

ORDINANCE NO. 18-900

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, BE IT ORDAINED by the City Council for the City of Huntsville, Alabama, that the Zoning Ordinance of the City of Huntsville, Alabama, as adopted on the 21st day of March 1963, as amended, is hereby further amended as follows:

Section 1. Amend Zoning Ordinance ARTICLE 60 – MEDICAL DISTRICT REGULATIONS, Section 60.2 – Density Controls, by amending subsection 60.2.2:

60.2.2	Minimum required depth of front yard:	
	From major arterials (<i>see Section 73.15</i>):	50 feet
	From other streets:	20 feet

to read as follows:

60.2.2	Minimum required depth of front yard:	
	From major arterials (<i>see Section 73.15</i>):	10 feet
	From other streets:	None

Section 2. Amend Zoning Ordinance ARTICLE 60 – MEDICAL DISTRICT REGULATIONS, Section 60.2 – Density Controls, by deleting subsection 60.2.5.

and renumbering Section 60.2.6 as 60.2.5.

Section 3. Amend Zoning Ordinance ARTICLE 73 – SUPPLEMENTARY REGULATIONS, 73.15 – Front Yards along Major Arterials:

73.15 - Front Yards along Major Arterials

A minimum setback of fifty feet, of which the first ten feet for all non-residential uses shall be landscaped and maintained shall be required along all major arterials, as defined in the Major Street Plan, unless the applicable zoning regulations require a greater setback; provided however, that residential uses that do not derive their access from the major arterial shall be excluded from this provision. In addition:

73.15.1	Exterior storage of materials shall be in the side and rear yards only and shall be contained and screened by fencing or landscaping in such a manner as to be neat in appearance when viewed from any street. No
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exterior display of products or merchandise is permitted in the required front yard except for sales of farm equipment, new and used cars, trailers, recreational vehicles, and mobile homes, and these uses shall not be permitted in the first ten feet of the required front yard.

- 73.15.2 Off-street parking spaces are not permitted in the first ten feet of the required front yard as measured from the arterial right-of-way. Areas used for parking of motor vehicles shall be paved or surfaced with at least four inches of limestone.
- 73.15.3 All businesses offering merchandise of any description for sale or rent shall have a permanent sales building on the lot except as provided in Section 73.15.4.
- 73.15.4 The temporary, seasonal sale of perishable farm products is permitted so long as all evidence of such operations is removed from the premises each night and such operations are not conducted in any part of the required front yard.
- 73.15.5 The first ten feet of the required front yard shall be landscaped with at least an average of one tree and five shrubs per each fifty linear feet of frontage or portion thereof and the area shall be planted with a permanent evergreen ground cover. Shrubs are optional in areas where a berm at least three feet in height is used and the berm is planted with a permanent evergreen ground cover. Trees and shrubs shall be well distributed, though not necessarily evenly spaced.
- (1) All landscaping shall be installed in accordance with Section 73.19 - Installation of Landscaping.
 - (2) All required landscaping shall be maintained in a neat, healthy and growing condition; all unhealthy or dead plants shall be replaced by the next growing season with plants that conform to these regulations.
- 73.15.6 Where these regulations conflict with other applicable zoning provisions, the more stringent shall apply.

to read as follows:

73.15 - Front Yards along Major Arterials

- 73.15.1 With the exception of the Article 60-Medical District Regulations, minimum setback of fifty (50) feet, of which the first ten (10) feet for all non-residential uses shall be landscaped and maintained, shall be required along all major arterials, as defined in the Major Street Plan, unless the applicable zoning regulations require a greater setback; provided however, that residential uses that do not derive their access from the major arterial

shall be excluded from this provision.

- 73.15.2 Exterior storage of materials shall be in the side and rear yards only and shall be contained and screened by fencing or landscaping in such a manner as to be neat in appearance when viewed from any street. No exterior display of products or merchandise is permitted in the required front yard except for sales of farm equipment, new and used cars, trailers, recreational vehicles, and mobile homes, and these uses shall not be permitted in the first ten feet of the required front yard.
- 73.15.3 Off-street parking spaces are not permitted in the first ten feet of the required front yard as measured from the arterial right-of-way. Areas used for parking of motor vehicles shall be paved or surfaced with at least four inches of limestone.
- 73.15.4 All businesses offering merchandise of any description for sale or rent shall have a permanent sales building on the lot except as provided in Section 73.15.4.
- 73.15.5 The temporary, seasonal sale of perishable farm products is permitted so long as all evidence of such operations is removed from the premises each night and such operations are not conducted in any part of the required front yard.
- 73.15.6 The first ten feet of the required front yard shall be landscaped with at least an average of one tree and five shrubs per each fifty linear feet of frontage or portion thereof and the area shall be planted with a permanent evergreen ground cover. Shrubs are optional in areas where a berm at least three feet in height is used and the berm is planted with a permanent evergreen ground cover. Trees and shrubs shall be well distributed, though not necessarily evenly spaced.
- (1) All landscaping shall be installed in accordance with Section 73.19 - Installation of Landscaping.
 - (2) All required landscaping shall be maintained in a neat, healthy and growing condition; all unhealthy or dead plants shall be replaced by the next growing season with plants that conform to these regulations.
- 73.15.7 Where these regulations conflict with other applicable zoning provisions, the more stringent shall apply.

Section 4. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the 15th day of November, 2018.

/s/ Devyn Keith
President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the 15th day of November, 2018.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama