

Having previously been introduced at the **March 11, 2024** council meeting, Council Member _____ moved the adoption of the following Ordinance, which was seconded by Council Member _____:



ORDINANCE 24-197

AN ORDINANCE AMENDING SECTIONS OF THE ALABASTER CODE OF ORDINANCES (2015) RELATING TO ZONING AND COMMUNITY LIVING FACILITIES.

The Public Good Requiring It, BE IT ORDAINED by the City Council of the City of Alabaster, Alabama as follows:

Section 1 – Section 111-15 of the Alabaster Code of Ordinances, is hereby amended by adding the following definition:

Community Living Facility means any publicly or privately owned or operated residential dwelling offering individual rental leases for rooms in that dwelling unit to more than one (1) tenants who are not related by blood (within three degrees of consanguinity) or marriage to the owner or operator or to the spouse of the owner or operator of the dwelling, whereby those tenants pay the owner/operator valuable compensation to occupy a room or a portion of a residential residence. Such facilities are commonly referred to as boarding houses or rooming houses. However, Assisted living facilities, nursing homes, hotels, motels, apartments, dormitories, fraternity, and sorority homes associated with colleges and/or universities, professionally staffed facilities certified by the Alabama Department of Mental Health under Alabama Code 22-50-11 or similar programs designed to provide residential services to mentally ill, intellectually disabled, clients with substance use disorders, or other disabled persons or foster care are exempt from this definition.

Section 2 – The following Sections of the Zoning Ordinance are hereby amended to include *Community Living Facility* as a PROHIBITED Use:

- a. Sec. 111-66(d) Community Living Facility shall be an additional prohibited use. (Agricultural)
- b. Sec. 111-67(d) Community Living Facility shall be an additional prohibited use. (Estate – to include R1-R4)
- c. Sec. 111-72(d) Community Living Facility shall be an additional prohibited use. (R5)
- d. Sec. 111-73(d) Community Living Facility shall be an additional prohibited use. (R6)
- e. Sec. 111-74(d) Community Living Facility shall be an additional prohibited use.(R7)
- f. Sec. 111-75(d) Community Living Facility shall be an additional prohibited use.(R8)
- g. Sec. 111-85(d) Community Living Facility shall be an additional prohibited use.(MHD)
- h. Sec. 111-87(d) Community Living Facility shall be an additional prohibited use. (MXD)

Section 3 – Effective Date

This Ordinance shall be effective after its passage and posting as required by law.

ADOPTED AND APPROVED THIS 8TH DAY OF APRIL 2024.

ATTEST:

CITY OF ALABASTER

J. Mark Frey, City Clerk

Sophie Martin, Council President

APPROVED:

Scott Brakefield, Mayor