

STATE OF ALABAMA

COUNTY OF CHILTON

CITY OF CLANTON

ORDINANCE No. 10-10

**An Ordinance to Amend the existing Zoning Ordinance
for the City of Clanton, Alabama, a municipal corporation,**

BE IT ORDAINED by the City Council of the City of Clanton, Alabama, a municipal corporation, in a regular meeting assembled, that the existing Zoning Ordinance of Clanton, Alabama, a municipal corporation, and any and all amendments thereto, be and the same is hereby, amended as follows:

Article V, Definitions, is amended by the addition thereto of the following:

Sec. 5.0. Uses Defined, 5.1 Agriculture Uses., HOBBY FARM, delete the words "A one acre" and in lieu and substitution therefore, add the words "A five (5) acre".

Sec. 5.0. Uses Defined, 5.1 Agriculture Uses., KENNEL is amended by the addition thereto of the following:

The keeping of more than three dogs over six months of age, or any person, partnership, or corporation engaged in the business of breeding, buying, selling or boarding animals, primarily, but not limited to domesticated dogs and cats. This definition shall not be applicable to veterinarians operating under license from the State of Alabama who board dogs or other pets in an enclosed structure.

Article VI, Establishment of Districts, is amended by the addition thereto of the following:

R-4 Affordable Housing District

Section 1.0, AG Agriculture District, 1.2 Uses Permitted, and (a), (b), (c) and (d) are deleted and in lieu and substitution therefor, the following amendment is made:

1.2 Uses Permitted.

The following uses shall be permitted in the AG Agriculture District. Similar uses to those listed below may also be permitted subject to Article IV, Administration, Section 6.0, Interpretation of Uses and Section 7.0, Unclassified Uses.

Any lot located within an agricultural district, the area of such lot being less than five (5) acres, shall be prescribed as residential and afforded the same uses as, and regulated by, Article VI, Sec. 3.0 R-1-B Single Family Residential District. Any additional uses as defined in the Agriculture District may be permitted subject to a special exception use permit being granted by the Zoning Board of Adjustment.

(a) Agricultural Uses (five acre or larger tract).

- Farm, subject to Article VII, Section 2.0.
- Hobby Farm, subject to Article VII, Section 3.0.
- Kennel, subject to Article VII, Section 2.1.
- Commercial Greenhouse and Gardens.

(b) Residential Uses.

- Modular Home.
- Detached Single Family residence.
- Accessory Buildings, subject to Article VII, Section 7.0.
- Satellite Dish Antennas, subject to city ordinance number 13-86.
- Private Swimming pool, subject to Article VII, Section 10.0.
- Non-commercial Greenhouse and garden.
- Hobby farm, subject to Article VII, Section 3.0.
- Home instruction

(c) Institutional Uses (five acre or larger tract)

- Community Center
- Public Building
- Country Club
- Park
- Place of Worship
- Public Utility Facility
- Public Utility Service
- School

(d) Commercial Uses.

- Studio, in addition to single family residence.

Section 1.0, AG Agriculture District, 1.3 Special Exception Uses (b) and (c) are deleted and in lieu and substitution therefor, the following amendment is made:

(b) Institutional Uses.

- Group Care Residence, subject to Article VII, Section 4.0.
- Cemetery, subject to Article VII, Section 8.0.
- Animal Shelter
- Boarding House
- Public Assembly Center
- Military Installation
- Day Care Home
- Club
- Domiciliary Care Facility

(c) Commercial Uses

- Home Occupation, subject to Article VII, Section 5.0.
- Broadcast Studio
- Campground
- Open Air Market
- Entertainment-Outdoor
- Animal Hospital
- Tourist Home
- Home Improvement Center
- Garden Center

Article VII, Supplemental Use Regulations, Section 2.0. Farm, B-5 is deleted and in lieu and substitution therefor, the following amendment is made:

5. Livestock, such as beef cattle, sheep, goats or any similar livestock; including the breeding and grazing of such animals but excluding commercial meat

processing operations.

Article VII, Supplemental Use Regulations, Section 2.0. Farm, B-12 is deleted in its entirety.

Article VII, Supplemental Use Regulations, is amended by the addition of the following:

Section 2.1. Kennels

- A. Kennels as defined by this ordinance shall require a minimum of five (5) acres.
- B. Kennel owners shall be required to obtain a license prior to operation issued by the City of Clanton. Prior to issuance of a license the premises shall be inspected by the Animal Control Officer and Building Inspector to insure compliance with the ordinance.
- C. A structure will be required with concrete floors and drains connected to the public sewer or other sewage disposal system satisfactory to the Health Officer. These floors must be cleaned daily with water under pressure to discharge waste into the sewage disposal system. In no event shall waste be allowed to accumulate so as to cause or create unhealthy, unsanitary, dangerous or offensive living conditions for the animals or adjacent property owners.
- D. It shall be unlawful and a nuisance for any person to keep any kennel within the city under such circumstances that the sounds or noises emitted by said animals are of such volume and nature as unreasonably to interfere with, or disturb the peace, quiet, comfort and repose of ordinary sensibilities of the reasonable use and enjoyment of any adjacent property used for residential purposes.
- E. No person shall cause dangerous or offensive conditions by virtue of the number of animals maintained at a single location or due to the inadequacy of the facilities.
- F. No animals shall be kept or housed within 200' from any property line.
- G. All fences, gates, pens, buildings or any form of containment will be constructed to sufficiently house and secure all animals.
- H. It shall be a condition of the issuance of any kennel license that the animal control officer shall at any time be permitted to inspect all animals that are kept at such place and the animal control officer shall, if permission for such inspection is refused, revoke the license of the refusing owner. Any person whose license is revoked shall, within ten (10) days thereafter, humanely dispose of all animals owned, kept or harbored, and no part of the license fee shall be refunded.

Article VII, Supplemental Use Regulations, Section 3.0. Hobby Farm is amended by the following amendment:

Section 3.0 Hobby Farm. The minimum land area shall be five (5) acres.

Article VII, Supplemental Use Regulations, Section 5.0 Home Occupation is

amended by the addition thereto of the following:

- I. In the event that a special exception is granted by the Zoning Board of Adjustment, the applicant will submit a Home Occupation Affidavit to the City Clerk prior to a license being issued by the City of Clanton.

Article VII, Supplemental Use Regulations, Section 6.0 Mini-Warehouse is deleted in its entirety and the following is substituted in lieu thereof:

Section 6.0. Mini-Warehouse/Self-Service Storage Facility

- A. Self Service Storage Facilities shall be limited to the rental of storage units and the pick-up and deposit of goods or property in dead storage. No outdoor storage will be permitted on the site.
- B. No storage of volatile or explosive materials shall be permitted either inside the structure or structures, or on the premises.
- C. The facility or site shall not be used for wholesale or retail sales operations. Storage units shall not be used to manufacture, fabricate or process good, conduct servicing or repair, or any other retail, commercial, or industrial activity. Auctions or garage sales shall not be allowed except for the sale or other disposition of abandoned personal property by the owner of the self-service storage facility in accordance with applicable state law.
- D. On-site office space may be included in the design of the facility for use by the owner or rental manager for the day to day operation of the facility. No office space shall be used, rented or leased by any other person, company or corporation to conduct any other business or use than stated above.
- E. Facility owner will be responsible for disposal of any rubbish, refuse, garbage, debris or abandoned material generated on site.
- F. A minimum lot size of two (2) acres shall be required for a mini-warehouse development, and such facility shall not exceed one (1) story in height. Building coverage shall not exceed forty (40) percent of the lot area.
- G. Individual storage units shall not exceed three hundred forty (340) square feet.
- H. Individual storage units shall not have electrical outlets except ceiling light fixtures and necessary switches.
- I. No individual storage unit shall be constructed where an adjoining unit may have internal access.
- J. Exterior light fixtures shall be designed and installed so that the light is focused down upon the premises and so that a minimum amount of light shines on adjacent property or the public right-of-way. If a facility abuts a residential district, exterior light fixtures shall not exceed sixteen (16) feet in height.
- K. Storage unit doors shall be screened from view from property zoned for detached single family residential use. The building, including storage unit doors shall be a color which blends with the surrounding built and natural environment and shall not be a color which attracts attention to the premises.
- L. Setbacks for self-service storage facilities will be: Front - 50 feet; Rear - 25 feet; Side - 20 feet. No part of any self-storage facility will be located within fifty (50) feet of any residential district boundary and will be adequately

screened by fencing or plant material as determined by the Planning Commission.

- M. Self-service storage facilities shall not be located within three hundred (300) feet of a street right-of-way designated as a major thoroughfare. These streets include, but are not limited to: Lay Dam Road (Highway 145), Higgins Ferry Road (County Road 28), Seventh Street North (Highway 31 North), Seventh Street South (Highway 31 South) and Fourth Avenue North (Highway 22 West). Self-storage facilities, upon the approval of a development plan that meets all other requirements of this ordinance, may be permitted on appeal within three hundred (300) feet of a major thoroughfare provided the site is behind a structure used for another conforming use and in a manner that a maximum of only twenty (20) percent of the proposed facility shall be visible from abutting public rights-of-way. The Planning Commission shall reserve the right to require additional planted material as buffers.
- N. Storage facilities shall have a minimum of two (2) points of access from a public right of way at no less than twenty (20) feet in width. All drives which provide direct access to buildings shall have a minimum width of twenty-five (25) feet. Access controls shall be in accordance with Article VIII, Sec. 7.0. All drives shall be surfaced with dust free materials (asphalt or concrete) in conformance with Clanton Street Department standards.
- O. In addition to any screening requirements imposed by the Planning Commission site review, a minimum of ten percent (10%) of the total impervious area of the site shall be greenbelt or planting beds.

Article VII, Supplemental Use Regulations, Section 9.0 Regulations Pertaining to Mobile Homes/Manufactured Homes is deleted in its entirety and the following is substituted in lieu thereof:

Sec. 9.0. Regulations Pertaining to Mobile Homes/Manufactured Homes

All mobile homes/manufactured homes are prohibited in all zoning districts of the City of Clanton except in the District MH-1 and District R-4.

Read, approved and adopted on this the 11TH day of October, 2010.

CITY OF CLANTON, ALABAMA,
a municipal corporation

BY: Billy Joe Driver
Mayor

Authenticated:

Debra Orange
City Clerk