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**AN ORDINANCE TO PROTECT THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE PEOPLE OF SUMMERDALE, BY TEMPORARILY SUSPENDING CONSIDERATION OR APPROVAL OF RESIDENTIAL SUBDIVISION AND CERTAIN TYPES OF RESIDENTIAL REZONING REQUEST AND CERTAIN TYPES OF RESIDENTIAL PROJECTS APPLICATIONS BY THE TOWN OF SUMMERDALE AND ITS PLANNING COMMISSION IN THE CORPORATE LIMITS OF THE TOWN OF SUMMERDALE**

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**WHEREAS**, the Town of Summerdale has adopted certain regulations, ordinances, codes, policies and procedures which regulate the subdivision of land and the development and approval of various types of residential projects and developments; and

**WHEREAS**, there has been rapid, sustained, and substantial growth in residential housing units in and around the Town of Summerdale; and

**WHEREAS**, the Town Council recognizes and hereby finds, that the rapid, sustained, and substantial growth in residential housing units and construction has increased, and will continue to increase the burdens on the Town of Summerdale to provide municipal services, first responder services, infrastructure, transportation, parks, recreation, and other governmental services beyond what was anticipated by the Town of Summerdale; and

**WHEREAS**, the Town Council desires to address certain challenges created by the growth with the strategic and deliberate focus on orderly land development in the Town limits; and

**WHEREAS**, the Town is in the process of taking several steps to address the rapid and substantial growth over the next 6 months, including but not limited to exploration of additional construction of new water facilities to increase service levels and capacity; completion and analysis of water capacity studies; consideration of amendments to the existing Summerdale Subdivision Regulations, Comprehensive Plan, and Zoning Ordinance; impact of first responders services an parks and recreations; and review of traffic and parking concerns; and

**WHEREAS**, the Town Council believes the short-term suspension on consideration and approval of certain types of residential development and subdivision applications will allow the Town staff, Town Council, Planning Commission, and outside consultants to evaluate and focus on these specific steps to address the identified challenges; and

**WHEREAS**, the Town Council has determined that the suspension on consideration of these types of residential dwelling developments and certain subdivision applications is appropriate to prevent conditions that may threaten the community's health, safety, and general welfare; and

**WHEREAS**, the suspension of limited duration and limited scope would be in the public interest and promote orderly land development.

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA AS FOLLOWS:**

**Section I: Recitals**

That the Town Council hereby adopts the findings in the above recitals.

**Section II: Temporary Suspension Established**

- A. For the purposes of evaluating traffic and parking burden, water capacity, and other impacts and problems facing the Town that may be caused or which could be exacerbated by additional high density residential dwelling developments, and to allow for the analysis and development of related updates to the Town's comprehensive plan and applicable rules, regulations, and ordinances, and to identify, provide for, and address the Town's roadways, utility infrastructure, and other needs, the town Council hereby suspends consideration of all applications or requests for the following:
- a. Residential developments that contain one or more Duplexes, Two Family Dwellings, Townhouse, Garden Home or Multiple-Family Dwellings;
  - b. Mixed-use developments that contain one or more Duplexes, Two Family Dwellings, Townhouse, Garden Home or Multi-Family Dwellings;
  - c. Planned Unit Developments, Planned Development Districts, or similar planned developments that contain one or more Duplexes, Two Family Dwellings, Townhouse, or Multi-Family Dwellings (including modifications for previous approved ones);
  - d. Subdivision applications for land that would contain or result in the creation of three (3)

or more residential lots;

- e. Rezoning applications that would either create new residential zoning areas or increase the dwelling unit density of residentially zoned property, whether through traditional zoning or through Planned Developments or mixed use districts;
- f. Site plan approval applications for residential developments of over three (3) residential lots or over three (3) dwelling units;
- g. Approvals for new or expanded Recreational Vehicle (RV) Parks; and

B. The Town and the Planning Commission shall not accept or consider any new residential development applications and subdivision applications or requests for projects as set forth in Section II A. herein. Concurrent with the effectiveness hereof, all timelines set forth in the Subdivision Regulations that relate to such applications, including consideration, review, recommendation, hearing, and decision shall be suspended. This Ordinance shall not affect any complete residential development applications and subdivision application as set forth in Section II A. herein that has been submitted to the Town's Planning Department with the fee paid on or before the effective date of this Ordinance.

C. The duration of this Ordinance shall be six (6) months from the effective date of this Ordinance.

### Section III. Conflict and Severability

This Ordinance shall be construed in a manner that does not conflict with any provision of local, state, or federal law except as expressly provided herein and except to the extent its provisions are more restrictive.

In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof.

**ADOPTED AND APPROVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SUMMERDALE, ALABAMA ON THE 13<sup>th</sup> DAY OF APRIL 2026.**

  
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Mayor

Attest:   
\_\_\_\_\_  
Town Clerk

### CERTIFICATION

I, Tiffany Lynn, Town Clerk of the Town of Summerdale, do hereby certify that the foregoing is a true, correct, and exact copy of the Ordinance adopted at a regular Town Council meeting held on the 13<sup>th</sup> day of April 2026, the original of which is on file and of record in the Ordinance Book of the Town Council in my custody. The foregoing Ordinance was published by posting copies thereof at four public places within the corporate limits of the Town of Summerdale, to-wit Town Hall, Police Department, Summerdale Library, Summerdale Post Office, and said copies remain so posted for a period of time and in the manner as required by law and all in strict conformity to the statutes made and provided relating thereto.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF THE TOWN OF SUMMERDALE, ALABAMA, ON THIS 14<sup>th</sup> DAY OF April 2026.

  
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TOWN CLERK