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ORDINANCE NO. 2026 – 43

TO AMEND THE CITY OF CULLMAN ZONING ORDINANCE

SECTION I. **PURPOSE**. The purpose of this Ordinance is to modify, amend, or delete portions of the current Zoning Ordinance.

SECTION II. The following section of the City of Cullman Zoning Ordinance, Chapter 62, "Zoning," Sections 52, 53,54, 55, 56, and 93," of the *Code of Ordinances City of Cullman, Alabama*, is hereby deleted in its entirety and replaced as follows:

Sec. 62-52. R-1 Low Density Single-Family Residential District.

Purpose. The purpose of the R-1 District is to protect existing and enable development of new single-family residential areas at low densities, including other uses customary to such neighborhoods.

(1) Attached single-family dwellings may not be developed between two occupied detached single-family dwellings on the same block frontage and must be constructed to the Design Quality Standards, see Sec. 62-56.

(2) Design Quality Standards permit smaller lot sizes while requiring residential homes to be constructed to significantly higher architectural, material, and design standards, see Sec. 62-56.

Sec. 62-53. R-2 Medium Density Single-Family Residential District.

Purpose. The purpose of the R-2 District is to protect existing and enable development of new single-family residential areas and the development of new areas at moderate densities, including other uses customary to such neighborhoods.

(1) Attached single-family dwellings may not be developed between two occupied detached single-family dwellings on the same block frontage and must be constructed to the Design Quality Standards, see Sec. 62-56.

(2) Design Quality Standards permit smaller lot sizes while requiring residential homes to be constructed to significantly higher architectural, material, and design standards, see Sec. 62-56.

Sec. 62-54. R-3 High Density Single-Family and Duplex Residential District.

Purpose. The purpose of the R-3 District is to protect existing and enable development of new single-family residential areas at high densities along with other housing types and nonresidential uses customary to such neighborhoods.

(1) Attached single-family dwellings may not be developed between two occupied detached single-family dwellings on the same block frontage.

(2) Design Quality Standards permit smaller lot sizes while requiring residential homes to be constructed to significantly higher architectural, material, and design standards, see Sec. 62-56.

(3) Not more than two duplexes may be developed between two occupied detached single-family dwellings on the same block frontage.

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Sec. 62-55. R-4 Single-Family and Multifamily Residential District.

Purpose. The purpose of the R-4 District is to protect existing and enable development of new single-family and multifamily residential areas at high densities along with nonresidential uses customary to such neighborhoods.

Table 4-1: Uses Permitted in Residential Districts

	R-1	R-2	R-3	R-4
Accessory dwelling, see section 62-94		SE	P	P
Caretaker dwelling	SE	SE	SE	SE
Duplex			P	P
Single-family dwelling, attached, see section 62-93			P	P
Single-family dwelling, attached, see section 62-93 – Design Quality Standards	P	P		
Single-family dwelling, detached	P	P	P	
Single-family dwelling, detached zoned R-4 prior to 1/1/26				P
Multifamily dwelling, more than 4 units per building				P
Quadplex				P
Triplex				P
Day care facilities				
Child or adult day care center		C	C	C
Child day care group home (7—12 children)		C	C	C
Child day care home (up to 6 children)	C	P	P	P
Residential care facilities				
Assisted living facility				C
Emergency care home (see section Code of Ala. 1975, § 11-52-75.1)				P
Family care home (see section Code of Ala. 1975, § 11-52-75.1)			C	P
Independent living facility (up to 6 residents)			C	P
Independent living facility (more than 6 residents)				P
Nursing care facility				C
Transitional care home				C

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Other nonresidential uses				
Amateur radio tower	P	P	P	P
Bed and breakfast, see section 62-95	C	C	C	C
Boarding house, see section 62-96			C	P
Cemetery	C	C	C	C
Golf course	C	C	C	C
Home occupation, see section 62-99	SE	SE	SE	SE
Institutional use, low intensity	C	C	C	C
Institutional use, medium intensity	C	C	C	C
Place [of] worship, low intensity	C	C	C	C
Place of worship, medium intensity	C	C	C	C
Parks, playgrounds and nature preserves	C	C	C	C
Public buildings	C	C	C	C
Public utility facility	P	P	P	P
Recreation facility, public	C	C	C	C
Residential (country) club	C	C	C	C
Short-term rentals, subject to section 62-103		P	P	P
Small cell facilities	SE	SE	SE	SE
Telecommunications tower, see section 62-105	C	C	C	C

P — The use is permitted by right.

SE — Special exception, requires approval by the zoning board of adjustments per section 62-184.

C — Conditional use, requires approval by the planning commission per section 62-172.

A blank cell indicates the use is not permitted.

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Table 4-2: Residential District Area and Dimensional Requirements

	Minimum Yard Setbacks				Minimum Lot Width	Minimum Lot Area
	Front	Street Side	Rear	Side		
R-1						
Detached single family	40 ft.	20 ft.	40 ft.	15 ft.	100 ft.	15,000 s.f.
Detached single family, DQS	35 ft.	15 ft.	40 ft.	12 ft.	80 ft.	12,000 s.f.
Attached single family, see section 62-52, 62-93, and DQS	35 ft.	15 ft.	40 ft.	12 ft. [1]	30 ft.	3,500 s.f.
R-2						
Detached single family	35 ft.	15 ft.	40 ft.	10 ft.	80 ft.	12,000 s.f.
Detached single family DQS	35 ft.	15 ft.	35 ft.	10 ft.	60 ft.	9,000 s.f.
Attached single family, see section 62-53, 62-93, and DQS	35 ft.	15 ft.	35 ft.	10 ft. [1]	30 ft.	3,500 s.f.
R-3						
Detached single-family	35 ft.	15 ft.	35 ft.	10 ft.	60 ft.	9,000 s.f.
Detached single family DQS	35 ft.	15 ft.	35 ft.	10 ft.	50 ft.	7,500 s.f.
Attached single family, see section 62-54 and 62-93	35 ft.	15 ft.	35 ft.	10 ft. [1]	25 ft.	3,000 s.f.
Duplex	35 ft.	15 ft.	35 ft.	10 ft. [1]	70 ft.	12,500 s.f.
R-4						
Detached single-family only applicable to property zoned R-4 prior to 01/01/2026	30 ft.	15 ft.	35 ft.	10 ft.	50 ft.	7,500 s.f.
Attached single family, see section 62-93	30 ft.	15 ft.	35 ft.	10 ft. [1]	20 ft.	2,500 s.f.
Duplex	30 ft.	15 ft.	35 ft.	10 ft. [1]	60 ft.	10,000 s.f.
Triplex	30 ft.	15 ft.	35 ft.	10 ft. [1]	65 ft.	12,500 s.f.
Quadplex	30 ft.	15 ft.	35 ft.	10 ft. [1]	70 ft.	15,000 s.f.
Multifamily	30 ft.	25 ft.	35 ft.	25 ft. [1]	100 ft.	25,000 s.f.

[1] Applies only on the unattached side of attached single-family dwellings.

(Ord. No. 2020-16, § 4.05, 3-16-2020; Ord. No. 2021-20, § VI, 2-8-2021)

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Sec. 62-56. Design Quality Standards.

Purpose. The Design Quality Standards are intended to promote high-quality residential development that enhances the character of Cullman's neighborhoods, protects property values, and encourages thoughtful growth. These standards provide an incentive for development by permitting smaller minimum lot sizes in designated areas, while requiring residential homes to be constructed to significantly higher architectural, material, and design standards. This approach ensures that increased density is balanced with superior aesthetic and functional quality.

Applicability. These standards shall apply to all new single-family residential construction and major renovations in subdivisions or zoning districts where the City has approved the use of reduced lot sizes under the Design Quality Standards overlay or equivalent provisions.

Lot Size Incentives. Standard minimum lot sizes may be reduced up to 20-28% depending on the underlying zoning district.

Required Design and Construction Standards:

1. **Architectural Design -** All homes must exhibit superior architectural design, incorporating elements that reflect quality craftsmanship and compatibility with Cullman's existing neighborhoods. Acceptable architectural styles include Traditional, Craftsman, Southern Vernacular, Neo-Classical, and other historically inspired designs.

2. **Building Materials** - All materials must be of high quality, durable, and aesthetically appropriate. The use of inferior or temporary materials is prohibited.
   - **Exterior Walls**: Primary exterior materials on all elevations visible from public streets shall consist of brick, cultured stone, natural stone, or fiber cement siding (James Hardie or equivalent premium-grade product with a minimum 30-year warranty). Stucco or cementitious siding may be approved on a case-by-case basis. Exterior walls are required to be clad with approved masonry materials. Masonry cladding shall extend from grade to roof eaves. Gable end walls and dormers may be clad with any material permitted by the 2021 International Residential Code. Exposed smooth-faced standard concrete block and vinyl siding are prohibited.
   - **Roofing**: Primary roofing materials shall be: 1) a minimum 30-year warrantee and UL Class A fire rated architectural shingles with dimensional design, 2) a standing seam metal, 3) a high grade copper, zinc, or prefinished aluminum with concealed fasteners, 4) concrete or clay tiles in flat or barrel profiles, 4) natural slate, or 5) similar premium high grade roofing materials. Exposed fastener "ag-panels" are prohibited. Roof colors shall be earth tones or other colors compatible with the surrounding neighborhood.
   - **Windows and Doors**: Energy-efficient windows (minimum U-factor and SHGC ratings per current International Energy Conservation Code) with simulated divided lights or true divided lights on front elevations. Front entry doors shall be solid wood, fiberglass, or steel construction with decorative glass, sidelights, or transoms.
   - **Foundations**: Exposed foundation walls shall be covered with brick, stone, or decorative concrete masonry units.
   - **Front Entry**: The front main entry door shall be covered by a roof system. Covered area shall be a minimum of 3 feet wide and 5 feet deep.
   - **Trim, Columns, and Architectural Details**: All trim, soffits, fascias, and decorative elements shall be constructed of durable materials such as fiber cement, painted wood, composite, minimum 46 mil vinyl ,or minimum 24 mil aluminum. Columns shall be substantial and architecturally appropriate. All exterior vertical wood columns, posts, and railing supports shall have a minimum dimension of nominal 6"x 6".
   - **Accessory Structures:** All accessory structures shall be finished with exterior finishes that match or complement the primary structure.

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- **Driveways and Walkways**: Concrete or paver driveways and walkways are required. Asphalt is prohibited in front yards.

3. **Building Form and Massing**
   - Homes must avoid monotonous or "box-like" appearances through the use of varied rooflines, covered front porches, dormers, gables, bays, and architectural projections.
   - Ceiling heights on main floor shall be minimum 9'.
   - Chimney construction must be masonry from the ground up, "cantilevered" boxed chimneys are prohibited.
   - Detached single-family dwellings shall be provided with a 2-car garage. Garages shall be a minimum 2-car garage with door/s. Garage doors shall be carriage-style or raised-panel with windows, where visible from the street. The minimum interior dimensions of garage shall be 24' x 24'. If a double door is provided, the minimum dimension shall be 18' wide x 8' high. If two single doors are provided, the minimum dimensions of each shall be 9' wide x 8' high. Unenclosed carports are prohibited.

4. **Exterior Details and Craftsmanship**
   - All homes must include enhanced detailing such as decorative trims, shutters, columns, and appropriate lighting fixtures.
   - Rain gutters, downspouts, and any required subgrade drainpipe shall be installed at all roof eaves and valleys. Gutters shall terminate at an approved location and shall not drain to adjacent properties.
   - All exterior HVAC units, tankless water heaters, and similar mechanical equipment shall be screened with approved materials or landscaping or not visible from street.

5. **Landscaping and Site Design**
   - A minimum of one 2" caliper tree shall be provided at front of home. Species of tree shall be as recommended by the Tree Commission, Ordinance No. 2026-31.
   - Sod or approved landscaping must be provided and installed from the face of the primary structure to the back of curb or sidewalk; from the side of primary structure to the side property lines; and must extend a minimum of 30' from the rear of primary structure.
   - All utilities, refuse containers, and mechanical equipment must be screened from public view using consistent materials and landscaping.

6. **Fencing**
   - Fences, if installed, shall be of approved materials. Wood fences shall be constructed of materials with a minimum thickness of nominal 1".

Enforcement. Failure to comply with these Design Quality Standards shall constitute a violation of the City's Zoning Ordinance and may result in stop-work orders, fines, or revocation of occupancy permits.

Sec. 62-93. Attached single-family dwellings.

(a) *Site design.*

(1) A group of attached dwellings may not exceed eight dwelling units. Groups must be planned so that units on the same block frontage are either all front-loaded or all rear-loaded.

(2) When an end unit of an attached dwelling does not front on a street, it must be separated from any adjacent dwelling by at least 20 feet.

(3) Swimming pools are not permitted on individual lots unless the lot is of sufficient width to meet all applicable requirements.

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(b) *Pedestrian access.*

(1) Sidewalks at least five feet wide must be provided across the applicable street frontage of attached dwelling lots.

(2) An easement appurtenant across lots must be provided whenever a resident of an attached dwelling must cross an adjoining lot to reach his or her own lot.

SECTION III. SEVERABILITY CLAUSE. Each and every provision of this Ordinance is hereby declared to be an independent provision and that holding of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof and it is hereby declared that the other provisions of this Ordinance would have been enacted regardless of any provision which might have been held invalid. This Ordinance repeals any prior Ordinance in conflict therewith.

SECTION IV. EFFECTIVE DATE. This ordinance shall be effective following its passage, approval and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the ____ day of _____, 2026.

_____
President of the City Council

ATTEST:

_____
City Clerk

APPROVED BY THE MAYOR this the _____ day of _____, 2026.

_____
Mayor

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COUNCIL AGENDA REQUEST

Date: 06/15/2026

Department: Building **Name:** Pam Leslie

Phone: 256-775-7104 **Email:** pleslie@cullmanal.gov

Type of request (select all that apply):

___ Alcohol License
___ Budget Amendment
___ Contract Approval
___ Public Comment
___ Special Event
_x_ Other Amend Zoning Ordinance
___ Annexation
___ Change Order
___ Petition
___ Resolution
___ Tax Abatement
___ Bid Award
_x_ Codification Change
___ Proclamations
___ Rezoning
___ Variance

Reason for Request:

Supporting Documentation:

_x_ Attach supporting documentation.

Signature: Signed by: Pam Leslie 724327B70498460...

Approval Sequence:

1. **Administration – City Clerk's Office**
   Verifies form is completed and proper documentation is attached.
   _x_ Approved to Move Forward ___ Rejected ___ Return to Requestor
   Comments:
   Signature: Signed by: Pam Leslie 6F02210223EC457... **Date:** June 17, 2026 | 3:57 PM CDT

2. **Council Committee Chairperson** - Jason Willoughby
   Ensures necessity of the request.
   _x_ Approved to Move Forward ___ Rejected ___ Return to Admin
   Comments:
   Signature: Signed by: 39E851DFA5B245D... **Date:** June 17, 2026 | 4:08 PM CDT

3. **Council President**
   _x_ Approved for Council Agenda ___ Rejected ___ Return to Committee
   Comments:
   Signature: Signed by: Kim Hall 373F5C72C0C944B... **Date:** June 17, 2026 | 7:47 PM CDT

4. **Administration – City Clerk's Office**
   _x_ Added to Council Agenda Date of Meeting: 06/22/2026
   Comments:
   Signature: Signed by: Wes Moore 6F02210223EC457... **Date:** 06/18/2026