

ORDINANCE NO. 2022 – 31

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. The Planning Commission of the City of Cullman entered a motion for a favorable recommendation of this Ordinance on September 6th, 2022, to submit to the City Council.

SECTION II. The following definitions are hereby added to Chapter 62, “Zoning,” Section 23, “Definitions,” of the *Code of Ordinances City of Cullman, Alabama*, as follows:

Dispensing Site- means a site operated by a dispensary licensee (an entity licensed by the Alabama Medical Cannabis Commission under Section 20-2A-64 of Act 2021-450) or an integrated facility licensee.

Event Venue - means a building used for the hosting of weddings, conferences, galas, and other similar events. Such uses may include an area for catering preparation and incidental storage. The indoor Event Venue may also include the outdoor use of an attached deck or area adjacent to the building.

Gym (health club, fitness center) - means an indoor, for-profit facility for health, recreational, and social activities involving physical exercise and other physical activities.

Kennel - means an indoor facility for harboring, training, or boarding cats and dogs. A kennel facility may also provide animal grooming services. Outdoor boarding shall not be permitted.

SECTION III. Table 5-1: Uses Permitted in Nonresidential Districts (Article V) of Section 62 of the Code of Ordinances City of Cullman, Alabama, is hereby deleted in its entirety and replaced with the following:

Table 5-1: Uses Permitted in Nonresidential Districts								
<p>P—The use is permitted by right.</p> <p>E—The use is permitted by right, if existing as of the effective date of the ordinance from which this chapter is derived. New construction of the use is prohibited.</p> <p>SE—Special exception, requires approval by the ZBA per section 62-184.</p> <p>C—Conditional use, requires approval by the commission per section 62-172.</p> <p>A blank cell indicates the use is prohibited in the district.</p>								
Uses	B-1	B-2	B-3	CBD	INST	M-1	M-1P	M-2
Commercial Uses								
Ambulance service	P	P	P	C				
Alternative financial service (with no outdoor storage), see section 62-91	P	P	P	P				
Alternative financial service (with outdoor storage), see section 62-91		P	P					
Automobile repair, major	C	P	P					
Automobile repair, minor	P	P	P	P				
Business or professional office	P	P	P	P				
Business support service	P	P	P	P				
Car wash	P	P	P					

Construction service, major		P	P			C	C	C
Construction service, minor		P	P			C	C	C
Dispensing Site		C	C	C				
Event Venue	C	P	P	P				
Farm support business	C	P	P					
Funeral home	C	P	P	C	C			
Gym	C	P	P	P				
Home occupation	P	P	P	P				
Kennel	C	C	C					
Maintenance service	C	P	P					
Medical clinic	P	P	P	P	C			
Mini-warehouse		C	C			C		
Outdoor storage			C			P	P	P
Parking, commercial	P	P	P	P	C	P		P
Pawn shop	P	P	P	P				
Printing service	P	P	P	P				
Repair service		P	P	P				
Research laboratory	C	P	P	P		P	P	P
School, commercial		P	P	P	C			
Studio	P	P	P	P				
Truck stop			C					
Wholesaling, beer or wine			P			P	P	P
Wholesaling establishment		P	P	P				
Day Care Facilities								
Child or adult day care center	P	P	P	P	P			
Child day care center accessory to a permitted business	P	P	P	P	P	P	P	P
Adult day care home	P							
Child day care group home	P							
Child day care home	P							
Institutional Use								
Low intensity	P	P	C	P	P	C	C	C
Medium intensity	P	C	C	C	P	C	C	C
High intensity	C	C	C	C	P	C	C	C
Place of Worship	P	P	P	P	C	C	C	C

Animal shelter			C		C			
Cemetery		C	C		C			
Hospital		C	C	C	C			
Lodging Uses								
Bed and breakfast, subject to section 62-95	P			P				
Hotel		P	P	P				
Motel		P	P					
Short-term rental, subject to section 62-103	P	P	P	P				
Manufacturing and Industrial Uses								
Bakery, major						P	P	P
Heavy industry						C	C	C
Industrial training center						C	C	C
Junkyard, subject to section 62-100		C	C					
Laundering plant						C	C	C
Manufacturing, general						C	C	C
Manufacturing, light						P	P	P
Recycling center		C	C					
Recycling plant						C	C	C
Warehousing and distribution center						P	P	P
Personal Services								
Laundry services	P	P	P	P				
Personal services	P	P	P	P				
Tattoo facilities, subject to section 62-104			P					
Veterinary hospital, with no outside boarding	C	P	P	C				
Recreation and Entertainment								
Entertainment, indoor	P	P	P	P				
Entertainment, outdoor	C	C	C	C				
Golf course	P	P	P					
Parks, playgrounds and nature preserves	P	P	P	P	P			
Recreation, commercial	C	C	C	C				
Recreation facility, public	C	C	C	C	C			
Residential Care Facilities								
Assisted living facility	P	P	P		C			
Independent living facility	P	P	P					

Nursing care facility	P	P	P		P			
Residential Uses								
Caretaker dwelling	C	C	C	C				
Duplex	E	E	E	E		E		E
Multifamily dwellings (more than 4 units per bldg.)	C	C	C	C				
Quadplex	E	E	E	E		E		E
Single-family attached, subject to section 62-93	E	E	E	E		E		E
Single-family detached	E	E	E	E		E		E
Triplex	E	E	E	E		E		E
Upper-story dwellings, subject to section 62-106	P	P	P	P				
Restaurant								
Brew pub, see chapter 4, City Code, Alcoholic Beverages				P				
Fast food restaurant	P	P	P	C				
Pick-up and delivery only restaurant	P	P	P	P				
Standard restaurant	P	P	P	P				
Standard restaurant with accessory alcohol sales, see chapter 4, City Code, Alcoholic Beverages	C	P	P	P				
Retail								
General, up to 10,000 s.f.	P	P	P	P				
General, larger than 10,000 s.f.	E	P	P	P				
Bakery, minor	P	P	P	P				
Bank	P	P	P	P				
Building supply	C	P	P	C				
Gas station	C	P	P	C				
Heavy equipment and vehicle sales, rental and service						C	C	C
Liquor sales for off-premises consumption, see chapter 4, City Code, Alcoholic Beverages	C	P	C	C				
Specialty beverage store, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Specialty wine and beer establishment, see chapter 4, City Code, Alcoholic Beverages	P	P	P	P				
Tobacco, vape store	P	P	P	P				
Unenclosed retail		C	C					
Vehicle and equipment sales, rental and service		C	P	C				
Vehicle sales, rental and service	C	C	P	C				
Telecommunications and Utilities		C						

Public utility facility	P	P	P	P	P	P		P
Small cell facilities	P	P	P	P	P	P		P
Telecommunication tower, see section 62-105	C	C	C	C	C	P		P

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

ADOPTED BY THE CITY COUNCIL this the 12th day of September, 2022.

 President of the City Council

ATTEST:

 City Clerk

APPROVED BY THE MAYOR this the 12th day of September, 2022.

 Mayor