

September 7, 2022

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# Call to Order

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# Welcome

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# Staff

Ashley Crites, AICP, Executive Director

Zach Ponds, CNU-A, Acting Director of Planning

Will Smith, Associate Director of Planning

Jimbo Woodson, Deputy City Attorney

# Planning Commission Members

Bill Wright, Chair

Tim Harrison, Vice-Chair

Vince Dooley

Estella Hare

Anne Hornsby

Eddie Pugh

Councilwoman Raevan  
Howard Williams

Dena Prince

Steven Rumsey



# Disclosure of Possible Conflicts

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# Meeting Expectations

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# Meeting Expectations

- **Steering Committee:**
  - *Will **note role in process** (state that they were a Steering Committee member at the podium/on record) if providing public comment*



# Meeting Expectations

## Planning and Zoning Commission Members:

- Should **review** draft code articles as provided in advance of the meetings
- Should **refrain from arguing** with public commenters
- Should **listen**, ask questions only if you do not understand and need **clarification**, be **respectful**, and desire an expedited proceeding

# Meeting Expectations

## All:

- Meetings will **begin at 5pm and end at 7pm**
  - If a topic is not finished, it will roll into the next scheduled meeting.
- A **three-minute timer** will be used and visible to all parties (PZC, staff, public)
  - Only the PZC members can grant a specified time extension
- Staff will **manage the flow** of the meeting for efficiency

# The code rewrite will...

- Maintain what works today and update what does not
- Make the code more user-friendly
- Implement the Comprehensive Plan's recommendations
- Redefine or consolidate some existing zoning districts and add new districts.
- Update development standards and permitted uses

# Zoning Ordinance Update Process

## 1. Zoning Text

- a. Purpose, Intensity, Dimensional Standards*
- b. Development Standards*
- c. Use Standards*

## 2. Zoning Map

# Zoning Code Articles

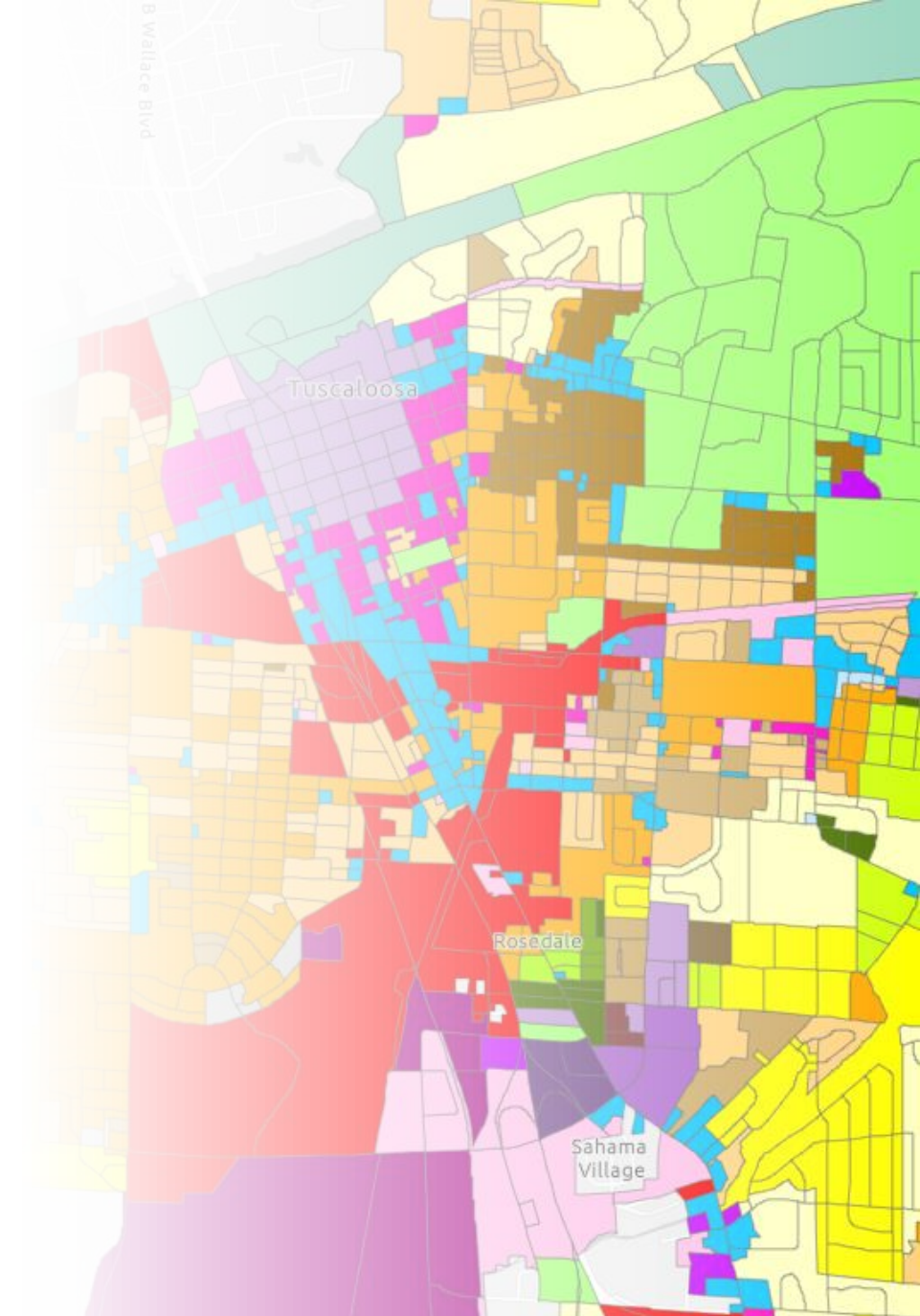
1. General Provisions
2. Definitions and Rules for Measurement
3. Administration
4. **Zoning Districts**
5. Use Regulations
6. Development Standards
7. Enforcement
8. Nonconformities

# Article 4: Zoning Districts

**Purpose:** This article establishes the more than 30 zoning districts that will regulate land use and development

Each district includes:

- Purpose
- Dimensional and Intensity standards
- References to other relevant standards



# Single Family Residential

SFR-4 – Single Family Residential 4  
SFR-5 – Single Family Residential 5

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# Single Family Residential 4

The purpose of the Single Family Residential 4 (SFR-4) District is to provide lands for residential neighborhoods that accommodate **small- and medium-lot** single-family detached homes, duplexes, and limited scale townhouses. The district is intended to support a **medium-density residential** environment and may include **compatible public, civic, and institutional uses**.

## UPDATE

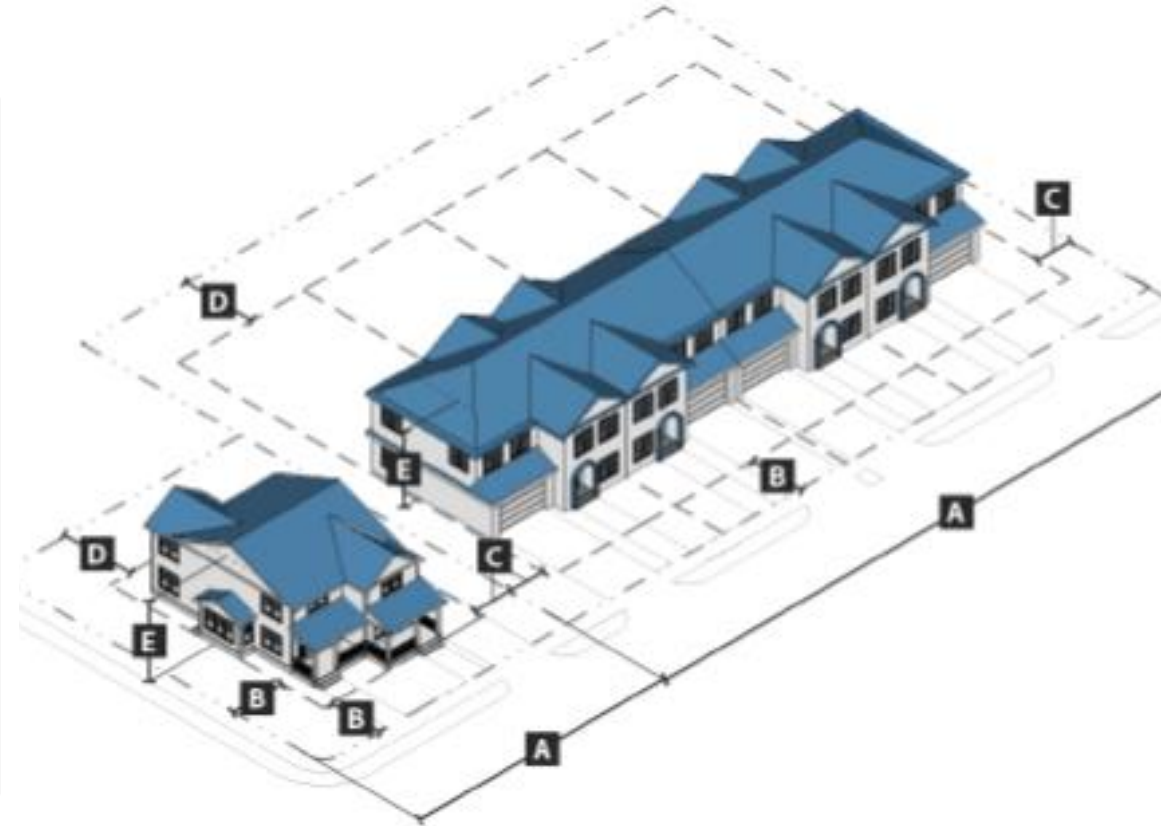
The SFR-4 district carries forward and consolidates, modifies, and renames the RD-1 and RD-2 districts in the current Zoning Ordinance. The SFR-4 district is intended to reduce the number of existing nonconformities in the West Tuscaloosa residential neighborhoods, as well as provide land for new small-lot residential development. The new district also allows duplexes and townhouses, which are not currently allowed by right.



# Single Family Residential 4

Table 4-18: SFR-4 Intensity and Dimensional Standards

	STANDARD	DUPLEX UNITS ON SEPARATE LOTS	TOWNHOUSE UNITS ON SEPARATE LOTS	ALL OTHER USES
	Density (max)	8 du/acre	8 du/acre	8 du/acre (residential uses)
	Lot area (min)	Lot with front vehicular access: 7,500 sf	None	Lot with front vehicular access: 7,500 sf
		Lot with rear vehicular access only: 5,000 sf		Lot with rear vehicular access only: 5,000 sf
A	Lot width (min)	30 ft	18 ft [2]	45 ft
B	Front setback (min)	15 ft [3]	15 ft [3]	15 ft [3]
C	Side setback (min)	10 ft [4]	10 ft [4]	10 ft [4]
D	Rear setback (min)	20 ft	20 ft	20 ft
E	Building height (max)	35 ft	35 ft	35 ft
NOTES				
[1] max = maximum; min = minimum; du = dwelling units; ft = feet; sf = square feet				
[2] No townhouse lot shall be less than one-third as wide as it is deep.				
[3] The minimum front setback may be decreased 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 less than 15 feet.				
[4] Does not apply on side lot lines where dwelling units are attached.				



# Notes on SFR-4

Stakeholder involvement identified the following:

1. **Lot area minimums** need testing. 30' minimum width for a duplex could cause a “shotgun” style development unintentionally.
2. **Front setbacks** of 15' don't work with front-entry garages. If front-loaded, front setback should be 20'; 15' if rear-loaded.
3. **Side setbacks** of 10' are too large. Should be reduced to 5'

# Single Family Residential 5

The purpose of the Single Family Residential 5 (SFR-5) District is to provide lands for residential neighborhoods that accommodate **small-lot single-family detached** homes, duplexes, and limited scale townhouses. The district is intended to support a **medium-density residential** environment and may include compatible public, civic, and institutional uses.

## NEW

The SFR-5 district is new. It accommodates small-lot single-family detached residential development, as well as duplexes and townhouses, and is appropriate for both new development and to be applied in some parts of the city zoned R-3 (new SFR-3) and R-4 (new MR-1) where there are lots or buildings that do not conform to the currently applicable lot size or setback requirements. The proposed minimum **lot area of 4,500 square feet** allows for smaller lot residential development, while the proposed maximum density of **eight dwelling units per acre** supports moderate-density residential development.

# Single Family Residential 5

Table 4-20: SFR-5 Intensity and Dimensional Standards

	STANDARD	DUPLEX UNITS ON SEPARATE LOTS	TOWNHOUSE UNITS ON SEPARATE LOTS	ALL OTHER USES
	Density (max)	8 du/acre	8 du/acre	8 du/acre (residential uses)
	Lot area (min)	4,500 sf [2]	None	4,500 sf [2]
A	Lot width (min)	30 ft	18 ft [3]	45 ft
B	Front setback (min)	15 ft [4]	15 ft [4]	15 ft [4]
C	Side setback (min)	5 ft [5]	5 ft [5]	5 ft [5]
D	Rear setback (min)	15 ft	15 ft	15 ft
E	Building height (max)	35 ft	35 ft	35 ft

NOTES

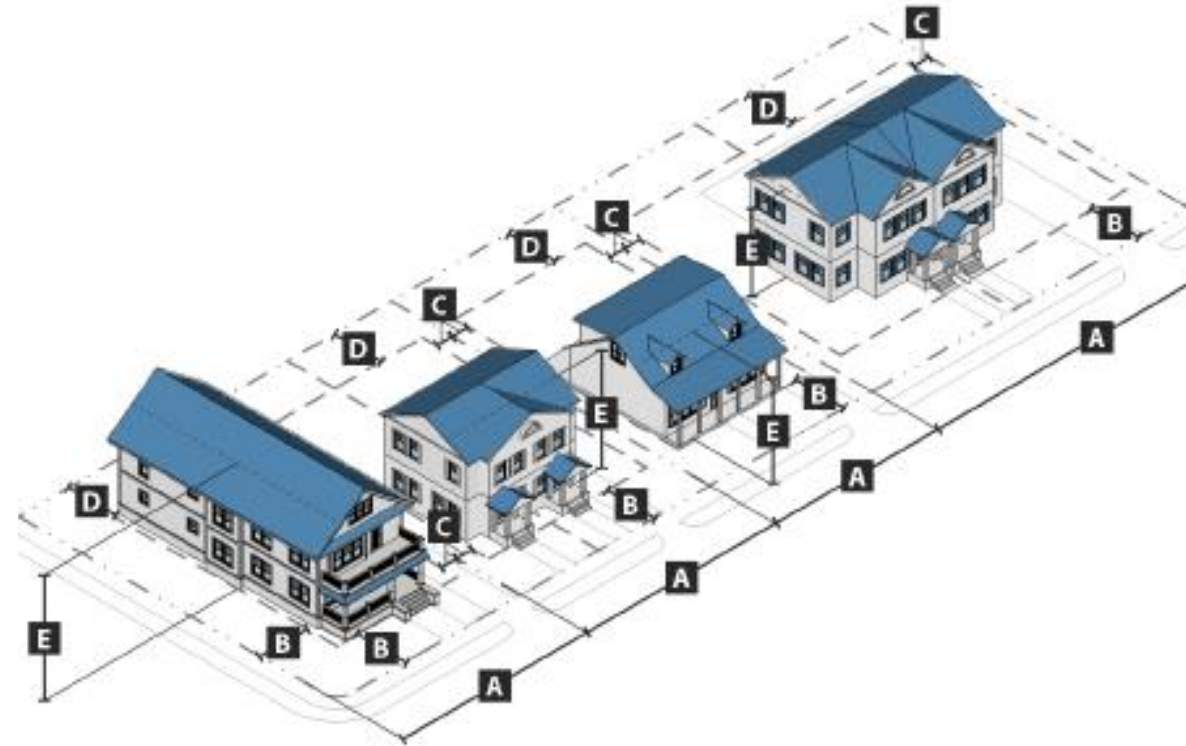
[1] max = maximum; min = minimum; du = dwelling units; ft = feet; sf = square feet

[2] The minimum lot area is 6,000 sf if both units in the duplex are on one lot, or 4,500 sf if each unit is on a separate lot.

[3] No townhouse lot shall be less than one-third as wide as it is deep.

[4] The minimum front setback may be decreased 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 less than 15 feet.

[5] Does not apply on side lot lines where dwelling units are attached.



# Notes on SFR-5

Stakeholder involvement identified the following:

1. **Lot area minimums** need testing. 30' minimum width for a duplex could cause a “shotgun” style development unintentionally.
2. **Front setbacks** of 15' don't work with front-entry garages. If front-loaded, front setback should be 20'; 15' if rear-loaded.

# Nonconformities

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# Notes on Nonconformities

This builds on the rules in the current Zoning Ordinance regarding nonconformities (Article XI). It **refines** some of the current provisions, including best practice provisions that are found in modern codes, and where appropriate, **adds** a few provisions to better support project goals.

# Purpose

In this Ordinance there exist uses of land, structures, lots of record, signs, and site features that were **lawfully established** before the Ordinance was adopted or amended, that **do not conform** to its current terms and requirements. It is the general policy of the City to **allow such uses, structures, lots of record, signs, and site features to continue to exist**. It also is the policy of the City to bring as many of these **nonconformities into conformance** with this Ordinance as is reasonably practicable, subject to the requirements of this article.



# Applicability

The following are general regulations that apply to nonconformities:

- Nonconformities are **allowed to continue** and are encouraged to receive routine maintenance in accordance with the requirements of this article as a means of **preserving safety and appearance**.
- In all cases, the **burden of establishing** that a nonconformity lawfully exists shall be the **responsibility of the owner of the land** on which the nonconformity is located.
- **Minor repairs and normal maintenance** that are required to keep nonconforming uses, structures, lots of record, signs, and site features in a **safe condition are permitted**.
- **No change of title or possession** or right to possession of land involved shall be construed to **prevent the continuance** of such nonconformity.

# Nonconformity Types

- **Nonconforming Uses**

- Nonconforming uses are declared generally incompatible with the permitted uses in the zoning district in which they are located.

- **Nonconforming Structures**

- An existing building or structure not conforming to the dimensional standards of the zoning district in which it is located may be continued in accordance with this section.

- **Nonconforming Lots of Record**

- No development shall be established on a nonconforming lot of record except in accordance with the standards in this section.

- **Nonconformities created by Eminent Domain or Voluntary Donation**

- If a nonconformity is created due to eminent domain or voluntary donation of a portion of the lot for a public purpose that results in a nonconformity, the lot shall be deemed a conforming lot upon the Director of Planning approving a concept site plan for development.

# Nonconformity Types Continued

- **Nonconforming Signs and Billboards**
  - Nonconforming, illegal, and abandoned signs. (To be discussed at a later meeting)
- **Nonconforming Site Features**
  - Establishes new rules governing nonconforming site features (e.g., off-street parking and landscaping). It proposes a sliding scale requirement to incrementally bring specific nonconforming site features into compliance when redevelopment occurs, based on the value of the remodeling or the extent of the expansion of a structure.

# Definitions

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# Definitions

This section **consolidates all definitions** of terms used throughout the Zoning Ordinance. It **refines and modernizes** the definitions, and **adds new definitions**, as appropriate, so the rewritten Zoning Ordinance has a **clear, modern, and workable** set of definitions. This section includes definitions found in the current ordinance; if appropriate, they are clarified or modernized.


## NEW

The current Zoning Ordinance includes definitions in at least six articles.

The new Article draft includes 216 definitions, many are new or clarified and does not currently contain any of the sign ordinance definitions, which will be discussed separately.

# Definitions

**A**



	Term used in the ordinance
	Definition applicable to the ordinance
Abutting	Having a common boundary line, such as two contiguous parcels with a shared lot line. <sup>43</sup>
Accessory Use or Structure	A structure or use which is subordinate to and serves a principal structure or principal use and is subordinate in extent, area or purpose to the principal structure or use served; and which is located on the same lot as the principal structure or use. <sup>44</sup>
Acquisition Line	The line which marks the limits of the City's ownership of Lake Tuscaloosa, at approximately the 230-foot level. <sup>45</sup>
Adjacent	Having an abutting boundary line or being separated only by a street, easement, stream, or other right-of-way, such as two parcels separated by a public street. <sup>45</sup>
Administrative Adjustment	A uniform mechanism for the Director of Planning to approve minor adjustments from the dimensional or design standards of this Ordinance to better accomplish the purposes of this Ordinance. See Sec. 24-3.4.9, Administrative Adjustment.

# Definitions Include

## Definitions for structures

### Carport or Garage

An accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of the occupants in the building to which such garage or carport is accessory. A carport has a roof and is not fully enclosed; a garage is fully enclosed.<sup>71</sup>

### Catering

An establishment in which food and meals are prepared on the premises for delivery to an off-site location for consumption.<sup>72</sup>

### Cemetery/Graveyard

Land used or dedicated to the burial of the dead, including columbaria, mausoleums, and necessary maintenance facilities, but not including a crematory.<sup>73</sup>

### Certificate of Occupancy

A uniform mechanism for ensuring that buildings and structures and their premises erected, altered, moved, enlarged, or changed in occupancy, nature, or use are in compliance with Chapter 6, Buildings, Construction, and Related Activities, of the City Code, and this Ordinance, prior to use or occupancy.

## Definitions for city regulations, reviewing bodies, and applications

## Definitions for land use

# Notable new or modified definitions

## At least 14 definitions for housing types distinguish between Student-Oriented Dwellings

- Dwelling, Quadplex** A building which is not physically attached to any other principal structure and contains four dwelling units, each of which is arranged, designed, used, or intended to be occupied by one family, and that is **not a Student-Oriented Dwelling**
- Dwelling, Townhouse** A row of three or more dwellings flush against each other at the sides and attached at the sides by party walls. In this use, each dwelling is on an individual lot, is at least two stories in height, is arranged, designed, used, or intended to be used as a residence for one family, and is **not a Student-Oriented Dwelling**
- Dwelling, Triplex** A building which is not physically attached to any other principal structure and contains three dwelling units, each of which is arranged, designed, used, or intended to be occupied by one family, and that is **not a Student-Oriented Dwelling**



# Notable new or modified definitions

New definitions include new technologies that did not exist in 1972.

## Electric Vehicle

## Charging Station

An electrical component assembly or cluster of component assemblies (battery charging station) designed and intended to transfer electric energy by conductive or inductive means from the electric grid or other off-board electrical source to a battery or other energy storage device within a vehicle that operates partially or exclusively on electric energy. The charging station may include a digital display for control of the charging station. There are three types of electric vehicle charging stations:

- (1) A Level 1 charging station is a slow-charging station that typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit.
- (2) A Level 2 charging station is a medium-speed charging station that typically operates on a 40- to 100-amp breaker on a 208- or 240-volt AC circuit.
- (3) A Level 3 charging station is an industrial-grade charging station is an industrial-grade charging station that operates on a high-voltage circuit to allow for fast charging.

# Notable new or modified definitions

Definitions build and refine to meet modern standards.

## Hotel

A building or group of buildings containing individual sleeping or living units accessed by interior hallways and that are used by transient guests for a typical contract term of less than 30 days. A hotel may include common dining and drinking facilities, meeting rooms, recreational facilities, and/or gift shops, and similar amenities designed primarily for use by guests.

# Notable new or modified definitions

## Definitions for modern standards and activities.

**Recreation, Indoor** A facility that accommodates recreation activities where all activities take place within enclosed structures. Examples include bowling alleys; trampoline centers; movie theatres; fitness centers; performing arts centers; recreation centers; indoor swimming pools; indoor tennis, basketball, volleyball, and other hard-surfaced courts; and paintball/laser tag centers. This does not include an Event Space use.

# Public Comment

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# Next Steps

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# Special Called Meeting Schedule

## October 5, 2022

Landscape and Buffer Standards  
Off-Street Parking / Loading  
Lighting Standards  
General Regulations  
Pools  
Fences and Walls

## November 2, 2022

Planned Development Districts

## December 7, 2022

Subdivision Regulations Part I

## January 4, 2023 (virtual-only)

Land Use Character Types  
Difference between character types  
and zoning  
How to use the character types

Full schedule on [Framework.Tuscaloosa.com](https://Framework.Tuscaloosa.com)

# Provide comments

## Framework.Tuscaloosa.com

1. Review the draft articles posted prior to each meeting
2. Submit comments
3. View the meeting schedule

The screenshot displays the 'FRAME/WORK' website header with the tagline 'Creating a dynamic guide for Tuscaloosa'. The navigation menu includes 'ZONING CODE UPDATE' (highlighted), 'COMPREHENSIVE PLAN', 'ABOUT', and 'NEWS'. The main content area features a yellow background with the title 'ZONING CODE UPDATE' and a paragraph: 'On February 17, 2021, the City of Tuscaloosa Planning Commission adopted the Framework Comprehensive Plan. The City is now undertaking the second major phase of Framework and one of the most important steps to take the plan to action – updating the zoning ordinance.' Below this text are three icons: a calendar, an open book, and two overlapping speech bubbles. Each icon is accompanied by a text label: 'About the zoning code update', 'Documents and work products', and 'Provide input and feedback'. A URL bar at the bottom left shows 'https://framework.tuscaloosa.com/zoning-code/'.



Adjourn

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