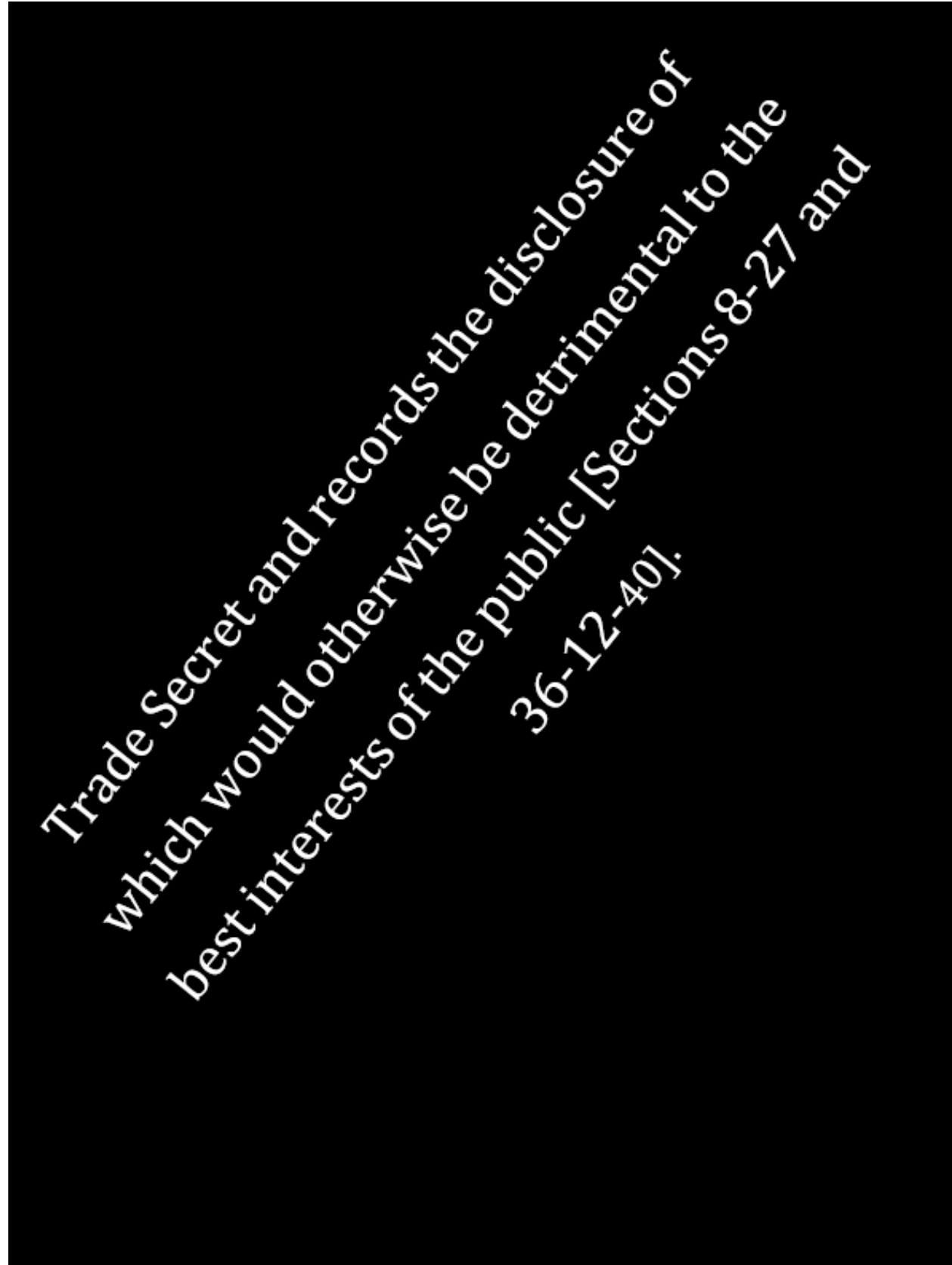


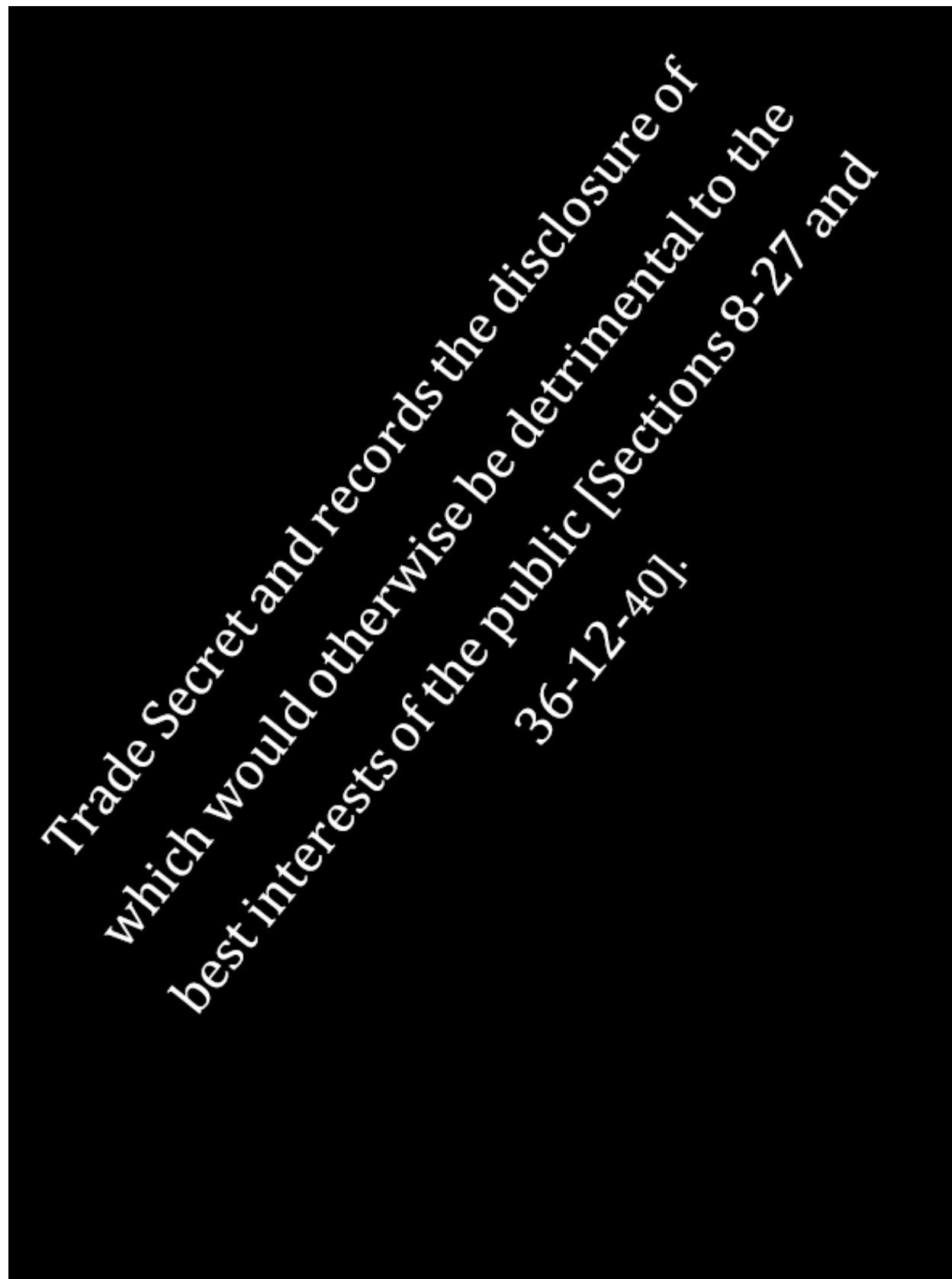




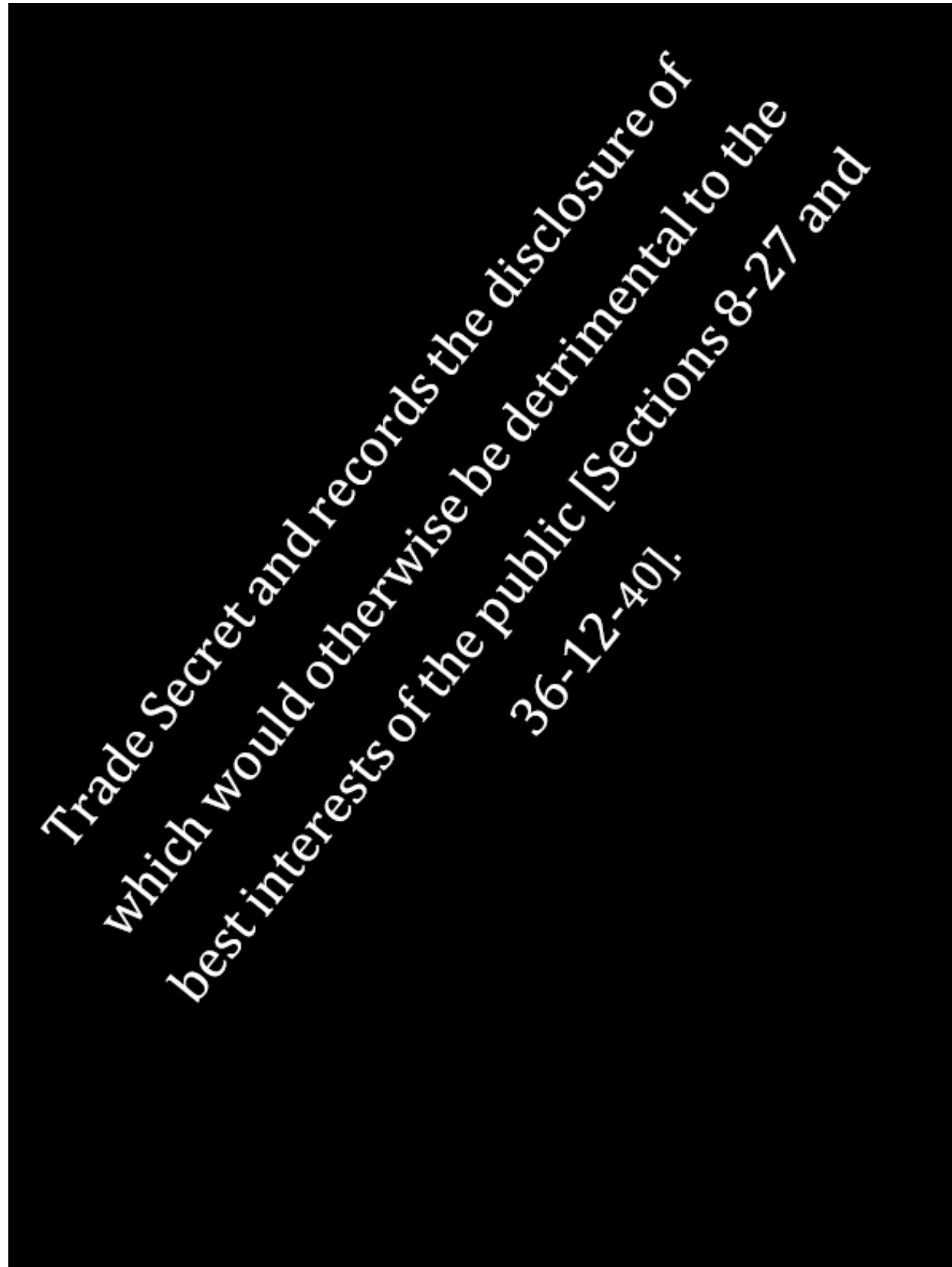


Trade Secret and records the disclosure of
which would otherwise be detrimental to the
best interests of the public [Sections 8-27 and
36-12-40].

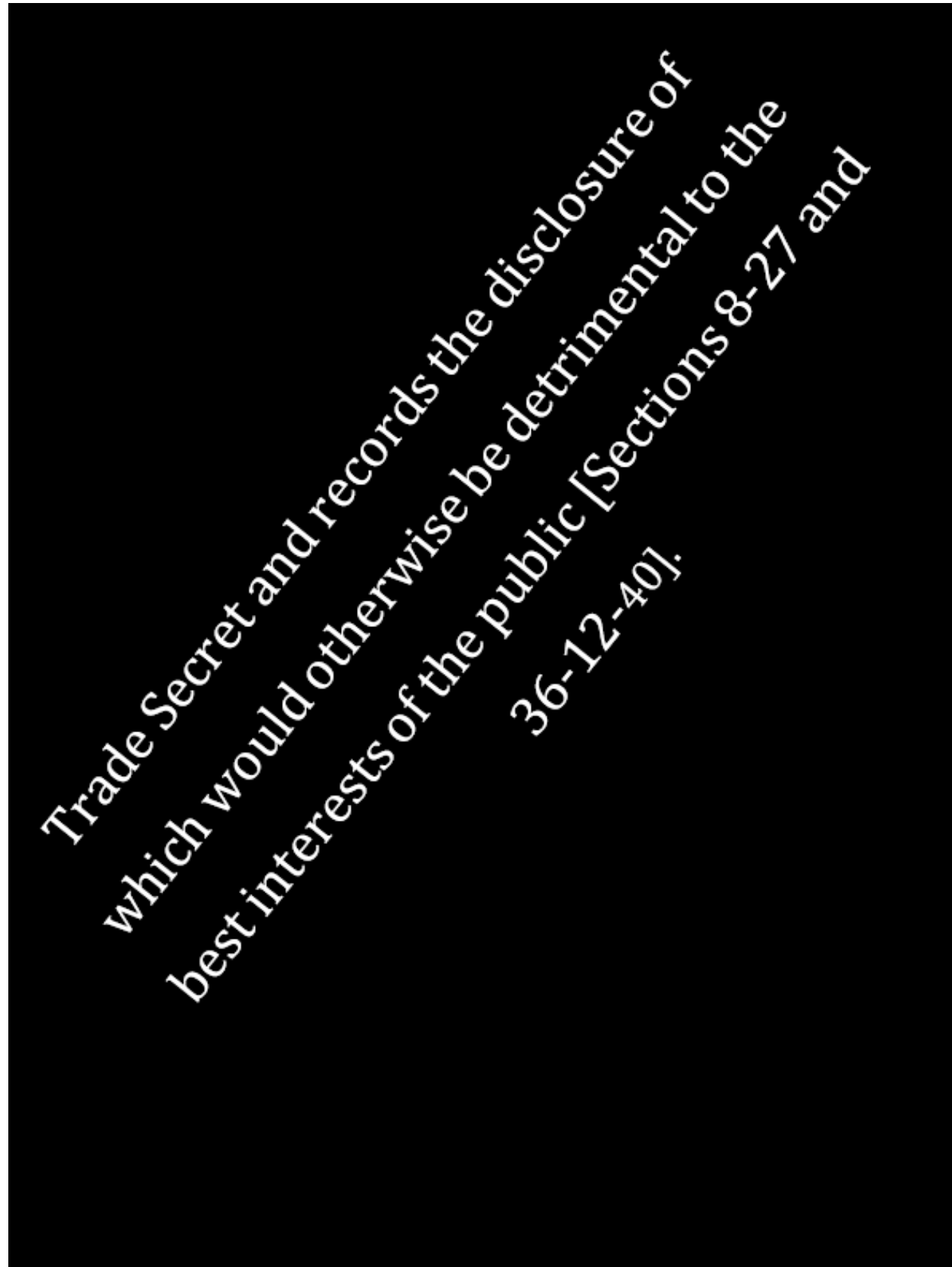




Trade Secret and records the disclosure of
which would otherwise be detrimental to the
best interests of the public [Sections 8-27 and
36-12-40].

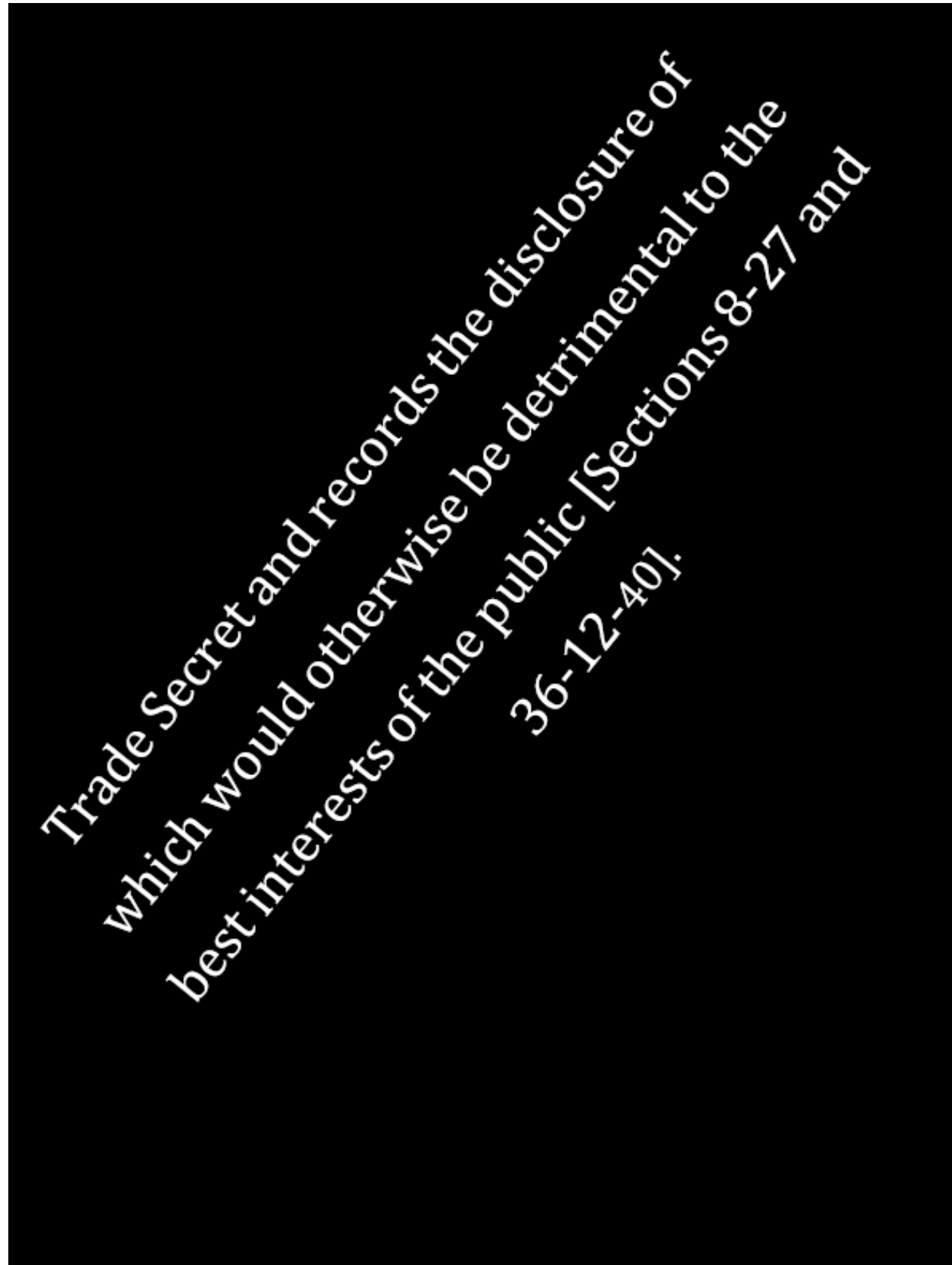


Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

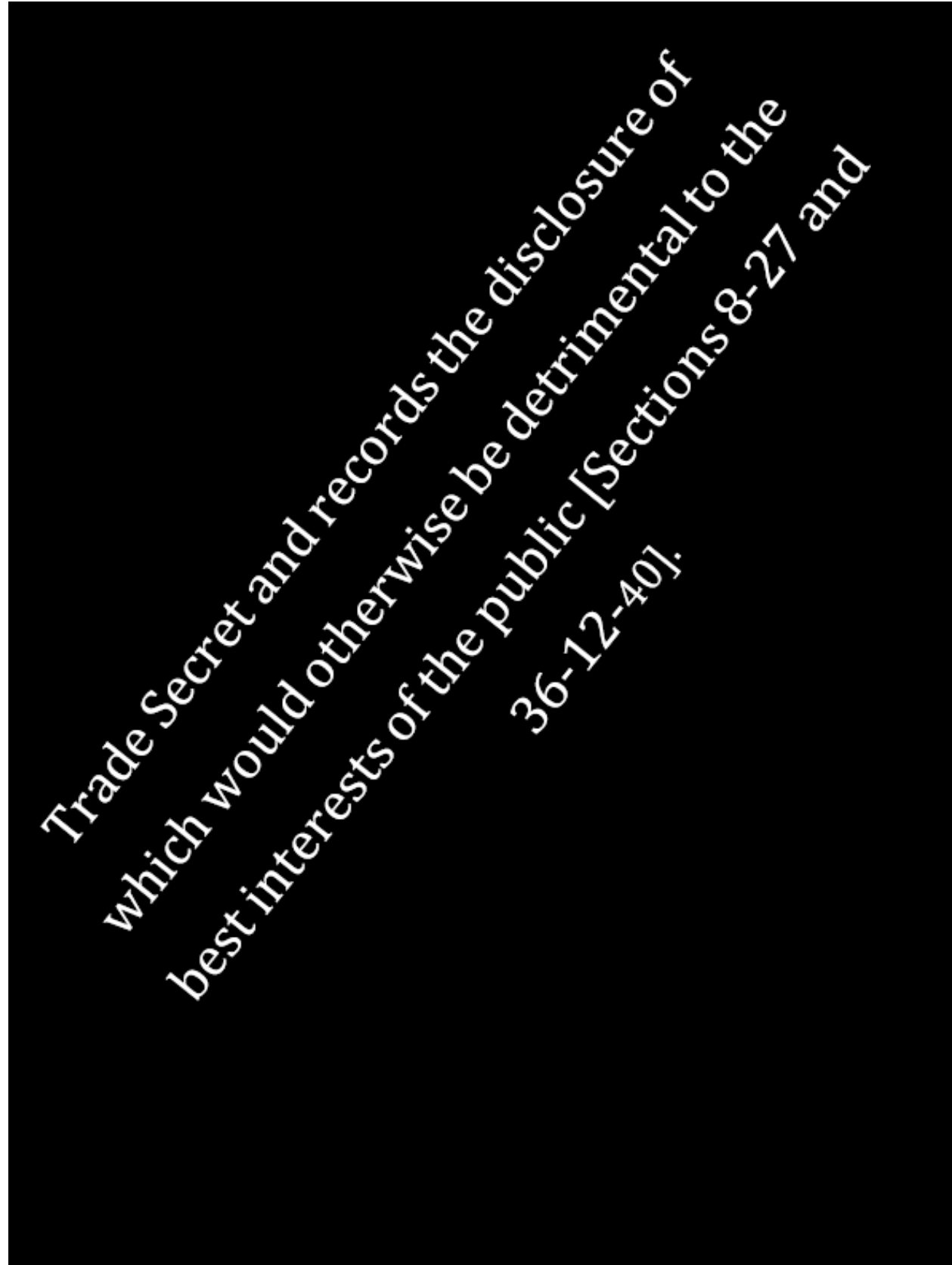


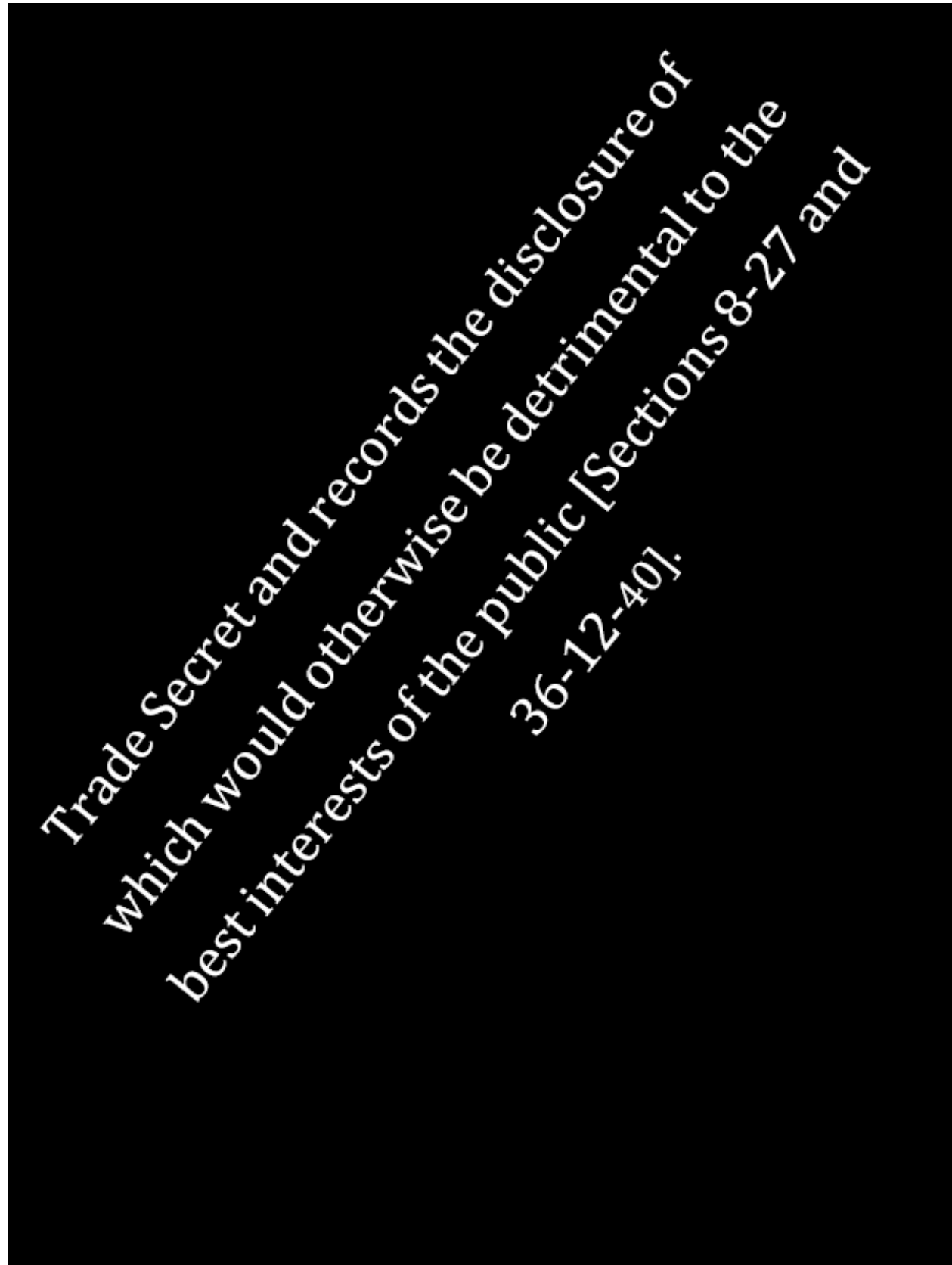


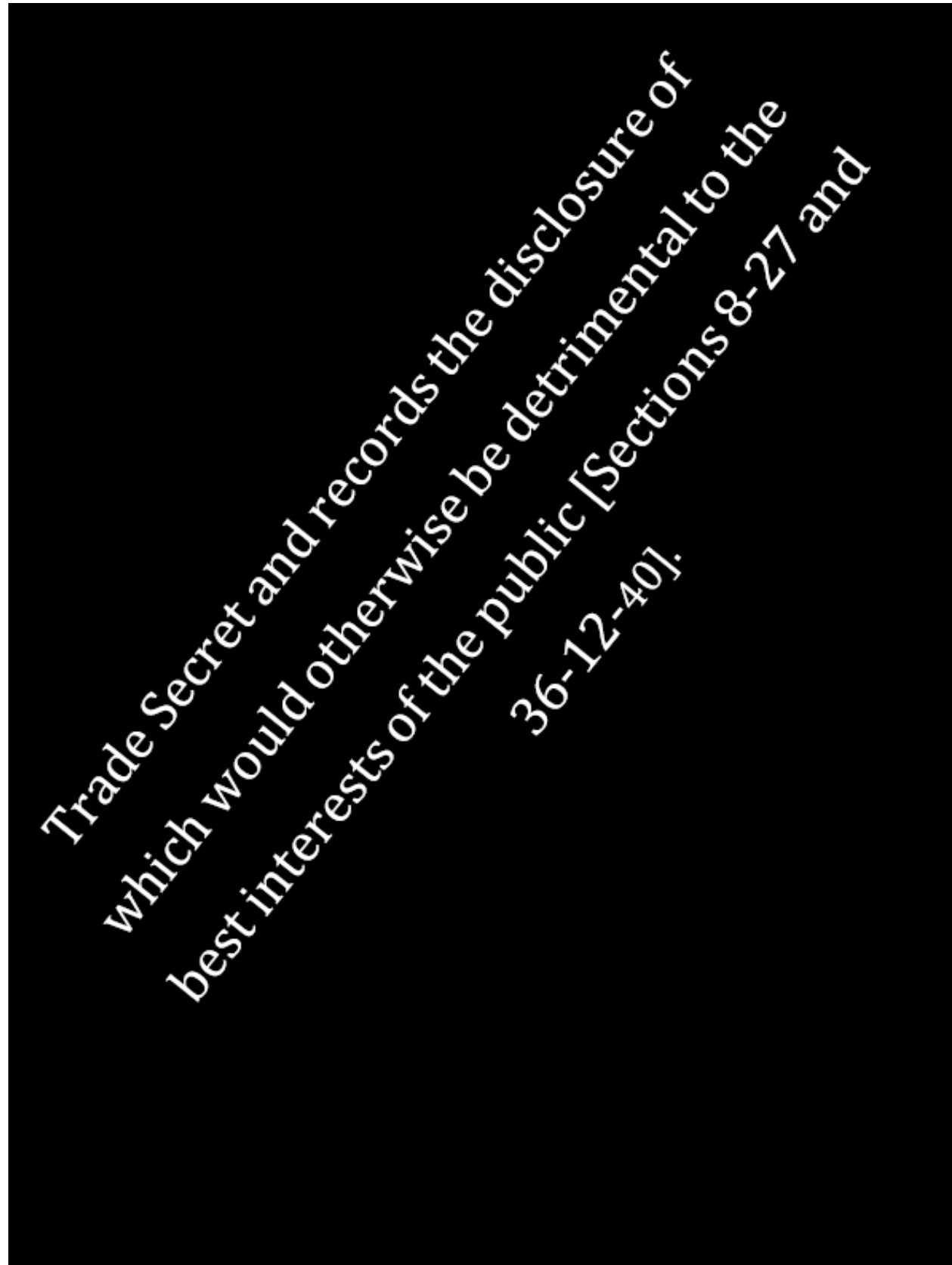
Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

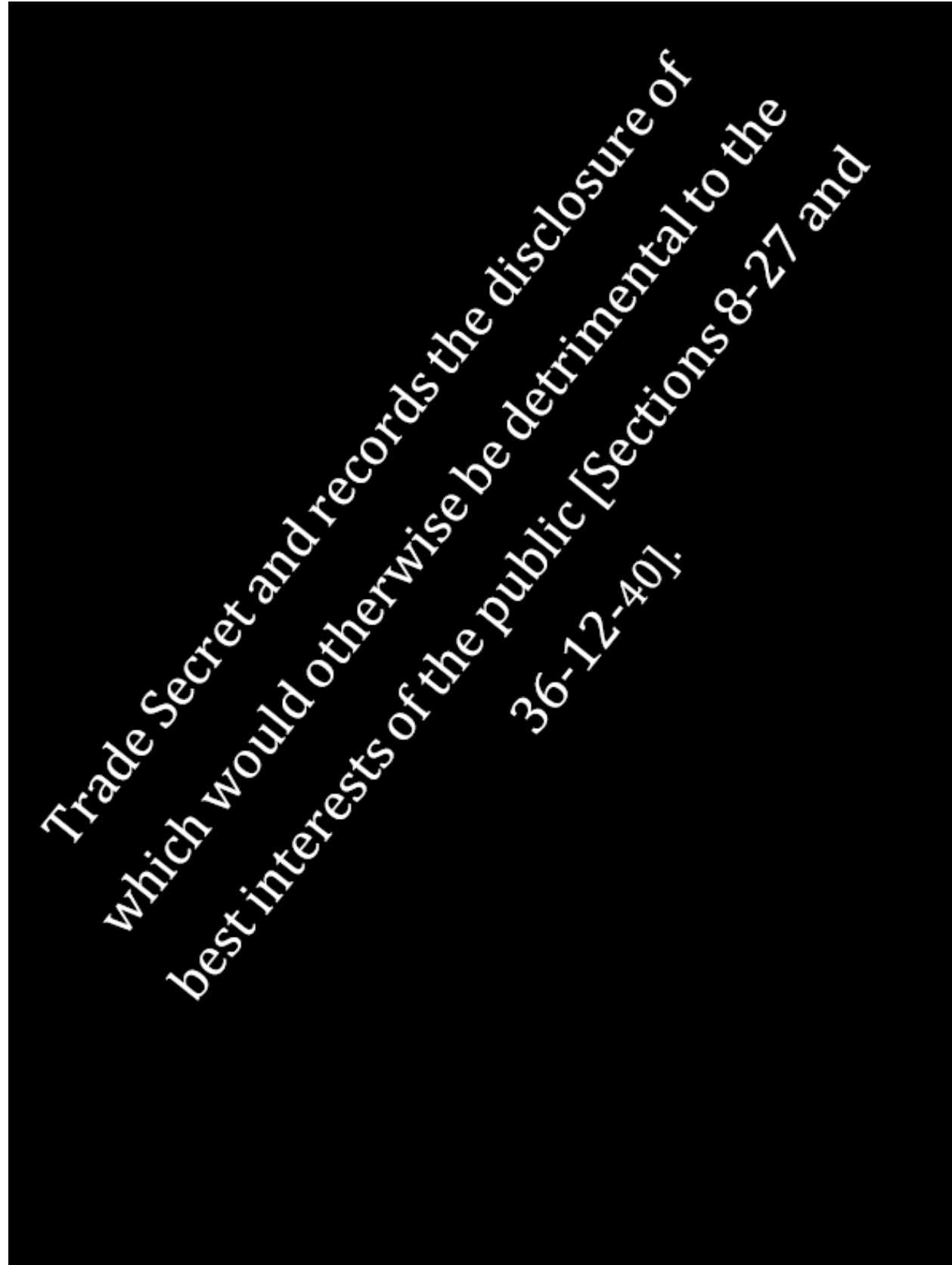


Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].









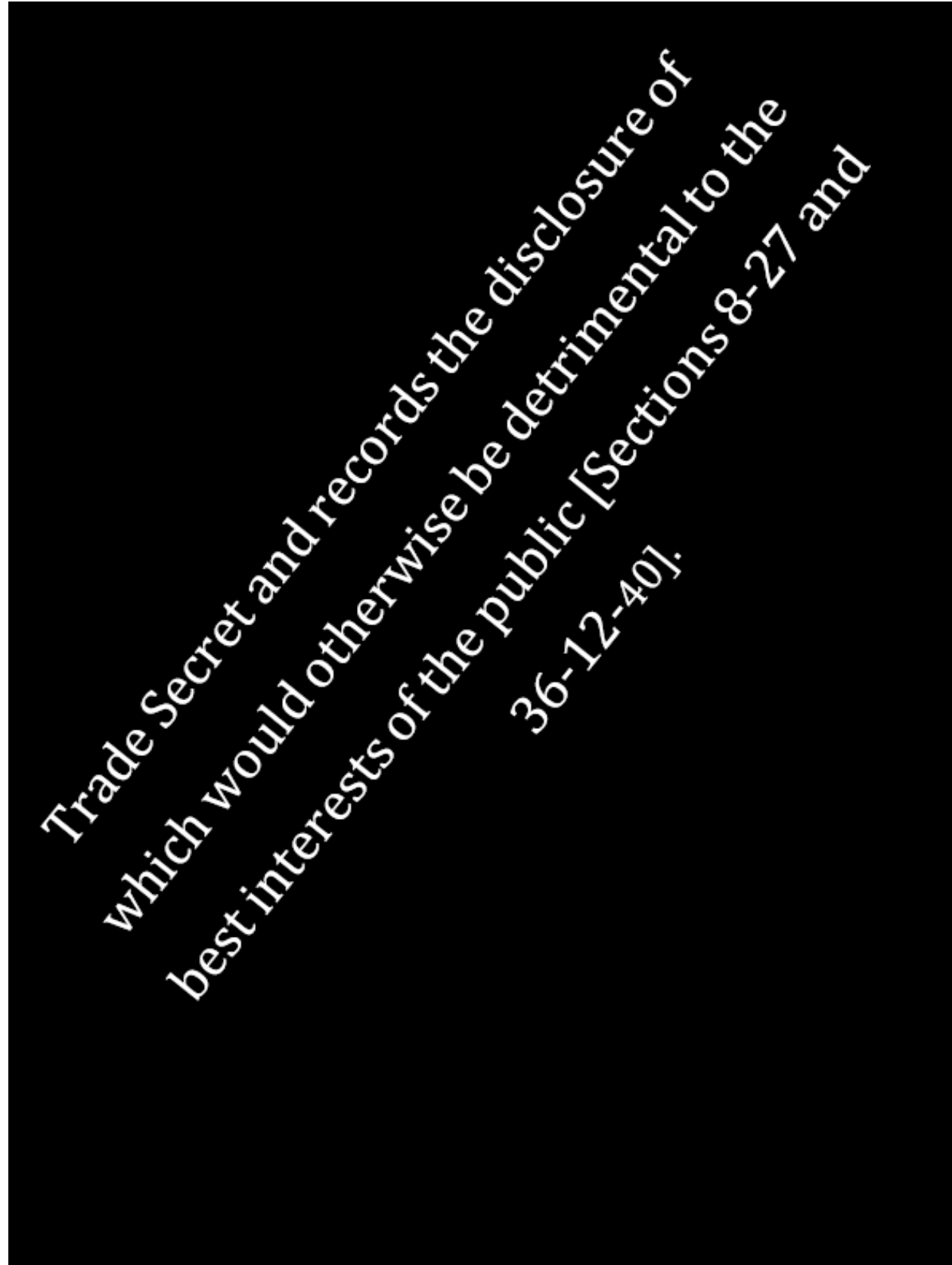




Exhibit 23 – Quality Control and Quality Assurance Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40]

Owner
Title of Verifying Individual

12/25/2022
Verification Date

23.1 Product Safety, Potency, Stability, Lifespan, and Consistency in the Dispensing Process

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.1.1 Receiving and Shipping Product

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2 Contamination Prevention

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.1 Integrated Pest Management

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.2 Hygiene

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.2 Sanitation

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.3 Employee Training

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2 Product Testing

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.1 Testing by State Testing Laboratories

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.2 Representative Sampling

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.3 Testing Results

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.2.4 Expiration Dates and Stability Testing

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

23.3 Return and Remediation or Destruction of Any Failed Test Samples

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Trade Secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]

Exhibit 24 – Contamination and Recall Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Sensitive Personal Information and records the disclosure of which would otherwise be detrimental to the best interests of the public [Section 36-12-40].

Owner
Title of Verifying Individual

12/25/2022
Verification Date

REDACTED COPY

Status as of the date of application filing: Complete.

Company is committed to ensuring the quality of the products sold in its dispensary. If, however, a product is sold to a patient or caregiver that is determined to be of unacceptable quality or safety, the Company will follow policies, procedures, and protocols to remediate the situation, notify any affected consumers of the problem and their options for returning recalled products, notify other businesses in the supply chain, and remove the product from the market.

24.1 Notification of Adverse Events

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

22.3 Recall Committee

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

24.4 Notification to Other Licensees, the Commission, and Other Authorities

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

24.5 Recall Process

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

24.6 Communication to the Commission and Others

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

REDACTED COPY

24.7 Avoiding Further Contamination and Preserving Uncontaminated Product

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

24.8 Investigation and Analysis

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

Exhibit 25 – Marketing and Advertising Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would otherwise be determined

Printed Name of Verifying Individual

Owner _____
Title of Verifying Individual

Trade secret and records the disclosure of which would otherwise be determined

Signature of Verifying Individual

03.02.2023 _____
Verification Date

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[REDACTED]

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

[REDACTED]

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

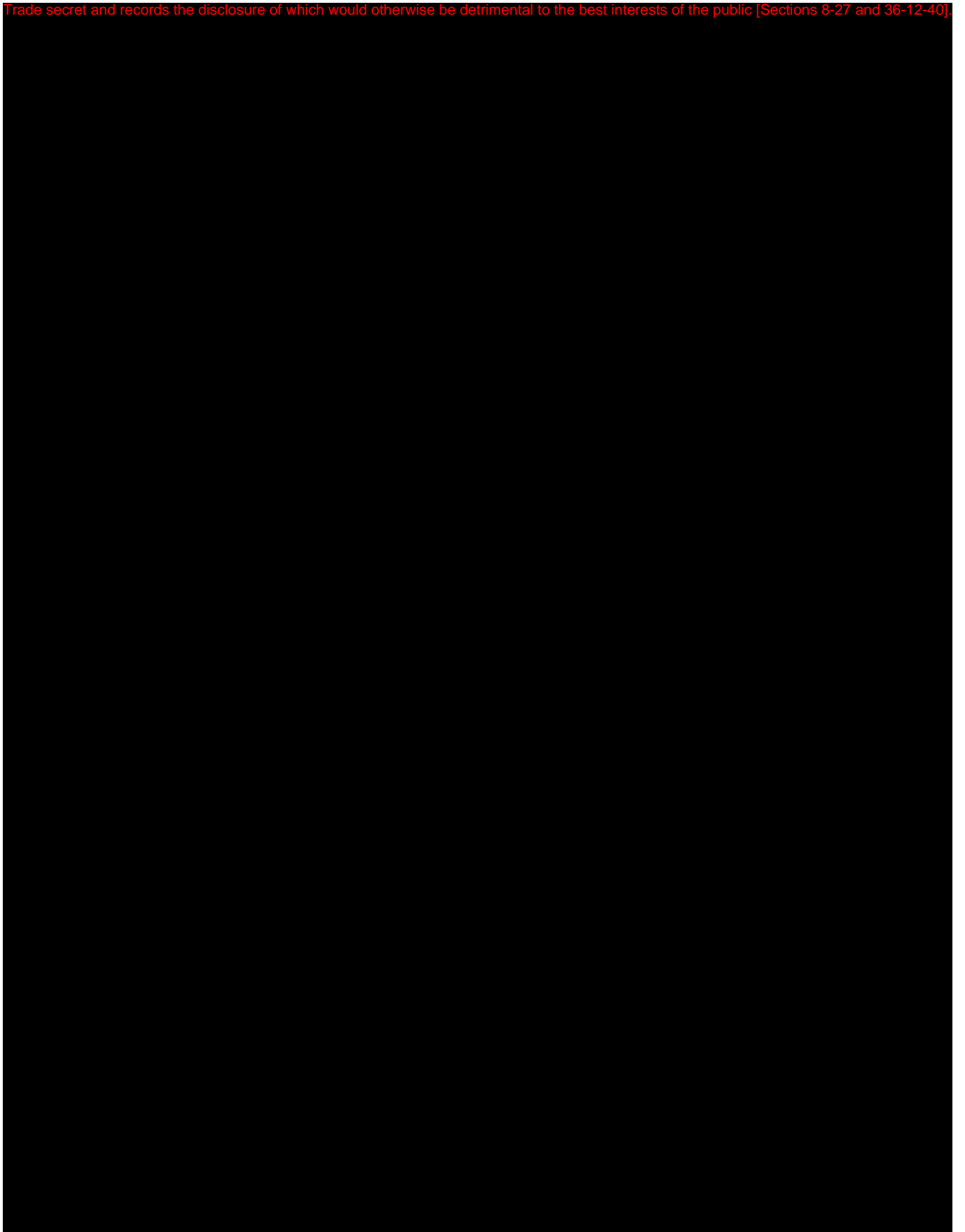


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



¹ For purposes of this entire exhibit, “attractive to minors” or similar phrases means: “Forms, designs, packaging, receptacles, devices, labeling, or branding that contains, features, resembles, or includes: a. Cartoons, including artistic, caricature or similar renderings; b. Toys; c. Products available for consumption as a commercially available candy; d. Realistic or fictional characters whose target audience is primarily composed of minors; e. Media that has as an audience demographic composed of greater than 15% minors; f. Likenesses or images of minors, animals, or fruits; g. A non-cannabis consumer product of a type that is commonly marketed to minors; h. Symbols or words commonly used to market products to minors, are commonly associated with minors, or refer to products commonly marketed by minors; or i. Celebrities whose audience or following is substantially composed of greater than 15% minors.” 538-x-6-.02(1).

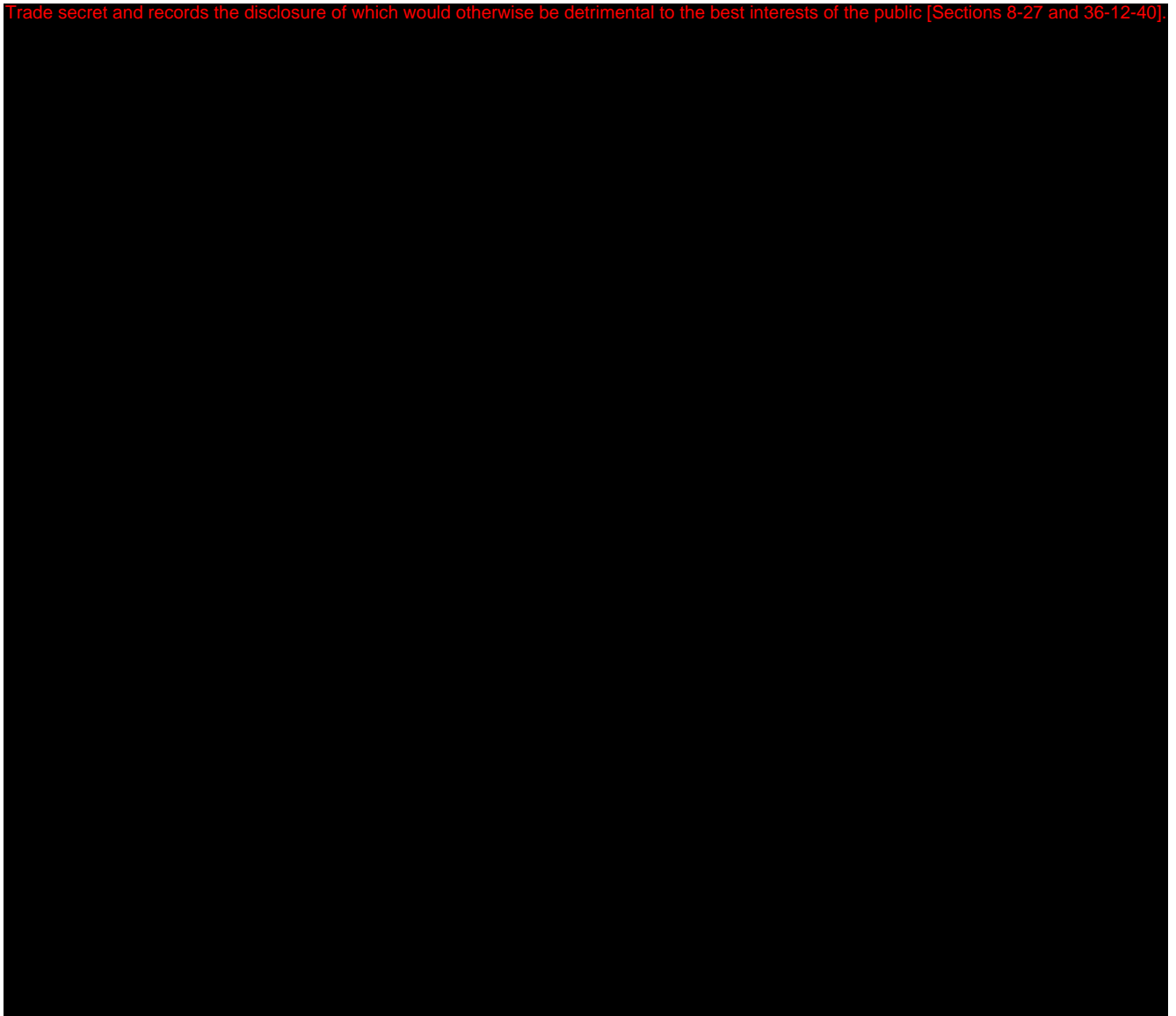
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

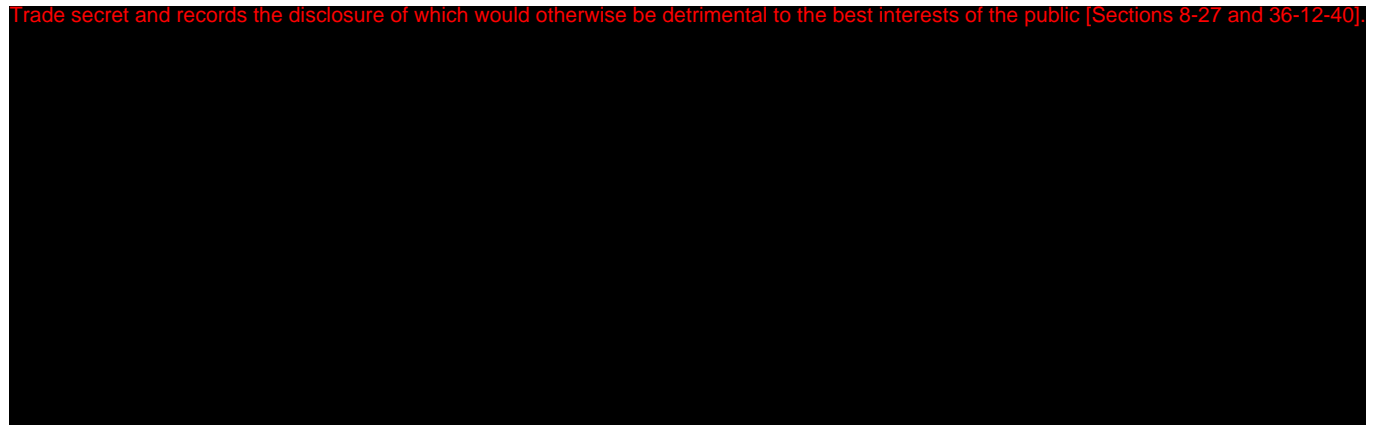


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

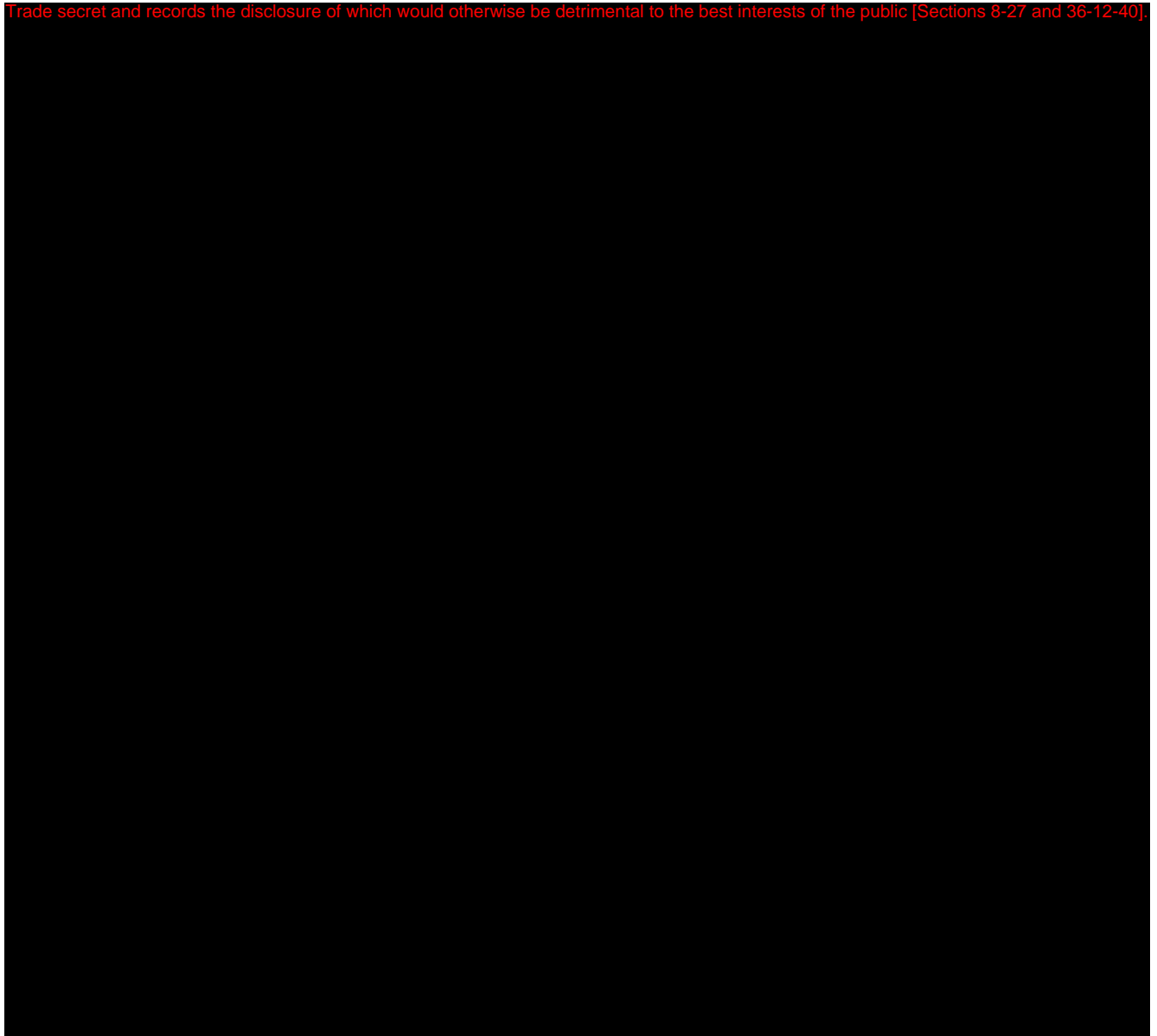


25.1 Proposed Logos, Branding, and Messaging

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

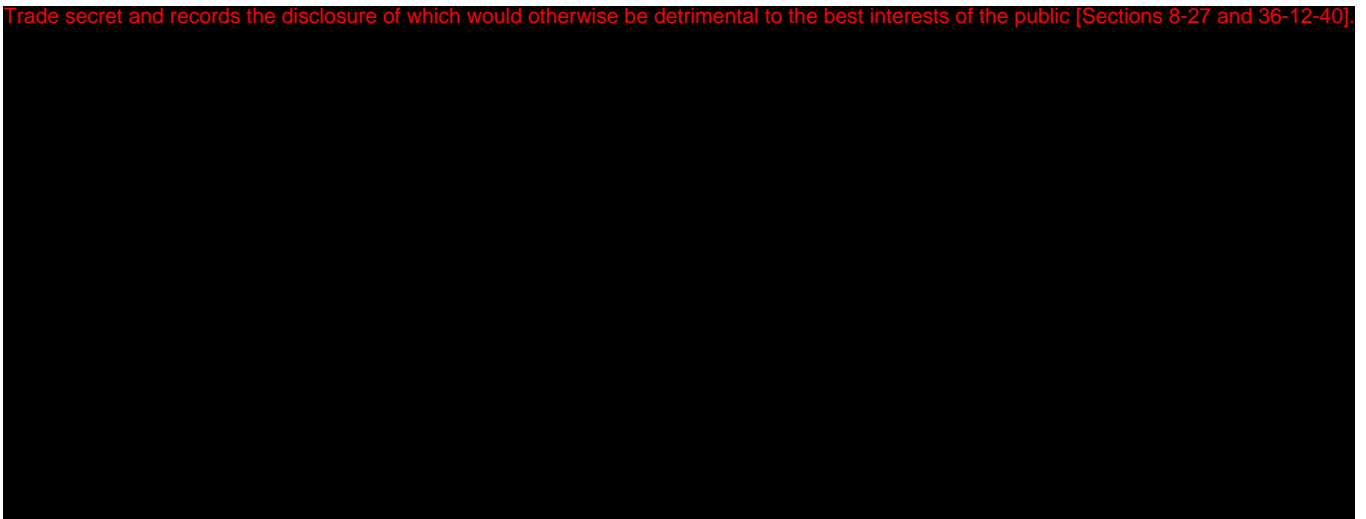


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



25.2 Specific Media Outlets and Platforms

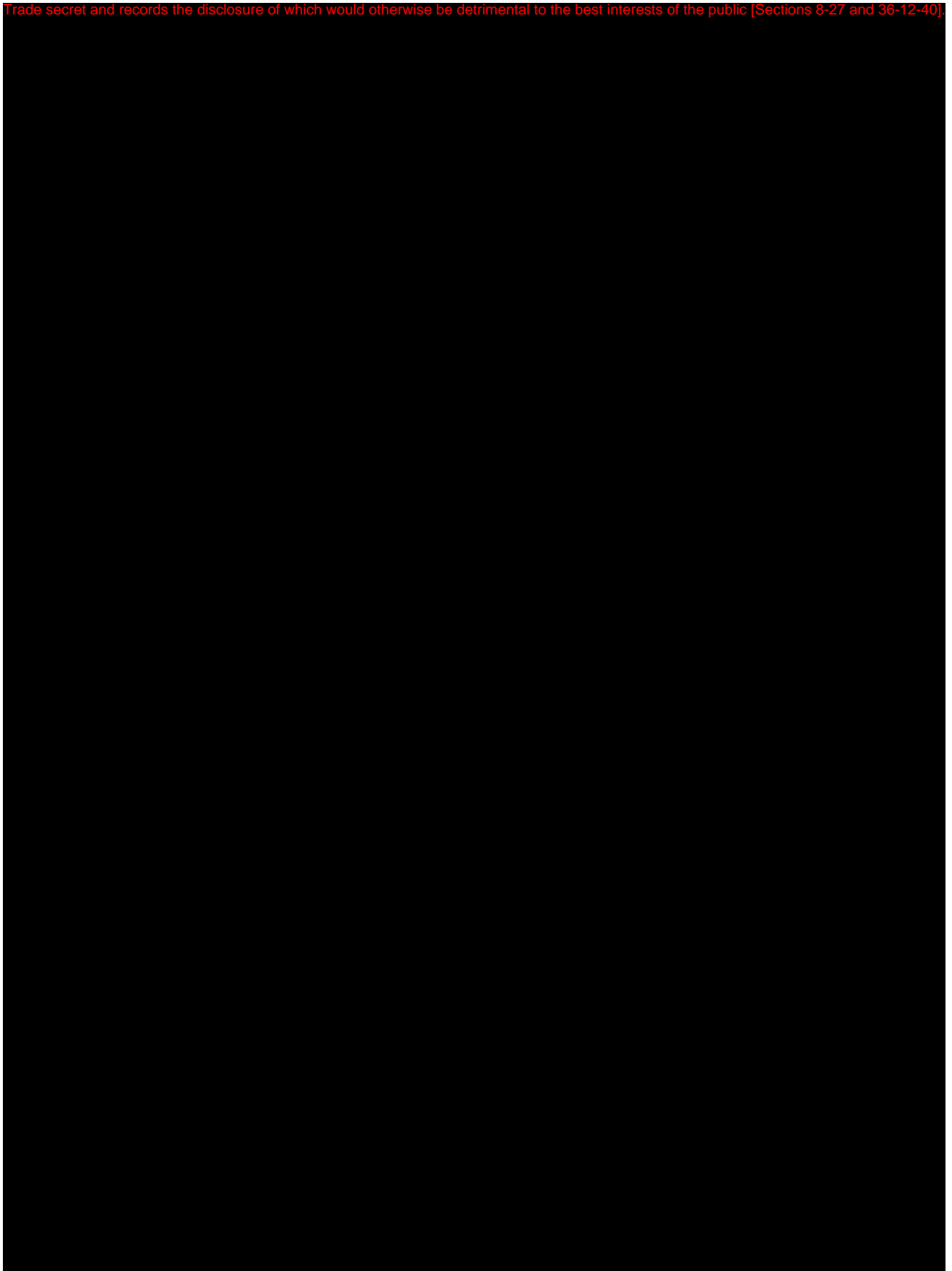
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



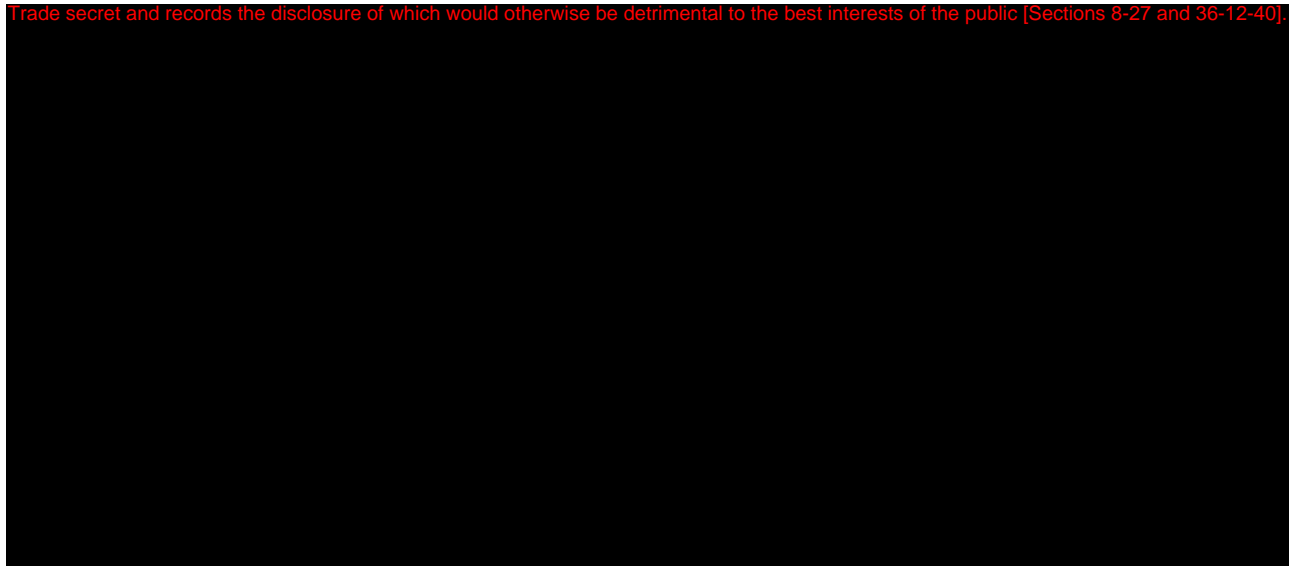
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

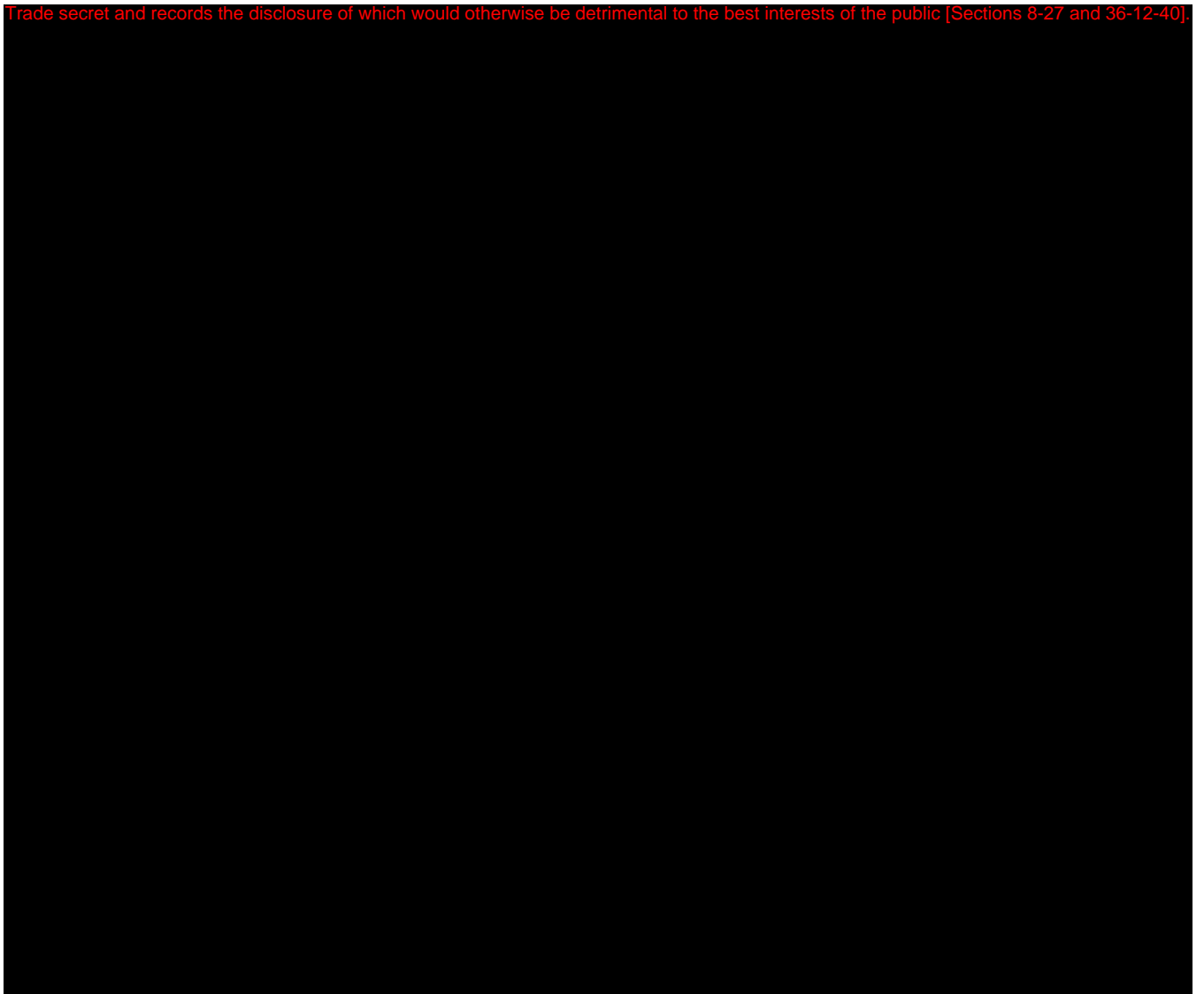


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



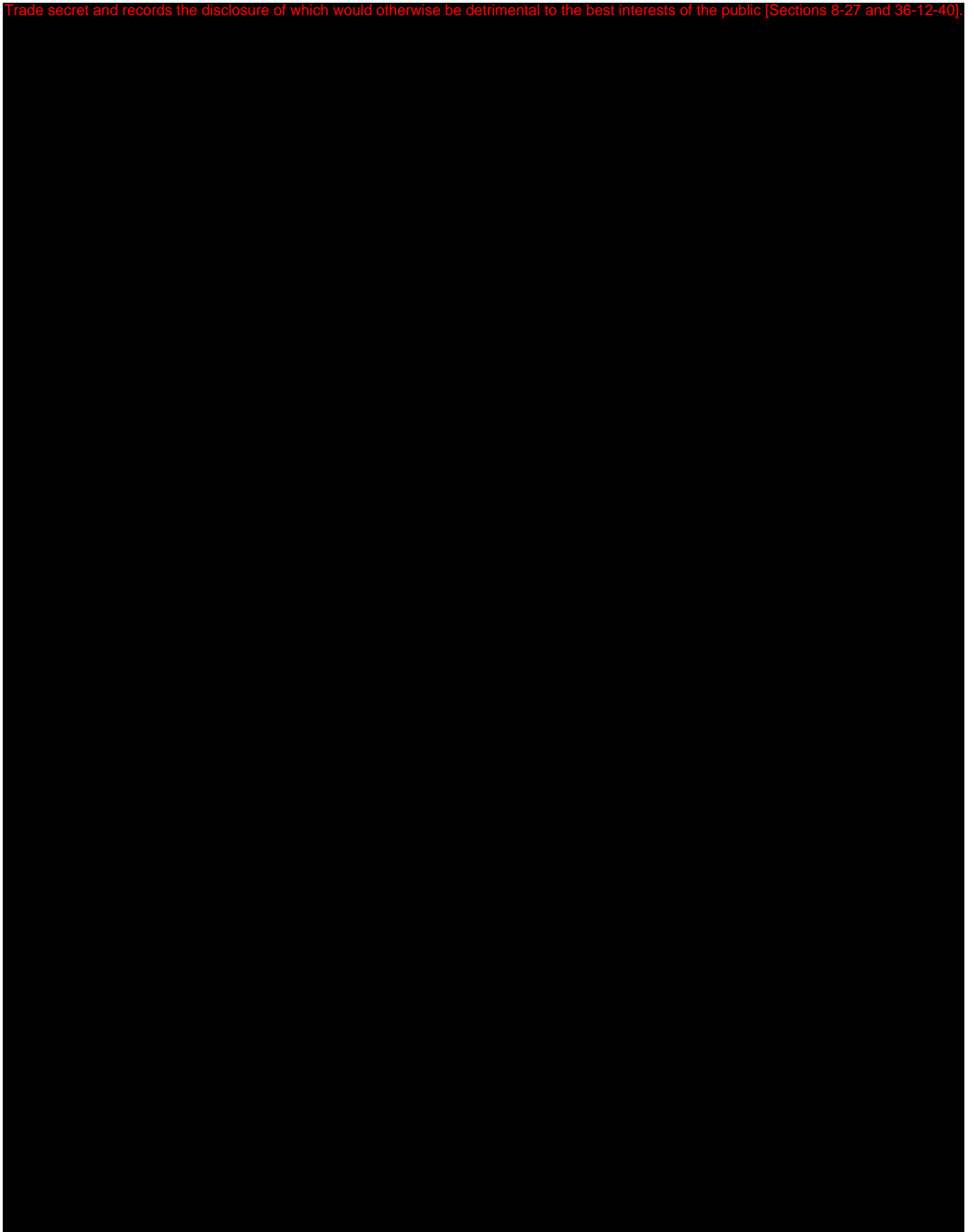
25.3 Identity of Media Outlets and Third-Party Individuals

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



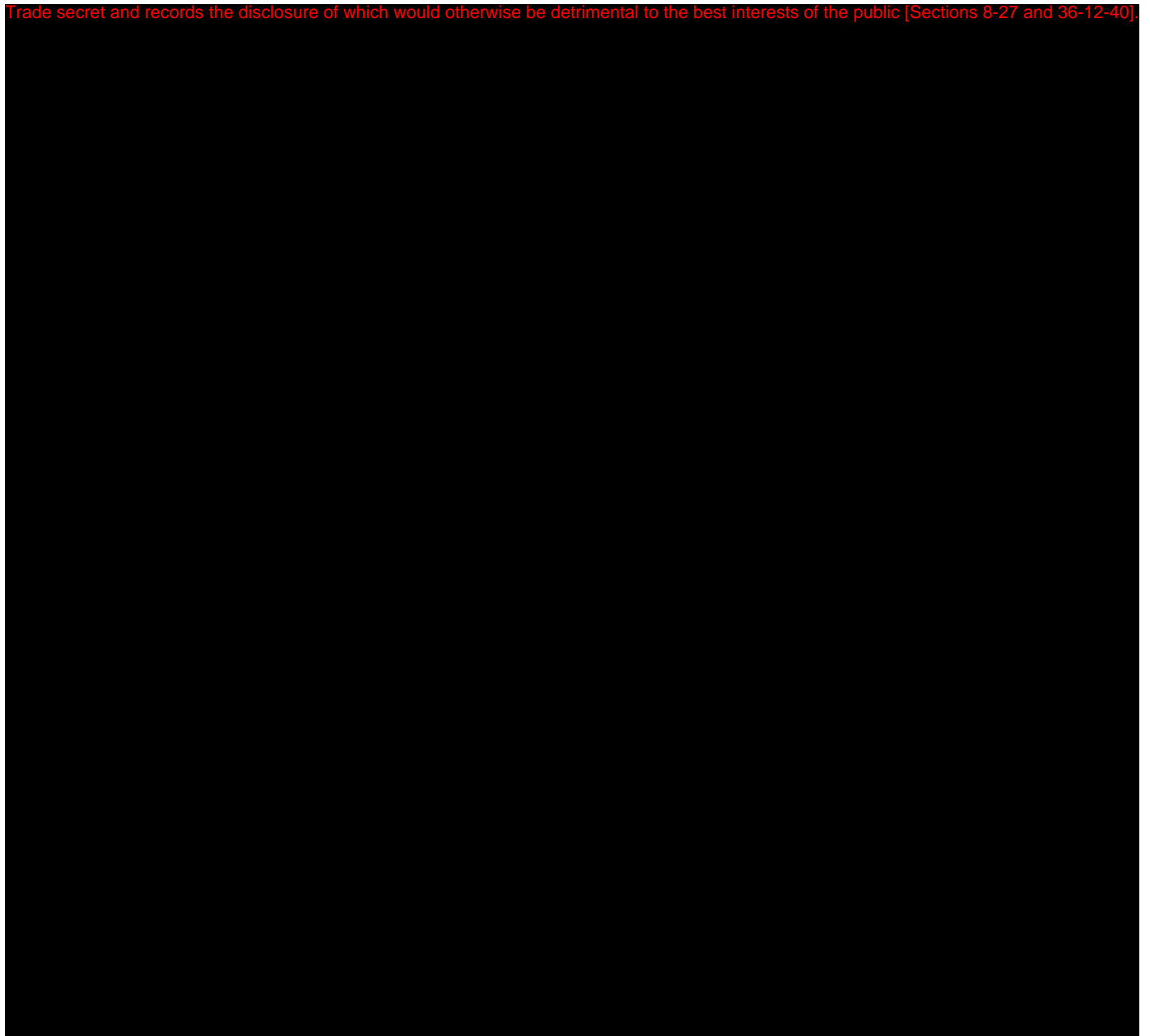
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].





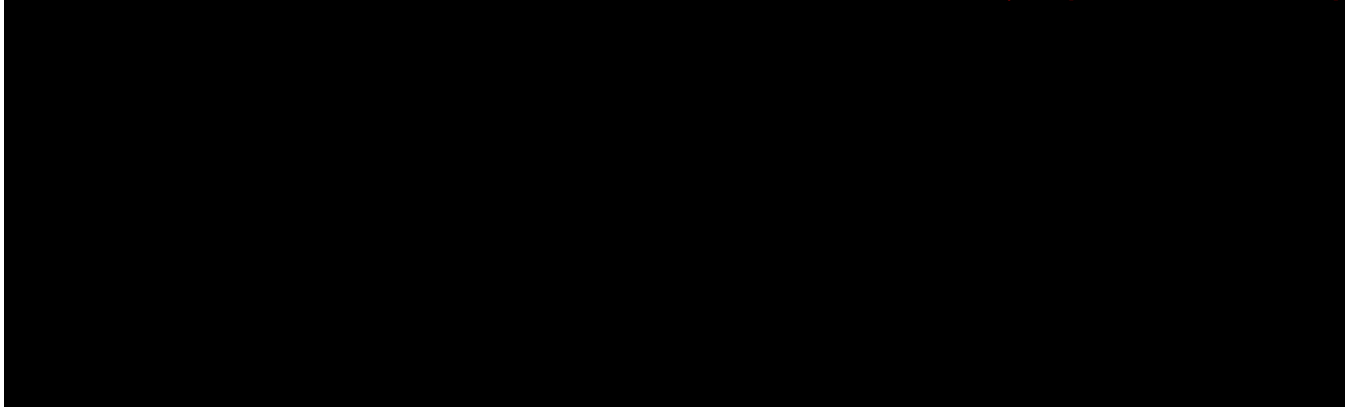
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



25.4 Packaging (including exemplars)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



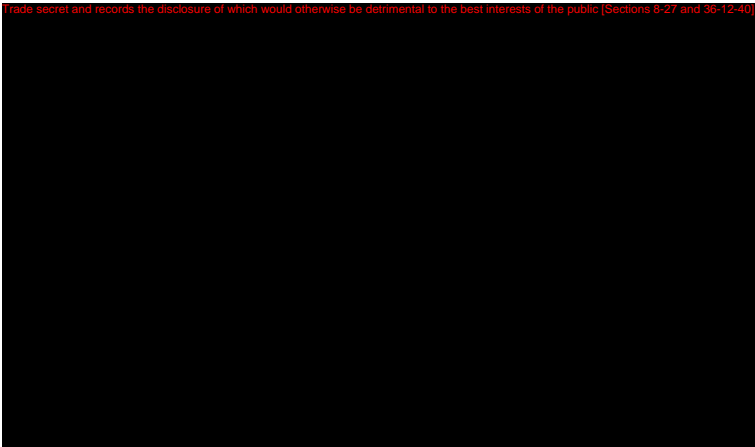
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



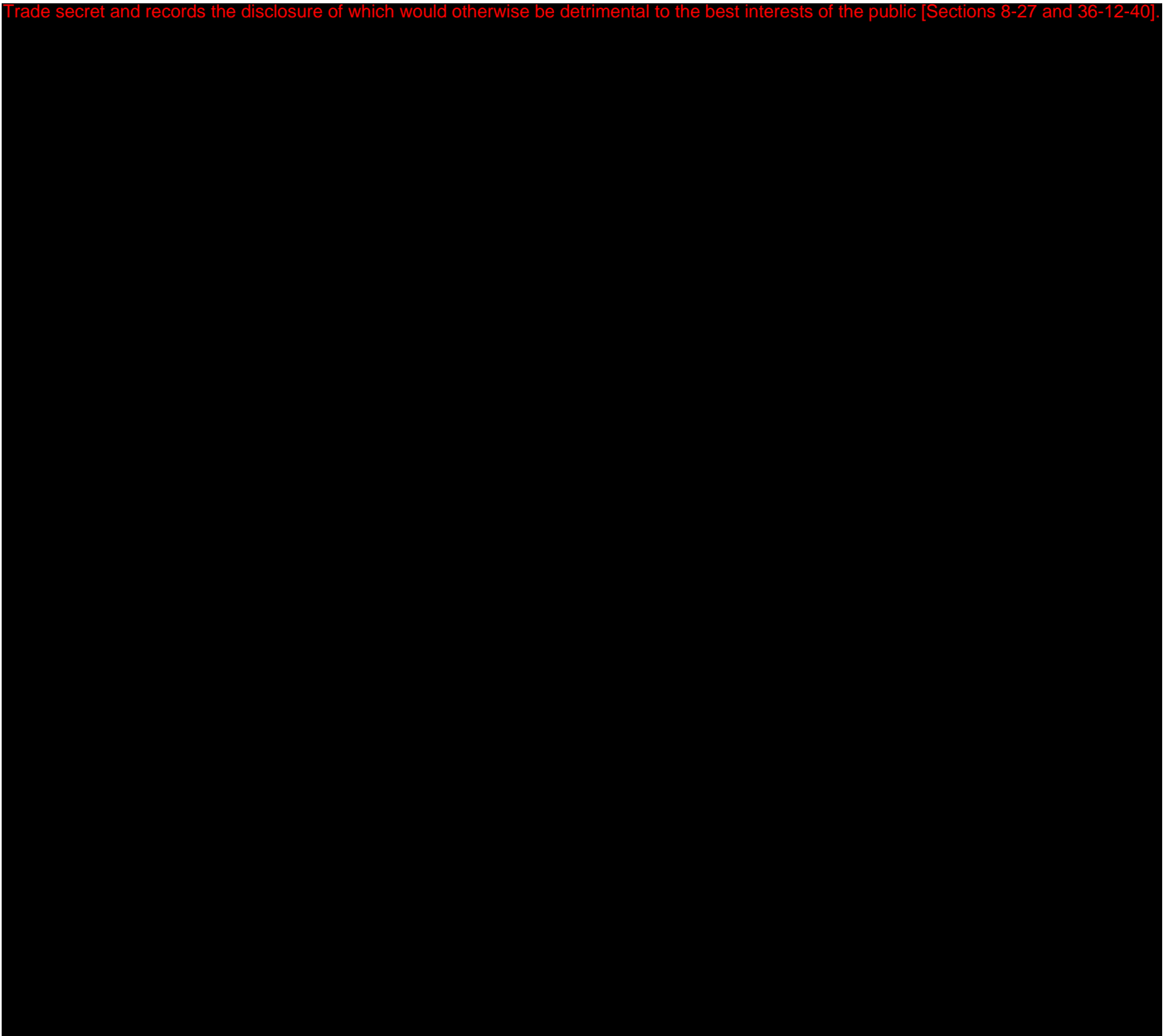
25.4.1 Tamper-Evident Stickers

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].





25.5 Labeling (including exemplars)



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Exhibit 26 – Website and Social Media

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would constitute a competitive advantage

Printed Name of Verifying Individual

Trade secret and records the disclosure of which would constitute a competitive advantage

Signature of Verifying Individual

Trade secret and records the disclosure of which would constitute a competitive advantage

Owner
Title of Verifying Individual

Trade secret and records the disclosure of which would constitute a competitive advantage

03.02.2023
Verification Date

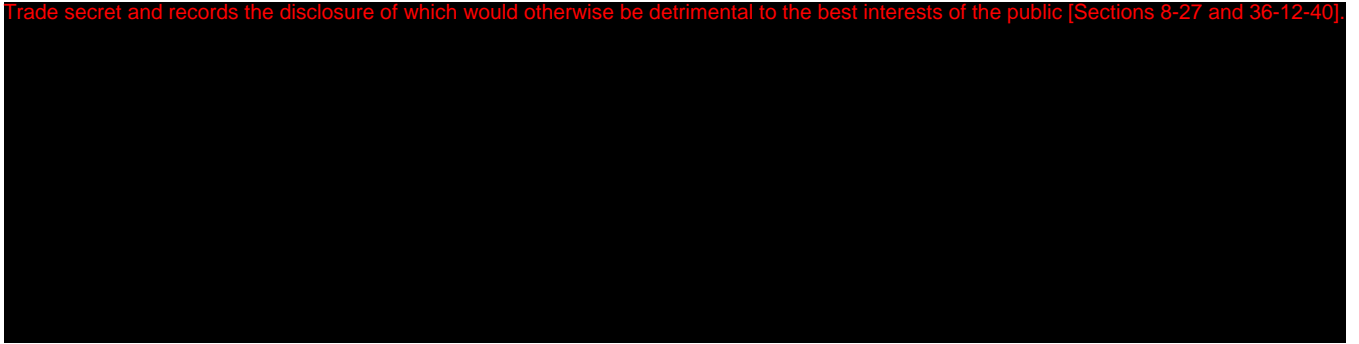
As a company established for the purpose of this license application, Company does not own or operate any webpages, social media pages, or other online sites.

26.1 Website Site Map

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].

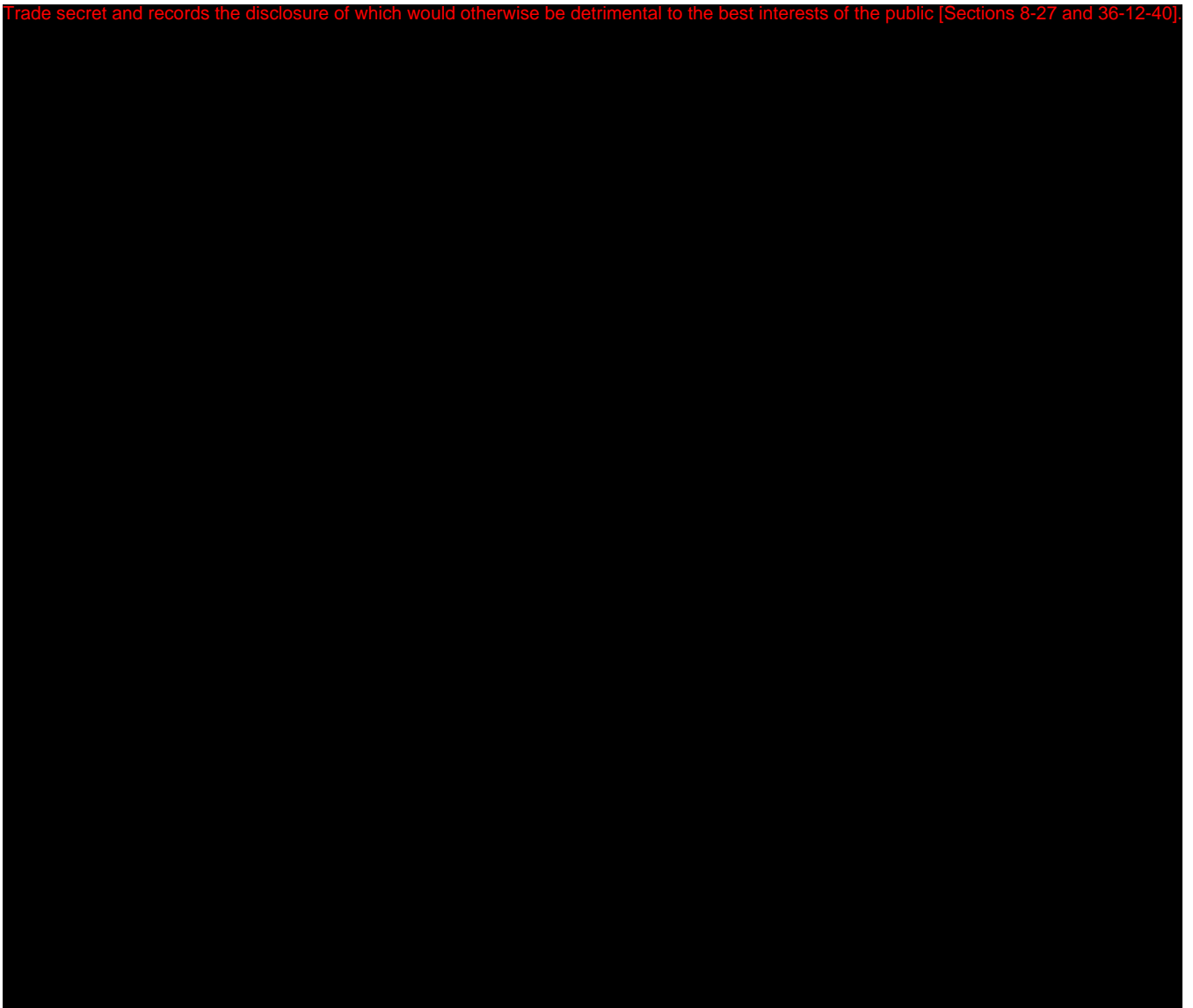


Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



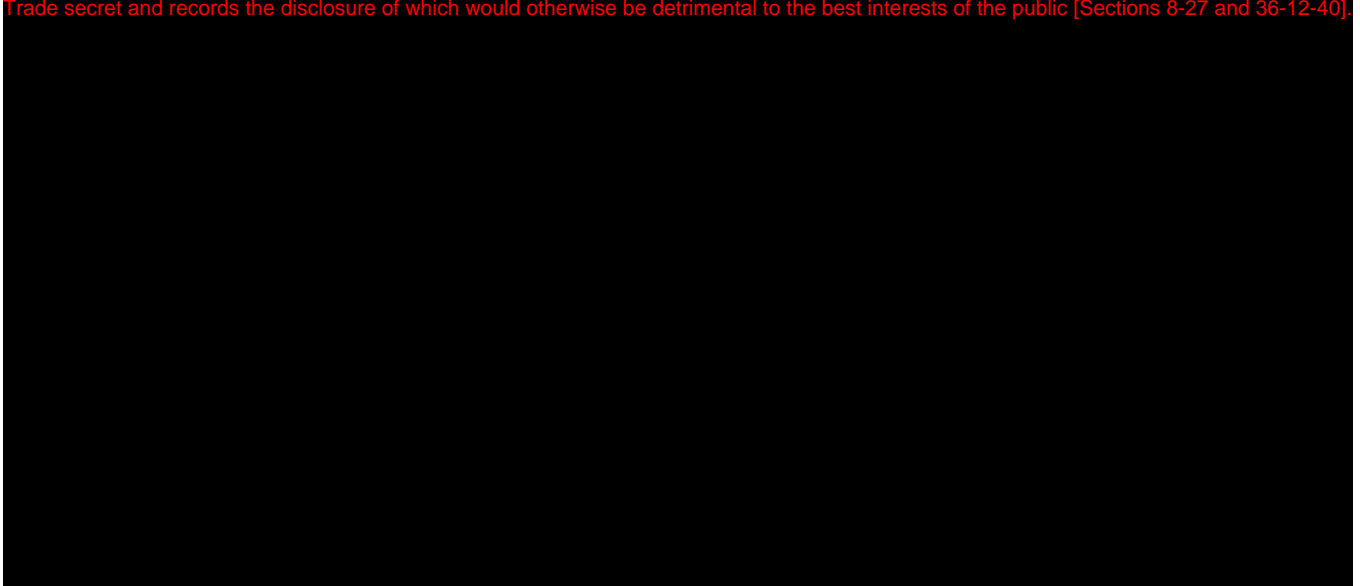
26.1.2 Site Map of Site Owned by Member of Company Ownership

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



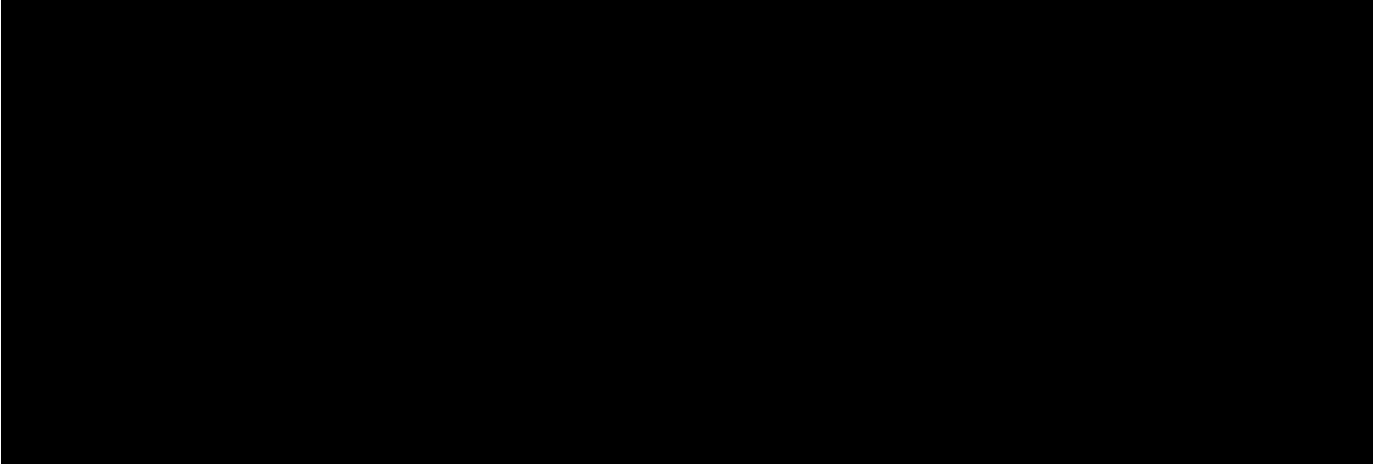
26.2 Web Pages and Social Media Pages

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



26.2.1 Future Social Media

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Insurance Plan

Verification

The undersigned verifies that the information contained in this Exhibit, including any attachments thereto, is accurate and complete, based on the best available information at the date of verification.

Trade secret and records the disclosure of which would

Printed Name of Verifying Individual

Trade secret and records the disclosure of which would

Signature of Verifying Individual

Owner

Title of Verifying Individual

12/25/2022

Verification Date

1 - Policies

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



1.1 Commercial General Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



1.2 Product Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



1.3 Commercial Property

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



1.4 Statutory Workers' Compensation and Employers Liability

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



1.5 Other Commercial Insurance

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



2 - Letters of Intent

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



3. Declaration Pages

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



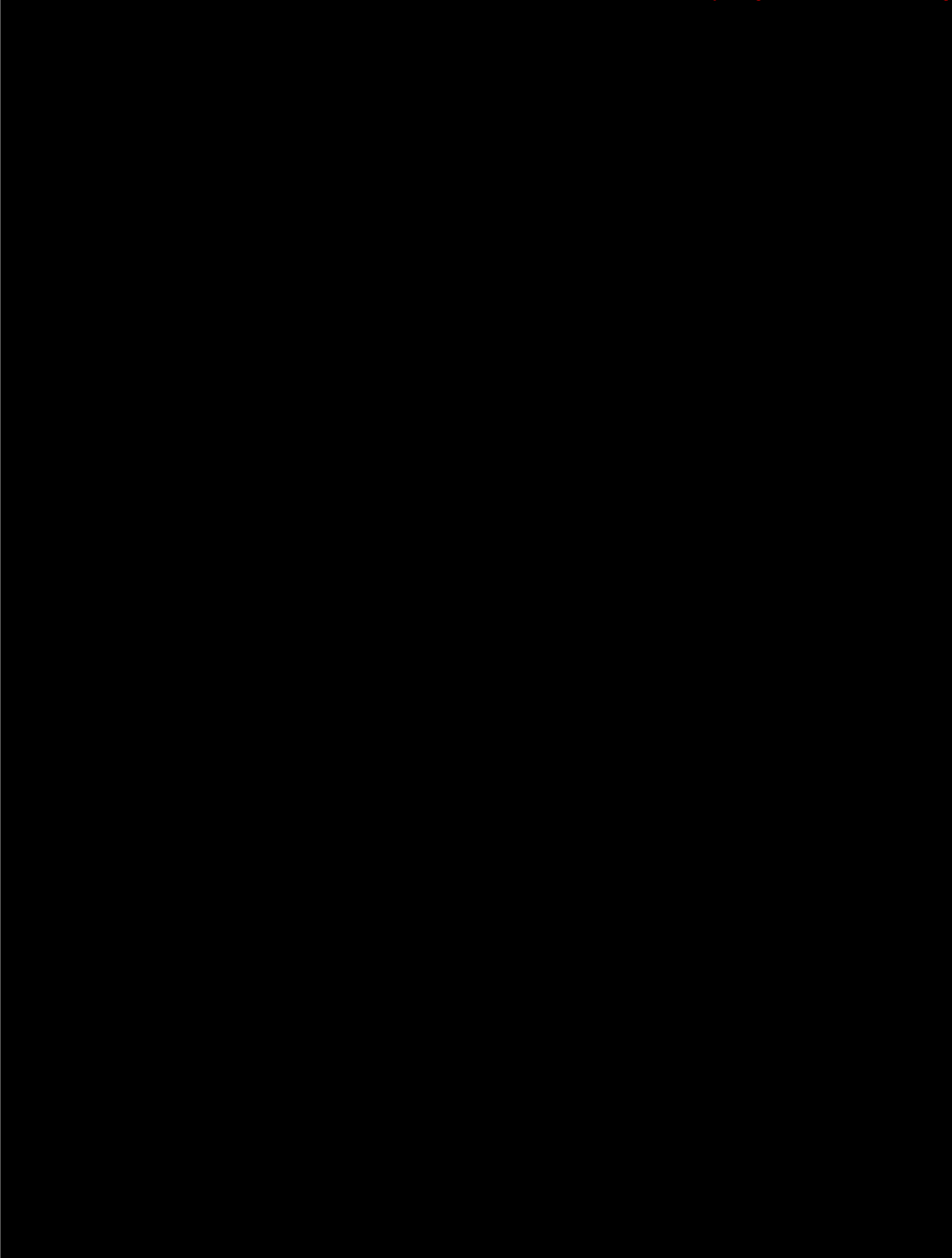
Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40].



Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public [Sections 8-27 and 36-12-40]



FORM K: Affidavit of Entity Applicant for Alabama Medical Cannabis License

STATE OF ALABAMA)
)
Houston COUNTY)

Before me, the undersigned notary, did appear the Affiant, who after being by me first duly sworn, did state under oath as follows (please type or print legibly):

1. NAME OF ENTITY APPLYING FOR LICENSE: Guaranteed Investments AL, LLC

2. NAME OF AFFIANT: [Redacted]

3. AFFIANT'S POSITION WITH APPLICANT: Owner

4. AFFIANT IS THE APPLICANT'S (Check One): [X] Responsible Party [] Contact Person (The affidavit of BOTH individuals is required)

5. TYPE OF LICENSE BEING SOUGHT BY APPLICANT (Check One):
[] Cultivator [X] Processor [] Secure Transporter
[] Dispensary [] Integrated Facility [] State Testing Laboratory

6. On behalf of the Applicant, I do hereby affirm under oath as follows:
a. I, the undersigned Affiant named in paragraph 2 above, am an adult, over the age of 19 years and competent to provide this Affidavit. [Redacted] INITIAL HERE
b. In my position stated in paragraph 3 above, I have been duly authorized by the Applicant identified in paragraph 1 above (hereinafter, "Applicant") to provide this Affidavit. (Attach a copy of the entity applicant's written authorization to this Affidavit.) [Redacted] INITIAL HERE
c. I understand and acknowledge that this Affidavit and the statements, information and documents or other exhibits accompanying it, are for the purpose of seeking one (1) license of the type specified in paragraph 5 above, on behalf of the Applicant. Neither I nor the Applicant are seeking a different Alabama Medical Cannabis license on behalf of any individual or any other entity. [Redacted] INITIAL HERE
d. That all statements, information, documents and other exhibits provided in the Application are true and correct, based on my own personal knowledge and a diligent investigation by me. To the extent any information provided therein was heretofore outside my personal knowledge or ability to affirm, I have personally communicated with those within the Applicant's business who have such personal knowledge, whose duties

include knowledge of the facts stated and/or the integrity of the documents or other exhibits, and I am able, based on such communications, to attest to their currentness and accuracy. This I and the Applicant affirm under penalty of perjury and other applicable sanctions under the AMCC Rules and Alabama law.

Trade secret INITIAL HERE

e. Applicant understands and acknowledges that the license being applied for is a revocable privilege granted by this state and is not a property right, and that this Application likewise does not convey to, or otherwise entitle unto, the Applicant any rights to a license.

Trade secret INITIAL HERE

f. Applicant understands, acknowledges, and will continue to respect and comply with AMCC Rules regarding limited communication during the Application process.

Trade secret INITIAL HERE

g. Applicant consents to all background checks, examinations, inspections, and search and seizure by AMCC and law enforcement personnel during this Application process and afterward, to the extent a license is awarded.

Trade secret INITIAL HERE

h. Applicant has no economic interest, as defined in the AMCC Rules, in any other license or Application for license under the Darren Wesley "Ato" Hall Compassion Act, § 20-2A-1, et seq., Code of Alabama 1975.

Trade secret INITIAL HERE

i. I and the Applicant will at all times, to the best of our ability, comply with the AMCC Rules, and cooperate and maintain transparency with the AMCC, its staff and other agents.

Trade secret and INITIAL HERE

j. Any verification provided in the Application is hereby affirmed under oath to be true and correct as of the date of the Application's submission.

Trade secret INITIAL HERE

Trade secret and records the disclosure of which is

Signature of Affiant
Acting for and on behalf of:

Guaranteed Dispensary AL, LLC

Applicant

Sworn to and subscribed before me on this 29 day of December, 2022.

Trade secret and records the disclosure of which would otherwise be detrimental to the best interest of the public (Sections 6-27 and Notary Public

My Commission Expires: 07/29/2024

Trade secret and records the disclosure of which would otherwise be detrimental to the best [SEAL]

FORM K: Affidavit of Entity Applicant for Alabama Medical Cannabis License

STATE OF ALABAMA)
)
Houston COUNTY)

Before me, the undersigned notary, did appear the Affiant, who after being by me first duly sworn, did state under oath as follows (please type or print legibly):

1. NAME OF ENTITY APPLYING FOR LICENSE: Guaranteed Investments AL, LLC

2. NAME OF AFFIANT: [Redacted]

3. AFFIANT'S POSITION WITH APPLICANT: Owner

4. AFFIANT IS THE APPLICANT'S (Check One): [] Responsible Party [x] Contact Person (The affidavit of BOTH individuals is required)

5. TYPE OF LICENSE BEING SOUGHT BY APPLICANT (Check One):
[x] Cultivator [x] Processor [] Secure Transporter
[] Dispensary [] Integrated Facility [] State Testing Laboratory

6. On behalf of the Applicant, I do hereby affirm under oath as follows:
a. I, the undersigned Affiant named in paragraph 2 above, am an adult, over the age of 19 years and competent to provide this Affidavit. [Redacted] INITIAL HERE
b. In my position stated in paragraph 3 above, I have been duly authorized by the Applicant identified in paragraph 1 above (hereinafter, "Applicant") to provide this Affidavit. (Attach a copy of the entity applicant's written authorization to this Affidavit.) [Redacted] INITIAL HERE
c. I understand and acknowledge that this Affidavit and the statements, information and documents or other exhibits accompanying it, are for the purpose of seeking one (1) license of the type specified in paragraph 5 above, on behalf of the Applicant. Neither I nor the Applicant are seeking a different Alabama Medical Cannabis license on behalf of any individual or any other entity. [Redacted] INITIAL HERE
d. That all statements, information, documents and other exhibits provided in the Application are true and correct, based on my own personal knowledge and a diligent investigation by me. To the extent any information provided therein was heretofore outside my personal knowledge or ability to affirm, I have personally communicated with those within the Applicant's business who have such personal knowledge, whose duties

REDACTED COPY

include knowledge of the facts stated and/or the integrity of the documents or other exhibits, and I am able, based on such communications, to attest to their currentness and accuracy. This I and the Applicant affirm under penalty of perjury and other applicable sanctions under the AMCC Rules and Alabama law.

—  — INITIAL HERE

- e. Applicant understands and acknowledges that the license being applied for is a revocable privilege granted by this state and is not a property right, and that this Application likewise does not convey to, or otherwise entitle unto, the Applicant any rights to a license.

—  — INITIAL HERE

- f. Applicant understands, acknowledges, and will continue to respect and comply with AMCC Rules regarding limited communication during the Application process.

—  — INITIAL HERE

- g. Applicant consents to all background checks, examinations, inspections, and search and seizure by AMCC and law enforcement personnel during this Application process and afterward, to the extent a license is awarded.

—  — INITIAL HERE

- h. Applicant has no economic interest, as defined in the AMCC Rules, in any other license or Application for license under the Darren Wesley "Ato" Hall Compassion Act, § 20-2A-1, et seq., Code of Alabama 1975.

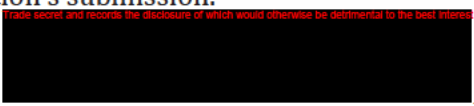
—  — INITIAL HERE

- i. I and the Applicant will at all times, to the best of our ability, comply with the AMCC Rules, and cooperate and maintain transparency with the AMCC, its staff and other agents.

—  — INITIAL HERE

- j. Any verification provided in the Application is hereby affirmed under oath to be true and correct as of the date of the Application's submission.

—  — INITIAL HERE



Signature of Affiant
Acting for and on behalf of:

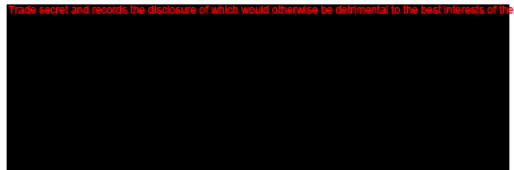
Guaranteed Dispensary AL, LLC
Applicant

Sworn to and subscribed before me on this  , _____.

Notary Public

My Commission Expires: _____

[SEAL]



REDACTED COPY

Affidavit

The Company hereby duly authorizes Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28) to act on behalf of Guaranteed Dispensary AL, LLC. Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28) is hereby authorized to act on behalf of Guaranteed Dispensary AL, LLC and to sign and file FORM K.

Guaranteed Dispensary AL, LLC

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28)

Guaranteed Dispensary AL, LLC

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28)

Trade secret and records the disclosure of which would otherwise be detrimental to the best interests of the public (Sections 8-27 and 8-28)

REDACTED COPY

Affidavit

The Company hereby duly authorizes [redacted] to act on behalf of Guaranteed Dispensary AL, LLC. [redacted] is hereby authorized to act on behalf of Guaranteed Dispensary AL, LLC and to sign and file FORM K.

Guaranteed Dispensary AL, LLC

[redacted]

[redacted]

[redacted]

Guaranteed Dispensary AL, LLC

[redacted]

[redacted]