

**ORDINANCE NUMBER 6-06-11B  
AMENDMENT TO ZONING ORDINANCE**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE NUMBER 8-15-83,  
AS AMENDED, ENTITLED ZONING ORDINANCE OF RAINSVILLE,  
ALABAMA, AND THE ZONING MAP  
DESIGNATING THE USE ZONE AND DISTRICT DESIGNATION OF A  
CERTAIN PARCEL**

BE IT ORDAINED BY THE CITY COUNCIL OF RAINSVILLE, ALABAMA, as follows:

**SECTION 1.** Section 3-1 of Ordinance 8-15-83, Zoning Ordinance of Rainsville, Alabama, as previously and hereafter amended (hereinafter "Zoning Ordinance") is hereby deleted in its entirety and replaced with the following:

"The City of Rainsville is hereby divided into districts as shown on the Official Zoning Map filed with the City Clerk and originally adopted by the City Council and as later amended. The map and all explanatory material thereon are hereby made a part of this Ordinance. Districts shall be designated as follows:

- R-1 Low Density Residential District
- R-2 Medium Density Residential District
- R-3 Multi-Family Residential District
- B-1 Neighborhood Commercial District
- B-2 Community Commercial District
- B-3 General Commercial District
- M-1 General Industrial District
- AG Agricultural District
- EH Temporary Emergency Housing District."

**SECTION 2.** Article IV of the Zoning Ordinance is hereby amended to add the following:

"Section 4-9. EH Temporary Emergency Housing District

The purpose of the EH District is to provide a zoning classification of land properly suited to support and maintain temporary high-density emergency housing for many people displaced from their homes and residences by wide-spread natural disasters, acts of nature, and other wide-spread non-intentional disaster or damage causes. Land in EH Districts may be used, developed, and maintained pursuant to the regulations of this Section only by, or under the auspices of, the City of Rainsville, agencies and commissions of DeKalb County, Alabama, the Federal Emergency Management Agency, the Alabama Emergency Management Agency, the Army Corps of Engineers, and/or other governmental subdivisions and agencies that are successors to those named immediately above and/or that have the same goals and responsibilities as those named

above. The types of uses in this district include, but are not limited to, temporary high-density residential developments including mobile homes and/or pre-fabricated homes that can be located and assembled quickly to house victims of such disasters. Given the emergent and temporary nature of such high-density, mobile home, and pre-fabricated home uses in this district, such uses and development of lands in this district are exempted and excepted from all regulations of Subdivision regulations; Mobile Home Parks regulations, including, but not limited, to those regulations in Sections 5-7, 6-4, and 10-2-42 of the Zoning Ordinance; Mobile Home Subdivision regulations, including, but not limited to, those in Section 10-2-43 of the Zoning Ordinance; Group Development regulations, including, but not limited to, to those regulations in Sections 6-5 and 10-2-29 of the Zoning Ordinance; Building Permit regulations, including, but not limited to, Section 8-2 of the Zoning Ordinance; Site Plan Review and Approval regulations, including, but not limited to, those in Section 8-4 of the Zoning Ordinance; Fee regulations of Section 9-3 of the Zoning Ordinance; Lot Size regulations of Section 5-1-3 of the Zoning Ordinance; Principal Building regulations of Section 5-1-5 of the Zoning Ordinance; Accessory Uses and Structures regulations of Section 5-1-10 of the Zoning Ordinance; and Building Moving regulations of Section 5-1-12 of the Zoning Ordinance. The EH District is specifically established so that the City Council may, in its discretion, provide for the re-zoning of land to this use on a temporary basis that will end, with the subject land reverting back to its previous zoning district classification, at a time certain to be established by the City Council.

#### 4-9-1 Permitted Uses

- Detached single-family or multiple-family temporary homes in high-density arrangement, such as mobile homes and pre-fabricated homes located and maintained with more than one per lot
- Temporary mobile home parks
- Temporary churches or meeting houses
- Temporary public and private schools
- Parks and playgrounds
- Temporary accessory uses and buildings
- Public utility structures, including electrical substations, gas metering stations, water tanks, sewage pumping stations, switching and junction stations and boxes for telephone, data, fiber-optic and other such lines, and similar structures
- Temporary day care homes, day nurseries and day care centers
- Temporary recreational facilities
- Temporary professional services, including medical clinics (outpatient only) and offices of doctors, dentists, osteopaths and similar healthcare professionals
- Post offices, libraries, fire stations, and similar governmental office buildings serving residents of the district
- Temporary emergency services arranged by the governmental agency or subdivision operating such Temporary Emergency

Housing development, such as providing food, water, medical attention, financial advice, legal advice, disaster relief application advice, and other such necessities, advice, and service related to governmental benefits and/or the emergency that gives rise to the establishment of such district.

4-9-2 Special Exceptions

- None

4-9-3 Required Conditions

- (1) The owner of the land and/or the governmental subdivision or agency developing and operating such development shall construct and maintain sufficient interior roads on the land to provide safe access for the residents to and from their residences and other Permitted Uses on the land.
- (2) In the event common areas are provided which are not contained in lots or streets conveyed to individual owners, said common areas shall be properly maintained by, and be the sole responsibility of, the owner of the land and/or the governmental subdivision or agency developing and operating such development.
- (3) All temporary residential buildings and mobile homes shall have available, and shall be hooked up to and using, electric power, City sewer or septic tank approved by the health department, and public water or well water prior to occupancy.
- (4) Though this district has few particular Dimensional Requirements, all temporary residential buildings and mobile homes in this district shall be located and maintained a sufficient distance from other buildings and mobile homes in the front yards, side yards, and rear yards that use of such buildings and mobile homes as a residence will not pose any safety, sanitary, or health risks to the occupants or neighboring residents.
- (5) Any lighting shall be arranged so that there will be no annoying glare directed or reflected toward residential buildings in this or adjacent districts.
- (6) No building or mobile home shall exceed two stories or twenty-five feet (25') in height."

**SECTION 3.** Temporary Re-Zoning For Emergency Housing of Storm Victims. The Official Zoning Map adopted as part of the Ordinance 8-15-83 entitled Zoning Ordinance, Rainsville, Alabama, as amended, and that ordinance itself are hereby amended to designate the following-described property to be zoned as EH Temporary Emergency Housing District:

Commencing at the Northeast corner of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Township 6 South, Range 7 East of the Huntsville Meridian and run South 1 degree 48 minutes East for a distance of 25.00 feet to the South margin of White Street for a POINT OF BEGINNING; thence run South 87 degrees 43 minutes West for a distance of 210.00 feet along the South margin of White Street to the East margin of REA Avenue; thence run South 1 degree 48 minutes East for a distance of 660.00 feet along the East margin of REA Avenue to a point; thence North 87 degrees 43 minutes East for a distance of 660.00 feet to a point on the Eastern boundary of that parcel conveyed to Sand Mountain Electric Cooperative by deed dated December 4, 1963, and recorded at Deed Book 210, page 856 in the office of the Probate Judge of DeKalb County, Alabama; Thence North 1 degree 48 minutes West for a distance of 660.00 feet to a point on the South margin of White Street; thence run South 87 degrees 43 minutes West for a distance of 450.00 feet along the South margin of White Street and to the point of beginning. Said parcel of land lying in the Southwest Quarter (SW ¼) of the Northeast Quarter and the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 24, Township 6 South, Range 7 East, DeKalb County, Alabama, and containing approximately ten acres, more or less.

**SECTION 4. Limited Term and Reversion to Previous Zoning District Classification.** The change of the Zoning District Classification to EH or the parcel described above shall last and continue only for a period of Nine Hundred (900) days following the date this Ordinance is passed and approved by the City Council. After the expiration of the period of 900 days after the passage date, the Zoning District Classification of the parcel described immediately above shall change from EH and shall revert to, and become the same as it was immediately prior to the enactment and effective date of this Ordinance.

**SECTION 5. Map.** The Official Zoning Map exhibited in Rainsville City Hall shall be changed and amended to reflect the changed zoning designations effected and set out by this Ordinance.

Adopted this 6<sup>th</sup> day of June, 2011.

  
DONNIE CHANDLER, Mayor


Attest.  
  
JUDY LEWIS, Clerk

CLERK'S CERTIFICATE

I hereby certify that Ordinance No. 6-6-11B was published on the 9<sup>th</sup> day of June, 2011, by publication of the same :

in *The DeKalb Advertiser*, a newspaper of general circulation in the City of Rainsville; and/or

by posting at Rainsville City Hall, the Rainsville Public Library, the Rainsville Post Office, and Rainsville Foodland.

  
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JUDY LEWIS, Clerk