

# Land Use Regulations

City of Pell City St. Clair County Alabama



## Pell City

### Zoning Ordinance

Incorporating  
Revisions

August 23, 1993  
August 26, 2002  
August 23, 2004  
July 24, 2006  
October 27, 2014  
August 24, 2015  
November 26, 2018  
February 25, 2019



**OFFICIAL COPY:**

Last Revised – February 25, 2019

## ARTICLE X

### USE PROVISIONS FOR RESIDENTIAL DISTRICTS

In order to promote desirable, safe, and healthful living conditions, to protect the stability and character of neighborhoods, to provide for proper, orderly and timely development of residential areas, to maintain the value of buildings, streets, to promote economy and efficiency in governmental expenditures, to encourage certain public and semi-public uses necessary to serve the residents, and to further the goals and objectives of the Comprehensive Plan, the following residential districts are established.

#### SECTION 1001. R-A RESIDENTIAL AGRICULTURE DISTRICT.

The R-A Residential Agriculture District is intended to provide for low density residential development while allowing continuation of certain residual agricultural or farm uses which are compatible with this type of development. The R-A District is also intended to preserve existing manufactured home development at the time of adoption of this Ordinance, giving an opportunity to existing manufactured home owners to revitalize their properties as necessary. Development of dwelling units within the R-A District, following the adoption of this Ordinance, shall meet the low density pattern intended by the area requirements of this section.

##### 1001.01. Permitted Uses.

1. Agricultural Uses
  - Farm, subject to § 903.07.
  - Hobby Farm, subject to § 903.08.
  - Kennel, private, subject to § 903.13.
  - Kennel, public, subject to § 903.13.
  - Stable, private.
  - Stable, public.
2. Residential Uses.
  - (Site Built) Single Family Dwelling.
3. Institutional Uses.
  - Boarding/ Rooming House.
  - Cemetery, subject to § 903.04.
  - Home Instruction.
  - Parks, Gardens, Playgrounds.
  - Place of Worship/ Church.
  - Public Recreation Facility.
  - Public Utility Service.
  - School, public.
4. Commercial Uses.
  - Country Club.
  - Day Care Home.
  - Golf Course.
5. Industrial Uses.
  - NONE.
6. Other Uses.
  - Accessory buildings and structures customarily incidental to the above uses.
  - Watershed Reservation Areas.

- Wildlife Refuge.

**1001.02. Conditional Uses.**

1. Agricultural Uses.
  - None.
2. Residential Uses.
  - Family Care Home, subject to § 903.06.
  - Manufactured Homes, subject to § 903.16.
3. Institutional Uses.
  - Animal Shelter.
  - Community Center.
  - Community Service Center/Club.
  - Hospital, subject to § 903.10.
  - Nursing Home/ Care Facility, subject to § 903.10.
  - Public Assembly Center.
  - Public Facility.
  - Public Utility Facility, subject to § 903.26.
4. Commercial Uses.
  - Campground.
  - Communication/ Transmission Tower or Antennae, subject to § 903.05.
  - Entertainment, Indoor.
  - Entertainment, Outdoor.
  - Farm Support Business.
  - Funeral Home.
  - Home Occupation, subject to § 903.09.
  - Livestock Sales, subject to § 903.15.
  - Nursery School/ Kindergarten, subject to § 903.22.
  - Open Air Market.
  - Recreation, Indoor.
  - Recreation, Outdoor.
  - Studio.
  - Tourist Home or Bed and Breakfast Inn.
5. Industrial Uses.
  - None.
6. Other Uses.
  - Summer Camps.

**1001.03. Area and Dimensional Requirements for R-A Residential Agriculture District.**

No more than one residential structure shall be permitted on one parcel in the R-A District; and all development within the R-A Districts shall comply with the following dimensional regulations.

**1001.03.01. Minimum Lot Size.**

- |  |              |
|--|--------------|
| 1. Minimum Area:                       | One (1) acre |
| 2. Minimum Lot Width at Building Line: | 150 feet     |

**1001.03.02. Minimum Yard Dimensions.**

- |                        |         |
|------------------------|---------|
| 1. Front Yard Setback: | 40 feet |
|------------------------|---------|

**RESTRICTIIONS REGARDING THIS SPECIFIC PROPERTY  
PER THE PLANNING AND ZONING BOARD OF PELL CITY**

NOTES: REVISED 10/25/2023

- 1) Source of Boundary (DB 127, Page 935 and DB 128, Page 7)
- 2) Source of Topography Lidar Orthometric Surface Modeling
- 3) Two Foot Contours
- 4) The purpose of Subdivision is to Create 14 Residential Lots for site built home only
- 5) Owner: CWI Land LLC 6001 Crestwood Blvd Birmingham AL 35212
- 6) Zoning – RA
- 7) Lots can not be further Subdivided but can be combined
- 8) Bases of Bearing = Alabama State Plane NAD 83 East Zone
- 9) Total Acreage = 138.88+/-
- 10) Minimum Lot Width at Building Line = 150 feet
- 11) Front Yard Setback = 40 feet
- 12) Rear Yard Setback = 45 feet
- 13) Side Yard Setback = 25 feet
- 14) Maximum Height of Structures = 35 feet or 2-1/2 Stories
- 15) No New covenants or restrictions
- 16) Lots are not to be used for commercial, public or institutional use

## **SECTION 902. APPROVAL.**

All uses specified in this Article shall require prior approval by the Planning Commission as a prerequisite to issuance of a permit. Consideration for approval by the Planning Commission shall require the submission of evidence of intent to comply with requirements herein specified. The submission of a site development plan shall be required for all uses applicable to this Article. Such other evidence as may be required may take the form of certifications, specifications, building plans, and other pertinent drawings and documents.

## **SECTION 903. SPECIAL USE REGULATIONS.**

### **903.01. Adult Entertainment.**

Under this Ordinance the following uses shall be considered adult entertainment uses and shall therefore be subject to the requirements listed below:

- Adult gaming arcades,
  - Adult retail establishments,
  - Adult theaters,
  - Tattoo parlors,
  - Establishments offering body piercing, excluding ear-piercing only,
  - Massage parlors, and
  - Any establishments otherwise defined in Section 202.03.
1. No adult entertainment establishment shall hereafter be located and no property shall be used as such closer than one thousand feet (1000') from an educational institution, child care facility, public or private park or playground, place of worship, designated historical district, or the nearest boundary of a residential Zoning District.
  2. All establishments shall be limited to one (1) wall sign only, not to exceed fifteen (15) square feet. No free-standing signs and no signs with flashing lights or graphic displays shall be permitted.
  3. There shall be no visible exposure to the general public of activities within the establishment. Windows and doors shall be of an opaque material, tinted glass (70% or greater tinting), or covered with opaque materials consistent with the design of the building. Use of covering materials such as plywood, sheet metal, or other materials of a temporary nature that are inconsistent with the design of the building shall not be permitted.
  4. All outdoor storage areas shall be screened with an opaque material to a minimum height of six (6) feet.
  5. Hours of operation shall be limited to 8:00 a.m. through 12:00 a.m. (midnight).

### **903.02. Animal Hospitals and Veterinary Clinics.**

No building or enclosure for animals shall be located closer than one hundred feet (100') from the nearest boundary of a residential Zoning District. Sound buffers shall be required in all outdoor enclosures. Required buffers shall reduce noise level from outdoor enclosures to comply with all provisions of the Pell City Noise Ordinance.

**903.03. Apartments.**

1. The minimum site area shall be 12,000 square feet and the maximum density sixteen (16) dwelling units per acre.
2. Not more than twelve (12) dwelling units per building shall be permitted.
3. All buildings shall be set back at least fifteen feet (15') from all parking areas.
4. Buildings shall be spaced front-to-front, front-to-rear, front-to-side, and rear-to-rear at least to a distance equal to twice the tallest building height and spaced side-to-side and side-to-rear at least to a distance equal to the tallest building height.
5. At least ten percent (10%) of the site area, but not less than 2,500 square feet, shall be improved for the recreational use of the apartment residents.

**903.04. Cemeteries.**

1. The minimum site area shall be five (5) acres.
2. Each gravesite shall be set back a minimum distance of fifty feet (50') from any property line of the cemetery. Each columbarium or mausoleum shall be set back a minimum distance of 200 feet from any property line of the cemetery.
3. No gravesite shall be located closer than 150 feet from a water line or underground water supply.

**903.05. Communication Towers and Antennae.**

{See Ordinance 2015-4497 for revisions to 903.05 through 903.06.06}

**903.05.01. Purpose.**

The purpose of these guidelines is to establish minimum considerations and criteria for the review of communication towers. It is the City of Pell City's express intent that the construction of new towers be an option of last resort; to the greatest extent feasible, location of antennae on existing towers, and other suitable structures should first be sought. These guidelines are designed to ensure the compatibility of towers with and avoid adverse impacts to nearby properties and discourage the proliferation of towers throughout the City of Pell City.

**903.05.02. Applicability.**

All communication towers and antennae shall meet the minimum requirements as prescribed in this ordinance and any additional regulations adopted by the City Council governing the development and construction of communication towers and antennae.

**903.05.03. Objectives.**

The proposed locations and design of all communication towers shall duly consider the following public health, safety and general welfare objectives:

1. **Structural Safety.** The proposed tower will comply with wind loading and other structural standards contained in applicable building and technical codes so as not to endanger the health and safety of residents, employees or travelers in the event of structural failure of the tower due to extreme weather conditions or other acts of God.
2. **View Protection.** The proposed tower facility will be designed to minimize adverse visual

impacts to surrounding properties and the public right-of-way, given the topography of the proposed site and surrounding area.

3. Land Use Compatibility. The proposed tower facility will be compatible with the surrounding land uses, given the character of the use and development of the location.
4. Design Harmony. The proposed tower facility will be designed in harmony with the natural setting and the surrounding development pattern as well as to the highest industry standards.
5. Existing Communication Services. The proposed tower facility will comply with FCC and other applicable agency standards so as not to interfere with existing communication services in the area.
6. Health Effects. The proposed tower will comply with all applicable federal, state, county and Town health standards so as not to cause detrimental health effects to persons in the surrounding area.

#### **903.05.04. Development Criteria.**

The City of Pell City building inspector and town engineer shall review all communications towers requesting permits for compliance with the applicable standards and criteria listed below. These criteria are considered the minimum necessary to protect the public health, safety and general welfare. The Pell City Planning Commission may also impose higher standards if it deems them to be necessary to further the objectives of this section.

1. Setbacks.
  - A. Where permitted, the distance between the base of the tower, including guys, accessory facilities and property lines abutting urban residential districts, public parks and roads, must equal twenty percent (20%) of the tower height. Property lines adjacent to other uses (e.g. agricultural, industrial) shall require a setback equal to the rear yard setback established for the underlying zone.
  - B. When located within or adjacent to a residential district or dwelling, the minimum standard setback from all adjoining residential property boundaries shall be fifty feet (50').
  - C. The Site Review by the Planning Commission may reduce the standard setbacks in exceptional cases where a hardship would result due to unusual conditions on the site or other impracticalities. However, the Planning Commission shall not reduce the setbacks to the detriment of affected residential properties.
2. Appearance.
  - A. Towers shall maintain a galvanized steel or concrete finish so as to reduce the visibility of the structure, unless other standards are required by the FAA.
  - B. The design of the tower shall be of a type that has the least visual impact on the surrounding area.
  - C. The design of the tower compound shall, to the greatest extent possible, maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities within the surrounding natural setting and built environment.
  - D. Where communication towers are deemed appropriate for a given location, the type of tower shall be restricted to monopoles in or within 1,000 feet of residential areas and area of special aesthetic concerns such as commercial revitalization areas, historic districts and scenic corridors.
3. Lighting. Towers shall not be artificially lighted unless required by FAA or other authority

for safety purposes. Where required, the Planning Commission shall review the available lighting alternatives and approve that design that would cause the least disturbance to the surrounding views. "Dual lighting" (red at night/strobe during the day) shall be preferred unless restricted by the FAA. Security lighting may be permitted in accordance with "903.05.04.5: Security Devices" below.

4. Landscaping.
  - A. A landscaped buffer shall effectively screen the view of the tower compound from adjacent public ways and residential properties.
  - B. The standard buffer shall consist of a minimum eight feet (8') wide landscaped strip outside the dark vinyl coated steel security fencing of the perimeter of the compound. The buffer strip shall be planted with an attractive combination of trees, shrubs, vines and/or ground covers that can achieve the full height of the fence at maturity and enhances the outward appearance of the security fence. For sites within 1,000 feet of a residence, the Site Review by the Planning Commission may impose increased buffer standards to include a decay-resistant, solid wood fence, earth berms and brick or masonry walls in addition to the security fencing. All fencing and landscaping shall be maintained by the lessor/owner.
  - C. In isolated non-residential areas, alternative landscaping methods may be accepted, such as the use of earth toned colored, vinyl-coated steel security fencing in combination with four feet of evergreen trees, shrubs, vines and/or other plantings.
  - D. In certain locations where the visual impact of the tower would be minimal, such as remote, agricultural or rural locations, or developed heavy industrial areas, the landscaping requirements may be reduced or waived by the Planning Commission.
  - E. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. In some cases, such as towers located on large, wooded lots, preservation of substantial natural growth around the property perimeter may be a sufficient buffer.
  - F. Cellular facilities utilizing underground vaults in lieu of above ground switching gear buildings shall be exempted from any buffer requirements.
5. Security Devices. The facility shall be fully secured. A minimum eight feet (8') high, dark vinyl coated steel fence shall be installed around the entire perimeter of the compound (measured to the top of the fence or barbed wired, if applicable). Security fencing shall require screening in accordance with landscaping requirements, as defined above. Other security measures shall include locks and alarms. Approved barbed or razor wire and lighting of the compound shall be permitted, if deemed necessary to fully secure the tower compound.
6. Access. Driveways and parking shall be provided to assure the operator's access to the facility for maintenance or emergency services. In some cases, parking/access may be from an adjoining alley, public street or off-street parking area.
7. Co-Location. No new tower shall be established if space is structurally, technically and economically available on an existing tower, which would serve the area that, the new tower would serve. Documentation that reasonable efforts have been made by the applicant to achieve co-location shall be submitted in accordance with Section 903.04.05 (5) below. Towers shall be designed to maximize shared use to the greatest extent possible, given the structural and technical limitations of the type of tower proposed. In any event, co-location shall be encouraged. If feasible, each tower shall, at a minimum, be designed for double its intended use for all transmitting and receiving antennae other than microwave dish antennae.
8. Removal of Obsolete Towers. Any tower that is no longer in use for its original communications purpose shall be removed at the owners' expense. The owner shall



provide the Building Inspector with a copy of the notice of the FCC of intent to cease operations, which shall be given ninety (90) days from the date of ceasing operations to remove the obsolete tower and accessory structures. In the case of multiple operators sharing use of single tower, this provision shall not become effective until all users cease operations.

#### **903.05.05. Application.**

Any application submitted for approval shall submit the following items, in addition to any other required items, to show compliance with these review standards.

1. Statement of Impact on Health, Safety and Welfare. A brief written statement shall address conformance with the health, safety and welfare objectives of this guideline.
2. Site Plan. A scaled site plan shall show the location and dimensions of all improvements, including setbacks, drives, parking, fencing, landscaping, and other information necessary to determine compliance with the development criteria of these guidelines.
3. Rendering. A rendering of the tower, accessory facilities and compound shall depict colors, materials and treatment. If lighting or other FAA requirements for tower color is proposed, evidence of such requirement shall be submitted.
4. Justification for a New Tower. A proposal for a new tower shall be documented by the applicant that the planned equipment for a proposed tower cannot be accommodated on an existing tower within the proposed service area. The applicant shall submit a written affidavit showing what attempts have been made to share an existing tower or that no such tower exists.
5. Certification of Shared Use Design. A qualified engineer, registered in the State of Alabama, shall certify that the proposed tower's structural design can accommodate a minimum of two (2) shared users, in accordance with "903.05.04: Development Criteria".
6. As Built Survey. A qualified professional engineer, registered in the State of Alabama, shall certify that the proposed communication tower was built in accordance with the submitted site plan including the installation of any required buffer yard.
7. Total anticipated capacity of the structure, including the number and types of antennae that can be accommodated.
8. Mitigation measures for ice and other hazardous falling debris, including setbacks and de-icing equipment.
9. Where applicable, adequate parking shall be provided, along with buffers where such tower abuts any residential Zoning District. Such towers shall be prohibited in any residential Zoning District of the City of Pell City, Alabama.

#### **903.05.06. Exceptions.**

Towers camouflaged to resemble woody trees or indigenous vegetation in order to blend in with the native landscape will be subject to administrative review by the Building Inspector, as are other types of concealment techniques. Concealment techniques are design methods used to blend a wireless telecommunications facility, including any antennas thereon, unobtrusively into the existing surroundings so as to not have the appearance of a wireless telecommunications facility. Such structures shall be considered wireless telecommunications facilities and not spires, belfries, cupolas, or other appurtenances usually required to be placed above the roof level for purposes of applying height limitations. Due to their height, such structures must be designed

with sensitivity to elements such as building bulk, massing and architectural treatment of both the wireless telecommunications facility and surrounding development. Concealed towers on developed property must be disguised to appear as either a part of the structure housing, a principal uses, or an accessory structure that is normally associated with the principal use occupying the property. Concealed towers developed on unimproved property must be disguised to blend in with existing vegetation. *Example:* A tower of such design and treated with architectural material so camouflaged to resemble a woody tree with a single trunk and branches on its upper part (also known as a “monopine”).

**903.06. Family Care Homes.**

1. The use shall be conducted within a single family residence.
2. The building shall maintain the exterior appearance of a single family residence, with no separate outside entrances to individual bedrooms.
3. The family care home must be sponsored by a public or non-profit organization. State licensing requirements shall be met.
4. No family care home shall be located within 1,000 feet of another family care home as measured between lot lines.

**903.07. Farms.**

1. The following farming activities shall be permitted:
  - Forages and sod crops.
  - Grains and seed crops.
  - Dairy animals and products.
  - poultry raising/ chicken hatcheries.
  - Livestock – Horses and cattle only.
  - Nursery operations involving the raising of plants, shrubs, and trees for sale and transplanted and including greenhouses and incidental sales of items customarily associated with a nursery operation;
  - Forestry operations involving the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or performing forest services, including temporary sawmills and chippers for cutting of timber growth on the same premises but excluding lumber yards, mills, and similar activities;
  - Bees and apiary products;
  - Fruits and vegetables of all kinds, including growing and harvesting of such fruits and vegetables, but excluding food processing.
2. Livestock, dairy animals, small animals, and poultry shall be housed not less than 400 feet from any adjacent lot not zoned RA.
3. Disposal of animal’s waste shall be done in a manner that does not harm human safety, health, or welfare.
4. The use of noxious or odorous fertilizers or chemicals shall not be allowed on agricultural or open pasture areas for fertilization or disposal purposes.
5. Temporary sawmills and chippers used in connection with commercial forestry operations shall be set back at least 200 feet from any lot line.
6. A booth or stall (farm stand) from which produce and farm products are sold to the general public shall be permitted subject to the following limitations:

- Sales areas shall be set back from all lot lines so as to meet the district yard requirements.
  - Sales areas shall not occupy any part of a required off-street parking or loading area.
7. Incidental structures and activities commonly associated with a farm may include barns, silos, animal pens, loading and unloading platforms or chutes, and other accessory uses.
  8. Except for kennels, as defined by this Ordinance, the keeping of small domestic animals, small fur-bearing animals, or bees for personal enjoyment or use shall not be deemed a farm and shall be permitted as an accessory use to a permitted dwelling in any district. Further, the cultivation of a garden or orchard; the raising of plants, vegetables, shrubs, and the like; the keeping of greenhouses; and similar activities for personal enjoyment or use shall not be deemed a farm and shall likewise be permitted as an accessory use to a permitted dwelling in any district.

**903.08. Hobby Farms.**

General horticulture and livestock raising limited exclusively to cattle and horses, provided that:

1. Stocking densities not to exceed one (1) animal per one and one-half (1.5) acre.
2. No building or enclosure for animals is located closer than one hundred feet (100') from any residential district other than R-A or RE.
3. A ten foot (10') buffer is established and maintained (mowed) between the pasture fence and adjoining property line wherever pasture abuts a residential district other than R-A or RE.
4. Except for kennels, as defined by this Ordinance, the keeping of small domestic animals for personal enjoyment shall not be deemed a hobby farm and shall be permitted as an accessory use in any district.

**903.09. Home Occupation. (Ord. 2019-5085)**

1. The proposed use shall be located and conducted only within the principal structure or compliant accessory structure(s).
2. No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public way.
3. No signage shall be permitted.
4. Any persons engaged in the proposed use shall be residents of the dwelling unit in which the use is proposed.
5. The floor area devoted to the proposed use shall not exceed twenty-five percent (25%) of the total floor area in the dwelling unit, provided that the cumulative space utilized in the principal structure, accessory structure, or a combination thereof, shall not exceed five hundred (500) square feet.
6. The proposed use shall not be primary or incidental storage for a business, industrial, or agricultural activity conducted elsewhere.
7. The proposed use shall be of a non-nuisance variety and shall not generate noise, odor, fumes, smoke, excessive vehicular or pedestrian traffic.

**903.10. Hospitals, Nursing Homes.**

It is the intent that this section shall include within its jurisdiction hospitals, convalescent homes, nursing homes, sanitariums, old age homes, retirement homes, and other similar uses including those which

provide, in addition to board and lodging, other services necessary for the health, safety, and welfare of the occupants, tenants, lessees, guests, or patients, for the purpose of this Ordinance all such uses within the jurisdiction of this section shall be referred to hereinafter as convalescent homes.

**903.10.01. Requirements.**

1. No part of a convalescent home shall be located closer than two hundred feet (200') from the boundary of an M-1 or M-2 zone, or five hundred feet (500') from a cemetery.
2. A twelve foot (12') greenbelt as herein defined shall be located on all property lines not bordering a public street, park, golf course, lake, river, or other use which affords a view not detrimental to the character and use of a convalescent home.
3. For each bed in a convalescent home there shall be two hundred (200) square feet of outdoor open space, exclusive of required front yards, side yards, greenbelts, parking area, loading space, or other space expressly required for other purposes. Said outdoor open space shall be open and unobstructed from the ground upwards.
4. Side yard requirements shall be as specified for the zone utilized.

**903.10.02. Performance Bonds.**

A performance bond shall be required by the Planning Commission to guarantee that the hospital, convalescent home, nursing home, sanitarium development shall be erected and constructed and the land developed in accordance with the requirements of the site development plan and proposals of the developers, as finally approved by the Planning Commission. The City of Pell City shall be an obligee named in said bond. Said bond shall be in an amount fixed by the Planning Commission, with such surety, or sureties, as may be approved by the City Clerk, provided that any corporate surety must be qualified to do business in the State of Alabama, and provided further that said bond shall be in amount equal to not less than ten percent (10%) of, nor more than one hundred and fifteen percent (115%) of the proposed development cost, as specified in the application, for the building permit issued for the said development.

**903.11. Industrial Parks.**

An industrial park shall for the purpose of this Ordinance, include all land forty (40) acres or more in size, subdivided and platted into two (2) or more lots, and used or intended to be used for an industrial park in any zone except M-1, M-2, and as hereafter specified.

**903.11.01. Requirements**

1. Access to an industrial park shall be by way of a major thoroughfare.
2. All streets or roadways within an industrial park shall have a minimum right-of-way width of seventy feet (70'), a maximum gradient of five percent (5%) and shall conform to City of Pell City standards for commercial streets, or as otherwise approved by the Planning Commission.
3. Off-street parking and loading shall be provided in accordance with Article XIV of this Ordinance.
4. Outdoor storage in an industrial park shall be permitted only when accessory to a permitted principal use, and only when storage areas are suitably screened by either landscaping, fences or walls, and are located at least twenty-five feet (25') from any property lines and at least fifty feet (50') from any street lines. Such storage areas shall not cover more than fifteen percent of the site areas. The Planning Commission shall approve plans for the

location and screening of all outdoor storage areas before a building permit shall be issued for their construction.

5. A greenbelt not less than twenty feet (20') wide shall be provided along all property lines of an industrial park which abut a residential zone.
6. Cul-de-sac streets shall not be permitted in industrial parks. Dead end streets, however, are permitted in industrial parks when not more than five hundred feet (500') long, as measured from the terminal point of the dead-end street to the closest intersection, and when such terminal point is provided with a paved vehicle turnaround area having a minimum right-of-way radius of seventy feet (70').
7. Street lighting shall be provided in accordance with City of Pell City street lighting standards, or as approved by the Planning Commission.
8. The vehicular approach to an industrial park site from the public thoroughfare or highway shall be so designed that uncontrolled left hand turns from the public thoroughfare or highway shall be eliminated or reduced either by a frontage roadway or other suitable means deemed adequate by the Planning Commission.
9. Sight distances at all points of ingress and egress to public thoroughfares or highways shall not be less than one thousand feet (1,000'), except where a traffic signal light is installed at the entrance to or exit from the industrial park site.
10. Where points of ingress from or egress to industrial parks from public thoroughfares having speed limits in excess of thirty (30) miles per hour are located, there shall be provided on the public thoroughfare, acceleration and deceleration lanes, the lengths of which shall be determined by the following schedule:

Road speed in miles per hour	30	40	50	60
Distance in feet	100	200	300	400
11. A report of sub-surface soil conditions shall be provided to the Planning Commission by a registered professional engineer as evidence of suitable bearing for foundations in the construction of industrial structures of a nature intended to be used within the proposed industrial park.
12. A preliminary plan or engineering feasibility report shall be submitted to the Planning Commission which provided for the site grading, storm drainage, sanitary sewerage, and water supply, prepared by a registered professional engineer.
13. A copy of brief of intended deed restrictions shall be provided to the Planning Commission.

**903.11.02. Performance Bond.**

A performance bond shall be required by the Planning Commission to guarantee that the industrial park development shall be erected and constructed and the land developed in accordance with the requirements of the Zoning Ordinance and the provisions of the site development plan and proposals of the developers, as finally approved by the Planning Commission. The City of Pell City shall be an obligee named in said bond. Said bond shall be in an amount fixed by the Planning Commission, with such surety, or sureties, as may be approved by the City Clerk, provided that any corporate surety must be qualified to do business in the State of Alabama, and provided further that said bond shall be in an amount equal to not less than ten percent (10%) of, nor more than 115 percent of the proposed development cost, as specified in the application for the building permit issued for the said development.

**903.12. Junkyard/ Salvage Yards**

1. No Certificate of Occupancy or Building Permit therefore shall be issued without the written approval of the Planning Commission.
2. Such uses shall be subject to such conditions as the Planning Commission may require to insure the public safety and to preserve and protect the character of the district where such uses are proposed.
3. Storage of materials; junk and salvage shall be screened from view of a public street and adequate fencing and/or a planted buffer strip at least ten feet (10') wide shall be provided at the rear and side lines of the lot.

**903.13. Kennels, Public and Private.**

All kennels shall provide shelters and fenced runs or pens for all animals and shall not exceed stocking densities of two (2) animals per one-half (0.5) acre.

1. When located within or adjacent to a residential district, the minimum standard setback of any pens, runs, or other kennel structures from all adjoining residential property boundaries shall be 100 feet (100').
2. The stocking densities of any private kennel, within or adjacent to a residential district other than R-E and R-A districts, shall not exceed one (1) animal per one-half (0.5) acre.
3. Noise levels from outdoor enclosures shall be compliant with the applicable regulations of the Pell City Noise Ordinance, and whereas noise levels exceed said requirements, sound buffers shall be applied to outdoor enclosures to reduce noise levels to be compliant with said requirements.

**903.14. Liquor Lounges.**

No liquor lounge establishment shall hereafter be located and no property shall be used as such closer than one thousand feet (1000') from an educational institution, a place of worship, or the nearest boundary of a residential Zoning District.

**903.15. Livestock Sales.**

Sales areas shall be set back at least 200 feet from any lot line.

**903.16. Manufactured Homes.**

Except as otherwise provided in Sections 903.17 and 903.19, the following requirements shall apply to the development and installation of all manufactured homes, which may be developed only in the R-A, R-1MH, and RMHP Districts:

1. Only manufactured homes with approved toilets and plumbing fixtures shall be granted a Certificate of Occupancy by the Building Inspector.
2. Plumbing fixtures shall be connected to a public sanitary sewer or City approved facility and shall meet the requirements of the city plumbing code, and applicable State of Alabama requirements.
3. Running water from a public or state tested and approved water supply shall be piped to each manufactured home and shall be adequately protected from frost. All sources of water to

each individual manufactured home site shall be underground and in no event shall temporary measures be used.

4. The occupancy load of any manufactured home shall be limited to provide no less than three hundred (300) cubic feet of air space per occupant exclusive of the cubic air space of toilet rooms and closets.
5. There shall be no storage of any kind underneath any manufactured home; and each manufactured home shall be maintained in a clean and presentable condition at all times.
6. Fences on individual manufactured home sites shall be uniform in height and shall not exceed thirty inches (30") and shall be constructed in such a manner as to provide access to all sides of the manufactured home.
7. All electric lines leading to a manufactured home space shall be provided with four (4) wire balanced 115-230 volts supply. Wiring shall comply with applicable local and state electrical codes.
8. Two (2) parking spaces for each manufactured home shall be required as off-street parking.
9. Tie-downs, or other devices securing the stability of manufactured homes, shall be required in accordance with the manufacturer's installation requirements or based on the installation standards of the Alabama Manufactured Housing Commission.
10. Foundations shall be installed in accordance with the manufacturer's installation requirements or with the installation standards of the Alabama Manufactured Housing Commission.
11. Steps and landings shall be required for all homes and shall be constructed to the standards set forth in Chapter XI, Section 1113-Stairway Construction of the *Standard Building Code*.
12. Skirting, the material used to enclose the space from the bottom of the manufactured home to grade level, shall be of a durable, weather-resistant material and shall be installed in accordance with the manufacturer's installation instructions. Skirting shall be secured as necessary to ensure stability, to minimize vibrations, to minimize susceptibility to wind damage, and to compensate for possible frost heave. Each manufactured home shall have a minimum of one opening in the skirting providing access to water supply or sewer drain connections under the home. Such openings shall be a minimum of eighteen (18") inches in both vertical and horizontal dimensions and not less than three (3 s.f.) square feet in area. The access panel or door shall be fastened in a manner requiring the use of a special tool to open or remove the panel. On-site fabrication of the skirting by the owner or installer of the home shall be acceptable, provided the materials meet the requirements of the *Standard Building Code*. A Certificate of Occupancy shall not be presented for the home until installation of appropriate skirting is complete.

#### **903.17. Manufactured Home Parks.**

Except as otherwise provided in Section 903.16, the following requirements shall apply to the development of all manufactured home parks, which are allowed only in the RMHP District:

##### **903.17.01. Requirements.**

1. Each single wide manufactured home lot shall not be less than two thousand five hundred (2,500) square feet in area and shall not be less than forty feet (40') in width.