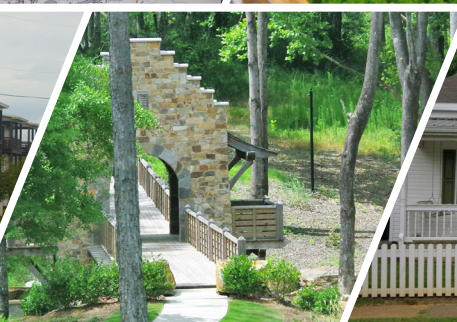




# Tuscaloosa Zoning Ordinance

Special Call Meeting | August 2022

Downtown, Downtown Perimeter,  
Downtown Historic Edge, and Riverfront Districts



**FRAME**WORK

Creating a dynamic guide for Tuscaloosa



**SEC. 24-4.5.2. DOWNTOWN<sup>333</sup>**

**a. Purpose<sup>334</sup>**

The purpose of the Downtown (D) District is to provide lands that support a walkable, visually attractive, and economically vital mix of employment, entertainment, civic, and residential uses in the City’s historic downtown, consistent with the downtown’s historic character and with public and private investment in the area. District standards are intended to ensure the downtown is architecturally interesting and pedestrian-friendly, and supports vibrant street life.

**b. Use Standards**

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 24-5: Use Regulations. Additional limitations on ground floor uses are included in Sec. 24-4.5.2.d.3, Street Level Uses, below.

**c. Intensity and Dimensional Standards**

All development in the D district shall comply with the standards in Table 4-38: D District Intensity and Dimensional Standards.

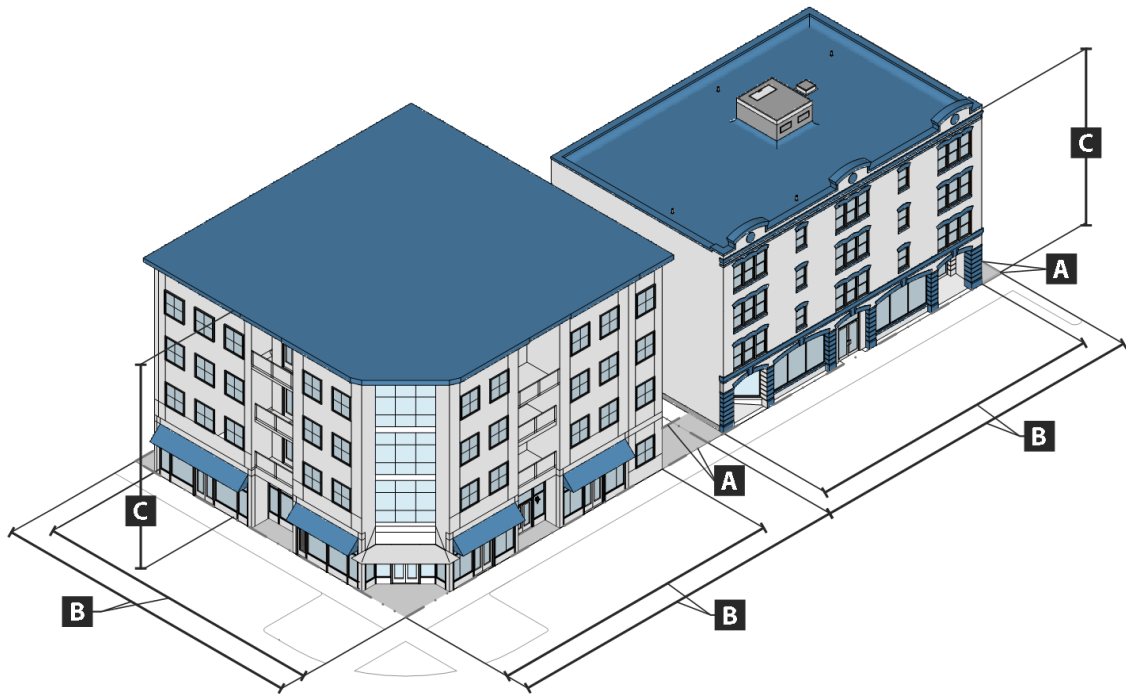
**Table 4-38: D District Intensity and Dimensional Standards**

	STANDARD	ALL USES
A	Front setback [2] <sup>335</sup>	
	<i>Minimum</i>	0 ft
	<i>Maximum</i>	10 ft
	Side setback (min)	0 ft [3]
	Rear setback (min)	0 ft [3]
B	Building height (min)	2 stories (no maximum)
NOTES		
[1] max = maximum; min = minimum; ft = feet		
[2] The maximum front setback may be increased by 15 feet along 35 percent of the lot width for an outdoor dining area, plaza, or other area that is open to the public and that includes features such as a garden, fountain, and seating.		
[3] A perimeter buffer may be required along a side or rear lot line in accordance with Sec. 24-6.3.8, Perimeter Buffers.		

<sup>333</sup> The D district carries forward and renames the BC district in the current Zoning Ordinance and incorporates and simplifies the form and design standards in the D/R overlay district. Administrative procedures in Sec. 24-232-233, and nonconformity regulations in Sec. 24-234 will be relocated to those sections in the code. Similarly, the list of permitted uses and use-specific standards in Sec. 24-229 are relocated to the use regulations in Article 24-5. Floor area ratio (FAR) standards and incentives are deleted. New standards limit the use of some materials in buildings and require new multifamily development to use structured parking. The D district incorporates guidance from the Downtown Core character type in the Comprehensive Plan.

<sup>334</sup> This consolidates and builds on the BC district intent statement in Sec. 24-51 and the D/R overlay district intent statement in Sec. 24-225 of the current Zoning Ordinance.

<sup>335</sup> This is a new standard that merges the no minimum setback in the BC district (Sec. 24-55) of the current Zoning Ordinance) with the 10-foot building line requirement in Sec. 24-230 that applies to the D/R overlay district.



**d. Additional Development Standards<sup>337</sup>**

**1. Applicability<sup>338</sup>**

- i. Unless otherwise provided in subsections ii through iv below, all development in the D district shall comply with the standards in this subsection d.
- ii. If there is a conflict between a standard in this section and the regulations and district standards under the purview of the Historic Preservation Commission, the regulations and standards of the Commission shall govern.
- iii. The following are exempt from all standards of this subsection d:
  - (a) Existing single-family homes used for residential purposes;
  - (b) Ordinary repairs and maintenance of buildings, signage, lighting, or other features;
  - (c) Construction within the interior of a structure that is not visible from the exterior of the building;
  - (d) Removal of existing signage without replacement;
  - (e) Emergency repairs ordered by the City's code enforcement officials in order to protect health and safety; and

<sup>337</sup> This generally carries forward the design standards in Sec. 24-230, Development standards and guidelines, of the current Zoning Ordinance, with refinements. Changes to existing design standards are noted in footnotes below. Non-regulatory guidelines have not been included except where made standards as discussed in footnotes below. In future drafts, some of the standards may be relocated to Article 24-6: Development Standards to apply in other parts of the City and therefore will be removed from this section.

<sup>338</sup> This section incorporates Sec. 24-228 of the current Zoning Ordinance and includes a new provision that identifies standards that do not need to be met for redevelopment of existing structures. This is intended to encourage redevelopment of sites on which it is infeasible to modify existing development to bring it into compliance and where it is financially infeasible or otherwise undesirable to clear the site for new development.

- (f) All municipal, state, and federal buildings.
- iv. Any change of use of an existing structure that does not include an expansion of gross floor area shall be exempt from the standards in Sec. 24-4.5.2.d.4, Sidewalks.

## 2. Building Design Standards

### i. Building Materials Allowed

#### (a) Primary Materials<sup>339</sup>

Primary material changes may occur only at building corners where a maximum of one of the façades faces a street. The following materials are required for not less than 75 percent of the building wall surface area on each façade:

- (1) Brick masonry;
- (2) Native stone (or synthetic equivalent);
- (3) Cementitious siding, provided no single panel is larger than three feet by three feet;
- (4) Glass curtain wall; and
- (5) Stucco (panels with cementitious finish, not tiles or external insulation finishing system – EIFS).

#### (b) Accent materials<sup>340</sup>

The following materials may make up 25 percent of the building wall surface area on each façade:

- (1) Pre-cast masonry (for trim and cornice elements only);
- (2) Gypsum reinforced fiber concrete – GFRC (for trim elements only);
- (3) EIFS, only for trim;
- (4) Metal (for beams, lintels, trim elements, and ornamentation);
- (5) Split-faced block (only for piers, foundation walls and chimneys); and
- (6) Cementitious siding.

#### (c) Balconies<sup>341</sup>

- (1) Balconies shall be constructed of the following materials:
  - i. Brick and masonry;
  - ii. Native stone (or synthetic equivalent);
  - iii. Metal; and
  - iv. Stucco (panels with cementitious finish);
- (2) Balconies shall not be constructed of wood.

<sup>339</sup> Standards carried forward from Sec. 24-223(a)(2)(c)(1) of current Zoning Ordinance with changes: no longer allows brick “and tile” masonry, wood-clapboard or shingles, cementitious siding larger than the designated size, or stucco that could be EIFS.

<sup>340</sup> Standards carried forward from Sec. 24-223(a)(2)(c)(2) of current Zoning Ordinance with changes: no longer allows EIFS, vinyl shakes or shingles, and vinyl clapboard. Cementitious siding is now only allowed as an accent material.

<sup>341</sup> New standards for balconies.

**(d) Alternative Materials**

Alternative building materials not listed in subsections (a) through (c) above may be approved by the Director of Planning if the Director determines the alternative building materials are equivalent or better than the listed materials. The use of regionally-available materials is preferred.

**(e) Parking Structure Screening Materials**

Where screening of parking areas within a structure is required, a metal or architectural panel shall be used, such as galvanized welded wire steel/mesh panels or an aluminum louver system. The following materials, and any material the Director of Planning determines closely mimics any of the following materials, shall not be used to screen parking areas:

- (1)** Chain link (including coated chain link);
- (2)** Vinyl or other fabrics; and
- (3)** Window screen material.

**ii. Fenestration<sup>342</sup>**

- (a)** Where the façade of a building abuts or faces a street or an adjoining public gathering space, at least 30 percent of the street-level façade area shall be comprised of transparent windows or door openings.
- (b)** For purposes of this subsection ii, the street-level façade area shall include the area of the façade between the ground level of the street or gathering space and eight feet in height.
- (c)** For purposes of this subsection ii, a window or door opening shall be considered transparent if it consists of glass that is clear and nonreflective.

**iii. Building Massing and Scale<sup>343</sup>**

If the street-facing façade of a building is more than 40 feet wide, at least one of the following design elements shall be incorporated into the façade at least once every 40 feet along the width of the façade:

- (a)** Distinct changes in texture or color of wall surfaces;
- (b)** Ground level awnings, canopies, or similar overhangs;
- (c)** Recesses or projections in the wall plane at least one foot deep;
- (d)** Window bays;
- (e)** Second floor galleries or balconies;
- (f)** Primary pedestrian entrances; or
- (g)** Variations in roof lines, roof form, or parapet height.

**iv. Building Entrances<sup>344</sup>**

All primary pedestrian entrances into principal buildings shall be clearly defined and emphasized using changes in the wall plane or façade material, lintels, pediments, pilasters, arches, awnings, canopies, porches, or other additional architectural elements.

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<sup>342</sup> This adapts the guidelines regarding fenestration from Sec. 24-230(b)(1)h of the current Zoning Ordinance and makes them mandatory, removing the maximum 50 percent transparency standard. Additional clarification is also provided regarding the types of glass that meets the standards.

<sup>343</sup> This builds on the guideline for building entrances in Sec. 24-230(b)(1) of the current Zoning Ordinance.

<sup>344</sup> This builds on the guideline for building entrances in Sec. 24-230(b)(1) of the current Zoning Ordinance.

**3. Street Level Uses<sup>345</sup>**

- i. The following standards apply to all ground floor frontages of buildings other than a Parking Facility that face Commercial uses across the street and along the same block:
  - (a) Except as otherwise provided in subsection (b) below, on the ground floor only the following uses are allowed:
    - (1) For buildings three stories in height or less, any uses other than Residential and parking uses;
    - (2) For buildings four stories or greater in height, only Commercial uses.
  - (b) The Zoning Board of Adjustment, in accordance with Sec. 24-3.4.5, Special Exception Use Permit, may waive the requirement in subsection (a) above if the Board determines that the applicant demonstrates the proposed alternative use will not fragment the commercial frontage in a way that impairs the commercial vitality of the D district.
- ii. A Parking Facility shall include uses that are not parking and not a use in the Residential use classification along 40 percent of the frontage that faces a street,

**4. Sidewalks<sup>346</sup>**

To the maximum extent practicable, and in coordination with the City’s Department of Infrastructure and Public Services, sidewalks along public streets shall be at least 15 feet wide and shall provide a clear path at least five feet wide that is maintained free of tables, seating, above-ground utilities, planters, and other obstructions to pedestrian movement.

**5. Parking and Vehicular Access<sup>347</sup>**

- i. All off-street parking shall be located within a parking structure or to the rear of the building(s) on the block, to the extent practicable. Off-street parking shall not be located between the front of the principal structure and the public right-of-way.
- ii. Driveways shall be designed with the minimum pedestrian crossing area and turning radii allowed by the City’s Land Development Manual Technical Standards and Chapter 21 of the City Code in order to improve pedestrian safety and slow turning movements.<sup>349</sup>

**6. Screening<sup>350</sup>**

- i. All loading areas and docks, outdoor storage areas, trash collection areas, delivery trucks, mechanical equipment, satellite dishes, and other service support equipment shall

<sup>345</sup> This consolidates and revises Sec. 24-58 and Sec. 24-230(b)(1)c in the current Zoning Ordinance. It replaces the reference to commercial and office uses Sec. 24-230(b)(1)c with a reference to uses in the broader Commercial use category. It also updates and expands the list of uses in abutting buildings in Sec. 24-58. The current standard references “a retail, wholesale, service, or governmental use intended for the patronage of pedestrians.” In this draft, the provisions have been simplified, at staff’s request, to require the street-level use to be neither parking nor a residential use; all other uses permitted in the district are allowed.

<sup>346</sup> This incorporates the guidelines regarding utility connections and appurtenances in Sec. 24-230(b)(7)h of the current Zoning Ordinance and mandates that they not intrude into an seven-foot-wide unobstructed pedestrianway.

<sup>347</sup> Sec. 24-240(b)(6), Off-street parking and loading (new parking facility), of the current Zoning Ordinance includes guidelines regarding negotiations and reduction of parking requirements and parking lot design. In the updated Zoning Ordinance, there are no minimum vehicular parking requirements in the D district (see Sec. 24-6.2.6, Off-Street Parking Standards), and parking lot design standards are included in Sec. 24-6.2.5, General Parking and Loading Standards. In this draft, requirement that multifamily parking be in a structure has been removed.

<sup>349</sup> This is taken from a guideline in the current Zoning Ordinance and is modified to refer to the City’s existing driveway standards established by the City Engineer.

<sup>350</sup> This builds upon the existing screening standards in Sec. 24-230(b)(7)f-g of the current Zoning Ordinance, adds additional categories of items to be screened, and replaces “another appropriate building material as approved by the planning director” with “materials of comparable quality and appearance” to provide more measurable standards. It

be located behind the building line and be fully screened from the view from the ground level of the right-of-way and of adjacent properties.

- ii. All rooftop mechanical equipment including HVAC units shall be fully screened from public view at street level, bridge level, and from adjoining buildings using parapet walls, screens, or similar features.
- iii. Areas for outdoor storage, trash collection areas, and loading areas shall be incorporated into the primary building design.
- iv. All screening shall use only materials of comparable quality and appearance as that of the primary building.

**7. Lighting**

- i. All lighting fixtures shall be located and directed to minimize spillover onto abutting properties, except as necessary to illuminate abutting parking areas.<sup>351</sup>
- ii. Neon lighting and neon-style LED lighting is prohibited except for use as an architectural accent.

**8. Signage<sup>352</sup>**

- i. Channel letter or logo signs may be internally lit or back lit, including with neon lighting. All other signs, if lighted, shall be externally lit. Internally lit, translucent box-type signs, and electronic message boards are prohibited.
- ii. Painted window signs and backlit or illuminated awnings are prohibited.
- iii. Projecting signs shall comply with the following standards:
  - (a) For buildings less than 35 feet in height:
    - (1) The projecting sign shall not extend above the second floor.
    - (2) The projecting sign shall have no more than 12 square feet of copy area.
  - (b) For buildings 35 feet in height or taller, the projecting sign shall have no more than 100 square feet of copy area or one square foot of copy area for each linear foot of building frontage, whichever is greater, up to a maximum 100 square feet of copy area.
  - (c) A projecting sign may project up to six feet from the building.
  - (d) An appropriate City permit shall be acquired before a projecting sign may encroach into a public right-of-way.
  - (e) Projecting signs shall not display messages on a digital display board.

**9. Awnings and Canopies<sup>353</sup>**

- i. Awnings and canopies shall not be lighted from their interior.

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also incorporates the rooftop screening guideline at Sec. 24-230(b)(3)b and the site loading screening guideline at Sec. 24-230(b)(6)g and makes them standards. Reference to “truck parking” replaced with “delivery trucks” for clarity.

<sup>351</sup> This provision may be revised or relocated when the exterior lighting standards in Article 24-6, Development Standards, are drafted.

<sup>352</sup> The guideline regarding projecting signs in Sec. 24-230(b)(5)d has been included as a standard. These provisions may be relocated to the standards for billboards and signs in Article 24-6, Development Standards. A definition of channel letters is included in definitions. The provisions relating to projecting signs have been revised at staff’s request to allow for larger signs on taller buildings, to reduce the number of variances that have been required in the past for new development in downtown. In this draft, projecting signs are permitted to encroach into a public ROW following issuance of an appropriate permit.

<sup>353</sup> This incorporates the guideline in Sec. 24-230(b)(1)h of the current Zoning Ordinance and makes it a requirement.



- ii. Awnings shall project at least 36 inches from the wall to which they are attached and shall not extend across multiple storefronts or multiple buildings.

**10. Balconies<sup>354</sup>**

An appropriate City permit shall be acquired before a balcony may encroach into a public right-of-way.

**e. References to Other Standards**

Development in the D district shall comply with all applicable standards of this Zoning Ordinance and the Subdivision Regulations, including but not limited to the standards referenced in Table 4-39: Cross-References to Other Standards, to the extent they do not conflict with the standards of subsection d above.

**Table 4-39: Cross-References to Other Standards**

SECTION	STANDARD	SECTION	STANDARD
Sec. 24-6.1	Mobility and Connectivity Standards	Sec. 24-6.7	Neighborhood Compatibility Standards
Sec. 24-6.2	Off-Street Parking, Bicycle Parking, and Loading Standards	Sec. 24-6.8	Form and Design Standards
Sec. 24-6.3	Landscape and Buffer Standards	Sec. 24-6.9	Green Building Standards
Sec. 24-6.4	Open Space Set-Aside Standards	Sec. 24-6.10	Green Building Incentives
Sec. 24-6.5	Fence and Wall Standards	Sec. 24-6.11	Signs and Billboards
Sec. 24-6.6	Exterior Lighting Standards		Subdivision Regulations

<sup>354</sup> New provision requested by staff. In this draft, balconies are permitted to encroach into a public ROW following issuance of an appropriate permit.

**SEC. 24-4.5.3. DOWNTOWN PERIMETER<sup>355</sup>**

**a. Purpose<sup>356</sup>**

The purpose of the Downtown Perimeter (DP) District is to provide lands that support a variety of moderate-intensity office and commercial uses that may be mixed with medium-scale multifamily residential dwellings, single-family detached dwellings on small lots, and a range of attached residential uses, such as triplexes and townhouses. The district also allows a variety of civic and institutional uses. It is intended to serve as a pedestrian-friendly transition between the higher density and intensity of uses in the Downtown District and the lower-density development in adjacent residential and commercial districts.

**b. Use Standards**

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 24-5: Use Regulations.

**c. Intensity and Dimensional Standards**

All development in the DP district shall comply with the standards in Table 4-40: DP Intensity and Dimensional Standards.

**Table 4-40: DP Intensity and Dimensional Standards<sup>357</sup>**

	STANDARD	ALL USES
A	Front setback [2] <sup>358</sup>	
	<i>Minimum</i>	0 ft
	<i>Maximum</i>	15 ft
	Side setback (min)	0 ft [3]
	Rear setback (min)	0 ft [3]
C	Building height, north of Paul W. Bryant Dr.	
	<i>Minimum</i> <sup>359</sup>	2 stories [4]
	<i>Maximum</i>	80 ft
	Building height, south of Paul W. Bryant Dr.	
	<i>Maximum</i> <sup>360</sup>	45 ft
NOTES		
[1] max = maximum; min = minimum; ft = feet		
[2] The front building façade must be located within the minimum and maximum front setbacks. The maximum front setback may be increased by 1) 15 feet along 35 percent of the lot width		

<sup>355</sup> This new district incorporates guidance from the Downtown Edge character type in the Comprehensive Plan.

<sup>356</sup> This updates the intent statement for the BGO district in Sec. 24-51 of the current Zoning Ordinance and reflects that the DP district will be limited to lands surrounding the D district and lower-intensity districts.

<sup>357</sup> This carries forward the intensity and dimensional standards for the BGO district in Article IV of the current Zoning Ordinance, except where otherwise noted in the footnotes below.

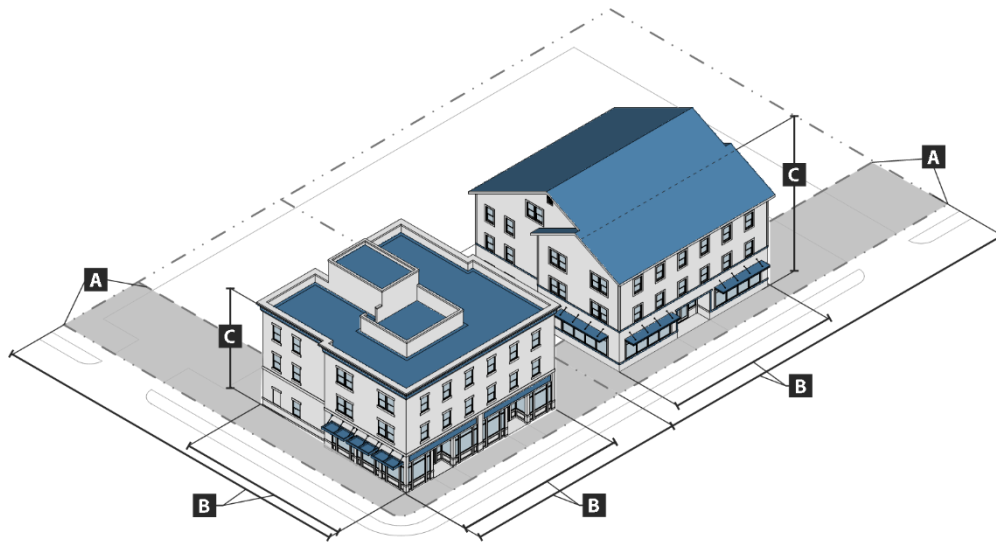
<sup>358</sup> Based on the Downtown Edge character type in the Framework Comprehensive Plan, the minimum front yard depth (now referred to throughout this draft as “minimum front setback”) is changed from 20 feet (except for areas in the original city survey, where there is no minimum currently) to zero feet, and a maximum front setback of 30 feet is established, whereas there is no maximum front setback in current Zoning Ordinance.

<sup>359</sup> This standard is new. It is based on the Framework Comprehensive Plan direction for the Downtown Edge character type.

<sup>360</sup> This standard is new. It is based on the Framework Comprehensive Plan direction for the Downtown Edge character type.

**Table 4-40: DP Intensity and Dimensional Standards<sup>357</sup>**

STANDARD	ALL USES
<p>for an outdoor dining area, plaza, or other area that is open to the public and that includes features such as a garden, fountain, and seating, or 2) up to the average alignment of existing buildings within 100 feet on either side of subject building and within the same block if such alignment is greater than 15 feet.</p> <p>[3] A minimum setback of eight feet is required from any lot line abutting a Residential district.</p> <p>[4] Applies to any lot containing a building. Buildings shall be located so they occupy the minimum percentage of the lot width between the minimum and maximum front setbacks.</p> <p>[5] The minimum building height for single-family detached and duplex dwellings is 1.5 stories.</p>	



**d. Parking Location<sup>361</sup>**

1. All off-street parking shall be located to the rear of the building(s) on the block, to the maximum extent practicable.
2. Except as provided in subsection 3 below, off-street parking shall not be located between the front of the principal structure and the public right-of-way.
3. Off-street parking may be located within the front of the principal structure and the public right-of-way in the area bounded one the east by Lurleen B. Wallace Boulevard North; on the north by 6<sup>th</sup> Street; on the west by Lurleen B. Wallace Boulevard South; and on the south by 15<sup>th</sup> Street.

**e. References to Other Standards**

Development in the DP district shall comply with all applicable standards of this Zoning Ordinance and the Subdivision Regulations, including but not limited to the standards referenced in Table 4-41: Cross-References to Other Standards.

<sup>361</sup> This standard is new. It is based on the Framework Comprehensive Plan direction for the Downtown Edge character type. This standard may be moved to the parking standards in Article 24-6: Development Standards. Modified in this draft to carve out an area where front yard parking is allowed, which is the area where drive-through restaurants are allowed in the D/R overlay district in Sec. 24-239(d)(26) of the current Zoning Ordinance.

**Table 4-41: Cross-References to Other Standards**

SECTION	STANDARD	SECTION	STANDARD
Sec. 24-6.1	Mobility and Connectivity Standards	Sec. 24-6.7	Neighborhood Compatibility Standards
Sec. 24-6.2	Off-Street Parking, Bicycle Parking, and Loading Standards	Sec. 24-6.8	Form and Design Standards
Sec. 24-6.3	Landscape and Buffer Standards	Sec. 24-6.9	Green Building Standards
Sec. 24-6.4	Open Space Set-Aside Standards	Sec. 24-6.10	Green Building Incentives
Sec. 24-6.5	Fence and Wall Standards	Sec. 24-6.11	Signs and Billboards
Sec. 24-6.6	Exterior Lighting Standards		Subdivision Regulations

**SEC. 24-4.5.4. DOWNTOWN HISTORIC EDGE<sup>362</sup>**

**a. Purpose**

The purpose of the Downtown Historic Edge (DHE) District is to provide lands that protect the historic districts and support a limited mix of moderate-intensity office and commercial uses along with medium-scale multifamily residential dwellings, single-family detached dwellings on small lots, and a range of attached residential uses, such as triplexes and townhouses. The district also allows a variety of civic and institutional uses. The scale of the development is intended to complement existing development in the neighborhood and support a pedestrian-friendly transition between the higher density and intensity of uses in the Downtown District and the lower-density development in adjacent residential and commercial districts

**b. Use Standards**

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 24-5: Use Regulations.

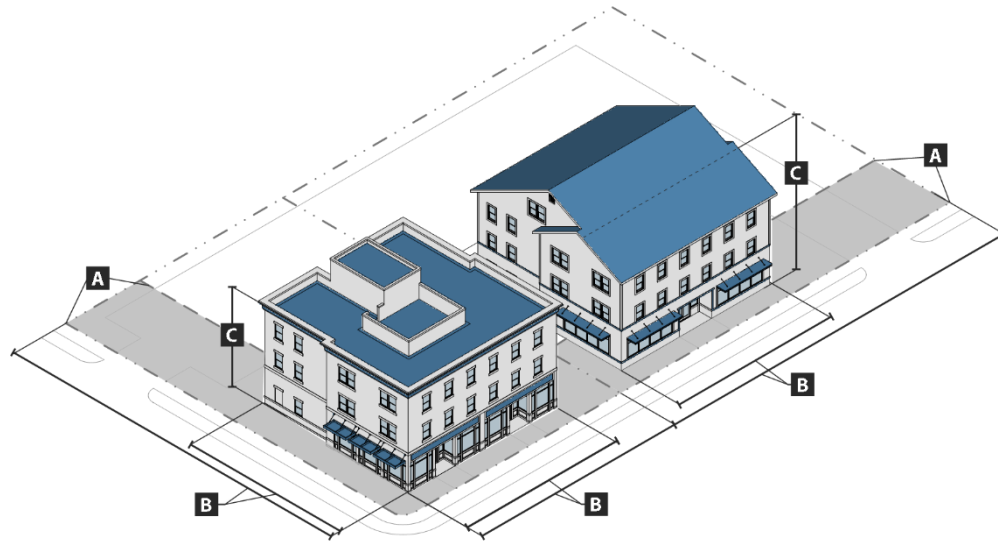
**c. Intensity and Dimensional Standards**

All development in the DHE district shall comply with the standards in Table 4-42: DHE Intensity and Dimensional Standards.

**Table 4-42: DHE Intensity and Dimensional Standards**

	STANDARD	ALL USES
A	Front setback [2] [3]	
	<i>Minimum</i>	0 ft
	<i>Maximum</i>	30 ft
	Side setback (min)	0 ft [4]
	Rear setback (min)	0 ft [4]
C	Building height (max)	40 ft
NOTES		
[1] max = maximum; min = minimum; ft = feet		
[2] The front building façade must be located within the minimum and maximum front setbacks. The maximum front setback may be increased by 1) 15 feet along 35 percent of the lot width for an outdoor dining area, plaza, or other area that is open to the public and that includes features such as a garden, fountain, and seating, or 2) up to the average alignment of existing buildings within 100 feet on either side of subject building and within the same block if such alignment is greater than 15 feet.		
[3] The Historic Preservation Commission may allow or require larger or smaller front setbacks if it determines that with such modification a development will better conform with nearby properties, or with the development patterns within the DHE district and any applicable historic district.		
[4] A minimum setback of eight feet is required from any lot line abutting a Residential district.		

<sup>362</sup> This is a new district requested by staff that is similar to the new DP district but allows a slightly reduced mix of uses at somewhat lesser intensity than the DP district.



**d. Parking Location<sup>363</sup>**

The location and configuration of off-street parking in relation to the building(s) on the site, adjacent lots, and the street shall match the location and configuration of off-street parking on the majority of land with active uses within 500 feet on either side of the site along the front setback.

**e. References to Other Standards**

Development in the DHE district shall comply with all applicable standards of this Zoning Ordinance and the Subdivision Regulations, including but not limited to the standards referenced in Table 4-43: Cross-References to Other Standards.

**Table 4-43: Cross-References to Other Standards**

SECTION	STANDARD	SECTION	STANDARD
Sec. 24-6.1	Mobility and Connectivity Standards	Sec. 24-6.7	Neighborhood Compatibility Standards
Sec. 24-6.2	Off-Street Parking, Bicycle Parking, and Loading Standards	Sec. 24-6.8	Form and Design Standards
Sec. 24-6.3	Landscape and Buffer Standards	Sec. 24-6.9	Green Building Standards
Sec. 24-6.4	Open Space Set-Aside Standards	Sec. 24-6.10	Green Building Incentives
Sec. 24-6.5	Fence and Wall Standards	Sec. 24-6.11	Signs and Billboards
Sec. 24-6.6	Exterior Lighting Standards		Subdivision Regulations

<sup>363</sup> This is a contextual standard to provide for consistency of off-street parking locations for nearby properties in the district.

**SEC. 24-4.5.5. RIVERFRONT DISTRICT<sup>364</sup>**

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**a. Purpose**

The riverfront of the Black Warrior River is a unique natural, scenic, and historic resource of the City. The purpose of the Riverfront (R) District is to, as appropriate, provide lands that support pedestrian-friendly, high-quality development that takes advantage of the Black Warrior River's history and scenic beauty, protect against flooding, and preserves the natural features of the river and its floodplain. The district should include only nonresidential uses, or residential uses mixed with complimentary nonresidential uses. Streets, buildings, and open space should create synergy with the natural riverfront environment, preserving and/or enhancing environmentally sensitive areas while allowing people within and around the district to maintain a visual or actual connection with the riverfront through the Riverwalk.

**b. Procedure**

Development or redevelopment in the R district shall be subject to approval in one of two ways.

**1. Small-Scale Development**

- i. Small-scale development shall be treated as allowed development in the R district and is subject to all the applicable standards, procedures, and requirements of the district, this Zoning Ordinance, and the Subdivision Regulations, except for redevelopment identified in subsection 3 below, which is exempt from certain development standards.
- ii. For the purpose of the R district, except for certain redevelopment identified in subsection 3 below, small-scale development is proposed development that results in 20,000 square feet or less of nonresidential development, and/or 20 residential units, or development that is located on a lot that is 25,000 square feet or less.

**2. Large-Scale Development**

- i. Large-scale development shall be classified as a Riverfront Planned Development (RPD) district, in accordance with the procedures and standards of Sec. 24-3.4.3, Planned Development, Sec. 24-4.7.1, General Provisions, and Sec. 24-4.7.3, Riverfront Planned Development.
- ii. For the purpose of the R district, large-scale development is all proposed development in the district that is not small-scale development.

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<sup>364</sup> The new Riverfront (R) base district builds on the Riverfront Development District purpose and standards in Article XVIII of the current Zoning Ordinance, but modifies the structure of how development in the old Riverfront district is regulated. This is done in an effort to simplify the development review procedures for development/redevelopment in the district, and clarify the development standards – without sacrificing the goals and development outcomes of the old district. The new structure establishes a base R district, which identifies the boundaries of the lands subject to special riverfront regulations. The base district then sets out a two-tier structure for development review: small-scale development is treated as development is typically treated in a base district (permitted and special exception uses follow the typical development review procedures for those types of development). Large-scale development is required to be classified as a Riverfront Planned Development (RPD) before it can proceed. The uses allowed in each district are the same, but the PD district requires the specific uses permitted in the RPD district to be identified in the approved PD Plan. Basic dimensional standards are established for development in the base R district, while the RPD district allows development to vary the dimensional standards (except for maximum height). Additional form and design standards are added and apply to both districts. Most of the other development standards (parking, landscape, etc.), but not all, can be proposed for modification in the RPD (if approved as part of the PD Plan). These standards cannot be modified in the R base district for small-scale development (except through means allowed for all other base districts).

**3. Exemptions<sup>365</sup>**

The expansion or alteration of development existing prior to [insert effective date of this Ordinance] that increases the building's floor area by less than 50 percent or involves alterations that involve less than 50 percent of the building's gross floor area, shall also be considered small-scale development, but shall only be required to comply with the following development standards:

**i. Subsection e.1, Site Design Standards**

- (a) Subsection e.1.i, View of River Preserved (comply);
- (b) Subsection e.1.ii, Supplemental Zone Adjacent to Riverwalk (comply to the maximum extent practicable);
- (c) Subsection e.1.iv, Pedestrian Circulation System (comply to the maximum extent practicable);
- (d) Subsection e.1.v, Parking (comply to the maximum extent practicable);
- (e) Subsection e.1.vii, Exterior Lighting (comply);
- (f) Subsection e.1.viii, Signage (comply to the maximum extent practicable); and
- (g) Subsection e.1.ix, Utilities (comply to the maximum extent practicable).

**ii. Subsection e.2, Building Design**

- (a) Subsection e.2.iv, Fenestration/Transparency (comply to the maximum extent practicable); and
- (b) Subsection e.2.vi, Loading, Service, and Equipment Areas (comply to the maximum extent practicable).

**c. Use Standards**

**1. Small-Scale Development**

Allowed uses and use-specific standards for principal, accessory, and temporary uses for small-scale development are the allowed uses for the R district that are established in Article 24-5: Use Regulations.

**2. Large-Scale Development**

Allowed uses and use-specific standards for principal, accessory, and temporary uses for large-scale development are those uses identified in Article 24-5: Use Regulations, as uses that may be allowed in the RPD district.<sup>366</sup> However, only those uses identified as permitted in the approved PD Plan are permitted in an individual RPD district, subject to the conditions and requirements in the approved PD Plan and PD Agreement, (see Sec. 24-4.7.1.c, Classification of Land to a Planned Development District).

**3. Use-Specific Standards<sup>367</sup>**

The following use specific standards apply to both small-scale development and large-scale development, in addition to any additional applicable standards for specific uses in Article 24-5: Use Regulations.

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<sup>365</sup> This section is included to allow redevelopment of existing buildings in the R district without full compliance with the district's development standards, while at the same time, requiring compliance with some of the key district standards that define the district's character (or compliance with those standards to the maximum extent practicable).

<sup>366</sup> The allowed uses for both small-scale and large-scale development in the R and RPD districts are the same, even though there are two use tables (one for the base R district and one for the RPD district).

<sup>367</sup> This section carries forward use limitations in the notes of Sec. 24-239(a)(1) of the current Zoning Ordinance, unless it is noted that changes are made.



**i. Multifamily**

- (a) Multifamily dwellings are allowed only if 35 percent or more of the total floor area of all buildings in the proposed development is used for Commercial uses. (Townhomes are not subject to this requirement.)
- (b) The maximum residential density for multifamily and townhomes is 60 bedrooms per acre. There shall be a maximum of three bedrooms in a dwelling unit.
- (c) One off-street parking space shall be provided for each bedroom.

**ii. Food and Beverage Services, Retail Sales and Services**

Food and Beverage Services or Retail Sales and Services uses shall provide a minimum of one off-street parking space per 300 square feet of gross floor area, rounded up to the nearest increment of 300 square feet.

**iii. Bar or Tavern, or Gastropub**

Each bar or tavern, or gastropub shall be spaced at least 500 feet from any other bar or tavern, or gastropub, measured door-to-door.

**d. Intensity and Dimensional Standards<sup>368</sup>**

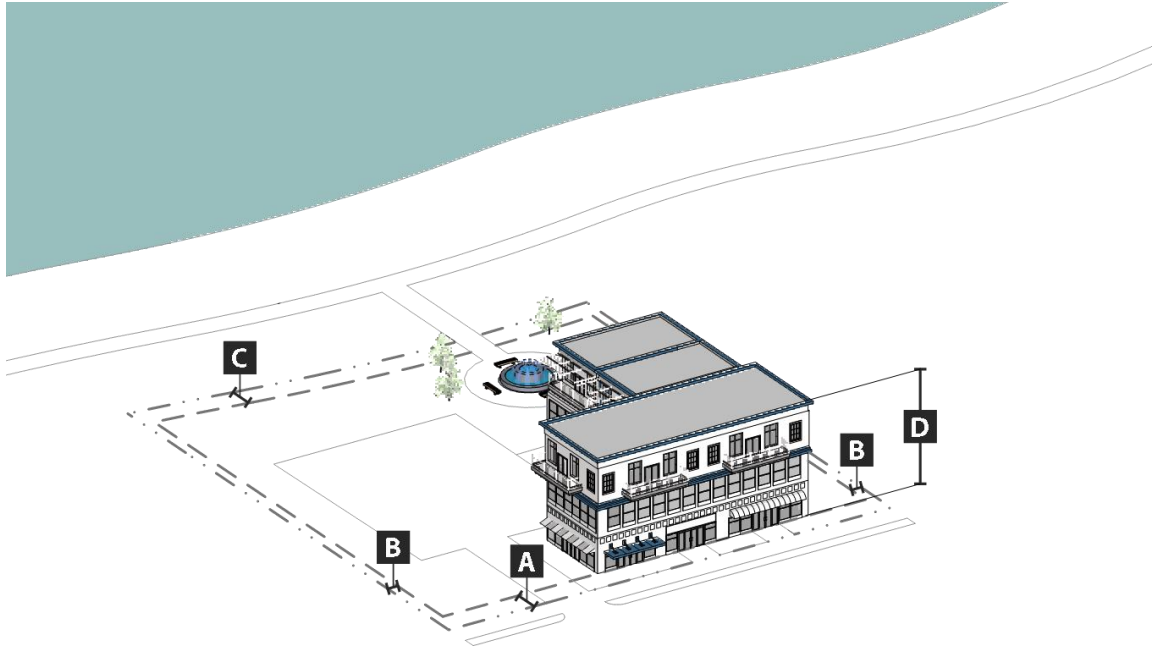
All small-scale development in the R district shall comply with the standards in Table 4-44: R Intensity and Dimensional Standards.

**Table 4-44: R Intensity and Dimensional Standards**

	STANDARD	ALL USES
A	Front setback (min)	10 ft
B	Side setback (min)	4 ft
C	Rear setback (min)	10 ft
D	Building height (max) <sup>369</sup>	40 ft (maximum 3 stories) [2]
NOTES:		
[1] max = maximum; min = minimum; ft = feet		
[2] The minimum floor to ceiling height for commercial space shall be 12 feet.		

<sup>368</sup> Some basic but flexible dimensional standards are included for the Riverfront (R ) base district. They only apply to small-scale development. The dimensional standards for large-scale development is established in the RPD (and PD Plan). Please review and modify as you deem appropriate.

<sup>369</sup> A specific building height standard is used instead of a reference to “the treeline,” which is the standard in the current regulations. Maximum building height for large-scale development through approval of a RPD will be set at 72 feet (6 stories), with the Council provided the discretion to increase that height through the planned development process,



**e. Development Standards**

All development in the R and RPD districts (both small-scale and large-scale development) shall comply with the following standards:

**1. Site Design Standards**

**i. View of Riverfront Preserved**

To the maximum extent practicable,<sup>370</sup> streets, open space, and buildings shall be located, designed, and oriented to preserve the view of the Black Warrior River and the riverfront from adjacent streets and buildings in the district, and from development directly contiguous to the district located on public streets.

**ii. Supplemental Zone Adjacent to Riverwalk**

All sites adjacent to the Riverwalk shall establish a supplemental zone 25 feet in width adjacent to the Riverwalk, which serves as an outdoor transitional space between the Riverwalk and the development on the site. The supplemental zone may remain in its natural condition or be landscaped, and may include patios, benches, or gazebos. It shall include a pedestrianway that connects the Riverwalk to the primary building entrance facing the Riverwalk.<sup>371</sup>

**iii. Blocks, Streets, and Alleys**

Where streets are added or modified, they should be designed and laid out in blocks with sidewalks, or if that is impractical, with an alternative design that ensures the development provides sidewalks and a pedestrian-friendly environment that is well connected to adjacent streets and sidewalks, and the street and pedestrian system within the district.

<sup>370</sup> Maximum extent practicable is defined in Sec. 24-2.3, Definitions, as follows: “The degree to which a project meets an adopted standard in which all possible efforts to comply with the standard or to minimize harmful or adverse effects have been undertaken by the applicant, but full compliance cannot be achieved, and no feasible or practical alternative exists. Economic considerations may be taken into account but shall not be the overriding factor determining whether the standard can be met in full.”

<sup>371</sup>This is a new standard that provides for a transitional space between the Riverwalk and adjacent development.

**iv. Pedestrian Circulation System**

**(a)** Development shall:

- (1)** Provide sidewalks on both sides of every street. Each sidewalk shall be a minimum of six feet in width, be separated from the street by a street tree planting area at least five feet in width, and have street trees that are located in the street tree planting area and are spaced between 40 and 50 feet on center;
- (2)** Provide sidewalks from building entrances to other sidewalks on the site;
- (3)** Clearly mark where sidewalks, trails, or other pedestrianways cross a street or driveway by using a change in paving material, color, or height, decorative bollards, or similar elements; and
- (4)** When on a site adjacent to the Riverwalk, provide a connection to the Riverwalk in the form of a defined pedestrianway that is a minimum of eight feet in width, that connects the Riverwalk to the primary building entrance on the river-facing facade of the building.

**(b)** All sidewalks shall be surfaced with pavers or imprinted concrete, except in the interior of parks or other less formal areas, where all-weather surfacing may be used.

**v. Parking**

All off-street parking, except for buildings on a site adjacent to the Riverwalk shall be located, to the maximum extent practicable, to the side or rear of principal building(s) as defined by the abutting street. Parking for a building on a site adjacent to the Riverwalk shall be located to the side of the building, to the maximum extent practicable, and if that is not possible because of site or other conditions, between the building and the street. Parking to the side of the building shall be screened from the Riverwalk by an opaque screen of shrubs that are at least four feet in height at maturity.

**vi. Landscaping and Fencing**

- (a)** Transition landscaping shall be provided in the supplemental zone adjacent to the Riverwalk. To the maximum extent practicable, existing tree canopy and native vegetation shall be used.
- (b)** Landscaping and hardscaping shall be designed so it does not interfere with accessibility for persons with disabilities.
- (c)** Fences are allowed, where necessary for security or privacy reasons. However, the fences shall be designed to not block public access to the Riverwalk. Any wall or fence between a building adjacent to the Riverwalk and the Riverwalk shall not exceed four feet in height, shall have a minimum opacity of 50 percent, and shall be decorative (chain link fences are prohibited).

**vii. Exterior Lighting**

Light fixtures shall be of a standard ornamental type installed by Alabama Power Company, or a more ornate type of fixture approved by the Director of Planning to be owned and maintained by the developer or an owners association.

**viii. Signage**

- (a)** Freestanding signs shall be limited to monument signs only.
- (b)** The maximum allowable sign copy area for signs erected on a building (including on a canopy or awning) on a street frontage or river-facing shall not exceed one square foot per every linear foot of street or river-facing frontage, up to a maximum of 80 square feet per sign. The Director of Planning may increase the maximum allowable copy area by ten percent for any building with a building height that is greater than 40 feet, if it is demonstrated that the location of the sign and the increase in sign area is

done in a way that is compatible with the character of surrounding development and the general purposes of the district.

- (c) Channel letter or logo signs placed on the building may be internally lit or back lit, but shall not be lit with neon lighting. All other signs, if lighted, shall be externally lit, internally lit, or translucent box-type signs. Electronic message boards are prohibited.
- (d) Painted window signs and backlit or illuminated awnings are prohibited.
- (e) Signs on canopies or awnings shall not exceed 30 percent of the canopy or awning face area and shall have at least one square foot and no more than three square feet of copy area.
- (f) Projecting signs shall comply with the following standards:<sup>373</sup>
  - (1) For buildings less than 35 feet in height:
    - i. The projecting sign shall not extend above the second floor.
    - ii. The projecting sign shall have no more than 12 square feet of copy area.
    - iii. The projecting sign shall not project more than two feet from the building façade, and may extend into the public right-of-way only with the appropriate City permit.
  - (2) For buildings 40 feet in height or taller:
    - i. The projecting sign shall have copy area no larger than 50 square feet in area, or one square foot for each linear foot of building frontage, whichever is greater, up to a maximum 100 square feet of copy area.
    - ii. The projecting sign shall not project more than three feet from the building face, and may extend into the public right-of-way only with the appropriate City permit.
  - (3) Projecting signs shall not display messages on a digital display.

**ix. Utilities**

All electrical, telephone, and other utility lines in the district shall be underground.

**x. Design of Features in Flood Hazard Areas**

In flood hazard areas, all structural, landscape, hardscape, and utility features installed at or below the base flood elevation shall be:

- (a) Designed to withstand repeated immersion and other predictable effects of flooding with minimum damage and with least maintenance expense;
- (b) Designed in a way that is compatible with the color, scale, and architectural elements of the building; and
- (c) Where appropriate, screened from view from all streets and the Riverwalk.

**2. Building Design<sup>374</sup>**

**i. Building Orientation**

- (a) The front façade of all new buildings, as defined by the primary entrance, shall be oriented and front onto a street, a courtyard, or plaza.

<sup>373</sup> The projecting sign standards build on the revisions to the projecting sign standards in the Downtown district.

<sup>374</sup> The building design standards build on the current standards and add additional standards to provide more clarity and specificity to the appropriate physical features in the R and RPD districts. For example, building material standards are added, based on the standards in the downtown and university districts. In other instances, refinements to the existing standards are made based on best practices from other communities.

- (b) For a building on a site contiguous to the Riverwalk, there shall also be a primary entrance on the facade of the building facing the Riverwalk, unless topographical features make it infeasible.
- (c) All single-building developments shall be configured with the long axis of the building parallel to the street it fronts, or be consistent with existing development patterns, rather than being sited at unconventional angles.
- (d) The primary entrances of buildings in a multi-building development shall:
  - (1) Be oriented towards a street along the perimeter of a development, or towards streets or driveways interior to the development; and
  - (2) If appropriate, frame the corner of adjacent street intersections or entry points.

**ii. Entrances**

- (a) All buildings facing a primary street shall provide a primary pedestrian entrance from the primary street.
- (b) All buildings on a site contiguous to the Riverwalk shall provide a primary pedestrian entrance from the Riverwalk unless topographical features make it infeasible.
- (c) All primary pedestrian entrances into principal buildings from both the street and the Riverwalk (where applicable) shall be clearly defined and emphasized using changes in the wall plane or façade material, lintels, pediments, pilasters, arches, awnings, canopies, porches, or other architectural elements.
- (d) For all sites adjacent to the Riverwalk, a street address number shall be located directly above or beside the primary building entrance from the Riverwalk, and be visible from the Riverwalk.

**iii. Façades**

- (a) Building façades facing the Riverwalk should provide views of the Riverwalk and riverfront through the use of windows, doors, terraces, balconies, or other architectural features.
- (b) Buildings of three or more stories shall include a clearly-recognizable and distinct base, middle, and top, with the base including one or more of the following features:
  - (1) Thicker walls, ledges, or sills;
  - (2) Integrally-textured materials such as stone or other masonry;
  - (3) Integrally-colored and patterned materials such as smooth-finished stone or tile; or
  - (4) Lighter or darker colored materials, mullions, or panels.
- (c) If the street-facing or river-facing façade of a building is more than 40 feet wide, at least one of the following design elements shall be incorporated into the façade at least once every 40 feet along the width of the façade:
  - (1) Distinct changes in texture or color of wall surfaces;
  - (2) Ground level awnings, canopies, or similar overhangs;
  - (3) Recesses or projections in the wall plane at least one foot deep;
  - (4) Window bays;
  - (5) Second floor galleries or balconies;
  - (6) Primary pedestrian entrances; or
  - (7) Variations in roof lines, roof form, or parapet height.

- (d) The street-facing and river-facing side of a building, where visible off-site along a street or the Riverwalk, shall be articulated with the same façade details as provided on the building’s street-facing or river-facing façade.
- (e) Outbuildings located in front or behind other buildings within the same development shall include a consistent level of façade articulation and architectural detail on all sides of the building, as well as exterior materials and colors that are compatible with the primary building in the development.

**iv. Fenestration/Transparency**

- (a) A minimum of 35 percent of the street-facing façade area of the ground-level floor of buildings (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.
- (b) A minimum of 35 percent of the river-facing façade area of a building (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the top floor) shall be occupied by windows or doorways.

**v. Roofs**

Buildings shall use a common, unifying design for roofs in terms of roof type, pitch, color, and materials. The intent of this requirement is not to create a uniform appearance, but rather a distinct sense of place.

**vi. Loading, Service, Dumpster, Mechanical and Other Equipment Areas**

- (a) Loading, service, dumpster, and mechanical and other equipment areas shall be located in a manner that screens their visibility from adjacent streets and the Riverwalk.
- (b) Loading, service, dumpster, mechanical and other equipment areas, and other similar facilities shall not be oriented toward the Riverwalk.
- (c) Outdoor storage areas shall be fully screened from adjacent streets, the Riverwalk, and single-family detached dwellings.

**3. Building Materials<sup>375</sup>**

**i. Primary Materials**

- (a) The following building material shall be used for not less than 75 percent of the building wall surface area on each facade. Primary material changes may occur only at building corners where a maximum of one of the facades faces the street:
  - (1) Brick masonry.
  - (2) Native stone (or synthetic equivalent);
  - (3) Wood-clapboard or shingles;
  - (4) Glass curtain wall; or
  - (5) Stucco (panels with cementitious finish, not tiles or EIFS – external insulation finishing system).
- (b) The use of EIFS or aluminum siding is prohibited.

**ii. Accent Materials**

The following materials may make up 25 percent of the building wall surface area on each façade:

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<sup>375</sup> Building materials standards are added; they build on the standards in the Downtown and University districts.

- (a) Pre-cast masonry (only for trim and cornice elements);
- (b) Gypsum reinforced fiber concrete – GFRC (for trim elements only);
- (c) EIFS only for trim;
- (d) Metal (for beams, lintels, trim elements, and ornamentation);
- (e) Split-faced block (only for piers, foundation walls, and chimneys);
- (f) Glass block;
- (g) Cementitious siding;
- (h) Vinyl shakes or shingles; and
- (i) Vinyl clapboard (with a minimum thickness of 0.044 inches).

**iii. Alternative Materials**

Alternative building materials not listed in subsections i and ii above may be approved if the Director of Planning determines that the alternative materials are equivalent or better than the listed materials. The use of regionally-available materials is preferred.

**f. References to Other Standards**

Development in the R district shall comply with all applicable standards of this Zoning Ordinance and the Subdivision Regulations, including but not limited to the standards referenced in Table 4-45: Cross-References to Other Standards, unless they conflict with the standards of the R district. In case of conflict between the standards of the R district and the other applicable standards of the Zoning Ordinance or Subdivision Regulations, the standards of the R district shall control.

**Table 4-45: Cross-References to Other Standards**

SECTION	STANDARD	SECTION	STANDARD
Sec. 24-6.1	Mobility and Connectivity Standards	Sec. 24-6.7	Neighborhood Compatibility Standards
Sec. 24-6.2	Off-Street Parking, Bicycle Parking, and Loading Standards	Sec. 24-6.8	Form and Design Standards
Sec. 24-6.3	Landscape and Buffer Standards	Sec. 24-6.9	Green Building Standards
Sec. 24-6.4	Open Space Set-Aside Standards	Sec. 24-6.10	Green Building Incentives
Sec. 24-6.5	Fence and Wall Standards	Sec. 24-6.11	Signs and Billboards
Sec. 24-6.6	Exterior Lighting Standards		Subdivision Regulations