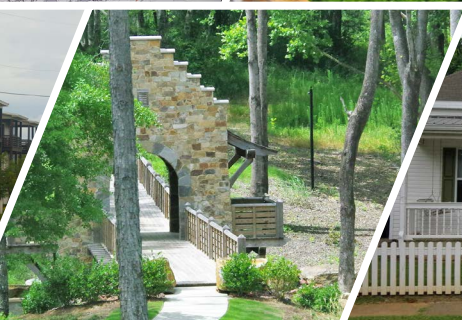
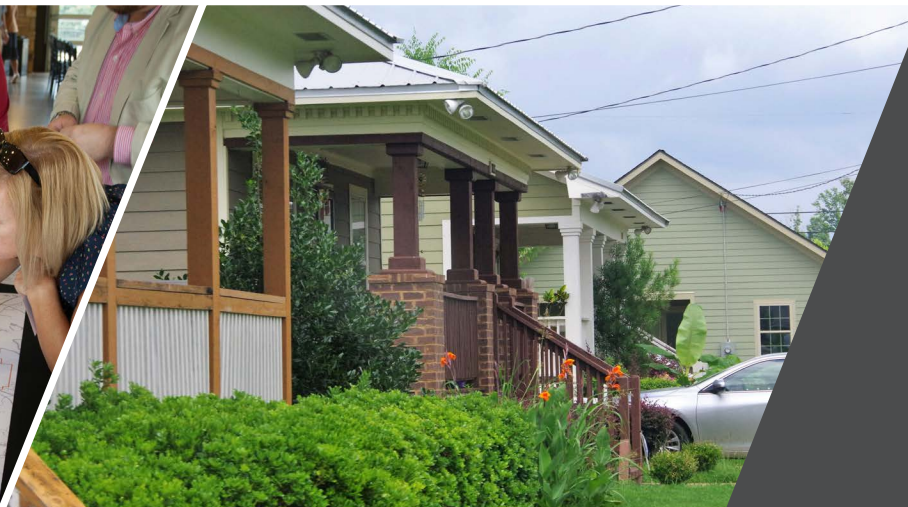




Tuscaloosa Zoning Ordinance

Special Call Meeting | November 2022

General Planned Development and
Riverfront Planned Development Districts



FRAMEWORK

Creating a dynamic guide for Tuscaloosa

SEC. 24-4.7. PLANNED DEVELOPMENT DISTRICTS

SEC. 24-4.7.1. GENERAL PROVISIONS⁴²⁷

a. General Purpose of Planned Development Districts

The purpose of planned development (PD) districts is to encourage innovative and efficient land planning and physical design concepts. Planned development districts are intended to:

1. Achieve a high quality of development, environmental sensitivity, and energy efficiency, and adequate provision of public services;
2. Reduce the inflexibility of zoning district standards that sometimes results from strict application of the base district regulations and development standards established in this Ordinance;
3. Provide greater freedom and flexibility in selecting:
 - i. The form and design of development;
 - ii. The mix of uses;
 - iii. The ways by which pedestrians and vehicular traffic circulate;
 - iv. How the development will be located and designed to respect the natural features of the land and protect the environment;
 - v. The location and integration of open space and civic space into the development; and
 - vi. Design amenities.
4. Allow more efficient use of land, with coordinated and right-sized networks of streets and utilities;
5. Provide pedestrian connections within the same development, and to the public right-of way;
6. Encourage the provision of centrally-located open space amenities within the development;
7. Promote development forms and patterns that respect the character of established surrounding neighborhoods and other types of land uses;
8. Promote development form that respects and takes advantage of a site's natural and man-made features, such as rivers, lakes, wetlands, floodplains, trees, and historic resources.
9. Include a narrative of the proposed planned development describing the concept of the planned development, its general character, its uses, its development parameters and plan of development including but not limited to the number and size of dwelling units and the size of nonresidential development, whether the dwelling units are planned for sale or rental, the expected total population of the planned development, the market it is intended to serve, a clear description of arrangements for the ownership and maintenance of any common open

⁴²⁷ This new section builds on Sec. 24-161, General, and Sec. 2-d163, Application procedure, of the current Zoning Ordinance. Those sections state the purpose of planned unit Developments (PUDs) and the procedure for approving a PUD. A general purpose is included in this section and more specific purposes are identified in the sections for the two types of planned development (PD) districts (replacing the PUD terminology) in the new Zoning Ordinance: the General Planned Development (GPD) and the Riverfront Planned Development (RPD). While the procedure for establishing a PD is located in Article 24-3: Administration, this section establishes requirements for each Planned Development Plan and Planned Development (PD) Agreement that must be approved when land is classified to a GPD or RPD district. This general PD district section and the following sections for the GPD and RPD districts simplify and streamline the current PUD provisions. Whereas the current provisions link PUDs to a base zoning district (such as R-3), the new PD districts in this section, the GPD and RPD districts, are not as closely linked to base districts. Instead, the approved PD Plan and PD Agreement specify the development parameters and standards that apply in each district. These changes are consistent with modern best practices for planned developments.

space, and a copy of any covenants and restrictions to apply to property sold to homeowners and other controls that are included to ensure it accomplishes its objectives.

b. Relationship to Existing Planned Unit Developments and RDD District

Lands designated in a Planned Unit Development (PUD) or the Riverfront Development District (RDD) on [redacted] [insert effective date of this Ordinance] are recognized as valid, and shall be carried out in accordance with the terms and conditions of their approval, so long as they remain valid and have not expired or been revoked, or been substantially modified with respect to the character of the development or the intent of the approval. If the development approval or permit expires or is revoked (e.g., for failure to comply with the terms and conditions of approval), or is substantially modified with respect to the character of the development or the intent of the approval, all subsequent development of the site shall comply with the procedures and standards of this Ordinance.⁴²⁸ (See also Sec. 24-1.8, Transitional Provisions). Substantial modifications may include but are not limited to modifications to the plan of development that result in:

1. An increase in the density or intensity of development by more than two percent;
2. A decrease in the amount of open space;
3. An increase of more than two percent in the number of external vehicular trips generated by the project, as determined by comparing the amount of external trip generation created by the approved planned development or phase, versus the external trip generation created by the proposed modification, using trip generation data and analysis from the most recent edition of the Trip Generation Manual or other publications of the Institute of Traffic Engineers (ITE), or comparable information;
4. Loss of environmentally sensitive lands or identified and preserved wildlife habitat;
5. Modifications to the internal traffic circulation system that result in an increase in the number of internal vehicular trips within the project by more than five percent, as determined by comparing the internal trip generation created by the approved planned development or phase, versus the internal trip generation created by the proposed modification, using trip generation data and analysis from the most recent edition of the Trip Generation Manual or other publications of the Institute of Traffic Engineers (ITE), or comparable information;
6. A reduction in the land or facilities provided for active and passive recreation; or
7. A reduction in accessibility provided by the pedestrian circulation system.

c. Classification of Land to a Planned Development District

Land shall be classified to a PD district only in accordance with the procedure in Sec. 24-3.4.3, Planned Development. Approval of a Planned Development (PD) Plan and a Planned Development (PD) Agreement that comply with the requirements in subsections 1 and 2 below are required for the establishment of each PD district. Each approved PD Plan and PD Agreement shall comply with the purposes and requirements of the specific type of planned development district set forth in Sec. 24-4.7.2 and Sec. 24-4.7.3 below.

1. Planned Development (PD) Plan and Narrative

- i. A PD Plan shall at a minimum identify the following, through the submission of plans, elevations, narrative (see subsection ii below), and similar materials:
 - (a) The planning and development goals for the PD district;
 - (b) The principal, accessory, and temporary uses permitted in the PD district and any standards that apply to specific uses in the district, in accordance with Article 24-5: Use Regulations;

⁴²⁸ Changes have been made to clarify that substantial modifications to approved PUDs or RDDs on the effective date of the updated Ordinance will require compliance with the updated Ordinance. Examples of what constitutes a substantial modification are identified to assist in interpretation of that term.

- (c) The general location of each development area in the PD district, its acreage, types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use type), residential density, and nonresidential intensity;
- (d) The dimensional standards that apply in the PD district;
- (e) Where relevant, the standards and requirements that ensure development on the perimeter of the PD district is designed and located to be compatible with the character of adjacent existing or approved development. Determination of compatible character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, form and design features, building materials, hours of operation, exterior lighting, and siting of service areas;
- (f) The general location, amount, and type (whether designated for active or passive recreation) of open space;
- (g) The location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors, and measures to ensure protection of these lands consistent with the requirements of this section and this Ordinance;
- (h) The on-site sidewalks and pedestrian circulation system and how it will connect to off-site sidewalks and pedestrian systems, consistent with the requirements of this Ordinance;
- (i) The general design and layout of the on-site streets and transportation circulation system, including the general location of all public streets, existing or projected transit corridors, and how they interface with the pedestrian circulation system (sidewalks and pedestrian and bicycle pathways and trails), and connect to existing and planned City and regional systems, consistent with the requirements of this Ordinance;
- (j) The general location of on-site potable water and wastewater facilities, and how they will connect to existing and planned City and regional systems, consistent with the requirements of this Ordinance;
- (k) The general location of on-site storm drainage facilities, and how they will connect to existing and planned City systems, consistent with the requirements of this Ordinance;
- (l) The general location and layout of all other on-site and off-site public facilities serving the development, including but not limited to: parks, schools, and facilities for fire protection, police protection, emergency management, stormwater management, and solid waste management;
- (m) The ways in which transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development; and
- (n) Any modifications to the development standards in Article 24-6: Development Standards, that will be applied in the PD district, in accordance with Table 4-62: Development Standards That May Be Modified. Any modifications to development standards shall be documented in the PD Plan and the PD Agreement, with a clear basis for why the change is needed, how it supports the purpose of the PD district, and how it supports high-quality development.

Table 4-62: Development Standards That May Be Modified

STANDARD	MEANS TO MODIFY
Sec. 24-6.1, Mobility and Connectivity Standards	PD Plan and PD Agreement
Sec. 24-6.2, Off-Street Parking, Bicycle Parking, and Loading Standards	PD Plan and PD Agreement [1]
Sec. 24-6.3, Landscape and Buffer Standards	PD Plan and PD Agreement

Table 4-62: Development Standards That May Be Modified

STANDARD	MEANS TO MODIFY
Sec. 24-6.4, Open Space Standards	Modification Prohibited
Sec. 24-6.5, Fence and Wall Standards	PD Plan and PD Agreement
Sec. 24-6.6, Exterior Lighting Standards	PD Plan and PD Agreement
Sec. 24-6.7, Neighborhood Compatibility Standards	PD Plan and PD Agreement, except modification is prohibited at the periphery of the district
Sec. 24-6.8, Form and Design Standards	PD Plan and PD Agreement
Sec. 24-6.9, Green Building Incentives	PD Plan and PD Agreement
Sec. 24-6.10, Signs and Billboards	PD Plan and PD Agreement (Only Signs) Modifications Prohibited for Billboards
<p>[1] The proposed development shall include adequate off-street parking to serve the development. If the proposed planned development provides lands for single-family detached lots, the applicant shall provide a detailed graphic depiction of the proposed off-street parking arrangements for the dwelling units with, and for units without, enclosed garages. The applicant shall also provide proposed covenant provisions or other safeguards in regard to future yard and house modifications which ensures the permanent maintenance of a minimum of two off-street parking spaces for the single-family detached units.⁴²⁹</p>	

- ii. A PD Plan shall include a narrative of the proposed planned development, describing the concept of the planned development, its general character, its uses, and its development parameters and plan of development. The narrative shall identify the number and size of dwelling units and whether the dwelling units are planned for sale or rental, the size of nonresidential development, the expected total population of the planned development, the market it is intended to serve, arrangements for the ownership and maintenance of any common open space to include a copy of any covenants and restrictions to apply to property sold to homeowners, and other controls that are included to ensure the planned development accomplishes its objectives.
- iii. If development in a PD district is proposed to be phased, the PD Plan shall include a development phasing plan that identifies the general sequence or phases in which the district is proposed to be developed, including how residential and nonresidential development will be timed, how infrastructure (public and private) and open space and other amenities will be provided and timed, how development will be coordinated with the City’s capital improvements program, and how environmentally sensitive lands will be protected and monitored.
- iv. The PD Plan may include a conversion schedule that identifies the extent to which one type of use may be converted to another type of use.

2. Planned Development (PD) Agreement

- i. A PD Agreement shall at a minimum include the following:
 - (a) Conditions related to approval of the application for the individual PD district classification;
 - (b) Conditions related to the approval of the PD Plan, including any conditions related to the form and design of development shown in the PD Plan;
 - (c) Provisions addressing how public facilities (transportation, potable water, wastewater, stormwater management, and other public facilities) will be provided to accommodate the proposed development. This shall include but not be limited to:

⁴²⁹ This carries for requirements related to off-street parking from Sec. 4-62(d) of the current Zoning Ordinance.

- (1) Recognition that the applicant/landowner will be responsible to design and construct or install required and proposed on-site public facilities in compliance with applicable City, state, and federal regulations; and
 - (2) The responsibility of the applicant/landowner to dedicate to the public, where appropriate, the rights-of-way and easements necessary for the construction or installation of required and proposed on-site public facilities in compliance with applicable City, state, and federal regulations;
 - (d) Provisions related to environmental protection and monitoring (e.g., restoration or mitigation measures, annual inspection reports);
 - (e) Identification of community benefits and amenities that will be provided to compensate for the added development flexibility afforded by the individual PD district; and
 - (f) Any other provisions the City Council determines are relevant and necessary to development of the planned development.
- ii. All conditions shall be related in both type and amount to the anticipated impacts of the proposed development on the public and surrounding lands.

SEC. 24-4.7.2. GENERAL PLANNED DEVELOPMENT⁴³⁰

a. Purpose

The General Planned Development (GPD) district is intended to allow for integrated, high-quality master planned development within certain base zoning districts in the City. A range of residential and nonresidential uses are allowed, and substantial flexibility is provided with respect to district dimensional and intensity standards, with an expectation that development in the district will be of a quality that surpasses what is otherwise achievable through the base zoning district, and will support the efficient use of land and resources, protect natural features and the environment, promote greater efficiency in providing public facilities and infrastructure, and mitigate potential adverse impacts on surrounding development.

b. Classification of Land to General Planned Development District (GPD)

Land shall be classified to a GPD district only in accordance with the procedure in Sec. 24-3.4.3, Planned Development. Approval of a Planned Development (PD) Plan and a Planned Development (PD) Agreement that comply with the requirements in Sec. 24-4.7.1, General Provisions, and the other provisions of that section, are required for the establishment of an individual GPD district. Each approved PD Plan and PD Agreement shall also comply with the purposes and requirements of this section.

c. Base Districts Where GPD May be Established

Lands in the following base zoning districts may be classified to a GPD district:

- 1. Any Residential base district except the OS, CN, SFR-E, MRU, MFRU, or MHR districts; and
- 2. Any Business base district except the D district.

d. Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses in the GPD district are identified in Article 24-5: Use Regulations. In accordance with Sec. 24-4.7.1.c, Classification of Land to a Planned Development District, only those uses identified as permitted

⁴³⁰ This new district attempts to simplify, streamline, and carry forward (as appropriate) the standards for a Planned Unit Development (PUD) in Sec. 24-162 of the current Zoning Ordinance. Unlike PUDs in the current ordinance, the GPD district is not tethered as closely to the underlying base zoning district. It therefore does not carry forward the minimum tract area and density requirements that currently apply to PUDs based on the corresponding base district (R-1, R-2, etc.).

in the approved PD Plan are permitted in the individual GPD district established, subject to the conditions and requirements in the approved PD Plan and PD Agreement.

e. Dimensional Standards

All development in the GPD district shall comply with the standards in Table 4-63: GPD Dimensional Standards.

Table 4-63: GPD Dimensional Standards

STANDARD	ALL USES [2]
Intensity (max)	To be established in PD Plan and PD Agreement
Lot width (min) [3]	
Front setback (min) [3]	
Side setback (min) [3]	
Rear setback (min)	
Building height (max)	
<p>NOTES</p> <p>[1] max = maximum; min = minimum; du = dwelling units; ft = feet; sf = square feet</p> <p>[2] The tract should consist of a single contiguous area of land, except the land may be bisected by local service streets only.</p> <p>[3] Except the lot width for a lot for single-family detached dwellings shall be a minimum of 45 feet at the building line, have a minimum front setback of 20 feet, and a minimum side setback of four feet. All lots designed for duplex units shall meet the same standards as those for single family detached dwellings, except that a zero setback along the common wall between units is allowed. All townhouse or other similar attached units shall provide a minimum front setback of 20 feet.⁴³¹</p>	

f. Density

Residential density in a GPD district shall not exceed the maximum density established in Table 4-64: Maximum Density of GPD in Specific Districts, based on the base zoning district(s) in which the lands proposed to be included in the GPD are classified. Lands classified to districts not listed in Table 4-64 are not subject to a maximum residential density in the GPD.

Table 4-64: Maximum Density of GPD in Specific Districts

DISTRICT ZONING CLASSIFICATION	DWELLING UNITS PER ACRE OF GROSS SITE AREA [1][2]
LR	4
LMF	7
SFR-1	4
SFR-2	5
SFR-3	6
SFR-4	7
SFR-5	9
MR-1	15
MR-2	18

⁴³¹ This carries forward provisions in Sec. 4-62(d) of the current Zoning Ordinance.

Table 4-64: Maximum Density of GPD in Specific Districts

DISTRICT ZONING CLASSIFICATION	DWELLING UNITS PER ACRE OF GROSS SITE AREA [1][2]
<p>NOTES</p> <p>[1] The land on which nonresidential uses are placed in a GPD shall not be included in the land area calculation for gross site area.</p> <p>[2] If major recreation amenities such as swimming pools, tennis courts, walking trails, bikeways, or similar recreation facilities are provided for the residents of the GPD, an increase of two dwelling units an acre may be allowed. The open space shall have a minimum of 20 feet of frontage on a public street, and satisfactory access to fire equipment. Equipment for maintenance of the open space shall also be provided. The construction of the open space shall be in place before a final plat is signed for any phase of a development in which the open space is located. A homeowners association shall own and assume ultimate responsibility for maintenance of the open space. The articles of incorporation of the homeowners association shall state that the association shall not be dissolved nor shall it dispose of the open space, by sale or otherwise, without first offering to dedicate the same to the public. Maintenance of the open space shall be addressed with a bond until such time that the homeowners association assumes control.⁴³²</p>	

g. Periphery

Land on the periphery of the GPD shall comply with Sec. 24-6.7, Neighborhood Compatibility Standards, and the lot area, setback, and height standards of the base district that is adjacent to the GPD.⁴³³

h. Development Standards⁴³⁴

Each GPD district shall comply with the following standards:

1. Uses shall be generally compact and well-integrated, rather than widely separated and buffered. Where appropriate, compatibility between different uses shall be achieved through site planning and architectural design.
2. If dwelling units are proposed, the district’s intensity and dimensional standards shall ensure appropriate privacy, light, air, access, and off-street parking are provided to each dwelling unit.
3. Streets serving development in the district shall be capable of accommodating projected traffic needs of the proposed development. Proposed streets and alleys in the district:
 - i. Shall be designed for the safe and efficient movement of automobiles, bicycles, and pedestrians;
 - ii. Should be designed to discourage through traffic from traversing the development; and
 - iii. Should, where appropriate, be connected in a way that encourages walking and minimizes the number and length of automobile trips.
4. Streets and drainage features shall comply with the Subdivision Regulations for a conventional subdivision, except valley type gutters and cul-de-sacs in excess of 600 feet in length are allowed.
5. At a minimum, sidewalks and other pedestrian amenities shall be provided as required by Sec. 24-6.1, Mobility and Connectivity Standards, and the Subdivision Regulations.

⁴³² This carries forward the requirements for open space in Sec. 24-62(d) of the current Zoning Ordinance.

⁴³³ This modifies Sec. 24-62(e) of the current Zoning Ordinance to state that land on the periphery of the GPD will comply with the new neighborhood compatibility standards, and the lot area, setback, and height requirements of the base district adjacent to the GPD. This should ensure the GPD is compatible with surrounding lands and development.

⁴³⁴ This section builds on Sec. 4-62(f) of the current Zoning Ordinance, and adds several requirements based on best practices.

- 6.** All electrical, telephone, and other utility lines shall be underground, unless such requirements are waived by the Planning and Zoning Commission due to undue hardship or severe practical difficulties.

SEC. 24-4.7.3. RIVERFRONT PLANNED DEVELOPMENT⁴³⁵

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 Planned Development (RPD) district is to ensure large scale development in the Riverfront (R) district along and in the vicinity of the Black Warrior River supports pedestrian-friendly, high-quality planned development and takes advantage of the river's historic and scenic beauty while protecting against flooding and preserving the natural features of the river and its floodplain. The district may include only nonresidential uses, residential uses mixed with complimentary nonresidential uses, and in limited instances residential 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 through the Riverwalk with the riverfront.

b. Large-Scale Development

1. Only proposed large-scale development in the R district shall be classified as a Riverfront Planned Development (RPD) district.
2. For the purpose of the RPD and R districts, large-scale development is proposed development that results in over 20,000 square feet of nonresidential development, and/or over 20 residential units, or development that is located on a lot that is over 25,000 square feet in area.

c. Classification of Land to Riverfront Planned Development District (RPD)

Land shall be classified to a RPD district only in accordance with the procedure in Sec. 24-3.4.3, Planned Development. Approval of a Planned Development (PD) Plan and a Planned Development (PD) Agreement that comply with the requirements in Sec. 24-4.7.1, General Provisions, and the other provisions of that section, are required for the establishment of an individual RPD district. Each approved PD Plan and PD Agreement shall also comply with the purposes and requirements of this section.

d. Use Standards

1. Allowed Uses

Allowed uses and use-specific standards for principal, accessory, and temporary uses for development in the RPD district are those uses identified in Article 24-5: Use Regulations as allowed in the R district. In accordance with Sec. 24-4.7.1.c, Classification of Land to a Planned Development District, only those uses identified as permitted in the approved PD

⁴³⁵ As noted in the introductory footnote to the new Riverfront (R) base district, this is a new Riverfront Planned Development District (RPD). It 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 RPD 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), but not all. These standards cannot be modified in the R base district for small-scale development (except through means allowed for all other base districts).

Plan are permitted in an approved RPD district, subject to the conditions and requirements in the approved PD Plan and PD Agreement.

2. Use-Specific Standards⁴³⁶

In addition to the applicable standards for specific uses in Article 24-5: Use Regulations, uses in the RPD shall also be subject to the use specific standards that apply to uses in the R district in Sec. 24-4.5.5.c.3, Use-Specific Standards, and any conditions or limitations on uses in the approved PD Plan and PD Agreement.

e. Dimensional Standards

All development in an RPD district shall comply with the standards in Table 4-65: RPD Intensity and Dimensional Standards.

Table 4-65: RPD Intensity and Dimensional Standards

STANDARD	ALL USES
Density (max)	To be established in PD Plan and PD Agreement
Lot width (min ft) [2]	
Front setback (min ft) [3]	
Side setback (min ft)	
Rear setback (min ft)	
Building height (min ft/stories)	22 ft or 2 stories, whichever is less
Building height (max ft/stories)	72 ft or 6 stories, whichever is less [4]
NOTES	
[1] max = maximum; min = minimum; du = dwelling units; ft = feet; sf = square feet	
[2] The tract should consist of a single contiguous area of land, except the land may be bisected by local service streets only.	
[3] To the maximum extent practicable, buildings shall define the street edge and the distinction between the public domain of the street and the private space of individual lots. To this end, buildings should avoid substantial variations in setback alignment along the street frontage on each block face.	
[4] Building height may be increased if it is demonstrated the additional height of the building is compatible with surrounding development and does not block views to the river from adjacent lands.	

f. Development Standards

In addition to the requirements of this section, development in the RPD district shall comply with the standards in Sec. 24-4.5.5.e, Development Standards.⁴³⁷

⁴³⁶ This section carries forward use limitation in the notes of Sec. 24-239(a)(1) of the current Zoning Ordinance.

⁴³⁷ This provision applies the development standards established in the R district to the development in the RPD district.