

CITY OF FAIRFIELD, ALABAMA

ORDINANCE NO. 931 (Amendment)

AN ORDINANCE AMENDING THE CITY OF FAIRFIELD ZONING ORDINANCE (ORDINANCE NO. 931), AS AMENDED, TO CREATE THE MIXED-USE DISTRICT (MXD); ESTABLISH REGULATIONS GOVERNING THE MIXED-USE DISTRICT; APPROVE A ZONING TEXT AMENDMENT AND OFFICIAL ZONING MAP AMENDMENT; REZONE CERTAIN PROPERTY; AND PROVIDE FOR RELATED MATTERS.

WHEREAS,

the City Council of the City of Fairfield, Alabama, is authorized by the Constitution and laws of the State of Alabama, including **Sections 11-52-70 through 11-52-84, Code of Alabama 1975**, to divide the municipality into zoning districts and to regulate the location, use, height, bulk, density, and development of land and structures within the municipality; and

WHEREAS,

the City previously adopted the **City of Fairfield Zoning Ordinance, Ordinance No. 931**, establishing zoning districts and land use regulations governing property located within the corporate limits of the City;

WHEREAS,

the City Council has determined that portions of the City's major commercial corridors, including Aaron Aronov Drive, Valley Road, E.J. Oliver Boulevard, and Martin Luther King, Jr. Boulevard, contain significant redevelopment opportunities that would benefit from a modern mixed-use zoning classification encouraging compatible residential, commercial, office, entertainment, hospitality, civic, and limited light industrial uses consistent with contemporary planning principles;

WHEREAS,

the City further finds that creating a Mixed-Use District will encourage private investment, expand the City's tax base, promote housing diversity, improve pedestrian-oriented development, encourage efficient land use, enhance neighborhood connectivity, and further the public health, safety, welfare, and economic prosperity of the citizens of Fairfield;

WHEREAS, the City Council further finds that certain retail and personal service uses have become overconcentrated within portions of the City and that limiting such uses within the Mixed-Use District is reasonably related to the City's objective of encouraging a diversified mix of commercial, technology, research, residential, hospitality, and employment-generating development.

WHEREAS,

the Planning and Zoning Commission conducted the public hearing required by law, considered the proposed text amendment and zoning map amendment, and submitted its recommendation to the City Council; and

WHEREAS,

after considering the recommendation of the Planning and Zoning Commission, the public interest, and the purposes of the City's Comprehensive Plan and Zoning Ordinance, the City Council finds that adoption of this ordinance promotes the health, safety, morals, convenience, order, prosperity, and general welfare of the City and serves a valid public purpose.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Fairfield, Alabama, that Ordinance No. 931, as amended, is hereby further amended by adding a new Article XXXIII, entitled "Mixed-Use District (MXD)," to read as follows:

ARTICLE XXXIII

MIXED-USE DISTRICT (MXD)

Section 1. Purpose and Intent.

The purpose of the Mixed-Use District (MXD) is to promote the orderly redevelopment of designated commercial corridors within the City of Fairfield by encouraging a compatible mixture of residential, commercial, office, hospitality, entertainment, civic, and other appropriate land uses within a unified zoning district. The MXD is intended to create vibrant, attractive, and economically sustainable areas that encourage investment, expand employment opportunities, increase the City's tax base, and enhance the quality of life for residents and visitors.

It is the intent of the City Council that the Mixed-Use District:

- A. Encourage the redevelopment and revitalization of underutilized and obsolete commercial properties;
- B. Promote high-quality development that is compatible with surrounding neighborhoods and existing land uses;
- C. Encourage a balanced mix of residential, retail, office, restaurant, entertainment, lodging, and civic uses that support a walkable and economically active environment;
- D. Foster economic development by attracting private investment and expanding employment opportunities within the City;
- E. Encourage efficient land use and coordinated site planning that makes effective use of existing public infrastructure and municipal services;
- F. Promote attractive architectural design, landscaping, buffering, pedestrian connectivity, and streetscape improvements that enhance the appearance of the City's commercial corridors;
- G. Ensure that new development protects the public health, safety, and welfare while minimizing adverse impacts upon adjacent properties; and
- H. Implement the long-term redevelopment goals of the City of Fairfield through predictable and consistent land use regulations.

The provisions of this Article shall be liberally construed to accomplish these purposes while protecting the health, safety, morals, convenience, order, prosperity, and general welfare of the citizens of the City of Fairfield.

Section 2. Establishment and Applicability of the Mixed-Use District (MXD).

A. Establishment of District.

There is hereby established within the City of Fairfield a zoning classification to be known as the **Mixed-Use District (MXD)**. The MXD is created as a zoning district under the City of Fairfield Zoning Ordinance, Ordinance No. 931, as amended, and shall be subject to the provisions of this Article in addition to all other applicable provisions of the City's Zoning Ordinance that are not inconsistent herewith.

B. Applicability.

The Mixed-Use District (MXD) shall apply only to those properties designated on the Official Zoning Map of the City of Fairfield as MXD. Property shall not be classified as MXD except by amendment to the Official Zoning Map adopted by the City Council in accordance with applicable law.

C. Purpose of District.

The MXD is intended to accommodate an integrated mix of residential, commercial, office, hospitality, entertainment, civic, and other compatible land uses within a coordinated development pattern that promotes economic revitalization, efficient land use, and high-quality development.

D. Relationship to Other Zoning Districts.

The Mixed-Use District is a separate and independent zoning classification. Except as otherwise expressly provided in this Article, the regulations governing other zoning districts shall not apply to property zoned MXD.

E. Official Zoning Map.

The Official Zoning Map of the City of Fairfield is hereby amended to include those properties rezoned to the Mixed-Use District (MXD) by this Ordinance, as more particularly described in **Exhibit A** attached hereto and incorporated herein by reference.

Section 3. Permitted Uses.

The following principal uses shall be permitted within the Mixed-Use District (MXD), subject to compliance with this Article and all other applicable federal, state, and local laws, ordinances, and regulations.

A. Residential Uses

1. Multi-family dwellings.
2. Townhouses.
3. Live-work units.
4. Residential dwelling units located above ground-floor commercial or office uses.
5. Mixed-use residential developments.

B. Commercial Uses

1. Retail stores and specialty shops.
2. Restaurants, cafés, coffee shops, and bakeries.
3. Grocery and specialty food markets.
4. Pharmacies.
5. Banks and financial institutions.
6. Personal service establishments.
7. Fitness centers and health clubs.
8. Indoor recreation and entertainment facilities.
9. Hotels and boutique hotels.
10. Conference and event facilities.

C. Office Uses

1. Professional offices.
2. Medical and dental offices and clinics.
3. Government offices.
4. Business and administrative offices.
5. Coworking and shared office facilities.

D. Light Industrial and Advanced Technology Uses

The following light industrial, research, advanced manufacturing, technology, and innovation uses shall be permitted within the Mixed-Use District (MXD):

1. Research and development facilities.

2. Technology companies.
3. Software development, information technology, and digital services businesses.
4. Business incubators, innovation centers, startup accelerators, and entrepreneurial support facilities.
5. Digital infrastructure facilities, including data centers, artificial intelligence computing facilities, cloud computing facilities, edge computing facilities, colocation facilities, enterprise server facilities, and other substantially similar mission-critical digital infrastructure uses.
6. Biotechnology, biomedical, life sciences, pharmaceutical research, biomanufacturing, and related research facilities.
7. Research, analytical, testing, calibration, and quality assurance laboratories.
8. Medical device research, development, assembly, manufacturing, and testing facilities.
9. Agricultural technology (AgTech) facilities, including commercial hydroponic, aquaponic, aeroponic, vertical farming, and controlled environment agriculture (CEA) operations.
10. Robotics, automation, artificial intelligence, autonomous systems, and advanced manufacturing facilities.
11. Semiconductor, microelectronics, advanced materials, and nanotechnology research, development, testing, and manufacturing facilities.
12. Telecommunications, fiber optic, network operations, communications infrastructure, and related technology support facilities.
13. Clean energy, battery technology, energy storage, grid modernization, renewable energy research, development, testing, and manufacturing facilities.
14. Prototype manufacturing, pilot production, product development, and technology demonstration facilities.
15. Accessory offices, training facilities, conference centers, educational facilities, and workforce development centers customarily associated with a permitted use.
16. Digital infrastructure support facilities, including electrical substations, backup energy systems, water treatment systems, cooling infrastructure, and other utility facilities designed primarily to serve permitted technology or digital infrastructure uses.
17. Other substantially similar light industrial, research, manufacturing, technology, digital infrastructure, or innovation uses recommended by the Planning and Zoning Commission and approved by the City Council upon a finding that the proposed use is consistent with the purpose and intent of the Mixed-Use District.
18. All Light Industrial and Advanced Technology Uses permitted under this Section shall be conducted primarily within enclosed buildings specifically designed for such use. Except as otherwise expressly permitted by this Ordinance or approved as part of an approved site plan, outdoor manufacturing, processing, fabrication, assembly, storage of raw materials or finished products, and outdoor industrial operations shall be prohibited. All permitted uses shall comply with applicable building, fire, electrical, utility, noise, stormwater, landscaping, and environmental regulations.

E. Civic and Institutional Uses

1. Public parks and plazas.
2. Libraries.
3. Museums.
4. Government facilities.
5. Public safety facilities.
6. Educational and workforce training facilities.

F. Accessory Uses

Uses customarily incidental and subordinate to a permitted principal use, including outdoor dining areas, parking facilities, signage, and similar accessory improvements, shall be permitted in accordance with this Ordinance.

Section 4. Special Exception Uses

The following uses may be permitted within the Mixed-Use District (MXD) only upon approval by the Board of Adjustment as a Special Exception in accordance with the procedures established by the City of Fairfield Zoning Ordinance and this Article.

The applicant shall have the burden of demonstrating that the proposed use is compatible with the purpose and intent of the Mixed-Use District and satisfies the standards set forth herein.

The following uses shall be considered Special Exception Uses:

A. Places of Worship

Churches, synagogues, mosques, temples, and other places of religious assembly.

B. Educational Facilities

Private schools, vocational schools, colleges, universities, and similar educational institutions not otherwise permitted as a matter of right.

C. Day Care Facilities

Child day care centers and adult day care facilities.

D. Cultural and Community Facilities

Community centers, performing arts centers, cultural institutions, museums, theaters, and similar public assembly uses.

E. Commercial Car Washes

Automatic, tunnel, self-service, and full-service commercial car wash facilities.

Standards for Approval

Before approving any Special Exception Use, the Board of Adjustment shall find that:

1. The proposed use is consistent with the purpose and intent of the Mixed-Use District.
2. The proposed use will not adversely affect neighboring properties or the public health, safety, or welfare.
3. Adequate parking, traffic circulation, ingress, and egress are provided.
4. The proposed use is compatible with surrounding land uses, building scale, and neighborhood character.
5. Appropriate landscaping, buffering, lighting, and screening are provided where necessary to minimize adverse impacts.
6. The proposed use complies with all applicable building, fire, health, safety, and environmental regulations.
7. The proposed use will not create excessive noise, traffic congestion, glare, stormwater runoff, or other conditions detrimental to the public welfare.

Additional Standards for Commercial Car Washes

In addition to the standards set forth above, an application for a Commercial Car Wash shall demonstrate that:

1. Vehicle stacking lanes are sufficient to prevent traffic from backing onto any public street or adjoining property.
2. Vacuum stations, drying equipment, and mechanical equipment are located and designed to minimize noise impacts on adjacent properties.
3. Water reclamation, stormwater management, and drainage facilities comply with all applicable federal, state, and local environmental requirements.

4. Landscaping and buffering are sufficient to screen the use from adjacent residential or mixed-use developments.
5. Hours of operation, exterior lighting, and signage are compatible with surrounding land uses.

The Board of Adjustment may impose reasonable conditions necessary to ensure compliance with this Article and to mitigate potential adverse impacts upon surrounding properties.

F. Medical Cannabis Facilities

Medical cannabis cultivation facilities, processing facilities, secure transporters, dispensaries, integrated facilities, testing laboratories, and any other cannabis-related business or facility authorized under the laws of the State of Alabama may be permitted as a Special Exception, provided the proposed use complies with all applicable federal, state, and local laws, including the Alabama Medical Cannabis Act, as amended.

Before approving any Medical Cannabis Facility, the Board of Adjustment shall additionally find that:

1. The proposed use complies with all licensing requirements established by the Alabama Medical Cannabis Commission or its successor agency.
2. The proposed use is compatible with surrounding land uses and will not adversely affect nearby residential neighborhoods, schools, parks, places of worship, or other sensitive uses.
3. Adequate security measures, including surveillance, controlled access, and lighting, are provided to protect the public health, safety, and welfare.
4. The facility complies with all applicable building, fire, electrical, health, environmental, and life-safety regulations.
5. The proposed use will not create excessive traffic, noise, odor, or other adverse impacts upon surrounding properties.
6. The applicant demonstrates compliance with all applicable zoning, buffering, setback, and operational requirements imposed by the City.

The Board of Adjustment may impose reasonable conditions upon approval of a Medical Cannabis Facility as necessary to protect the public health, safety, and welfare and to ensure compatibility with surrounding properties.

Section 5. Prohibited Uses

The following uses are expressly prohibited within the Mixed-Use District (MXD) and shall not be established, operated, expanded, or maintained within the district:

A. Adult-Oriented Businesses

1. Adult bookstores.
2. Adult entertainment establishments.
3. Adult theaters.
4. Nude or semi-nude entertainment establishments.
5. Sexually oriented businesses.

B. Financial and Retail Uses

1. Pawn shops.
2. Payday loan businesses.
3. Check cashing establishments.
4. Title loan businesses.
5. Liquor stores and package stores.

C. Personal Service and Retail Uses

1. Beauty shops and beauty salons.
2. Barber shops.
3. Hair product stores and beauty supply stores.
4. Wig stores.
5. Stand-alone cosmetic supply stores.

D. Vehicle-Related Uses

1. Vehicle repair and service centers.
2. Automobile body repair and paint shops.
3. Tire repair and tire sales facilities.
4. Automobile wrecking or dismantling facilities.
5. Stand-alone commercial car washes not approved as a Special Exception pursuant to Section 4.

E. Funeral and Storage Uses

1. Mortuaries.
2. Funeral homes.
3. Self-storage facilities.
4. Outdoor storage as a principal use.
5. Bulk storage of construction materials, equipment, or inventory not associated with an active permitted use.
6. Portable storage container facilities as a principal use.

F. Heavy Industrial Uses

1. Heavy manufacturing facilities.
2. Petroleum refining or bulk fuel storage facilities.
3. Chemical manufacturing facilities.
4. Asphalt plants.
5. Concrete batch plants.
6. Mining and quarrying operations.
7. Junkyards and salvage yards.
8. Scrap metal processing facilities.
9. Landfills, solid waste transfer stations, and hazardous waste treatment, storage, or disposal facilities.
10. Truck terminals, freight distribution centers, and outdoor freight storage yards.

G. Residential and Institutional Uses

1. Mobile home parks.
2. Manufactured home parks.
3. Recreational vehicle (RV) parks and campgrounds.
4. Jails.
5. Prisons.
6. Correctional institutions.
7. Detention facilities.
8. Halfway houses, except as otherwise authorized by law.

H. Temporary Commercial Uses

1. Temporary tax preparation offices.

I. Other Incompatible Uses

Any use that:

1. Constitutes a public nuisance;
2. Produces excessive smoke, dust, vibration, odors, glare, or noise that cannot be adequately mitigated;
3. Creates unreasonable traffic congestion or public safety hazards;

4. Involves the manufacture, storage, or disposal of hazardous materials beyond amounts customarily incidental to a permitted use;
5. Is determined by the City Council to be inconsistent with the purpose and intent of the Mixed-Use District.

J. Unlisted Uses

Any principal use not expressly identified as a **Permitted Use** under Section 3 or approved as a **Special Exception Use** under Section 4 shall be prohibited unless the City Council, following recommendation from the Planning and Zoning Commission, amends this Ordinance to authorize such use.

The City Council finds that the foregoing prohibited uses are incompatible with the purpose and intent of the Mixed-Use District because of their potential adverse impacts on surrounding properties, pedestrian-oriented development, economic revitalization, environmental quality, and the long-term redevelopment objectives of the City.

Section 6. Development Standards.

All development within the Mixed-Use District (MXD) shall comply with the following minimum development standards unless otherwise approved by the City in accordance with this Ordinance:

A. Residential Density.

Residential development shall not exceed **twenty (20) dwelling units per acre**, unless otherwise approved by the City Council as part of a Planned Development or other authorized zoning approval.

B. Building Height.

No principal building shall exceed **sixty (60) feet or five (5) stories**, whichever is less, unless a greater height is specifically authorized by the City Council through a separate zoning approval.

C. Setbacks.

1. **Front Yard:** Minimum of ten (10) feet; maximum of twenty (20) feet.
2. **Side Yard:** No minimum side yard shall be required between adjoining buildings within the same development. Where adjacent to a residential zoning district, a minimum side yard of ten (10) feet shall be required.
3. **Rear Yard:** Minimum of twenty (20) feet where adjoining a residential zoning district; otherwise, no minimum rear setback shall be required unless necessary to satisfy fire, utility, or access requirements.

D. Open Space.

Each development shall provide a minimum of **twenty percent (20%)** of the site as usable open space. Open space may include landscaped areas, plazas, courtyards, pocket parks, pedestrian gathering areas, or similar amenities designed for public or occupant use.

E. Parking.

Off-street parking shall be provided in accordance with the applicable parking requirements of the City of Fairfield Zoning Ordinance. Shared parking arrangements between compatible uses are encouraged and may be approved by the Building Official where the applicant demonstrates that parking demands occur at different times of the day or week.

F. Access and Circulation.

All developments shall provide safe and efficient vehicular and pedestrian access. Internal circulation shall minimize traffic conflicts and provide reasonable connectivity between adjoining properties where practical.

G. Utilities and Infrastructure.

All utility services shall be installed in accordance with applicable City standards. The City may require infrastructure improvements reasonably necessary to serve the proposed development, including streets, sidewalks, drainage facilities, water, sanitary sewer, and stormwater improvements.

H. Compliance.

All buildings, structures, and site improvements shall comply with applicable building, fire, electrical, plumbing, mechanical, accessibility, and other codes adopted by the City of Fairfield.

Section 7. Design and Operational Standards.

All development within the Mixed-Use District (MXD) shall be designed, constructed, and maintained in a manner that promotes an attractive, safe, and economically vibrant environment consistent with the purpose and intent of this Article.

A. Architectural Design.

Buildings shall be designed using durable, high-quality exterior materials and architectural features that enhance the appearance of the development and are compatible with surrounding properties. Blank exterior walls facing public streets shall be avoided to the greatest extent practicable.

B. Landscaping and Buffering.

All developments shall provide appropriate landscaping and, where necessary, buffering to enhance the appearance of the property and reduce adverse impacts on adjacent properties. Existing mature trees should be preserved whenever reasonably practicable.

C. Screening.

Mechanical equipment, loading areas, refuse containers, dumpsters, and similar service facilities shall be screened from public view by landscaping, decorative fencing, walls, or other approved screening materials.

D. Outdoor Storage.

Outdoor storage of merchandise, equipment, materials, or supplies as a principal use shall be prohibited. Incidental outdoor display of merchandise may be permitted as part of an approved commercial use, provided it does not interfere with pedestrian or vehicular circulation and complies with applicable City regulations.

E. Lighting.

Exterior lighting shall be designed to provide adequate illumination for public safety while minimizing glare onto adjacent properties and public rights-of-way. Lighting fixtures shall be directed downward whenever practicable.

F. Pedestrian Connectivity.

Developments are encouraged to provide sidewalks, pedestrian walkways, outdoor gathering areas, bicycle accommodations, and other amenities that promote safe pedestrian access between buildings, parking areas, and adjoining properties.

G. Drive-Through Facilities.

Drive-through facilities may be permitted as part of an otherwise permitted use, provided they are designed to minimize traffic congestion, protect pedestrian safety, and prevent adverse impacts on neighboring properties.

H. Maintenance.

All buildings, landscaping, parking areas, sidewalks, signage, and other site improvements shall be maintained in a safe, clean, and orderly condition. Failure to properly maintain property within the MXD shall constitute a violation of this Ordinance and may be enforced in accordance with applicable provisions of the City Code.

Section 8. Administration and Enforcement.

A. Administration.

The provisions of this Article shall be administered by the City's Building Official, Planning and Zoning Commission, Board of Adjustment, and City Council, each acting within the authority granted by the City of Fairfield Zoning Ordinance and applicable law.

B. Site Plan Review.

Prior to the issuance of any building permit for new construction, substantial redevelopment, or a change in use within the Mixed-Use District (MXD), the applicant shall submit a site plan for review and approval in accordance with the City's development review procedures. The site plan shall demonstrate compliance with this Article and all other applicable ordinances of the City.

C. Board of Adjustment.

The Board of Adjustment shall have authority to hear and decide applications for Special Exception Uses and Variances as authorized by this Article and the City of Fairfield Zoning Ordinance.

D. Existing Nonconforming Uses.

Any lawful use or structure existing on the effective date of this Ordinance that does not conform to the requirements of the Mixed-Use District (MXD) shall be deemed a lawful nonconforming use and may continue in accordance with the nonconforming use provisions of Ordinance No. 931, as amended. Nothing contained in this Article shall be construed to authorize the expansion, enlargement, extension, or reestablishment of a nonconforming use except as permitted by Ordinance No. 931.

E. Enforcement.

The Building Official, or his or her designee, is authorized to enforce the provisions of this Article. Whenever a violation is found to exist, the City may issue notices of violation, stop-work orders, deny permits, suspend approvals, or pursue any other remedy authorized by law or the City Code.

F. Violations.

Any person who violates any provision of this Article shall be subject to the enforcement procedures and penalties provided in the City of Fairfield Code of Ordinances. Each day a violation continues after notice has been provided may constitute a separate offense.

G. Appeals.

Any person aggrieved by a decision made under this Article may appeal in the manner provided by the City of Fairfield Zoning Ordinance and applicable Alabama law.

Section 9. Official Zoning Map Amendment.

Pursuant to the authority granted by Sections 11-52-70 through 11-52-84, Code of Alabama 1975, and Ordinance No. 931, as amended, the Official Zoning Map of the City of Fairfield is hereby amended by rezoning the properties identified in **Exhibit A** and depicted on the Official Zoning Map attached hereto as **Exhibit B** from their current zoning classifications to the **Mixed-Use District (MXD)**.

The properties subject to this amendment include portions of the following commercial corridors, as approved by the City Council:

- Aaron Aronov Drive;
- Valley Road;
- E.J. Oliver Boulevard; and
- Martin Luther King, Jr. Boulevard.

Exhibit A (Legal Description and/or Parcel Listing) and **Exhibit B** (Official Zoning Map) are attached hereto and incorporated herein by reference as though fully set forth herein.

The City Clerk is hereby directed to update the Official Zoning Map of the City of Fairfield to reflect the amendments adopted by this Ordinance and to maintain the revised map as an official public record of the City.

The rezoning of property pursuant to this Ordinance shall not relieve any property owner or developer from complying with all applicable provisions of this Ordinance, Ordinance No. 931, subdivision regulations, building codes, and all other applicable federal, state, and local laws.

Section 10. Repealer, Severability, and Effective Date.

A. Repealer.

All ordinances, resolutions, orders, or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

B. Severability.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, and provision hereof irrespective of the fact that any one or more provisions may be declared invalid.

C. Codification.

It is the intention of the City Council that the provisions of this Ordinance shall become a part of the City of Fairfield Zoning Ordinance, Ordinance No. 931, as amended, and may be renumbered, re-lettered, or otherwise codified by the City Clerk or the codifier in a manner consistent with the existing format of the City's Code of Ordinances.

D. Effective Date.

This Ordinance shall become effective upon its adoption and publication as required by law pursuant to **Code of Alabama § 11-45-8**.

ADOPTED AND APPROVED this 20 day of April, 2026.



Herman Carnes, Jr., Mayor

ATTEST:


Yvette Reynolds, City Clerk