

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 10/8/2015

Action Requested By:
Planning

Agenda Item Type
Resolution

Subject Matter:

Zoning Ordinance Amendment.

Exact Wording for the Agenda:

Resolution to set a public hearing of an ordinance to amend Article 72 – SIGN REGULATIONS, Section 72.4 – Permitted Signs by Districts, by amending subsection 72.4.2 Research Park, Research Park Applications, Office, Residence 2-B, Neighborhood Business C-1, Neighborhood Business C-1A, Planned Industrial, and Disposal Storage Districts; amend Article 75 – ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS, Section 75.3 – Permitted Establishments by Districts, by amending subsection 75.3.1 Neighborhood Business C-1, Neighborhood Business C-1A and Neighborhood Business C-2 Districts; and amend Article 92 – BOARD OF ADJUSTMENT, Section 92.5 – Powers and Duties, subsection 92.5.3(2) – Permitted Uses as Special Exceptions, to delete language concerning the Neighborhood Business C-1A District.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Recommended by Planning Commission.
Public Hearing Date: November 19, 2015

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 9/23/2015

RESOLUTION NO. 15-

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) Amends Article 72 - *SIGN REGULATIONS, Section 72.4 - Permitted Signs by Districts*, by amending subsection *72.4.2 Research Park, Research Park Applications, Office, Residence 2-B, Neighborhood Business C-1, Neighborhood Business C-1A, Planned Industrial, and Disposal Storage Districts*; Article 75 - *ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS, Section 75.3 - Permitted Establishments by Districts*, by amending subsection *75.3.1 Neighborhood Business C-1, Neighborhood Business C-1A and Neighborhood Business C-2 Districts*; and Article 92 - *BOARD OF ADJUSTMENT, Section 92.5 - Powers and Duties*, subsection *92.5.3(2) - Permitted Uses as Special Exceptions*, to delete language concerning the Neighborhood Business C-1A District.

- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Huntsville Times on the ___ day of ___, 2015, and the second publication shall be one week thereafter on the ___ day of ___, 2015, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgment and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of said amendment to the Zoning Ordinance of the City of Huntsville, Alabama;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

That the City Council of the City of Huntsville, Alabama, shall meet at 6:00 p.m. on the ___ day of ___, 2015, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing, at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said ordinance amending the Zoning Ordinance of the City of Huntsville, Alabama.

That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 15-

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 Article 72 - SIGN REGULATIONS, Section 72.4 - Permitted Signs by Districts, subsection 72.4.2 Research Park, Research Park Applications, Office, Residence 2-B, Neighborhood Business C-1, Neighborhood Business C-1A, Planned Industrial, and Disposal Storage Districts, by deleting the reference to Neighborhood Business C-1A in the subsection header so that the subsection header reads as follows:

72.4.2 Research Park, Research Park Applications, Office, Residence 2-B, Neighborhood Business C-1, Planned Industrial, and Disposal Storage Districts

Section 2. Amend Article 75 - ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS, Section 75.3 - Permitted Establishments by Districts, subsection 75.3.1 Neighborhood Business C-1, Neighborhood Business C-1A and Neighborhood Business C-2 Districts, by deleting the reference to Neighborhood Business C-1A in the subsection header so that the subsection header reads as follows:

Neighborhood Business C-1 and Neighborhood Business C-2 Districts

Section 3. Amend Article 92 - BOARD OF ADJUSTMENT, Section 92.5 - Powers and Duties, subsection 92.5.3(2) - Permitted Uses as Special Exceptions, by amending:

92.5.3(2) Off-Premises Beer/Table Wine Retailers in Neighborhood Business C-1, Neighborhood Business C-1A, Neighborhood Business C-2, General Business C-3, Highway Business C-4, Commercial Recreation C-5, Commercial Industrial Park, Light Industry, Research Park Commercial, Airport Commercial and Heavy Industry districts within five hundred (500) feet of a church.

In addition to any other required notice, an applicant for a special exception to locate within five hundred (500) feet of a church must notify such church via certified mail, return receipt requested, and provide proof of receipt to the Zoning Administration Office as a part of the special exception application. (11-11)

to read as follows:

ORDINANCE NO. 15-_____

92.5.3(2) Off-Premises Beer/Table Wine Retailers in Neighborhood Business C-1, Neighborhood Business C-2, General Business C-3, Highway Business C-4, Commercial Recreation C-5, Commercial Industrial Park, Light Industry, Research Park Commercial, Airport Commercial and Heavy Industry districts within five hundred (500) feet of a church.

In addition to any other required notice, an applicant for a special exception to locate within five hundred (500) feet of a church must notify such church via certified mail, return receipt requested, and provide proof of receipt to the Zoning Administration Office as a part of the special exception application. (11-11)

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

ADOPTED this the _____ day of _____, 2015.

President or President Pro Tem
of the City Council of the City
of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2015.

Mayor of the City of Huntsville,
Alabama

RESOLUTION NO. 15-

ADOPTED this the ____ day of _____, 2015.

President or President Pro Tem of
the City Council of the City of
Huntsville, Alabama.

APPROVED this the ____ day of _____, 2015.

Mayor of the City of Huntsville,
Alabama