

**ORDINANCE NO. 2013 - 9**

**AN ORDINANCE TO AMEND ORDINANCE 99-4, ZONING ORDINANCE OF THE CITY OF WETUMPKA, ALABAMA**

WHEREAS, the City of Wetumpka recognizes the need for updating and amending, from time to time, the standards established to govern the development of land including but not limited to zoning districts and the regulation of the height, bulk, size and other aspects of buildings and other development within those district; and

WHEREAS, the City of Wetumpka also recognizes that proper standards are necessary for the regulations of the use of land for trade, industry, residence, recreation agriculture, forestry, conservation, transportation, public utilities, protection against flooding and other natural disasters; and for the preservation of community character and quality of life;

NOW, THEREFORE, BE IT ORDINANED by the City Council for the City of Wetumpka, Alabama, that Ordinance No. 99-4, is hereby amended in the following manner:

**SECTION 1.**

- 1.** Article III. Definitions shall be amended to change the definition of *Building Height* to read as follows:

***Building, Height of:*** For the purposes of this ordinance, the height of a building shall be measured from the average finished ground elevation at the base of the structure to eave height. Spires, belfries, cupolas, chimneys, antennas, water tanks, ventilators, elevator housing, mechanical equipment or other such structures, unless otherwise specified by this ordinance, placed above the roof levels and not intended for human occupancy shall not be subject to the height limitations.

- 2.** *Section 61.0* District Area, Yard, height and Setback Regulations shall be amended as follows:

- a. Remove row entitled “Max Story” from table
- b. Amend row entitled “Max Bldg Height – ft” under B2 to read as follows:

Use Districts	<u>R1</u>	<u>R2</u>	<u>R2.6</u>	<u>R3</u>	<u>R4</u>	<u>R5</u>	<u>B1</u>	<u>B2</u>	<u>B4</u>	<u>B3</u>	<u>M1</u>	<u>M2</u>	<u>RH</u>
Max Bldg Height - ft	35	35	35	35	45	15	45	45/75*	45	50	35	45	35

*\*Buildings exceeding 45 feet in height will require conditional use approval through the Wetumpka Planning Commission and City Council.*

- 3.** Amend Table 6-1 “Chart of Uses Allowed” as follows:

Move "Assisted Living Facility" to Residential Use and amend as follows:

RESIDENTIAL USES:	R1	R2 2.6	R3	R4	R5	B1	B2	B3	B4	M1	M2	RH
ASSISTED LIVING FACILITY	N	N	N	C	Y	Y	Y	N	N	N	N	Y

SECTION 2. This Ordinance shall become effective immediately upon its adoption and publication as provided by law.

ADOPTED AND APPROVED on this the 17<sup>th</sup> day of June, 2013.

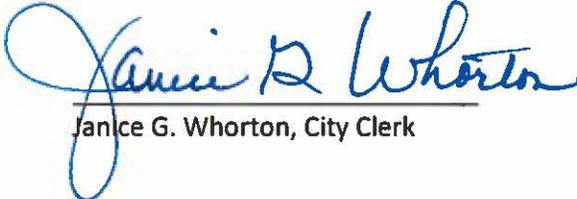
Signed:   
Jerry Willis, Mayor

ATTEST:

  
Janice G. Whorton, City Clerk

### CERTIFICATE AS TO PASSAGE

I, THE UNDERSIGNED City Clerk of the City of Wetumpka, Alabama, do hereby certify that the above and foregoing ordinance was duly approved and adopted by the Council of the City of Wetumpka, Alabama, on the 17<sup>th</sup> day of June, 2013.

  
Janice G. Whorton, City Clerk