

ARTICLE 24 HIGHWAY BUSINESS C-4 DISTRICT REGULATIONS

Purpose

The purpose of the Highway Business C-4 District is to provide for the retailing of goods and the furnishing of major services, selected trade shops, and automotive repairs. Characteristically this district occupies a larger area than the Neighborhood Business C-1 District, is intended to serve a considerably greater population, and offers a wider range of specialized services. This district is intended to be utilized primarily by those commercial uses which cater to the traveling public, tourists, trucks, and heavy automobile traffic.

To this extent, this district is usually located on a major arterial highway at or near the intersection with one or more other major arterial highways so that it is accessible from all directions.

It is not the intent of this district to encourage the extension of existing strip commercial areas, since the pattern of present development provides more than ample frontage for this purpose. Future expansion of this district should desirably occur as an increase in district depth rather than as further strip-like extension along thoroughfares.

Within a Highway Business C-4 District as shown on the official Zoning Maps of the City of Huntsville, Alabama, the following regulations shall apply.

24.1 - Uses Permitted

24.1.1 Land and buildings shall be used only for the following uses:

Accessory structures and uses as permitted herein.

Agricultural uses.

Apparel stores.

Ambulance services.

Animal hospital or veterinary clinic, pet shops.

Assisted living facilities.

Auction gallery, including auto auction.

Automobile sales, new and used, retail and wholesale with attendant facilities—except that any mechanical or body repair must be conducted entirely within an enclosed structure and provided further that all vehicles on a used car sales lot must be in operating condition at all times.

Automobile repair garage, mechanical and body—provided all operations

are conducted entirely within an enclosed structure.

Bakery—where not more than five (5) persons are employed on the premises and where the products made are sold exclusively at retail on the premises.

Bank, savings and loan associations.

Barber shop, beauty parlor, reducing salons.

Book stores.

Building and lumber supply establishments—provided the entire storage area is enclosed within a solid fence at least seven (7) feet in height, or greater, if required to adequately screen such area, and that any machine operations must be conducted entirely within an enclosed structure.

Bus depots.

Cafes, delicatessens, coffee shops and restaurants without alcohol.

Car wash establishments.

Churches and similar places of worship.

Commercial parking garages or lots.

Confectionery store.

Dancing or music academy.

Drug stores and apothecaries.

Dry cleaning establishments utilizing only non-flammable dry cleaning fluids.

Farmers Markets.

Florist shops and greenhouses.

Furniture stores.

Gasoline service stations.

Grocery stores.

Gymnasiums, fitness and exercise centers, health clubs and spas.

Hardware store, gift shop and variety store.

Hotels, motels, tourist homes, camping trailer courts.

Jewelry store, watch repair shop.

Laundry operations, laundrette, coin operated dry cleaning establishments.

Light manufacturing and assembly—provided the goods are to be sold on the premises only, and provided not more than ten (10) persons are employed in the process.

Mobile Food Vending Sites.

Mobile Food Vending Units.

Mobile home and trailer parks.

Mortuaries and crematoriums.

Municipal, county, state or federal use.

Multiple family dwellings.

Music or record shop.

Newsstand, hobby shop.

Notion and dry goods store.

Nursery, kindergarten or day care for children.

Offices, professional buildings.

Office-warehouse—where the structure is used for offices and the storage of goods, wares, or merchandise in conjunction with a business located on the site. No outside storage of goods, wares, or merchandise is permitted on premises.

Parking lots and parking garages.

Photographic studios, photo retail sales.

Places of amusement including skating, bowling, trampolines, golf driving ranges, miniature golf, baseball batting, and similar non-offensive establishments, but not including theatres or drive-in theatres.

Print shops, newspaper publishing house.

Private hospitals, sanitarium or nursing home.

Radio and television studios but not including broadcast towers.

Radio and television appliance stores and repair shops.

Self-propelled, camping and recreational vehicle sales; trailer and mobile home sales; boat sales.

Shoe store, shoe repair shop, tailor shop.

Upholstering shop--where not more than five (5) persons are employed.

Permitted Uses as Special Exceptions as defined and regulated by Subsection 92.5.3 hereof. (09-1053)

24.1.2 Variances

The Board of Adjustment shall have no authority to grant variances that would reduce required separation distances for establishments selling or serving alcoholic beverages or permit such uses on street classifications other than those specified in Section 24.1.1.

(77-1, 84-1, 84-818, 85-4, 86-771, 89-121, 91-79, 95-498, 96-1008, 97-707, 03-593, 03-672, 07-401, 11-899, 13-882, 14-576, 15-406, 18-3)

24.2 - Density Controls

The following yard, density, and height of building requirements shall be observed:

24.2.1 Multiple Family Dwellings:

Plans for multiple family projects containing two or more buildings which are located on the same parcel of land shall be presented to the Planning Commission for review. The Planning Commission shall make certain the proposed development meets the following requirements:

- (1) The proposed development shall be compatible with requirements and intent of the Subdivision Regulations relative to access, drainage, utilities, and major streets.
- (2) Sidewalks not less than four (4) feet wide are required in the project area leading from all front and rear doors to streets. Sidewalks are also required along all property of the project abutting streets.
- (3) 6,000 square feet of land area for the first two dwelling units; 2,000 square feet of land area for each additional dwelling unit provided, however, such required land area must be exclusive of vehicular access ways but may include parking spaces.
- (4) Closest permitted distance between any two apartment buildings shall be ten (10) feet for one-story buildings; fourteen (14) feet for two-story buildings.
- (5) Minimum distance from an apartment building to a parking space

shall be eight (8) feet.

- (6) Minimum distance from front or side of an apartment building shall be fifty (50) feet to a major arterial right-of-way and thirty (30) feet to other public street rights-of-way.
- (7) Minimum distance from side of apartment building to side property line shall be seven (7) feet for one-story buildings; eight (8) feet for two-story buildings.
- (8) Minimum distance from rear of apartment building to side property line shall be thirty (30) feet.
- (9) Minimum distance from either rear or side of apartment building to rear lot line shall be twenty-five (25) feet.
- (10) Minimum distance from front of one apartment building to front of another apartment building shall be thirty (30) feet.
- (11) Windows in all apartment buildings shall have not less than a twenty (20) foot view (measured perpendicular from the window) unobstructed by other buildings located on the same parcel of land.
- (12) Minimum distance from the parking areas to any street right-of-way shall be twenty (20) feet.
- (13) Maximum number of stories shall be ten (10).
- (14) No front of a multi-family dwelling building shall be in the rear of another building.
- (15) Maximum number of structures shall be limited to four (4) structures per acre.

(19-665; 22-484; 22-685)

24.2.2 Trailer Parks and Mobile Home Parks:

- (1) Minimum parcel of land required shall be not less than five (5) acres for each park.
- (2) Minimum size lot required for each trailer space shall be not less than forty (40) feet wide and eighty (80) feet long.
- (3) Minimum side yard setback - ten (10) feet from the side lot or space line.
- (4) A buffer strip not less than twenty (20) feet deep shall be provided completely around the trailer park or mobile home park; provided however, that a minimum front yard depth of fifty (50) feet, of

which the first twenty (20) feet shall be landscaped and maintained, shall be required along a major arterial.

- (5) Such trailer or mobile home park shall not accept trailers until at least fifty (50%) percent of its lots have been completely developed together with facilities as required by other ordinances and regulations.
- (6) Such trailer or mobile home park shall be required to also meet regulations required by other local codes and ordinances.

24.2.3 Camping Trailer Courts:

- (1) Minimum parcel of land required shall be not less than two (2) acres for each court.
- (2) Minimum size lot required for each trailer space shall be not less than fifteen (15) feet wide and forty (40) feet long.
- (3) A buffer strip not less than twenty (20) feet deep shall be provided completely around the court; provided however, that a minimum front yard depth of fifty (50) feet, of which the first twenty (20) feet shall be landscaped and maintained, shall be required along a major arterial.
- (4) Such camping trailer court shall not accept trailers until fifty percent (50%) of its lots have been completely developed together with facilities as required by these regulations.
- (5) Side yard setback - trailers shall be set back a minimum of five (5) feet from the side lot or space line.

24.2.4 Business Structures and Other Permitted Uses:

- (1) Minimum required depth of front yard – all structures shall be set back not less than fifty (50) feet arterial rights-of-way and not less than five (5) feet from all collector and local street rights-of-way. (17-164)
- (2) Minimum required depth of rear yard – none, except where the rear lot line abuts a residential district there shall be provided a rear yard of not less than twenty (20) feet. (17-164)
- (3) Minimum required width of each side yard - none, except where a side lot line abuts a residential district there shall be provided a side yard of not less than twenty (20) feet.
- (4) Maximum number of stories shall be ten (10). (77-1, 86-522)

24.2.5 Multiple Family Dwelling within Opportunity Zones

Plans for multiple family projects containing two or more buildings which are located on the same parcel of land within an Opportunity Zone, as defined by the Tax Cuts and Jobs Act of 2017 shall be presented to the Planning Commission for review. The Planning Commission shall make certain the proposed development meets the following requirements:

- (1) The proposed development shall comply with requirements and intent of the Subdivision Regulations relative to access, drainage, utilities, and major streets.
- (2) Sidewalks not less than four (4) feet wide are required in the project area leading from all front and rear doors to streets. Sidewalks are also required along all property of the project abutting streets.
- (3) Closest permitted distance between any two apartment buildings shall be ten (10) feet for one-story buildings; fourteen (14) feet for two-story buildings or more.
- (4) Minimum distance from an apartment building to a parking space shall be eight (8) feet.
- (5) Minimum distance from front or side of an apartment building shall be fifty (50) feet to a major arterial right-of-way and five (5) feet to other public street rights-of-way.
- (6) Minimum distance from either rear or side of apartment building to side and rear lot line shall be five (5) feet, except where the rear or side lot line abuts a residential district there shall be provided a distance not less than twenty-five (25) feet.
- (7) Minimum distance from front of one apartment building to front of another apartment building shall be twelve (12) feet, except when the apartment building has a height of twenty-five (25) feet or above then a thirty (30) feet distance is required.
- (8) Windows in all apartment buildings shall have not less than a twelve (12) foot view (measured perpendicular from the window) unobstructed by other buildings located on the same parcel of land. Except, when an apartment building has a height of twenty-five (25) or above then a twenty (20) foot view is required.
- (9) Minimum distance from the parking areas to any street right-of-way shall be twenty (20) feet.
- (10) Maximum number of stories shall be ten (10).
- (11) No front of a multi-family dwelling building shall be in the rear of another building.

- (12) Maximum number of structures shall be limited to four (4) structures per acre.

(22-484; 22-685)

24.3 - Required Yards

- 24.3.1 Off-Street parking areas, driveways and vehicular access ways, except as necessary to cross the required front yard, are not permitted in the first twenty (20) feet of the required front yard as measured from the arterial right-of-way or in the first five (5) feet of the required front yard as measured from the collector and local streets right-of-way. Said area shall be landscaped and maintained in a manner as to be neat in appearance when viewed from any street. (09-430, 17-164, 18-3)
- 24.3.2 Exterior storage of materials shall be in the side and rear yards only and shall be contained by fencing in such a manner as to be neat in appearance when viewed from any street. No exterior storage or display of materials or products, whether for sale or not, is permitted in the required front yard except farm equipment sales, new and used car sales, trailer sales, recreational vehicle sales and mobile home sales and these uses shall not be permitted in the first twenty (20) feet of the required front yard.
- 24.3.3 A seven (7) foot high screen shall be provided along the perimeter at the rear and side yards of the tract to be developed and/or used for commercial purposes when the tract abuts either on the rear or side lot line of a residential district. Such screening shall not extend closer than fifty (50) feet to any street right-of-way. If planting is to be used as a screen, it shall be provided as set forth in Section 3.1 - Buffer of Screen Planting, hereof. Such plants shall be initially not less than seven (7) feet in height. (77-1)

24.4 - Signs Permitted

Signs shall be permitted in accordance with the provisions of Article 72 - Sign Control Regulations. (77-1, 87-177, 21-46)

24.5 - Off-Street Parking and Loading Requirements

For single tenant developments, off-street parking and loading requirements shall be provided as set forth in Article 70 hereof. (17-164)

For multi-tenant, mixed use, and multi-family developments, shared parking and loading requirements shall be provided as set forth in the Shared Parking Factor matrix of Article 27 hereof. (17-164)

Required bicycle parking spaces and facilities shall be provided as set forth in Article 76 hereof. (10-507)

24.6 - Off-Street Parking and Vehicular Use Area (PVA) Landscaping and Lighting

Landscaping and lighting of off-street parking and vehicular use areas are required in accordance with Article 71 - Off-Street Parking and Vehicular Use Area Landscaping Requirements, except for multifamily dwellings which must comply only with Section 71.6 - PVA Lighting Requirements, when applicable. (85-643, 99-1020)

24.7 - Alcoholic Beverage Establishment Regulations

Alcoholic beverage establishments shall be permitted in accordance with Section 75.3 - Permitted Establishments by Districts, subsection 75.3.4, and shall be regulated by Article 75 - Alcoholic Beverage Establishment Regulations. (11-11)

*77-1, 84-1, 84-818, 85-4, 85-643, 86-522, 86-771, 87-177, 89-121, 91-79, 95-498, 96-1008, 97-707, 99-1020, 03-593, 03-672, 07-401, 09-430, 09-1053, 10-507, 11-11, 11-899, 13-882, 14-576, 15-406, 17-164, 18-3, 19-665, 21-46; 22-484; 22-685