



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 4/25/2024

File ID: TMP-4157

Department: Planning

Subject:

Type of Action: Approval/Action

Resolution to set a public hearing on an ordinance amending the Zoning Ordinance Article 3 - Definitions, Section 3.1 - Interpretation, to amend the definitions for Dwelling; Dwelling, Multiple Family; Dwelling, Single Family; Dwelling, Two Family; Dwelling Unit; and Family; and to add the definitions for Domicile; Residence; and Transient; and the introduction of an Ordinance pertaining to the same. (Set May 23, 2024 Regular Council Meeting)

Resolution No.

Ordinance No.

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: Resolution - May 1 & 8, 2024; Ordinance - May 29, 2024

Finance Information:

Account Number: n/a

City Cost Amount: \$ 0

Total Cost: \$ 0

Special Circumstances:

Grant Funded: \$ 0

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location:

Address: n/a

District: District 1 District 2 District 3 District 4 District 5

Additional Comments:

RESOLUTION NO. 24-

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) Amend Zoning Ordinance ARTICLE 3 - DEFINITIONS, Section 3.1 – Interpretation, to amend the definitions for Dwelling; Dwelling, Multiple Family; Dwelling, Single Family; Dwelling, Two Family; Dwelling Unit; and Family; and to add the definitions for Domicile; Residence; and Transient.
- (2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the *Speakin’ Out News* on the 1st day of May, 2024, and the second publication shall be one week thereafter on the 8th day of May, 2024, 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 judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

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

1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 23rd day of May, 2024, 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 No. 24-_____, which is introduced by the City Council of the City of Huntsville on the 25th day of April, 2024, amending the Zoning Ordinance of the City of Huntsville, Alabama.

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

ORDINANCE NO. 24-

**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 3 - DEFINITIONS, Section 3.1 – Interpretation, to modify the following definitions:

Dwelling - Any building or portion thereof which is used for residential purposes.

Dwelling, Multiple Family - A residence occupied by three (3) or more families, with separate housekeeping and cooking facilities for each.

Dwelling, Single Family - A detached residence occupied by one (1) family.

Dwelling, Two Family - A residence occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

Dwelling Unit - Any portion of a building used as a separate abode for a family having its own cooking facilities.

Family - Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises. May include domestic servants and gratuitous guests.

to read as follows:

Dwelling - Any building or portion thereof which is principally used solely as a residence for a family.

Dwelling, Multiple Family – Three or more dwelling units on a single lot.

Dwelling, Single Family – One detached or semi-detached dwelling unit on a single lot.

Dwelling, Two Family – Two dwelling units on a single lot.

Dwelling Unit – A dwelling used as a separate residence for one family with its own permanent facilities for living, sleeping, eating, cooking, and sanitation.

Family – One or more individuals living together as a single housekeeping unit and sharing common access to and common use of all living, cooking, and eating areas. May include domestic servants, caregivers, and gratuitous guests. The term does not include transients, occupants of a boarding house or rooming house, or occupants that act as separate roomers or boarders.

Section 2. Amend Zoning Ordinance ARTICLE 3 - DEFINITIONS, Section 3.1 – Interpretation, to add the following definitions:

Domicile – A family’s true, fixed, sole, and permanent home and place of habitation.

Residence – A residence is (1) a domicile; or (2) a family’s place of habitation for a period of 180 continuous days or more. This term does not include transient occupancy. Related terms, including, but not limited to, the terms reside, residing, resident, and residential, shall have meanings consistent with the term residence.

Transient – An individual or family who is temporarily boarding, rooming, lodging, or otherwise staying in a place for a period of less than 180 continuous days.

Section 3. This ordinance shall take effect from and after the date of its publication.

ADOPTED this the ____ day of _____, 2024.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama

ADOPTED this the ____ day of _____, 2024.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2024.

Mayor of the City of Huntsville, Alabama