

ARTICLE III. ESTABLISHMENT OF ZONING DISTRICTS

Section 300. Establishment of Zoning Districts.

The City of Lincoln, Alabama is hereby divided into zoning districts of such number and character as are necessary to achieve compatibility of uses within each district, to implement the Official Zoning Map of Lincoln, and to serve the other purposes of this Ordinance, which are detailed in Article I.

Section 301. Zoning Districts.

For the purpose of this Ordinance, all land and water areas in Lincoln are hereby divided into fourteen (14) “General” zoning districts, as follows:

Residential Estate	RE-1, RE-2
Residential “Single Family”	RS-1, RS-2
Residential High Density	RHD
Manufactured Housing	MH
Office-Institutional:	O-I
Neighborhood Business	NB
General Business	GB
Highway Commercial	HC
Leisure Commercial	LC
Downtown Historic	DH
Manufacturing, Light	M-1
Manufacturing, Heavy	M-2

Additionally two Reserved Districts have been established, as follows:

Flood Protection Areas	FP, FW
Special District	SD

Section 302. Map of Zoning Districts.

Zoning districts established by this Ordinance are bounded and defined as shown on the Official Zoning Map of Lincoln, which, together with all explanatory materials contained thereon, is hereby made a part of this Ordinance.

Section 303. Interpretation of District Boundaries.

In the event of uncertainty with regard to their location, it is the duty of the Planning & Development Services, or his/her designee, to interpret the location of the zoning district boundaries. Where a district boundary line divides a lot held in single and separate ownership at the effective date of this ordinance, the Planning Commission shall determine, based on findings of fact from the Planning & Development Services, the disposition of said boundary line.

The following rules shall be used to determine the precise location of any zone boundary shown on the Official Zoning Map of Lincoln:

303.01. Boundaries shown as following, or approximately following, the limits of any municipal corporation shall be construed as following such limits.

303.02. Boundaries shown as following, or approximately following, streets shall be construed to follow the centerlines of such streets.

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

303.04. Boundaries shown as following, or approximately following, section lines, half-section lines, or quarter-section lines shall be construed as following such lines.

303.05. Boundaries shown as following, or approximately following, railroad lines shall be construed to lie midway between the main tracks of such railroad lines.

303.06. Boundaries shown as following, or approximately following, shorelines of any lakes shall be construed to follow the mean high waterlines of such lakes, and, in the event of change in the mean high waterline, shall be construed as moving with the actual mean high waterline.

303.07. Boundaries shown as following, or approximately following, the centerlines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel centerline 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 watercourses, the zone boundary shall be construed as moving with the channel centerline.

303.08. Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs 303.01 through 303.07 above shall be construed to be parallel to, and at such distances from, such features as are shown on the map.

Section 304. Maintenance of Official Copy of Zoning Map.

At least one official copy of the zoning map shall be maintained in the office of the Planning & Development Services, upon which shall be recorded, after the passage thereof, every amendment to this ordinance which effects a change in any zoning district boundary. Such official copy of the zoning map shall be attested by the City Clerk, and shall be available at all times for inspection by the general public.

The Planning & Development Services may distribute copies of the zoning map to the general public and other officials, for reference purposes. However, the official copy of the zoning map maintained in the office of the Planning & Development Services, plus official records of the City Clerk regarding actions of the City Council to amend district boundaries shall constitute the only official description of the location of zoning district boundaries, and persons having recourse to this ordinance for any purpose are hereby so notified.

Section 305. Statement of Purpose and Intent of Zoning Districts.

The following sections specify the purpose and intent of the zoning districts established by this Ordinance.

305.01. Residential Estate Districts (RE-1 & RE-2). The intent and purpose of these districts is to provide for and protect the quiet, rural character of very low density, single family residential development, as well as agricultural and forestry uses and the accessory uses normally compatible with such uses. The standards developed for these areas are designed to permit development compatible with the preservation of their rural character while not permanently foreclosing future development. This zoning district, as the lowest intensity district, will be utilized as the default zone for all annexed property until such time as it is rezoned to a more appropriate district.

305.02. Residential Single Family Districts (RS-1 & RS-2). These districts are intended to provide for, and protect, the quiet and peaceful character of residential development and accessory uses normally necessary and compatible with such development. Regulations that apply within these districts are designed to encourage the formation and continuance of a stable, healthy environment for residential dwellings and to discourage any encroachment by commercial, industrial or other uses capable of adversely affecting the residential character of the district.

Residential Single Family Districts are also intended to provide for future development of land where a residential district is deemed the most appropriate zoning classification, and a

preliminary or final plat for development of the land has been approved by the Planning Commission.

305.03. Residential High Density District (RHD). This district is intended to provide for medium and high density residential areas permitting progressively higher population densities, characterized by duplex, twin house, patio & garden homes, townhouses, apartments and other multiple-family structures. Certain structures and uses required to serve governmental, educational, religious, noncommercial recreation, and other needs of such areas may be permitted as outright or as conditional uses within such districts, subject to restrictions and requirements intended to preserve and protect the residential character of the districts.

305.04. Manufactured Housing District (MH). This district is intended to provide for the development of new and maintenance of existing manufactured home parks along with their associated accessory uses and amenities. New and redeveloped manufactured home parks shall be developed in accordance with the standards set out in Section 604; existing manufactured home parks will be treated as nonconforming uses unless redeveloped to meet the standards of Section 604. Any expansion of an existing manufactured home park must also comply with Section 604.

305.05. Office-Institutional District (O-I). This district is intended to provide areas for the development of public, semi-public and private offices; schools, healthcare and child care facilities; places of worship and special residential development. Such uses are supportive of the surrounding residential community and should gain access via an arterial or major collector road.

305.06. Neighborhood Business District (NB). This district is intended for small sites in or near residential neighborhoods. The zone encourages the provision of small scale retail and service uses for nearby residential areas. Some uses which are not retail or service in nature are also allowed so a variety of uses may locate in existing buildings. Uses are restricted in size to promote a local orientation and to limit adverse impacts on nearby residential areas. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas. Parking areas are restricted, since their appearance is generally out of character with the surrounding residential development and the desired orientation of the uses.

305.07. General Business District (GB): This district is intended to be located along the arterial and collector roadways in Lincoln which serve a lower traffic volume and have not been developed to a point to accommodate the heavier uses allowed in the Highway Commercial District. Uses in this district shall depend chiefly on local traffic rather than the larger trade areas outside Lincoln. This district may also serve as an extension of established commercial areas and act as a buffer between more intense commercial uses and residential areas. Such districts shall generally be located along major arterials and/or collector roadways radiating out from the City Center. Commercial uses developed or expanded after

the adoption of this Ordinance shall be required to provide landscaping and buffer areas to mitigate the impact of the use on surrounding areas and street views.

305.08. Highway Commercial District (HC). This district is intended to be located along the arterial roadways in Lincoln which serve higher traffic volumes and are intended for the higher intensity development. Uses in this district are intended to provide goods and services to the City as well as serving the larger trade area of Lincoln. Uses permitted outright or conditionally in this district may include shopping centers, restaurants, and large commercial retail establishments. Because these uses are subject to the public view and are often located at or near City gateways, which is a matter of concern to the entire City, they should provide adequate parking, controlled traffic movement, suitable landscaping and protection for abutting residential areas from the traffic and visual impacts associate with these types of commercial activities. All storage and display shall occur inside a fully enclosed building and/or outdoors behind the front building line. The Planning Commission may require that outdoor storage and display of equipment or merchandise, be surrounded by an opaque screen, the height and location of which shall be determined by the Commission. Vehicular display areas are exempt from this standard.

305.09. Leisure Commercial District (LC). This district is specifically intended to accommodate commercial leisure activities and their amenities. Uses found in this district may include, but are not limited to, amusement parks, indoor firing ranges, recreational vehicle parks, outdoor theaters, water parks and other leisure commercial activities. Such uses should gain access via an arterial or major collector road, and should provide adequate parking, controlled traffic movement, suitable landscaping and protection for abutting residential areas from the traffic and visual impacts associate with these types of commercial activities.

305.10. Downtown & Historic District (DH). The purpose and intent of the Downtown & Historic District is to promote the preservation of buildings, structures and sites of historic and architectural value within the city. Development and redevelopment within this district should reflect the historic character and scale of existing development. Uses within this district will include both commercial and residential of appropriate type and design to be compatible with existing uses and may be found as individual freestanding, and/or mix used development types. Design and function will play a major role in the review and approval of uses in this district.

305.11. Manufacturing Districts (M-1 & M-2). These districts are intended to accommodate commercial areas that must be segregated, because of negative impacts that cannot be made compatible with other uses through the application of performance standards. The creation of these separate districts for manufacturing/industrial uses recognizes not only nuisances, but also infrastructure and operational incompatibilities between their permitted uses and those of other districts. Accordingly, the standards for these districts are designed to accommodate intensive industrial uses that generate nuisances, which either cannot be handled by technology or which are nearly impossible to police. Location criteria for these districts focus on transportation, requiring that sites have access to a railroad, an airport or a major highway.

305.12. Special District. Special districts are hereby authorized for the purpose of providing optional methods of land development, which encourages imaginative solutions to environmental design problems and provide for a mixture of uses and density of uses with associated open space and amenities. Areas so established shall be characterized by a unified building and site development program providing for coordinated open space and architectural treatment. The special districts authorized by this Article are also intended to provide means for the establishment of uses, which are generally considered to be incompatible with most other land usage.

305.13. Flood Protection Areas. It is the intent of the flood protection area to provide protection in the floodway and flood fringe from the hazards and losses caused by flooding to residences, businesses, industries and public uses and to protect the natural flood environments that might be increased or significantly altered by improper use or development.

The areas of special flood hazard identified by the Federal Emergency Management Agency are adopted by reference and declared to be a part of this Ordinance.

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazard, or uses permitted within such areas, will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Lincoln or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.