

Derrick Mostella  
Mayor



P.O. Box 70  
211 8<sup>th</sup> Street  
Ashville, AL 35953

Chrystal St. John  
City Clerk

Phone 205-594-4151  
Fax 205-594-4292

County Seat of St. Clair County

---

**ORDINANCE 2024-017**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
THE CITY OF ASHVILLE, ALABAMA**

**WHEREAS**, on the 7<sup>th</sup> day of October 2024, a public hearing was held by the City Council of the City of Ashville, Alabama, to consider an amendment to Article IX, §92.00 "MIXED USE TOWN CENTER DISTRICT (MUTC) " Subsection 92.02 "MUTC District Use Regulations" within the Zoning Ordinance of the City of Ashville, Alabama (the "Zoning Ordinance"); and

**WHEREAS**, the purpose of the amendment is to further regulate the uses allowed in the applicable district within the City of Ashville (the "City"); and

**WHEREAS**, the City has the legal right to take acts to protect the general welfare of its citizens and to create districts within the corporate limits of the City and to regulate structures placed within said districts; and

**WHEREAS**, the amendment was recommended by the City of Ashville Planning Commission.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Ashville, Alabama, as follows:

**Section 1:** That the Article IX § 92.02 "MUTC District Use Regulations." within the Zoning Ordinance be and is hereby amended to state as follows:

**§ 92.02 MUTC District Use Regulations.**

Accessory and combined uses and structures may be permitted subject to "Section 42.00: Use of Structures," and similar uses to those listed below may also be permitted subject to "Section 52.00: Interpretation of Uses." All uses listed in this district as defined by Section 23: Definitions."

A. Permitted Uses. The following uses shall be permitted subject to appropriate permits being used in accordance with this Ordinance:

1. Agricultural Uses  
None
2. Residential Uses.
  - Apartment
  - Duplex
  - Family Care Home.
  - Multiplex.
  - Single-Family Dwelling.
  - Townhouse.

---

Council Members

---

Adam Abernathy - Robin L. Bowlin - Edward Roscoe Lane - Shirley Smith - R. Denise Williams

- Upper Story Apartments

3. Institutional Uses.

- Boarding House.
- Cemetery, subject to §56.03
- Community Center.
- Community Services Club.
- Domiciliary Care Facility.
- Emergency Care Facility.
- Home Instruction.
- Hospital.
- Nursing Care Facility.
- Park.
- Place of Worship.
- Public Utility Facility.
- Public Utility Service
- Rehabilitation Facility.
- School.

4. Commercial Uses.

- Animal Hospital
- Bank or Financial Service.
- Broadcast Studio.
- Business or Professional Office.
- Business Support Service.
- Commercial School.
- Convenience Store.
- Day Care Center.
- Day Care Home.
- Entertainment, indoor.
- Farm Support Business.
- Funeral Home.
- General Retail, Enclosed.
- General Retail, Unenclosed.
- Home Occupation.
- Hotel/Motel
- Laundry Service.
- Medical Clinic
- Medical Support Service.
- Open-Air Market
- Personal Service.
- Recreation, Indoor.
- Recreation, Outdoor.
- Restaurant, Standard.
- Restaurant, Fast Food.
- Restaurant, Take Out Only.
- Shopping Center, Major, subject to §56.17
- Shopping Center, Minor, subject to §56.17
- Studio.
- Tourist Home/Bed & Breakfast Inn.
- Vehicle Sales or Rental.
- Vehicle Service Station.

5. Industrial Uses  
None

B. Conditional Uses. The following uses shall be permitted subject to a conditional use permit being granted by the Zoning Board of Adjustment and further subject to appropriate permits being issued in accordance with this Ordinance.

1. Agricultural Uses.  
None
2. Residential Uses.
  - Combination Dwelling
3. Institutional Uses.
  - Military Installation.
  - Public Assembly Center
  - Public Facility.
4. Commercial Uses.
  - Entertainment, Outdoor.
5. Institutional Uses.  
None.
6. Temporary Uses.
  - Seasonal Sales.
  - Special Event.

**Section 2:** If any provision in this Ordinance shall be or be declared to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**Section 3:** That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict *and only to said extent*, hereby repealed.

**Section 4:** That this ordinance shall become effective as provided by law after passage, approval and publication.

ORDAINED, ADOPTED and APPROVED this the 7<sup>th</sup> day of October, 2024.

CITY OF ASHVILLE, ALABAMA

  
Derrick Mostella, Mayor

ATTEST:

  
Chrystal St. John, City Clerk