

**ORDINANCE NO. 1720**

**AN ORDINANCE AMENDING ORDINANCE NO. 1253  
KNOWN AS THE ZONING ORDINANCE**

The ordinance known as the Zoning Ordinance (No. 1253), adopted 27 June 2005, is changed and altered as described below;

**WHEREAS**, the City of Fairhope Planning Commission directed the Planning Department to prepare amendments to our Zoning Ordinance; and,

**WHEREAS**, the proposed amendments relate to commercial square footage required on the ground floor for mixed use buildings in the Central Business District; and,

**WHEREAS**, after the appropriate public notice and hearing of ZC 21.03, the Planning Commission of the City of Fairhope, Alabama has forwarded a favorable recommendation;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRHOPE, ALABAMA;**


**THAT**, Article V, Section B. Central Business District, be hereby amended to add the following:

- f. A minimum of fifty percent (50%) of the gross floor area on the ground floor of a building in the CBD shall be dedicated to commercial uses. For the purposes of this calculation, gross floor area is defined as the total floor area contained on the ground floor within a building measured to the external face of external walls and shall include, but not be limited to, internal service areas, internal parking, internal stairwells, and internal common spaces. Retail and restaurants are encouraged on the ground floor adjacent to public streets.*

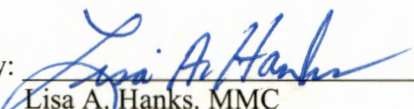
**Severability Clause** - if any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

**Effective Date** – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

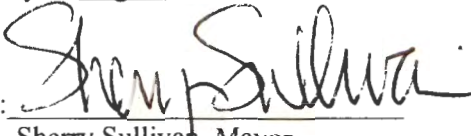
Adopted and approved this 9th day of August, 2021.

By:   
Jack Burrell, Council President

Attest:

By:   
Lisa A. Hanks, MMC  
City Clerk

Adopted and approved this 9th day of August, 2021.

By:   
Sherry Sullivan, Mayor