



Tuscaloosa Zoning Ordinance

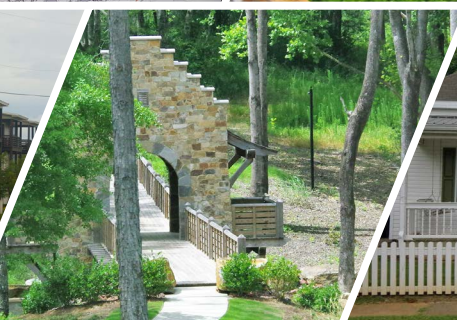
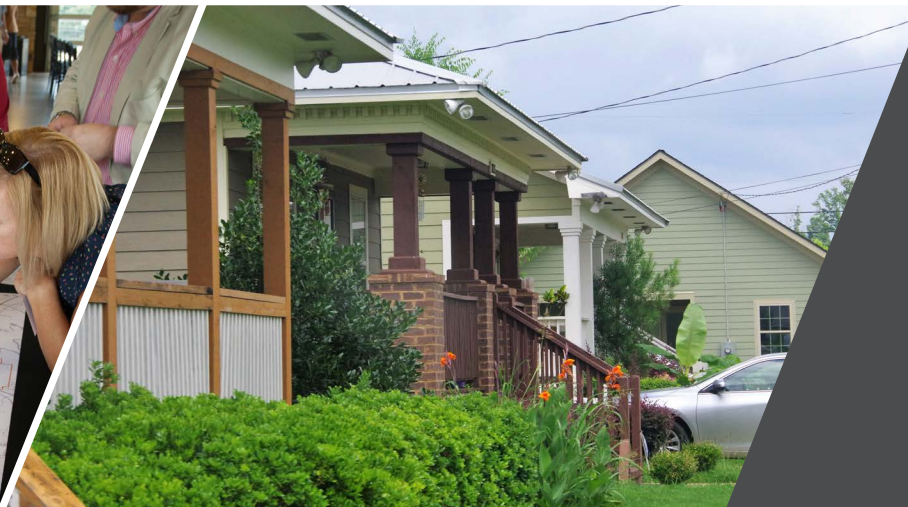
Special Call Meeting | April 2023

Sec. 24-6.10: Signs and Billboards

Sec. 24-2.3: Definitions (including sign and billboard-related definitions)

Art. 24-4: Zoning District sign-related regulations (D and R districts)

Sec. 24-8.6: Nonconforming Signs and Billboards



FRAMEWORK
Creating a dynamic guide for Tuscaloosa

SEC. 24-2.3. DEFINITIONS⁴²

The following terms (shown in bold font), when used in this Ordinance, shall have the meaning ascribed to them below.

A

Abutting	Having a common boundary line, such as two contiguous parcels with a shared lot line. ⁴³
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. ⁴⁴
Acquisition Line	The line which marks the limits of the City's ownership of Lake Tuscaloosa, at approximately the 230-foot level. ⁴⁵
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. ⁴⁶
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.
Aerodrome	An airfield meeting all standards of the Federal Aviation Administration that supports takeoff and landing of helicopters and airplanes that can operate on short take-off and landing fields. This includes heliports and ancillary facilities such as lounges and aircraft fueling. ⁴⁷
Animal Shelter	An establishment that houses and cares for stray, homeless, abandoned, or neglected household and domestic animals and that is owned, operated, or maintained by a public body or an established humane society or other private or nonprofit organization. ⁴⁸
Antenna	A device used to transmit or receive wireless communications signals, including parabolic antennas such as satellite dishes. ⁴⁹

⁴² 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.

⁴³ This is a new definition.

⁴⁴ This is adapted from the definition of *Accessory building, structure, or use* in Sec. 24-5 of the current Zoning Ordinance.

⁴⁵ This is a new definition.

⁴⁶ This is a new definition.

⁴⁷ This is a new definition.

⁴⁸ This is a new definition.

⁴⁹ This is a new definition.

Approval letter for development in historic district buffer zone	A uniform mechanism to ensure that new construction in areas adjacent to historic districts are compatible with surrounding buildings and structures in the historic districts. See Sec. 24-3.4.6, Approval Letter for Development in Historic Districts Buffer Zone.
Artisanal Production	Small-scale fabrication, preparation, or production of arts, crafts, foods, and beverages by an artist, artisan, craftsperson, or cook, on the premises, by hand or with minimal automation. Examples include small-scale welding and sculpting or arts and crafts, small-scale 3D printing, firing of pottery or sculpture in kilns, and local, small-batch bakeries, candy shops, and cheese shops. Accessory uses include retail teaching of these skills to others in the course of fabrication, preparation, or production. This use does not include production of alcoholic beverages or an eating establishment. ⁵⁰
Assisted Living Facility	<p>A facility that provides or offers to provide any combination of residence, health supervision, or personal care to three or more individuals who are in need of assistance with activities of daily living such as bathing, dressing, ambulation, feeding, toileting, grooming, medication assistance, diet, and personal safety.</p> <p>This use does not include individuals who provide residential and personal care services solely to persons to whom they are personally related. This exception is only for individuals, and does not apply to corporations, partnerships, limited partnerships, limited liability companies, or any other organized entity or business. This use also does not include facilities whose residents are under the care, oversight, or protection of another governmental agency if the government body, agency, or authority has a fiduciary relationship or some other legally recognized and enforceable relationship to the residents of the facility which carries an obligation to oversee the health, safety, and welfare of the residents, and licenses, certifies, or otherwise legally authorizes the facility to provide accommodations and care for the residents.</p> <p>There are three types of assisted living facilities – a Family Assisted Living Facility, a Group Assisted Living Facility, and a Congregate Assisted Living Facility. These facilities are regulated by Chs. 420-5-4 (Assisted Living Facility) and 420-5-20 (Specialty Assisted Living Facility) of the Alabama Administrative Code.⁵¹</p>
Assisted Living Facility, Family	An assisted living facility authorized to care for two or three adults, which was licensed prior to October 1, 2015, and maintains that license. No new family assisted living facility use may be commenced in the City.
Assisted Living Facility, Group	An assisted living facility authorized to care for 3 to 16 adults.
Assisted Living Facility, Congregate	An assisted living facility authorized to care for 17 or more adults.

⁵⁰ This is a new definition.

⁵¹ This is a new definition that adopts the language in Ala. Admin Code r. 420-5-4-.01 and includes a reference to Specialty Care Assisted Living Facility regulations, a type of ALF that is specially licensed to care for residents with more significant cognitive impairment by Ch. 420-5-20 of the Alabama Administrative Code. The thresholds for family, group, and congregate facilities are also consistent with state law.

- Authorized agent** Someone who has the power to act on behalf of another person.⁵²
- Automated Teller Machine (ATM)** A mechanized device operated by or on behalf of a bank or financial institution that allows customers to conduct automated banking or financial transactions. Where an ATM is provided at the site of a bank or financial institution for use by customers in motor vehicles, the ATM shall be considered a drive-through facility accessory use. At other locations, an ATM may be considered a separate accessory use to the principal use(s) of the location.⁵³
- Automobile Sales Event** A temporary short-term event of no more than 5 days duration at which automobiles are brought to a site, offered for sale, and removed from the site at the end of the event.⁵⁴
- Automobile Wash (Car Wash)** A facility where automobiles are washed by individuals or by machines.⁵⁵
- Auxiliary Security or Utility Structure** A structure that is accessory to a principal multifamily or nonresidential use and that is used for security purposes or that houses utility equipment.⁵⁶
- Awning** A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk or other pedestrianway.⁵⁷

B

- Balcony** An unenclosed platform that projects out of an upper floor of a building, typically with a railing or balustrade, that is designed for decorative purposes or for lounging, dining, and similar activities.⁵⁸
- Banner** Any sign made of lightweight fabric, cloth, canvas, plastic sheeting, nylon or any other flexible material, with no enclosing framework and which is not rigidly and permanently attached to a building or the ground through a permanent support structure.⁵⁹
- Bar or Tavern** An establishment where the primary use is the on-premises sale and consumption of beer, wine, or liquor/distilled spirits-based alcoholic beverages and where no kitchen facilities are present or utilized. See Determination Guidelines for Sale and Consumption of Alcoholic Beverages.⁶⁰
- Barge Terminal** A facility for the docking, loading, or unloading of ships, barges, or boats that primarily transport freight.⁶¹

⁵² This is a new definition.

⁵³ This is a new definition

⁵⁴ This is a new definition.

⁵⁵ This is a new definition.

⁵⁶ This is a new definition.

⁵⁷ This definition is carried forward from Sec. 24-349 of the current zoning ordinance with revisions.

⁵⁸ This is a new definition.

⁵⁹ This carries forward the definition in Sec. 24-132 of the current Zoning Ordinance.

⁶⁰ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

⁶¹ This is a new definition.

- Bed and Breakfast** An owner-occupied residence where rooms are rented to transient guests on an overnight basis and breakfast is served to these guests.⁶²
- Bicycle Parking Facility** A facility used for the storage of bicycles, including bicycle racks, bicycle lockers, covered bicycle storage, or facilities that meet the standards for bicycle parking in Sec. 24-6.2, Off-Street Parking, Bicycle Parking, and Loading Standards.⁶³
- Billboard** A sign with a message related to a business, profession, product, activity, service, or commodity that is offered, sold, or manufactured on property or premises other than that upon which the sign is located.⁶⁴
- Bioswale** A vegetated surface designed to treat sheet flow from adjacent surfaces, including filtering strips that reduce the velocity of water runoff, filter out sediment and other pollutants, and allow for infiltration into soil.⁶⁵
- Boat Ramp** A structure, man-made or altered natural feature, or an included and stabilized surface extending into the water from the shore which facilitates the launching and landing of boats into a water body.⁶⁶
- Brewery** Any premises licensed by the city to engage in the manufacture of only malt or brewed alcoholic beverages as well as engaging in the receiving, storage, or warehousing only of malt or brewed beverages within the city for transshipment inside and outside the state.⁶⁸
- Brewpub** Any premises upon which malt or brewed alcoholic beverages are actively and continuously manufactured or brewed, in quantities no greater than 10,000 barrels per year, for consumption on the premises where manufactured, or for sale to any designated wholesaler licensee for resale to retail licensees.⁶⁹
- Broadcasting Studio** A site used for commercial and public communications. Facilities shall be located entirely indoors except for transmission devices like antennas and broadcasting dishes, and related facilities. Examples include radio and television broadcasting and receiving stations and studios.⁷⁰
- Building** A structure having a roof supported by columns or walls and intended for shelter, housing, or enclosure.⁷¹

⁶² This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

⁶³ This is a new definition.

⁶⁴ This this definition has been substantially updated to remove reference to commercial message and content other than whether the sign is on- or off-premises.

⁶⁵ This builds on the definition in Sec. 24-252 of the current Zoning Ordinance.

⁶⁶ This is a new definition.

⁶⁸ This is a new definition.

⁶⁹ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance. Capacity limitations are consistent with the Alabama Brewpub Act, Sec. 28-4A-3 of the Code of Alabama, 1975.

⁷⁰ This is a new definition.

⁷¹ This is a new definition.

Building Code The building code adopted by the City in Chapter 6, Buildings, Construction, and Related Activities, of the City Code.

Building Permit A uniform mechanism for ensuring that the erection and maintenance of buildings, structures, and other facilities complies with Chapter 6, Buildings, Construction, and Related Activities, of the City Code.

C

Caliper The diameter or thickness of a nursery-grown tree trunk, measured at six inches above the top of the root mass.⁷³

Cannabis-Based Product Products derived from all parts and varieties of the plant *Cannabis sativa* intended for use and consumption or introduction to the human body, including but not limited to edible products, beverages, topical products, ointments, oils, tinctures, and products to be smoked or vaporized. These products are only those which are legal to sell and possess under state and federal law.⁷⁴

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.⁷⁵

Catering An establishment in which food and meals are prepared on the premises for delivery to an off-site location for consumption.⁷⁶

Cemetery/Graveyard Land used or dedicated to the burial of the dead, including columbaria, mausoleums, and necessary maintenance facilities, but not including a crematory.⁷⁷

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.

Channel Letters Fabricated or formed three-dimensional letters, numbers, or symbols, typically used as signage and illuminated.⁷⁸

Check Cashing An establishment that provides short-term lending services, such as payday or title loans or lending on security of personal property (pawn shops), but that does not accept customers' deposits and does not meet the definition of a Financial Institution. This includes businesses licensed under the Alabama Deferred Presentment Services Act, Title 5, Chapter 18A of the Code of Alabama, 1975, or

⁷³ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

⁷⁴ This is a new definition provided by staff.

⁷⁵ This is a new definition.

⁷⁶ This is a new definition

⁷⁷ This is a new definition.

⁷⁸ This is a new definition.

the Alabama Pawn Shop Act, Title 5, Chapter 19A of the Code of Alabama, 1975.⁷⁹

Chief Building Official	The Chief Building Official of Tuscaloosa, Alabama.
City Code	The Code of Ordinances of the City of Tuscaloosa, Alabama.
City Council	The City Council of Tuscaloosa, Alabama.
City Engineer	The City Engineer of Tuscaloosa, Alabama.
Club or Lodge	An establishment of a private non-profit corporation incorporated in the State which provides social, physical, recreational, educational, agricultural, or benevolent services. This establishment often maintains dining facilities and includes meeting areas. Examples include union halls, social clubs, youth centers, and fraternal and veterans' organizations. ⁸⁰
Coffee House	An establishment where the primary use is the sale and consumption of non-alcoholic beverages, and where limited menu meals may also be sold. See Determination Guidelines for Sale and Consumption of Alcoholic Beverages. ⁸¹
College or University	An institute of higher education authorized by the State to award associates or higher degrees. Ancillary facilities may include administrative and faculty offices, classrooms, dining halls, meeting areas, dormitories, arenas, stadiums, recreation facilities, and similar features that serve students, teachers, and employees, and not the general population. ⁸²
Commercial Message	For purposes of the sign and billboard regulations in this Ordinance, any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity. ⁸³
Comprehensive Plan	The Framework Comprehensive Plan, adopted in 2021, as amended ⁸⁴
Composting Facility	A facility where organic matter, such as plant trimmings and food waste, derived primarily from off-site sources is made subject to decomposition processes to produce compost. Activities may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost. ⁸⁵
Composting, small-scale	An enclosed area that contains a compost tumbler or similar apparatus designed for the purpose of converting household kitchen and yard waste into fertilizer. ⁸⁶

⁷⁹ This is a new definition.

⁸⁰ This is a new definition.

⁸¹ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance for *Café, coffee house, juice bar*.

⁸² This is a new definition.

⁸³ This carries forward the definition in Sec. 24-132 of the current Zoning Ordinance.

⁸⁴ This is a new definition.

⁸⁵ This is a new definition.

⁸⁶ This is a new definition

Community Garden	A public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family. ⁸⁷
Conference or Training Center	A facility used for business or professional conferences, seminars, and training programs. This may include sales of food and drink intended for visitors attending programs at the facility, and may be incorporated into a hotel. ⁸⁸
Continuing Care Retirement Development	An integrated development that offers senior citizens a full continuum of housing options and assistance, ranging from fully independent dwelling units, to assistance with personal care in assisted living facilities, to long-term skilled nursing care in a nursing home facility. ⁸⁹
Contractors Office	An establishment in which a building or portion of a building is used by a building, heating, plumbing, electrical, or other development contractor both as an office and for the storage of a limited quantity of materials, supplies, and equipment inside the building. Outdoor storage is available only when permitted as an accessory use. ⁹⁰
Convenience Store	A small Retail Sales use that provides convenience goods and services such as food, newspapers, magazines, toiletries, and the like. This use may be accessory to a principal use. ⁹¹
Correctional Facility	A public or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense. ⁹²
Cool Roof	A roofing product with high solar reflectance (SR) and thermal emittance (TE) properties. These properties help reduce electricity used for air conditioning by lowering roof temperatures on hot, sunny days. ⁹³
Critical Root Zone	The area around a tree that is within its Drip Line. ⁹⁴
Cultural Facility	A facility for displaying or preserving objects of interest, or providing facilities for one or more of the arts or sciences, that is generally open to the public. Examples include libraries, museums, zoos, and art galleries. ⁹⁵
Cul-de-sac	The circular turnaround at the end of a dead-end street. ⁹⁶

D

Data Center	A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting
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⁸⁷ This is a new definition.

⁸⁸ This is a new definition.

⁸⁹ This is a new definition.

⁹⁰ This is a new definition.

⁹¹ This is a new definition.

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⁹³ This is a new definition.

⁹⁴ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

⁹⁵ This is a new definition.

⁹⁶ This is a new definition.

equipment includes back-up batteries and power generators, cooling units, fire suppression systems, and enhanced security features.⁹⁷

Day Care Facility (Accessory) An accessory use where daily care is provided to children or adults during all or part of a 24-hour day. This use includes day care homes and group day care homes, which are operated in a family home, and other facilities providing day care as an accessory use. This use also includes accessory night care facilities. This use does not include day care centers, which are a principal use.

Day Care Center A facility which provides daily care for more than 12 children or inform adults during all or part of a 24-hour day. This use includes pre-kindergarten, preschool, or nursery schools or other similar daytime programs, as well as night care facilities.⁹⁸

Day Care Home A facility licensed by the Alabama Department of Human Resources that operates in a family home and provides care for no more than six children during all or part of a 24-hour day.⁹⁹

Day Care Home, Group A facility licensed by the Alabama Department of Human Resources that operates in a family home and provides care for at least seven and no more than 12 children during all or part of a 24-hour day where there are at least two adults present and supervising the activity.¹⁰⁰

Determination Guidelines for Sale and Consumption of Alcoholic Beverages The standards to use when determining the floor area devoted primarily to the sale and consumption of alcoholic beverages. The factors to be evaluated include:

- (1) The existence of a kitchen and its makeup;
- (2) The layout and site plan of the establishment;
- (3) The location and size of the bar;
- (4) Whether the size, placement, and spacing of tables, stools, and booths indicate that the area is primarily devoted to the sales or consumption of alcohol;
- (5) Whether there is a wall or other separation in the establishment dividing an area primarily devoted to the sale and consumption of alcoholic beverages in the dining area; and
- (6) Whether or not full meals are served in the area.¹⁰¹

⁹⁷ This is a new definition.

⁹⁸ This is a new definition that is updated for consistency with state law. The minimum of 12 children is consistent with the definition in state law. In this draft, the definition has been updated to accommodate the merger with the “Night Care Center” use, which has not been carried forward as a separate use.

⁹⁹ This updates the definition in Sec. 24-5 of the current Zoning Ordinance. Limit changed from five to six for consistency with state law (Sec. 38-7-2, Code of Alabama, 1975) and to eliminate the gap with group day care homes, which in the current Zoning Ordinance and under state law accommodate seven or more children.

¹⁰⁰ This updates for consistency the definition in Sec. 24-5 of the current Zoning Ordinance.

¹⁰¹ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

Dead Storage	The storage of items for safekeeping for an indefinite period of time and not for the purposes of wholesale, retail, industrial, or other similar activity. ¹⁰²
Deck	A roofless outdoor space built as an above ground platform, freestanding or attached, projecting from the wall of a structure and supported by posts or pillars. ¹⁰³
Development	Any human alteration to the state of land, including its soil, geology, or hydrology, for any residential, commercial, industrial, utility, or other use, such as, but not limited to, grubbing, or grading of land, and structural improvements (e.g., buildings, walls, fences, signs, and vehicular areas). ¹⁰⁴
Development, New	Development of a site that was previously unimproved, with no existing principal structures, or that has been or will be cleared of structures. New development is distinguished from 1) existing development and 2) the expansion or alteration of existing development, also known as redevelopment. ¹⁰⁵
Development Application	Any application or request for development submitted in the form required by this Zoning Ordinance.
Diameter at Breast Height (DBH)	The diameter of a tree, measured four-and-a-half feet above ground level. ¹⁰⁶
Director of Planning	The Director of Planning of Tuscaloosa, Alabama. Also referred to as the Planning Director.
Distillery	An establishment where spirituous liquors are manufactured for commercial purposes. ¹⁰⁷
Dock	A structure built along the shore of or floating over a river, lake, canal, or other navigable body of water for use by boats for moorage and loading and unloading passengers and materials. In addition to this Ordinance, docks are regulated by Chapter 18, Parks and Recreation, of the City Code. ¹⁰⁸
Donation Center	An accessory use with one or more closed containers or donation boxes designated for the collection of donated goods, such as clothing, books, shoes, or other non-perishable personal property, for resale or reuse by a charitable organization. This does not include on-site containers approved for the purpose of book returns or donations in conjunction with a public library or recycling containers provided by the City or a private contract hauler for household use. ¹⁰⁹

¹⁰² This is a new definition.

¹⁰³ This is a new definition.

¹⁰⁴ This is a new definition.

¹⁰⁵ This is a new definition.

¹⁰⁶ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

¹⁰⁷ This is a new definition.

¹⁰⁸ This is a new definition and adds a reference to potential relevant regulations in Chapter 18 of the City Code.

¹⁰⁹ This is a new definition.

Drip Line	The perimeter of a tree’s canopy. ¹¹⁰
Drive Aisle	The surfaced area in a parking lot primarily intended for motor vehicles that provides ingress and egress to the site and access to parking spaces, loading areas, and other parts of a site. ¹¹¹
Drive-Through Facility	A facility used to provide products or services to customers who remain in their vehicles, whether through a window or door in a building, a machine in a building or detached structure (e.g., ATM), or through a mechanical device (e.g., a pneumatic tube system). In addition to the pick-up window or door, drive-through service facilities also may include remote menu boards and ordering stations. Use types that commonly have drive-through service include banks, restaurants, and drugstores. ¹¹²
Driveway	A surfaced area that is designed and constructed to provide ingress and egress by motor vehicles to a single-family dwelling, townhouse, duplex, triplex, and quadplex and may also be used for vehicle storage. ¹¹³
Drug Rehabilitation Facility	A facility that provides medical treatment, counseling, rehabilitation, and 24 hour on-site supervision for persons with substance abuse, emotional disorders, physical disabilities, or other medical conditions, with the goal of enabling residents to live independently when treatment is completed. ¹¹⁴
Dwelling, Duplex	A building which is not physically attached to any other principal structure and contains two 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. ¹¹⁵
Dwelling, Live/work	A building or portion of a building combining a dwelling unit with an integrated work space principally used by one or more of the dwelling unit’s residents. ¹¹⁶
Dwelling, Mobile Home	Defined in Sec. 15-3 of the City Code. A mobile home dwelling shall comply with the Uniform Standards Code for Manufactured Homes Act at Title 24, Ch. 5, Art. 1 of the Code of Alabama, 1975. ¹¹⁷
Dwelling, Multifamily	A building containing five or more dwelling units, each of which is arranged, designed, used, or intended to be occupied by one family. This definition excludes uses that meet the definition of Multifamily Student Dwelling, Townhouse Dwelling, U-Single Dwelling, U-

¹¹⁰ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

¹¹¹ This is a new definition.

¹¹² This is a new definition.

¹¹³ This revises the definition in Sec. 24-5 of the current Zoning Ordinance.

¹¹⁴ This is a new definition.

¹¹⁵ This revises the definition of *Dwelling, Two-Family* in Sec. 24-5 of the current Zoning Ordinance. This non-student dwelling use, along with other non-student dwelling uses, has been revised to make clear that this use is not a Student-Oriented Dwelling.

¹¹⁶ This is a new definition.

¹¹⁷ In-lieu of the definition included in the current Zoning Ordinance, this references the City Code chapter that governs mobile homes and includes a reference to the state law (and, by reference, federal law) that regulates mobile/manufactured homes.

	Rowhouse Dwelling, U-Duplex Dwelling, U-Triplex Dwelling, or any Group Living uses. ¹¹⁸
Dwelling, Multifamily Student	A multifamily structure that meets the definition of a Student-Oriented Dwelling. ¹¹⁹
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. ¹²⁰
Dwelling, Single-Family Detached	A building which is not physically attached to any other principal structure and contains one dwelling unit which is arranged, designed, used, or intended to be occupied by one family, and that is not a Student-Oriented Dwelling. ¹²¹
Dwelling, Student-Oriented	<p>A building, not owned or operated by a college or university, which contains bedrooms for students attending a college or university. The use typically contains bedrooms with private bathrooms, individually rented, and arranged around a common area with a kitchen shared by tenants renting the bedrooms, or bedrooms along a hall, which provides access to a common kitchen space. The listed defining characteristics are not exhaustive, nor does absence of one or more of the defining characteristics preclude a finding that the development is a student-oriented housing development. Other determining factors include, but are not limited to:</p> <ol style="list-style-type: none"> (1) Interior layout of development. (2) Location of development and proximity to a college or university. (3) Company portfolio. (4) Marketing and branding of development. (5) Amenities provided in development (fitness facilities, study rooms, pools, assembly rooms, club houses, etc.). (6) Provided furnishings in units.¹²²
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. ¹²³

¹¹⁸ This carries forward the definition of *Dwelling, Multifamily or apartment* in Sec. 24-5 of the current Zoning Ordinance but limits it to housing with five or more dwelling units to accommodate the new *Triplex* and *Quadplex* dwelling uses.

¹¹⁹ This applies the Student-Oriented Dwelling definition to multifamily units

¹²⁰ This is a new definition.

¹²¹ This revises the definition of *Dwelling, Single-Family* in Sec. 24-5 of the current Zoning Ordinance.

¹²² This carries forward the definition of *Student-oriented housing development* in Sec. 24-5 of the current Zoning Ordinance but revises it to be more general to cover all student-oriented housing.

¹²³ This revises the definition of *Dwelling, Townhouse* in Sec. 24-5 of the current Zoning Ordinance. Limitations on the length of a row of townhouses is included in Sec. 24-6.8, Form and Design Standards.

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. ¹²⁴
Dwelling, U-Duplex	A Student-Oriented Dwelling as defined at Sec. 6-109(v) of the City Code. ¹²⁵
Dwelling, U-Rowhouse	A Student-Oriented Dwelling as defined at Sec. 6-109(v) of the City Code. ¹²⁶
Dwelling, U-Single	A Student-Oriented Dwelling as defined at Sec. 6-109(v) of the City Code. ¹²⁷
Dwelling, U-Triplex	A Student-Oriented Dwelling as defined at Sec. 6-109(v) of the City Code. ¹²⁸

E

Electric Vehicle Charging Station	<p>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:</p> <ol style="list-style-type: none"> (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 that operates on a high-voltage circuit to allow for fast charging.¹²⁹
Electric Vehicle Parking Space	A parking space for use by motor vehicles that is served by an electric vehicle charging station. ¹³⁰
Electronic, Digital, or Video Display	For purposes of the sign and billboard regulations in this Ordinance, any portion of a sign displaying letters, characters, figures, or illustrations that are generated by light-emitting devices which may be electronically programmed by computer to change the sign copy without altering the face or surface of the sign. Such light-emitting

¹²⁴ This is a new definition.

¹²⁵ This references the current definition incorporated into the building code by the City Code and clarifies that it is a type of Student-Oriented Dwelling.

¹²⁶ This references the current definition incorporated into the building code by the City Code.

¹²⁷ This references the current definition incorporated into the building code by the City Code.

¹²⁸ This references the current definition incorporated into the building code by the City Code.

¹²⁹ This is a new definition.

¹³⁰ This is a new definition.

devices may be integral to the sign face, such as a matrix composed of light emitting diodes (LEDs), or they may be an external light source designed to reflect off the changeable component display.¹³¹

Elevated Structure A podium-built structure having all or a portion of its ground floor unenclosed and used for nonresidential purposes, such as parking, and having one or more dwellings above the ground floor.¹³²

Event Space An establishment primarily intended to accommodate private functions such as banquets, weddings, anniversaries, and other similar celebrations. The sale of alcoholic beverages is intended for on premise consumption only during scheduled events and when not open to the general public. See determination guidelines for sale and consumption of alcoholic beverages.¹³³

Extractive Operations The development or extraction of mineral deposits, including but not limited to limestone, coal, sand, rock, clay, dirt, gravel, and other materials, and quarry aggregate from their natural occurrences on affected land. This includes open pit mining and surface operations, strip mining, quarrying, dredging, and the disposal of refuse from those activities.¹³⁴

F

FAA The Federal Aviation Administration.

Family Two or more persons related by blood, marriage, or adoption, within the fourth degree of consanguinity (first cousins), together with foster children, with not more than one additional unrelated person, who are domiciled together as a single, domestic, housekeeping unit, or no more than three unrelated persons domiciled together whose relationship is of a continuing, non-transient domestic character and who are cooking and living as a single, non-profit housekeeping unit, excluding any group of individuals whose domestic relationship is of a transitory or seasonal nature such as a fraternity, sorority, or informal group of students.¹³⁵

Farm and Agricultural Operations The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal/poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities. Ancillary uses may include incidental retail sales of the products raised or grown on the site.¹³⁶

FCC The Federal Communications Commission.

¹³¹ This is a new definition that incorporates some language from relevant definitions in Sec. 24-132 of the current Zoning Ordinance.

¹³² This is a new definition for a term used in Sec. 24-223(a)(2)d of the current Zoning Ordinance.

¹³³ This revises for clarity the definition for *Event space, banquet/reception hall* in Sec. 24-5 of the current Zoning Ordinance.

¹³⁴ This is a new definition.

¹³⁵ This is new and replaces the definition in the current Zoning Ordinance. Limit of three unrelated persons is new

¹³⁶ This is a new definition.

Financial Institution A federal or State-regulated facility that provides financial and banking services to individuals and businesses. Services typically include deposit banking and closely related functions such as making loans, investments, and fiduciary activities. This does not include a Check Cashing use.¹³⁷

Food Storage and Processing A facility primarily used for the storage, sorting, treatment, or preparation of food products for sale or as inputs to further processing. This includes but is not limited to cold storage establishments, creamery operations, frozen food lockers, and meat, poultry, and seafood canning, curing, and by-product processing.¹³⁸

Fraternity or Sorority House A building used by a fraternity or sorority that is officially recognized by a college or university, that is used by the fraternity or sorority as a principal place of residence for some or all of its members.¹³⁹

Funeral Home An establishment for the preparation of the deceased for burial and the display of the deceased and rituals connected with, and conducted before, burial or cremation. This use does not include cremation units.¹⁴¹

G

Gastropub An establishment where full menu meals are primarily served during typical mealtime hours (11 am until 10 pm) and bar operations continue independently or as the primary use during late night hours, providing the on-premise sale and consumption of alcoholic beverages. In making this determination, the Director of Planning shall consider the following criteria:

- (1) Exclusions of patrons under the age of 21 years at any time;
- (2) Removal or rearrangement of table and seating facilities from the floor area;
- (3) Meals are still being served; and
- (4) Cover charges being collected.¹⁴²

Genus A taxonomic category ranking of types of living creatures below a family and above a species and that generally consists of a group of species exhibiting similar characteristics.¹⁴³

Government Facility An office or other facility of a federal, state, county, or City government or agency. Examples include general offices, employment offices, public assistance offices, motor vehicle licensing and registration services, maintenance and repair centers, equipment, and outdoor storage yards, and administrative offices that support the police, fire, and Emergency Medical Services uses

¹³⁷ This is a new definition.

¹³⁸ This is a new definition.

¹³⁹ This is a new definition.

¹⁴¹ This is a new definition.

¹⁴² This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance and incorporates the former definition of “mealtime hours,” which was only used in this definition and thus has not been carried forward separately.

¹⁴³ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

included in the Public Safety use, but excluding the Correctional Facility use.¹⁴⁴

Green Roof A roof or portion of a roof that is covered with vegetation planted in a growing medium over a waterproofing membrane, and that may include additional layers, such as a root barrier, and drainage and irrigation systems.¹⁴⁵

Greenway A linear open space designed for passive recreation purposes including walking or bicycling and that is normally kept in its natural state except for the pedestrian or bicycle trail.¹⁴⁶

Group Home Any premises which provides shelter, food, personal assistance and/or supervision for not more than ten individuals with developmental disabilities or mental illness and which is a permitted use in certain zoning districts in accordance with this Ordinance and Sec. 11-52-75.1 of the Code of Alabama, 1975. Two additional persons who carry out duties in connection with the supervision or management of the group home may also reside on the premises.¹⁴⁷

Group Housing, Supportive Any premises which provides shelter, food, personal assistance and/or supervision for not more than ten individuals who do not have developmental disabilities or mental illness but who require medical, correctional, or other mandated supervision, and whose joint residence does not meet the definition of another use in this Ordinance. This use includes a halfway house that assists residents in transitional from more restrictive custodial confinement back into society, a shelter for persons experiencing homelessness, and a domestic violence shelter.¹⁴⁸

H

Health Department The Department of Public Health of Tuscaloosa County, Alabama.

Hedge A linear arrangement of shrubs, bushes, or other plants grown closely together to create a solid, continuous barrier.¹⁴⁹

Historic Preservation Commission The City of Tuscaloosa Historic Preservation Commission established in Chapter 19, Article II, Division 2 of the City Code.

Historic or Architectural Landmark A structure, premises, or site listed in the National Register of Historic Places, the Historic American Buildings Survey, the Statewide Plan of Historic Preservation (revised) prepared by the Alabama Historical Commission, or the Alabama Register of Historic Landmarks.¹⁵⁰

Home Garden An area for the cultivation of fruits, flowers, vegetables, or ornamental plants accessory to the principal use on the site primarily intended for

¹⁴⁴ This is a new definition.

¹⁴⁵ This is a new definition.

¹⁴⁶ This is a new definition.

¹⁴⁷ This carries forward the definition for *Group home for individuals with developmental disabilities or mental illness* in Sec. 24-5 of the current Zoning Ordinance, and reviewed for consistency with and adds a reference to the state-law description of Group Homes.

¹⁴⁸ This is a new definition.

¹⁴⁹ This is a new definition.

¹⁵⁰ This carries forward the definition in Sec. 24-106 of the current Zoning Ordinance.

personal use by the occupant of the site and not for sale or other form of commercial transaction with others.¹⁵¹

Home Occupation A business or occupation conducted within a dwelling unit by a resident of the dwelling that is incidental and subordinate to the use of the dwelling for residential purposes.¹⁵²

Hospice An establishment that provides a coordinated program of inpatient care and services including the coordination of nursing care, social services, medical supplies, physician’s services, counseling, and bereavement services for patients’ families to hospice patients and families, through a medically directed interdisciplinary team, under interdisciplinary plans of care established pursuant to Sec. 22-21-20 of the Code of Alabama, 1975, in order to meet the physical, psychological, social, spiritual, and other special needs that are experienced during the final stages of illness, dying, and bereavement and which is licensed by the Alabama Department of Public Health in accordance with Ala. Admin Code r. 420-5-17.¹⁵³

Hospital An institution providing health services and medical or surgical care, primarily for temporary inpatients, to persons suffering from mental or physical illness, disease, injury, or disability. This often includes ambulance bays, emergency heliports, laboratories, outpatient facilities, central service facilities, staff offices, or training facilities.¹⁵⁴

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.¹⁵⁵

¹⁵¹ This is a new definition and includes language to clarify that this is a garden for personal use and not intended as a commercial operation.

¹⁵² This builds on the definition in Sec. 24-5 of the current Zoning Ordinance; the regulatory standards contained in the current definition are carried forward as use-specific standards at Sec. 24-5.3.4.k.

¹⁵³ This is a new definition which is based on the definition in the state administrative regulations and includes a reference to the regulations.

¹⁵⁴ This is a new definition.

¹⁵⁵ This builds on the definition for *Motel* and *Motel or hotel* in Sec. 24-5 of the current Zoning Ordinance and consolidates with the *Extended stay motel* use. The new definition limits hotels to facilities where individual rooms open to interior hallways; however, the use-specific standards allow motels with rooms that access exterior corridors to continue in operation as conforming uses under the updated zoning ordinance.

I

- Incidental, Customary, Remunerative Activities** Incidental gainful activities which are customarily carried on in the home by its bona fide residents, but not rising to the level of a home occupation. Incidental, customary, remunerative activities include but are not limited to activities such as baby sitting, giving individual music lessons, the operation of a Day Care Home, and similar activities as interpreted by the Director of Planning. If the Director of Planning later concludes that the activity goes beyond the bounds of an incidental, customary, remunerative activity, or in the event that any citizen objects to the operation of a Day Care Home or Group Day Care Home, the activities shall be referred to the Zoning Board of Adjustment for determination as to whether the use meets the standards of a home occupation.¹⁵⁶
- Illuminance, Horizontal** The intensity of artificial light falling on a horizontal surface, measured in footcandles.¹⁵⁷
- Interpretation** A uniform mechanism for rendering a formal written interpretation of this Ordinance. See Sec. 24-3.4.11, Interpretation.
- Invasive Species** Any species that is not native to an ecosystem and that by its introduction into and continued growth in the ecosystem is likely to cause economic or environmental harm or harm to human, animal, or plant health through crowding out of native plants, destruction of animal habitats, and other methods.¹⁵⁸

J

K

- Kenel** Any establishment where dogs, cats, or other household pets are boarded, trained, cared for, and/or groomed commercially, exclusive of veterinary care. This use may include a dog park or dog day care services.¹⁵⁹

L

- Land Development Permit** See Chapter 21, Article XII of the City Code.
- Laundromat** An establishment providing washing, drying, or ironing machines for use on the premises by rental to the general public. This definition includes automatic, self-service, or hand laundries. This shall not include dry cleaning or processing with any solvents.¹⁶⁰
- Laundry and Dry-Cleaning Retail Facility** An establishment where laundry or dry cleaning is dropped off or picked up by customers and processed on-site, and where laundering

¹⁵⁶ This carries forward and simplifies the definition in Sec. 24-5 of the current Zoning Ordinance

¹⁵⁷ This is a new definition.

¹⁵⁸ This is a new definition, based in part on the definition in Executive Orders 13751 (Dec. 5, 2016) and 13112 (Feb. 3, 1999).

¹⁵⁹ This is a new definition.

¹⁶⁰ This is a new definition.

and dry-cleaning on the premises is limited to items which are brought directly to the premises by the retail customer.¹⁶¹

Laundry and Dry-Cleaning Plant An establishment where laundry or dry cleaning is performed, often for commercial and institutional customers but also including the cleaning of garments dropped off by customers on site. This use does not include facilities where the public drops off or picks up dry cleaning or laundry that is cleaned off-site.¹⁶²

Light Vehicle Fuel Station An establishment at which motor vehicle fuels are dispensed, sold, or offered for sale at retail, and may offer minor repair services and inspections as incidental to the sale of fuel including but not limited to battery charging, tire repairs, and oil and fluid changes, but not including maintenance allowed in the Light Vehicle Repair use. Ancillary facilities such as an Automobile Wash, convenience store, or the rental of automobiles may be provided.¹⁶⁴

Light Vehicle Repair Any facility providing for the major or minor repair and maintenance, including but not limited to body work, painting, welding, or storage, of automobiles, motorcycles, trucks, vans, trailers, scooters, all-terrain vehicles, and similar vehicles under 8,500 pounds gross vehicle weight.¹⁶⁵

Light Vehicle Sales or Rental An establishment that sells, leases, or rents automobiles or light duty vehicles under 8,500 pounds gross vehicle weight with an enclosed, permanent building on site for the transaction of business. The principal use of the site shall be the marketing of new or used automobiles, whether by sale, lease, or rent.¹⁶⁶

Live Entertainment Any activity utilizing amplified sound equipment and performed for the entertainment of patrons on the premises of any establishment. This includes, but is not limited to, karaoke, musical performances, comedy shows, and disc jockeys (DJs).¹⁶⁷

Loading Berth A space designated for the temporary parking of commercial vehicles and used for the loading or unloading of goods or materials.¹⁶⁸

Lot A parcel of land either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership, or possession, or for the purpose of development.¹⁶⁹

Lot of Record A parcel of land that is part of a subdivision, the map of which has been recorded by the county office of probate or a parcel of land

¹⁶¹ This is a new definition.

¹⁶² This is a new definition.

¹⁶⁴ This builds on the definition of *Automobile service station* in Sec. 24-5 of the current Zoning Ordinance.

¹⁶⁵ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

¹⁶⁶ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

¹⁶⁷ This builds on the definition in Sec. 24-5 of the current Zoning Ordinance.

¹⁶⁸ This is a new definition.

¹⁶⁹ This carries forward the definition in Sec. 24-286 of the current Zoning Ordinance.

described by metes and bounds the description of which has been recorded by the county office of probate.¹⁷⁰

Low Impact Development (LID) A set of approaches and practices intended to reduce runoff of water and pollutants from the site at which they are generated by means of infiltration, evapotranspiration, and reuse of runoff. LID techniques manage water and water pollutants at the source and thereby prevent or reduce the impact of development on rivers, streams, lakes, coastal waters, and ground water. Bioretention facilities, rain gardens, swales, green roofs, rain barrels, and permeable pavement are examples of LID techniques.¹⁷¹

M

Manufacturing, Heavy An establishment engaged in manufacturing and production activities that may result in substantial off-site noise, odor, vibration, dust, or hazard. Examples include the manufacture or assembly of machinery, vehicles, and appliances; the smelting or reduction of ores; oil refining; stockyards, slaughterhouses, and rendering facilities; the manufacture of petroleum products, explosives, cement, lime, gypsum, plaster-of-paris, fertilizer, corrosive acid, insecticides, radioactive materials, and plastic and synthetic resins; lumber mills; pulp and paper mills; the manufacture, processing, and packing of food products; and electric power generation plants.¹⁷²

Manufacturing, Light An establishment primarily engaged in printing, production, processing, assembly, manufacturing, compounding, or preparation of goods or products for sale to the wholesale or retail markets or directly to consumers and which does not meet the definition of Artisanal Production or Heavy Manufacturing. This use is wholly confined within an enclosed building, does not include processing of hazardous gases and chemicals, and does not generate off-site noise, odor, vibration, dust, or hazard. Examples include assembly of pre-fabricated parts, manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; printing plants; manufacture, processing, and packing of cosmetics and drugs; tire recapping; and manufacturing of components, jewelry, clothing, trimming decorations, and similar items.¹⁷³

Marina An establishment for mooring, servicing, and storing recreational boats, as well as providing supplies, provisions, and fueling facilities. Ancillary facilities may include a restaurant or a boat and motor sales store. Boat building or facilities for the dry docking or repair of barges or watercraft exceeding two tons in weight are not included.¹⁷⁴

Manufactured Building (Modular Building) A factory-fabricated transportable building consisting of units designed to be incorporated at a building site on a permanent foundation into a permanent structure, including, without limitation, residential, commercial, and industrial purposes, and which bears a

¹⁷⁰ This is a new definition

¹⁷¹ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

¹⁷² This is a new definition.

¹⁷³ This is a new definition.

¹⁷⁴ This revises for clarity the definition in Sec. 24-5 of the current Zoning Ordinance.

seal of compliance with the regulations of the Alabama Manufactured Housing Commission. Manufactured buildings must be constructed to meet the requirements of the city’s building code and construction regulations as well as any other design standards the city may adopt which apply to conventional construction. A manufactured building is distinct from a Mobile Home Dwelling or Manufactured Home.¹⁷⁵

- Manufactured Home** See “Dwelling, Mobile Home.”
- Medical or Dental Clinic** A public or private facility that provides health services in one or more medical or dental specialty to the public. This includes physician offices, examining rooms, and equipment for the outpatient medical or dental care of the sick and injured.¹⁷⁷
- Mobile Home** See “Dwelling, Mobile Home.”
- Mobile Home Park** Land that is designed, arranged, or used for the placement of Mobile Home Dwellings, and provides streets, utilities, landscaping, sanitary facilities, and recreational facilities for the residents of the Mobile Home Dwellings.¹⁷⁸
- Mobile Home Sales** An establishment that engages in the sale or repair of mobile homes.¹⁷⁹
- Mobile Food Vending Unit (Food Truck)** The use of a fully enclosed trailer, motorized vehicle, or cart designed to be portable and not permanently attached to the ground from which only prepared food or beverages are peddled, vended, sold, displayed, offered for sale, or given away. This use does not include the sale of alcoholic beverages.¹⁸⁰

N

Nit A unit of measurement of brightness (luminance), which is the measure of the light emanating from an object with respect to its size and is the term used to quantify electronic sign brightness. The unit of measurement for luminance is nits, which is the total amount of light emitted from a sign divided by the surface area of the sign (candelas per square meter (cd/m²)).¹⁸¹

Nonconforming lot of record A lot of record the area or dimension of which was lawful at the time of its creation but which fails to conform to the lot area standards of the zoning district in which it is located.

¹⁷⁵ This carries forward the definition in the current Zoning Ordinance and is revised, in accordance with state law (Sec. 24-4A-2(13) of the Code of Alabama, 1975), to apply to all manufactured/modular buildings, not just non-residential buildings. A “modular home,” defined in the state code (Sec. 24-4A-2(19)) is a manufactured building that is used for residential purposes. It also makes clear that, in accordance with Sec. 24-4A-3(i) of the Code of Alabama, 1975, a manufactured building is distinct from a manufactured or mobile home.

¹⁷⁷ This consolidates the separate definitions for a *Public health clinic* and a *Private group clinic* in the *Medical or dental clinic* use in Sec. 24-5 of the current Zoning Ordinance.

¹⁷⁸ This clarifies and simplifies the definition in Sec. 24-5 of the current Zoning Ordinance.

¹⁷⁹ This is a new definition.

¹⁸⁰ This carries forward the definition in Sec. 24-229(c)(1) of the current Zoning Ordinance with minor revisions.

¹⁸¹ This carries forward the definition in Sec. 24-132 of the current Zoning Ordinance.

- Nonconforming structure** Any structure that lawfully existed at the time of its construction; that does not comply with the current standards related to height, setbacks, design standards, or lot coverage of the zoning district in which it is located.
- Nonconforming use** Any use that lawfully existed at the time of its establishment that does not comply with the use standards of the zoning district in which it is located. If the land or structure is vacant or unused on [redacted] *[insert the effective date of this Ordinance]* or a subsequent date of an amendment that makes the use nonconforming, it shall be conclusively presumed that any use of the land or structure shall comply with the requirements of this Ordinance.
- Nonconforming sign** A sign which was lawful at the time of its installation but that does not comply with Sec. 24-6.10, Signs and Billboards, or as otherwise specified by this Ordinance.¹⁸²
- Nonconforming site feature** A feature of parking, landscaping, or exterior lighting that was lawful at the time of its establishment and that does not comply with the standards of this Ordinance.¹⁸³
- Nonconformity** A nonconforming use, structure, lot of record, sign, or site feature.
- Nursing Home** An establishment that provides nursing care, housing, meals, and care to individuals who require such care due to illness, disease, injury, or physical or mental infirmity on a daily or more frequent basis. These establishments are regulated by Ch. 420-5-10 of the Alabama Administrative Code.¹⁸⁴

O

- Office** An establishment that provides executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use. Examples include government, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, journalism, engineering, accounting, call centers, medical, dental, and similar offices. Ancillary uses may include cafeterias, health facilities, game or activity areas, parking, or other amenities primarily for the use of employees in the firm or building. This use does not include a Medical or Dental Clinic use.¹⁸⁵
- Open Space** Land within or related to a development which is designated and intended for the common use or enjoyment of the residents of the development, including permeable and impermeable surfaces under roof or covered, but with at least two open sides.¹⁸⁶
- Original City Survey** That part of the City included on the plat of McCalla's Street Center Survey of 1891, on file in the Office of Urban Development, roughly

¹⁸² This is a new definition.

¹⁸³ This is a new definition.

¹⁸⁴ This revises the current definition in Sec. 24-5 of the current Zoning Ordinance to incorporate terms used in Ala. Admin Code r. 410-2-4-.03.

¹⁸⁵ This is a new definition.

¹⁸⁶ This is a new definition.

bounded by Martin Luther King Jr. Boulevard to the west, 4th Street to the north, Queen City Avenue to the east, and 15th Street to the south.¹⁸⁷

- Outdoor Seating (as accessory use)** The provision of on-site outdoor seating or entertainment areas as an accessory use. The accessory use also may include outdoor seating areas on public sidewalks in front of the establishment, including within the public right-of-way, only where allowed by the City Code and following issuance of required City permits.¹⁸⁸
- Outdoor Video Display (as accessory use)** A screen on which an image is displayed either through projection or by a digital display. This accessory use is located outdoors, is incorporated into the initial design of a mixed-use or multifamily residential development, and may include speakers.¹⁸⁹
- Outdoor Storage** An area used for the keeping of any material or machinery.¹⁹⁰

P

- Package Liquor Store** A state-licensed establishment where the primary use is the retail sale of original package liquor and/or distilled spirits for off-premise consumption. Other alcoholic beverages may be sold for off-premise consumption as a secondary use.¹⁹¹
- Parapet** The portion of a wall that extends above the roof line.¹⁹²
- Park** An outdoor area designed and used for public recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks. This includes greenways, open fields, arboreta, botanical gardens, sports fields, dog parks, skate parks, plazas, splash pads, playgrounds, and picnic areas.¹⁹³
- Parking Facility** An off-street area designed, used, required, or intended to be used for the parking, storage, maintenance, service, repair, display, or operation of motor vehicles, including driveways or access ways in and to such areas, but not including public streets and rights-of-way.¹⁹⁴
- Parking Lot** A designated off-street area used for the temporary parking of motor vehicles. A parking lot typically includes designated spaces for car storage, drive aisles to provide access to parking spaces and to access and egress a public or private street, interior landscaping, and perimeter landscaping buffers. A parking lot may also include spaces

¹⁸⁷ This is a new definition.

¹⁸⁸ This is a new definition that includes uses other than those in the Food and Beverage Use category and to recognize that a permit from the City is required for outdoor dining within the public right-of-way.

¹⁸⁹ This is a new definition.

¹⁹⁰ This is a new definition.

¹⁹¹ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

¹⁹² This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance.

¹⁹³ This is a new definition.

¹⁹⁴ This is a new definition.

for the temporary parking of bicycles, scooters, and other mobility devices.¹⁹⁵

Party Wall A wall on a lot line between adjoining buildings which is used or adapted for joint service between the two buildings, and is constructed as a fire wall in accordance with the City of Tuscaloosa Building Code. Party walls are constructed without openings and create separate buildings.¹⁹⁶

Passenger Station, Rail, Bus, or Intermodal Facility A facility or location that receives and discharges passengers and at which facilities and equipment required for their operation are provided. Examples include terminals for bus, trolley, taxi, light rail, railroad, shuttle van, or other similar vehicular services. Ticket sales and baggage handling services may take place on site. Ancillary facilities such as a newsstand or Convenience Store may be provided.¹⁹⁷

Patio A level, hard-surfaced area directly adjacent to a principal building at or within three feet of the finished grade that is used for outdoor lounging, dining, and similar purposes. A patio may or may not have a roof.

Pedestrianway A right-of-way such as sidewalks, side paths, walking trails, and multi-use trails designed for use by people walking on their own or with an assistive device.¹⁹⁸

Person See Sec 1-2 of the City Code.

Personal Care Home Any premises, other than Group Home, which provides food, shelter, personal assistance, or supervision for a period exceeding 24 hours for more than two adults who are not relatives of the operator and who require assistance or supervision in such matters as dressing, bathing, diet, or medication prescribed for self-administration.¹⁹⁹

Personal Services An establishment primarily engaged in providing services involving the care of a person or of the care or repair of personal goods or apparel. This use typically includes, but is not limited to, diaper service, day spas, beauty shops, barbershops, nail salons, blow dry bars, lash bars, massage services, shoe repair, appliance repair, personal copying/shipping services, daytime non-medical pet care, bicycle and sports equipment repair, small appliance repair, and similar uses.²⁰⁰

Pet Grooming A facility where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a

¹⁹⁵ This is a definition that replaces the definition applicable to the landscaping and buffering standards in Sec. 24-252 of the current Zoning Ordinance. Revised to change from “storage” of motor vehicles to “parking” for consistency.

¹⁹⁶ This updates the definition in Sec. 24-5 of the current Zoning Ordinance for consistency with the City’s Building Code (Sec. 706.1.1 of the 2016 International Building Code) by requiring a party wall be on a lot line, have no openings, and be fire resistant.

¹⁹⁷ This is a new definition.

¹⁹⁸ This is a new definition.

¹⁹⁹ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

²⁰⁰ This is a new definition.

	fee is charged. This use does not include the overnight boarding of animals. ²⁰¹
Pharmacy	An establishment where drugs and medicine are prepared and dispensed. Drive-through services are permitted only where it is allowed as an accessory use. ²⁰²
Planned Development	Developments that are master planned and developed under unified control. Planned developments allow more flexible standards and procedures in order to achieve innovative site design, improved appearance, greater compatibility of uses, increased preservation of natural and scenic features, improved service by community facilities, better functioning of vehicular access and circulation, and otherwise higher-quality development than could be achieved through base zoning district regulations. See Sec. 24-4.7, Planned Development Districts.
Planning and Zoning Commission	The City of Tuscaloosa Planning and Zoning Commission established in Chapter 20, Article 1, Division 1 of the City Code.
Plant Nursery	An establishment for the growth, display, and/or wholesale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building. ²⁰³
Porch	A raised structure attached to the front of a building, forming a covered entrance to a doorway. ²⁰⁴
Primary Pedestrian Entrance	A place of ingress and egress to a building that is used by the public or residents of the building and faces a sidewalk or pedestrian path and not a parking lot. ²⁰⁵
Primary Use	The main use to which a premises is devoted and the purpose for which the premises exists. ²⁰⁶
Professional-Level City Employee	A person employed by the City of Tuscaloosa for wages or salary. ²⁰⁷
Property Line	See definition of “Lot Line” in Sec. 24-2.2.2, Lot Measurements.
Public Safety Facility	A private or public facility for the provision of local rapid response emergency services such as police, firefighting, and mobile medical emergency services, including areas for the storage and maintenance of emergency vehicles and equipment, housing and feeding of emergency personnel, and related activities. ²⁰⁸

²⁰¹ This is a new definition.

²⁰² This is a new definition.

²⁰³ This is a new definition.

²⁰⁴ This definition is carried forward from Sec. 24-349 of the current Zoning Ordinance.

²⁰⁵ This is a new definition.

²⁰⁶ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance with minor revisions.

²⁰⁷ This is a new definition.

²⁰⁸ This is a new definition.

Q
R

Railroad Facility	An area and related facilities connected with the movement, assembly, or disassembly of trains, including without limitation railroad track, sidings, operations and maintenance sheds, train sheds, and classification yards. This use does not include a Railroad Terminal. ²⁰⁹
Railroad Terminal	An area designed and used for the storage, loading, and unloading of containers from railroads to facilitate transshipment with trucks. ²¹⁰
Rain Garden	A garden of native shrubs, perennials, and flowers planted in a small depression or lowered area, which is generally formed on a natural slope. A rain garden is planted so that rainwater from roofs, driveways, or other surfaces runs into it and soaks into the ground, thereby reducing flooding or other related problems. ²¹¹
Rainwater Cistern or Barrel	A catchment device to capture rainwater from a roof or other surface before it reaches the ground, which may be either above or below ground level. ²¹²
Recreation, Indoor	A facility that accommodates recreation activities where all activities take place within enclosed structures. Examples include bowling alleys; trampoline centers; movie theaters; 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. ²¹³
Recreation, Outdoor	A facility that accommodates recreation activities that take place outdoors. Examples include outdoor tracks, miniature golf, amusement parks, water slides, fitness center outdoor activities, tennis and other racquet courts, basketball and volleyball courts, go-kart tracks, and outdoor swimming pools, This does not include a Park use. ²¹⁴
Recreational Vehicle (RV)	A vehicular unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. This includes travel trailers, camping trailers, truck campers, and motor homes.
Recreational Vehicle (RV) Park	A premises that is designed, arranged, or used for the temporary placement of recreational vehicles and includes permanent sanitary facilities adequate for the number of recreational vehicle spaces available. ²¹⁵

²⁰⁹ This is a new definition.

²¹⁰ This is a new definition.

²¹¹ This replaces the definition in Sec. 24-252 of the current Zoning Ordinance with updates for clarity.

²¹² This is a new definition.

²¹³ This is a new definition.

²¹⁴ This is a new definition.

²¹⁵ This builds on the existing definition in Sec. 24-5 of the current Zoning Ordinance but removes regulatory elements of the definition to the use-specific standards in Sec. 24-5.2.4.c.4.iii, Recreational Vehicle (RV) Park.

Recyclables Processing Center	An establishment in which recyclables, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they may be used again in new products. ²¹⁶
Recycling Collection Area	An outdoor area where recyclables are collected and temporarily stored, as an activity incidental to the principal use of the property.
Religious Institution	A building or site containing a hall, auditorium, or other suitable room or rooms used for conducting religious or other services or meetings of the occupants. This includes a church, synagogue, temple, or mosque, along with accessory structures. ²¹⁷
Research and Development	A facility including research, synthesis, analysis, development and testing laboratories, including the fabrication, assembly, mixing and preparation of equipment and components incidental, convenient, or necessary to the conduct of those activities. ²¹⁸
Restaurant, Quick-Service	An establishment where food is cooked or prepared, patrons dine on or off the premises, and where there is menu board-served drive-up, or walk-up window service or service to customers in their vehicles. Drive-through service may be allowed as an accessory use. See determination guidelines for sale and consumption of alcoholic beverages.
Restaurant, Sit-Down	An establishment where food is cooked and patrons dine while seated within the building or outside on the premises and with no drive-through, drive-up, or walk-up window service. Alcoholic beverages may be served, but such service shall be incidental and subordinate to the primary use of food service and may only occur while food sales are being conducted. Any included attached bar shall not occupy more than 20 percent of the interior customer service area and its operation shall at all times be incidental and subordinate to the primary use of food service. The use has no menu board ordering, and the facilities may include a pick-up window only. An establishment with less than 2,500 square feet in gross floor area is sometimes known as a bistro. See determination guidelines for sale and consumption of alcoholic beverages. ²¹⁹
Retail Sales Establishment	An establishment that does not meet another definition of a principal use in this Ordinance that engages in the sale or short-term rental of goods and merchandise to the general public for personal or household consumption. Examples include newsstands, food stores, hardware stores, building supply stores, garden supply stores, furniture stores, florists, bakeries, department stores, auto parts stores (without vehicular service), grocery stores, equipment rental shops, wedding supply rental establishments, sports equipment stores, and bookstores. An establishment may include a pharmacy.

²¹⁶ This is a new definition.

²¹⁷ This is a new definition.

²¹⁸ This is a new definition.

²¹⁹ This carries forward and consolidates the definitions of *Restaurant*, *Restaurant with attached bar*, and *Restaurant, bistro* in Sec. 24-5 of the current Zoning Ordinance. The size restrictions that apply to a bistro have been included as a use-specific standard that limit the use's size in certain zoning districts.

	Rental of heavy construction equipment including bulldozers, grading pans, power rollers, large backhoes, and asphalt spreaders is prohibited. ²²⁰
Retail Sales, Large	A Retail Sales Establishment that is at least 45,000 square feet in gross floor area. ²²¹
Retail Sales, Medium	A Retail Sales Establishment that is larger than 7,500 square feet and smaller than 45,000 square feet in gross floor area. ²²²
Retail Sales, Small	A Retail Sales Establishment that is 7,500 square feet or smaller in gross floor area. ²²³
Ride-hailing or Taxi Service	An establishment that supports for-hire vehicle services such as taxis or ride-hailing/ride-sharing services, including services authorized by Chapter 23, Article I, Vehicles for Hire and Transportation Network Companies, of the City Code. This may include office space to coordinate the dispatch of vehicles and operate the business, areas for vehicle storage, and related uses. ²²⁴
Right-of-Way	A piece of land in which there is public ownership or other interest, typically in a strip which has been acquired for or devoted to the use of a street, alley, greenway, or railroad. ²²⁵
Runoff	The water from precipitation that flows over the ground. ²²⁶

S

Sale of Motor Vehicles on Private Property	The offering for sale of a motor vehicle through such means as a sign within the vehicle that is visible to passers-by. ²²⁷
Salvage or Junkyard	An establishment involving the storage and/or sale of inoperable, disused, dismantled, or wrecked vehicles, equipment or machinery or the storage or processing of scrap metal, wastepaper, rags, wastes, construction wastes, industrial wastes or other scrap, salvage, waste, or junk materials. ²²⁸
School, K-12	An establishment offering general, technical, or alternative instruction at the pre-school, elementary, middle, and/or secondary school levels. This includes public, private, and parochial schools. ²²⁹

²²⁰ This is a new definition.

²²¹ This is a new definition.

²²² This is a new definition.

²²³ This is a new definition.

²²⁴ This is a new definition.

²²⁵ This updates the definition in Sec. 24-252 of the current Zoning Ordinance.

²²⁶ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

²²⁷ This is a new definition.

²²⁸ This is a new definition.

²²⁹ This is a new definition.

Seawall	A structure installed along a waterfront that is intended to minimize erosion along a shoreline. Also known as a bulkhead or retaining wall. ²³⁰
Self-Service Storage	An establishment within a secure enclosure containing separate lockable storage spaces rented as individual units for the storage of a customer’s goods or wares, boats, and RV storage. Ancillary facilities may include a single dwelling unit for a watchman or resident manager. ²³¹
Sexually-oriented Business	An establishment that engages in the retail sales or rental of books, magazines, films, devices, sex devices, adult toys, marital aids, or like products, or other photographic, written, or actual reproductions of equipment characterized by their emphasis on matters depicting, describing, used in connection with, or related to sexual activities. Sexually-oriented adult use also includes the viewing of films, movies, photographs, live performances, or the like that are characterized by their emphasis on matters depicting, describing, used in connection with, or related to sexual activities.
Shopping Center	A development that consists of two or more commercial units which may share common walls and ownership, constructed primarily for retailing purposes and sharing appurtenant facilities, such as driveways, off-street parking, and pedestrian walkways, and that is planned, developed, designed, and constructed as a single unified development. ²³³
Short-Term Rental	The transient use of any dwelling or any part of a dwelling for overnight occupancy. ²³⁴
Shrub	A self-supporting woody species of plants characterized by controlled persistent stems and branches springing from the base, usually maturing at less than 12 feet in height. ²³⁵
Sign	Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or marks, or combinations thereof, designed to inform or advertise. ²³⁶
Sign, A-Frame	A freestanding sign consisting of two boards hinged at the top hanging back to back and separate at the base, forming an “A” shape. Also known as a sandwich-board sign. ²³⁷

²³⁰ This is a new definition..

²³¹ This simplifies the definition in Sec. 24-5 of the current Zoning Ordinance. The provisions regarding maximum size have been relocated to the use-specific standards in Sec. 24-5.2.4.c.6.vii, Self-Service Storage.

²³³ This carries forward the definition in Sec. 24-132 of the current Zoning Ordinance. The definition relating to non-sign matters has been superseded, and the definition from Sec. 24-132 has been revised to apply to all uses of the term in this code.

²³⁴ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

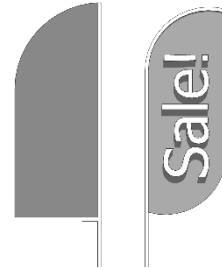
²³⁵ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

²³⁶ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance but removes the phrase that a sign is designed to attract the attention of “persons not on the premises on which the sign is located.”

²³⁷ This is a new definition.

Sign, Building/Wall A sign displayed upon or attached to any part of the exterior of a building, including walls, doors, parapets, and marquees. Canopy signs, awning signs, projecting signs, and signs suspended from buildings are considered types of building signs.²³⁸

Sign, Feather Flag A temporary fabric sign intended to be inserted directly into the ground or into a mounting device that sits on the ground, often with a feather-like shape. Other common names for feather flag signs include blade flags, sail flags, quill flags, and flutter flags.²⁴⁰



Sign, Freestanding Any sign supported by structures or supports that are placed on, or anchored in the ground, and that are independent from any building or other structure and not located within right-of-way (see Sec. 24-6.10.6.b.1). The posts or other supporting structures shall be considered as part of the sign and shall be included in computing the sign display area.²⁴¹

Sign, Projecting A sign which is attached to and projecting from a structure, building, or wall and is oriented perpendicular or nearly perpendicular to the building or wall façade to which it is attached.²⁴²

Sign, Temporary Any sign that is used only for a short, specifically limited time and that is not permanently mounted.²⁴³

Sign, Window Any sign that is placed inside or upon an exterior window of a commercial building and is legible from the exterior of the building.²⁴⁴

Sign Supporting Structure Any structure or component to which sign copy is attached, such as a monopole, uprights, braces, guys, anchors, framework, base, foundation, stringers, walkways or catwalks, catwalk supports, lighting, display surfaces, face(s) of a sign panel, caps, cross beams, headers, skirting, ladders, lighting fixtures, electrical components (including any artificial means of heating and cooling electronic, digital, or video billboards and signs), electrical service meters, boxes, and conduit.²⁴⁵

Sign, Logo A sign containing a graphic image, with or without words, that represents an organization.²⁴⁶

²³⁸ This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance.

²⁴⁰ This is a new definition.

²⁴¹ This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance.

²⁴² This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance, with minor modifications for clarity.

²⁴³ This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance.

²⁴⁴ This is a new definition based on the definition of “window sign” in Sec. 24-132 of the current Zoning Ordinance. References to the type of information communicated by the sign are removed.

²⁴⁵ This definition is carried forward from Sec. 24-132 of the current Zoning Ordinance, with minor modifications for clarity.

²⁴⁶ This is a new definition.

Sign Permit	A uniform mechanism for ensuring that the erection and maintenance of signs complies with City regulations.
Sight Triangle	The space between the heights of three and one-half (3½) and ten feet above the street level within 20 feet of the intersection of the right-of-way lines of two streets or two railroads or of a street and a railroad property line, and within which no fence, sign, vegetation, or other obstruction to vision is allowed, except within the original city survey.
Slaughterhouse or Stockyards	The keeping of livestock, poultry, pigs, or small animals for commercial purposes in lots, pens, ponds, sheds, or buildings where food is supplied primarily by means other than grazing, foraging, or other natural means, and/or a facility for the slaughtering and processing of domestic farm animals and the refining, packaging, and distribution of their byproducts. ²⁴⁷
Sober Living Facility	Any dwelling with bedrooms and kitchen facilities used as a residence for not more than ten individuals who are recovering from drug or alcohol addiction and who each reside in the facility for at least 30 days. ²⁴⁸
Solar Energy Conversion System, Small-Scale	Equipment for the collection of solar energy or its conversion to electrical energy for use on the same property, or for incidental sale to a public utility, when that equipment is accessory to a principal use of the property. Components are typically mounted on the roof(s) of principal or accessory structures, but may be mounted on other parts of structures or on the ground. ²⁴⁹
Solar Energy Conversion System, Large-Scale	A facility consisting of solar panels, modules, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, and storage) that collects solar energy and converts it into electricity or transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling. This use is generally designed to produce electricity to accommodate demands of a neighborhood or larger area and is typically mounted on the ground. ²⁵⁰
Special Event	A temporary activity on private property that is planned or reasonably expected to attract a large number of people, that is not prohibited by this Ordinance or the City Code, and that is not listed as a separate temporary use in this Ordinance. This use includes but is not limited to fundraising activities, circuses, amusements, outdoor concerts, festivals, street fairs, outdoor arts and crafts fairs, and other organized community events. ²⁵¹

²⁴⁷ This is a new definition.

²⁴⁸ This is a new definition for a new use; the size limitations are under discussion with staff. Ten is used as a placeholder for consistency with the Group Home definition.

²⁴⁹ This is a new definition.

²⁵⁰ This is a new definition.

²⁵¹ This is a new definition.

- Special Exception Use** A use is designated as a special exception use in a zoning district where the use may or may not be appropriate, because of its characteristics and potential impacts based on the general development character and uses permitted by right in the district. Consequently, special individual consideration of the proposed location, design, and methods of operation, of the special exception use in accordance with the procedure and standards in this Ordinance, is required before the use can be deemed appropriate in the district and compatible with its surrounding development.²⁵²
- Special Exception Use Permit** A uniform mechanism to ensure that special exception uses are appropriate for the location and district where they are proposed. See Sec. 24-3.4.5, Special Exception Use Permit.
- Stoop** A small, raised platform that serves as an entrance to a building.²⁵³
- Stormwater** See Sec. 21-151 of the City Code.²⁵⁴
- Structure** In general use, anything constructed or erected, the use of which requires more or less permanent location on the ground, below the ground, or which is attached to something having a more or less permanent location on the ground, or below the ground, and which extends at least 36 inches above the ground.²⁵⁵
- Swimming Pool** A self-contained body of water at least 18 inches deep and eight feet in diameter or width and used for recreational purposes. It may be above or below ground level. As an accessory use, a swimming pool is accessory to a principal residential use. See also Recreation, Outdoor.²⁵⁶
- Tattoo Establishment** An establishment that provides the placing of permanent designs, letters, symbols, or figures upon or under the skin with ink or any other substance by the use of needles or any other instrument. This includes a business that provides an opening in the body for the purpose of inserting jewelry or other decoration.²⁵⁷
- Theater or Auditorium** An indoor facility for public assembly and group entertainment, often including amplified sound equipment and seating, intended for events such as plays, movies, and concerts.²⁵⁸
- Tiny House** A single-family dwelling unit containing less than 600 square feet of gross floor area. A tiny house installed on an engineered permanent foundation and constructed in accordance with the Building Code, shall be considered to be, and shall be subject to the regulations that apply to, a Single-Family Detached Dwelling. A tiny house that is not

I

²⁵² This is a new definition.

²⁵³ This definition is carried forward from Sec. 24-349 of the current Zoning Ordinance.

²⁵⁴ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance.

²⁵⁵ This is a new definition.

²⁵⁶ This is a new definition. Requirements for fences are included in the use-specific standards applicable to swimming pools at Sec. 24-5.3.4.t.

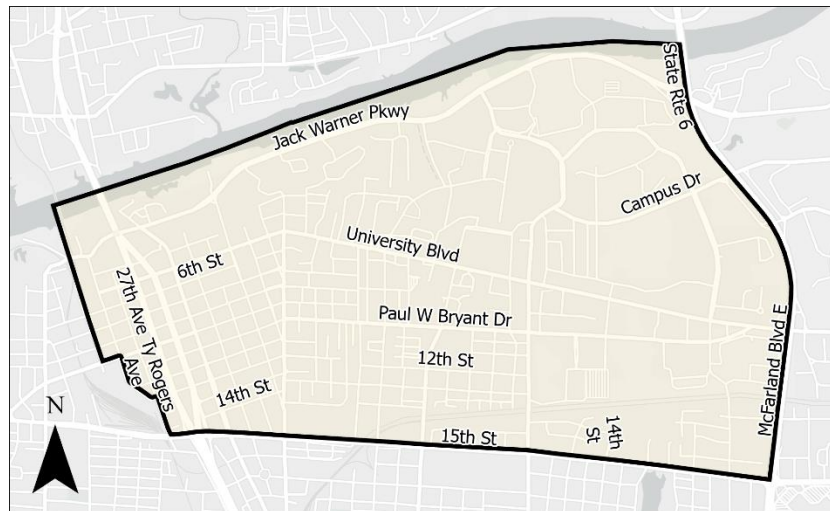
²⁵⁷ This definition is provided by staff.

²⁵⁸ This builds on the definition for *Live entertainment* in Sec. 24-5 of the current Zoning Ordinance.

installed on an engineered permanent foundation shall be considered to be, and shall be subject to the regulations that apply to, a Mobile Home Dwelling.²⁵⁹

Tobacco or Vape Shop An establishment exclusively or primarily involved in the sale or distribution of tobacco, electronic cigarettes, vaping products, and/or related goods, but not including the sale or distribution of cannabis-based products.²⁶⁰

Tourist Overlay Boundary The area located south of the centerline of the Black Warrior River, west of the centerline of McFarland Boulevard East, the northern right-of-way line of 15th Street, east of the centerline of TY Rogers Jr. Avenue, thence northward from this point to the centerline of Nick’s Kids Avenue, north of the centerline of Stillman Boulevard, east of the centerline of 29th Avenue, thence northward from this point to the centerline of the Black Warrior River, as indicated in the map below.²⁶¹



Trailer See Sec. 32-1-1.1 of the Code of Alabama, 1975

Tree A usually tall, woody plant, distinguished from a shrub by having comparatively greater height.²⁶²

Tree, Blighted Any tree that does not exhibit healthy characteristics and is determined to be hazardous as determined by a registered arborist.

Tree, Canopy A tree with a single trunk with a height greater than 35 feet at maturity. See Table 6-9: Approved Tree List.

²⁵⁹ This is a new definition which makes clear that a tiny house is subject to the same standards that apply to a single-family detached dwelling or a mobile home dwelling.

²⁶⁰ This definition is provided by staff and has been revised to clarify it does not include the sale or distribution of products containing cannabis.

²⁶¹ This carries forward the definition in Sec. 24-371 of the current Zoning Ordinance with updates to a street name. The map is new.

²⁶² The tree definitions (from Tree through Tree, Understory) are carried forward from Sec. 24-252 of the current Zoning Ordinance with minor refinements.

Tree, Dead	A tree that does not contain any live tissue, such as green leaves or live limbs.
Tree, Deciduous	Any tree which naturally loses its leaves in the fall.
Tree, Private	A tree located on private property.
Tree, Public	A tree located on City property or City, county, or state right-of-way.
Tree, Replacement	A new tree planted on a site to meet minimum site density factor requirements (regardless of whether trees existed prior to any development).
Tree, Street	A tree existing or to be planted adjacent to a street.
Tree, Understory	A tree with a single or multiple trunks with height less than 35 feet at maturity. See Table 6-9: Approved Tree List
Turf Grass	Grass grown for lawns, of a type that forms a dense even turf if mown and maintained. ²⁶⁵
Transient	A person who occupies a dwelling for less than 30 days. ²⁶⁶
Tri-vision Technology	A display surface composed of three-sided rotating slats arranged side by side, either horizontally or vertically, that are rotated by an electromechanical process, capable of displaying a total of three separate and distinct messages on a sign face, one message at a time. ²⁶⁷
Truck Terminal	A building or area in which trucks, including tractor or trailer units are parked, stored, or serviced, including the transfer, loading, or unloading of goods. A terminal may include facilities for the temporary storage of loads prior to transshipment. This definition shall not include a waste transfer station. ²⁶⁸

U

Utility, Major	A structure or facility that is a relatively major component of an infrastructure system providing community- or region-wide utility services. Examples of major utility facilities include potable water treatment plants, water towers, sewer or wastewater treatment plants, solid waste facilities, gas compressor stations, and electrical substations. This use does not include telecommunications facilities or towers. ²⁷⁰
Utility, Minor	A structure or facility that by itself is a relatively minor component of an infrastructure system providing community- or region-wide utility services and that needs to be in or near the neighborhood or use type where the service is provided. Examples of minor utility facilities include water and sewage pipes and pump stations, stormwater

²⁶⁵ This is a new definition.

²⁶⁶ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

²⁶⁷ This carries forward the definition in Sec. 24-132 of the current Zoning Ordinance, with minor modifications for consistency with the terminology used in the sign and billboard regulations in this draft.

²⁶⁸ This is a new definition.

²⁷⁰ This is a new definition.

pipes and retention/detention facilities, telephone lines and local exchanges, electric lines and transformers, gas transmission pipes and valves, and broadband lines.²⁷¹

Utility Easement A right in property acquired by a utility or governmental agency or private agency where utilities, including all types of pipelines, television cable, telephone, and electric cables, are placed and maintained. A utility easement can run above ground or underground, and can be located on or under private or public property, including public rights-of-way.²⁷²

V

Vegetated The use of vegetation to cover ground.²⁷³

Vehicle Fuel Station, Heavy An establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks and similar heavy commercial vehicles, including the sale of accessories and equipment for those vehicles. This use may also include overnight accommodations, showers, and restaurant facilities primarily for the use of truck crews.²⁷⁴

Vehicle Fuel Station, Light An establishment at which motor vehicle fuels are dispensed, sold, or offered for sale at retail, and may offer minor repair services and inspections as incidental to the sale of fuel including but not limited to battery charging, tire repairs, and oil and fluid changes, but not including maintenance allowed in the Light Vehicle Repair use. Ancillary facilities such as an Automobile Wash, convenience store, or the rental of automobiles may be provided.²⁷⁵

Vehicle Repair, Heavy Any facility providing for the major or minor repair and maintenance, of vehicles with 8,500 pounds or more of gross vehicle weight or farm equipment.²⁷⁶

Vehicle Repair, Light Any facility providing for the major or minor repair and maintenance, including but not limited to body work, painting, welding, or storage, of automobiles, motorcycles, trucks, vans, trailers, scooters, all-terrain vehicles, and similar vehicles under 8,500 pounds gross vehicle weight.²⁷⁷

Vehicle and Farm Equipment Sales and Rental, Heavy An establishment that sells, leases, or rents vehicles with 8,500 pounds or more of gross vehicle weight or farm equipment with an enclosed, permanent building on site for the transaction of business.

²⁷¹ This is a new definition.

²⁷² This updates the definition in Sec. 24-252 of the current Zoning Ordinance.

²⁷³ This carries forward the definition in Sec. 24-252 of the current Zoning Ordinance with minor revisions.

²⁷⁴ This is a new definition.

²⁷⁵ This builds on the definition of *Automobile service station* in Sec. 24-5 of the current Zoning Ordinance.

²⁷⁶ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

²⁷⁷ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

The principal use of the site shall be the marketing of heavy vehicles or farm equipment whether by sale, lease or rent.²⁷⁸

Vehicle Sales or Rental, Light An establishment that sells, leases, or rents automobiles or light duty vehicles under 8,500 pounds gross vehicle weight with an enclosed, permanent building on site for the transaction of business. The principal use of the site shall be the marketing of new or used automobiles, whether by sale, lease, or rent.²⁷⁹

Vehicle-Mounted or Tent-Sheltered Retail The sale of food or other items to the public from a trailer or a tent located on private property. This does not include vendors operating in public right-of-way under a franchise granted by the City, or vendors selling produce at the City’s farmers’ market.²⁸⁰

Veterinary Clinic An establishment for the care and treatment of animals, including household pets and larger domesticated animals. A veterinary clinic may include the boarding of household pets and kennels as an accessory use.²⁸¹

Vocational School An educational establishment that primarily teaches usable skills that prepares students for jobs in a trade or in industry, construction, or commerce.²⁸²

W

Warehouse A facility primarily used for the storage of products, supplies, and equipment.²⁸³

Waste Disposal A facility for the temporary or permanent storage or disposal of solid waste, such as a landfill, incinerator, or waste transfer station, operated in accordance with all federal, state, and local laws and regulations.²⁸⁴

Wholesale Sales An establishment primarily engaged in selling merchandise to retail, industrial, commercial, institutional, or professional business users or to other wholesalers, but not to the public at-large.²⁸⁵

Wine Bar An establishment in which wine products may be tasted and sold, featuring an area devoted to the sampling and sales thereof of wine or beer produced on or off the premises.²⁸⁶

Wireless Telecommunications Tower A structure, such as a self-supporting lattice tower, a guyed tower, or a monopole, designed and constructed primarily for the purpose of supporting one or more antennas, which may include accessory

²⁷⁸ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

²⁷⁹ This is a new definition. The cutoff of 8,500 pounds is based on vehicle classification standards from the Environmental Protection Agency.

²⁸⁰ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance.

²⁸¹ This is a new definition.

²⁸² This is a new definition.

²⁸³ This is a new definition.

²⁸⁴ This is a new definition.

²⁸⁵ This is a new definition.

²⁸⁶ This carries forward the definition in Sec. 24-5 of the current Zoning Ordinance, with refinements.

facilities necessary for equipment storage and unmanned operations. This definition includes modifications of such structures that do not meet the definition of a wireless telecommunications tower minor modification.²⁸⁷

Wireless Telecommunications Tower Minor Modification

Any modification of an existing wireless telecommunications tower that 1) does not increase the height of the tower by more than ten percent of its current height or by more than one additional antenna array, provided the additional array is not separated by more than 20 feet from an existing array; 2) does not protrude from the edge of the tower by more than 20 feet or the width of the tower at the height of the modification, whichever is greater; and 3) does not defeat existing concealment elements of the tower.²⁸⁸

X
Y

Yard See Sec. 24-2.2.2.j, Yard

Z

Zoning Board of Adjustment The City of Tuscaloosa Zoning Board of Adjustment

Zoning District An area delineated on the City of Tuscaloosa Zoning Map within which a prescribed set of use and development standards are applied to various types of development.

Zoning District, Base A zoning district within which a single set of uses, density and intensity, dimensional, and development standards are applied.

Zoning District, Overlay A zoning district superimposed over one or more underlying base zoning districts that establishes standards and requirements in addition to those required by the underlying base zoning district.

Zoning Map The City of Tuscaloosa Zoning Map, on which the boundaries of the various zoning districts are established which is an integral part of this Zoning Ordinance and incorporated herein by reference.

²⁸⁷ This is a new definition.

²⁸⁸ This is a new definition based on relevant federal law.

SEC. 24-3.4.7. SIGN PERMIT²⁹⁹

a. Purpose

The purpose of this section is to establish a uniform mechanism for ensuring that the erection and maintenance of signs complies with Sec. 24-6.10, Signs and Billboards.

Commission) remains the same as in the current Zoning Ordinance. The decision-making standards build on and clarify existing standards to provide clear guidance to the decision-making body.

²⁹⁹ This procedure carries forward and clarifies the procedure for a sign permit in Sec. 24-133 of the current Zoning Ordinance. The decision is made by the Chief Building Official as is the case in the current Zoning Ordinance. The

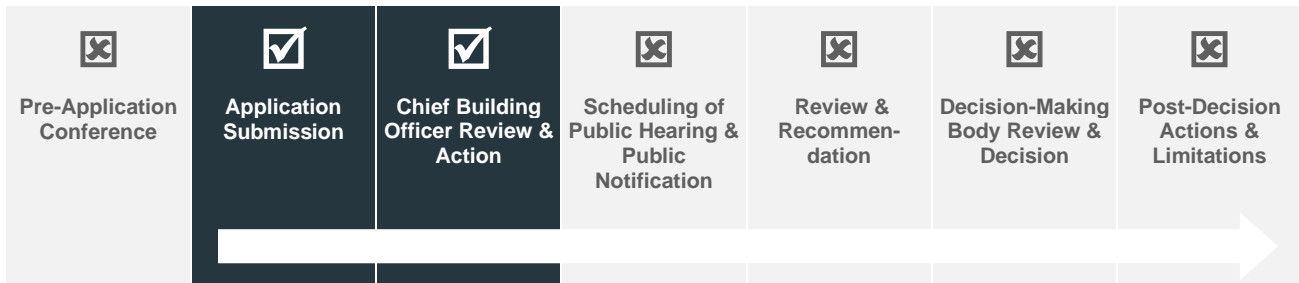
b. Applicability

A sign permit is required prior to the location, construction, erection, posting, attachment, alteration, or repair of a sign, unless such activity is exempted in accordance with Sec. 24-6.10.4, Sign Permit Required.

c. Procedure for Sign Permits

An application for a sign permit shall be submitted, processed, reviewed, and decided on in accordance with Sec. <>, Application-Specific Review Procedures, in the Procedures Manual. The procedures for the review of a sign permit are graphically displayed in Figure 24.-3.4.7.

Figure 24.-3.4.7: Summary of Sign Permit Procedure



= Applicable; =Not Applicable

d. Decision-Making Standards for Sign Permits

The Chief Building Official shall approve a sign permit only upon finding the proposed sign complies with all applicable standards in Sec. 24-6.10, Signs and Billboards.

decision-making standards clarify that the standards for making a decision on a sign permit application are the Sign and Billboard Standards.

³⁰⁰ This procedure carries forward, consolidates, and clarifies the procedure for a variance permit in the current Zoning Ordinance. The decision is made by the Zoning Board of Adjustment as is the case in the current Zoning Ordinance. New decision-making standards provide clear guidance to the decision-making body.

SEC. 24-4.5.2. DOWNTOWN³⁵³

a. Purpose³⁵⁴

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.

8. Signs³⁷³

- 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. Painted window signs and backlit or illuminated awnings are prohibited.
- ii. 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, 1 projecting sign shall have no more than 50 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) Projecting signs may encroach into a public right-of-way (other than an alley) only with the appropriate City permit.
 - (e) Projecting signs shall not display messages on a digital display board.

³⁷¹ 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 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.

³⁷² This provision may be revised or relocated when the exterior lighting standards in Article 24-6, Development Standards, are drafted.

³⁷³ 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 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.

SEC. 24-4.5.5. RIVERFRONT DISTRICT³⁸⁸

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.

v. Signs

- (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:³⁹⁷
 - (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 a public right-of-way (other than an alley) 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 that three feet from the building face, and may extend into a public right-of-way (other than an alley) only with the appropriate City permit.
 - (3) Projecting signs shall not display messages on a digital display.

³⁹⁷ The projecting sign standards build on the revisions to the projecting sign standards in the Downtown district.

³⁹⁸ 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.

SEC. 24-6.10. SIGNS AND BILLBOARDS⁸⁰⁷

SEC. 24-6.10.1. PURPOSE AND INTENT⁸⁰⁸

- a. This section establishes regulations for the display and maintenance of signs in order to protect the health, safety, welfare, convenience, and enjoyment of the general public. While signs are a proper commercial use of private property and perform an important function in identifying properties, businesses, services, residences, events, and other matters of public interest which are entitled to the protection of the law, signs should be reasonably regulated in their number, size, height, spacing, and illumination in the interest of the public safety and welfare and to safeguard and promote the aesthetic quality of the City. To that end, these sign and billboard regulations are intended to:
1. Protect the public from the danger of unsafe signs;
 2. Preserve, protect, and enhance areas of historical, architectural, cultural, aesthetic, and economic value, regardless of whether they are natural or human-made;
 3. Establish standards and provide controls that permit reasonable use of signs and enhance the character of the City, recognizing the benefits of signs to the City's residents, businesses, and visitors, such as aiding orientation, identifying activities, expressing local history and character, and serving other educational purposes;
 4. Preserve the views of natural resources, green space, and other open spaces;
 5. Ensure the safety and efficiency of the City's transportation network by minimizing clutter, unsightliness, confusion, and hazardous distractions to motorists; reducing collision hazards; and facilitating motorists' ability to see pedestrians, obstacles, other vehicles, and traffic signs;
 6. Integrate sign regulations with general zoning regulations by establishing specific requirements for signs and billboards related to setbacks, height, and spacing to ensure adequate lighting, ventilation, and preservation of views in a manner that is compatible with other land uses in the City; and
 7. Protect adjacent and nearby properties, in particular residentially zoned properties, from the impact of signs and billboards by regulating the lighting, number, size, height, movement, and location of signs and billboards.
- b. These sign and billboard regulations are not intended to inhibit an individual's rights protected by the First Amendment of the United States Constitution.

SEC. 24-6.10.2. APPLICABILITY

a. General

Except as otherwise provided in subsection b below, these sign and billboard regulations shall apply to all signs erected, constructed, displayed, painted, maintained, altered, or installed, which

⁸⁰⁷ This section carries forward Article X: Billboards and Signs, of the current Zoning Ordinance, with modifications for compliance with court decisions regarding the First Amendment, and to improve the flow and organization of the regulations and the style and formatting of the language, consistent with the other development standards in this draft. Substantive revisions to Article X are noted in footnotes below. Provisions addressing sign permit application requirements and procedures, enforcement, and nonconforming signs are relocated to Article 24-3: Administration, Article 24-7: Enforcement, and Article 24-8: Nonconformities, respectively.

⁸⁰⁸ This carries forward the current purpose and scope language (Sec. 24-131), with modifications to streamline and clarify the purposes of the sign regulations, and to remove language that might be construed as preferring one message content over another.

are legible from public or private property other than the one on which the sign is located. No sign shall be erected or installed unless it is in compliance with the regulations of this article.

b. Exemptions from Standards⁸⁰⁹

1. Exempt from All Sign Standards

The following signs are exempt from all sign and billboard standards in this section:

- i. Signs erected by, on behalf of, or pursuant to the authorization of a governmental body, including traffic, directional, and regulatory signs and legal notices; and
- ii. Signs the City is prohibited from regulating by state or federal law, to the extent of the prohibition.

2. Exempt from Specific Sign Standards⁸¹⁰

The following activities and signs are exempt from all sign and billboard standards in this section other than Sec. 24-6.10.6, General Provisions:

- i. Cleaning, painting, or comparable maintenance of a sign that does not alter the size, image, or message of the sign.
- ii. Changing the copy, announcement, or message on a changeable copy sign.
- iii. Address numbers used for the purposes of identifying the E-911 address of a property, if they are not included on a sign with other commercial or noncommercial messages or images.
- iv. Signs marking construction, excavation, or similar hazards.
- v. Temporary decorations used to celebrate a single holiday or season.
- vi. Signs attached to a vehicle or trailer that is used in the normal day-to-day operation of the business advertised on the vehicle, if the vehicle or trailer is used primarily for the transportation or conveyance of persons or commodities from one place to another, and not for advertising.
- vii. A sign designed to be carried by a person and that is not prohibited in Sec. 24-6.10.6.i, Prohibited Signs, such as a placard.
- viii. Signs on structures or sites which were designated as historic structures or sites before December 1, 2007, if the sign was included in a photo, drawing, or description that is part of (i) a document designating the structure or site as a historic structure or site, or (ii) an approved application for a certificate of appropriateness, and if the sign is maintained in a manner that retains its historical significance, character, method and manner of operation, and appearance.
- ix. Signs posted on the site of public K-12 schools operated by Tuscaloosa City Schools or the Tuscaloosa County School System.⁸¹¹

⁸⁰⁹ This section and the following section carry forward Sec. 24-134 of the current Zoning Ordinance, modified to clarify that some signs currently listed as not requiring a permit and exempt from the standards must comply with the general sign standards (governing illumination, location, maintenance, etc.), while exempting other signs (e.g., traffic lights) from all standards. Language is also simplified or modified to eliminate references to sign content in some cases. Standards for several of the signs are included in the temporary sign standards at the end of the sign and billboard standards, with cross references included in this section. Provisions exempting specific types of signs that are not legible from the right-of-way and other properties are deleted, since such signs are not subject to standards per the last paragraph of Sec. 24-131 of the current Zoning Ordinance. The following exemptions are not carried forward because they are based on the content of the sign, which runs counter to recent court cases: (1) signs advertising employment opportunities and (2) signs identifying the name or occupation of a nonresidential occupant.

⁸¹⁰ The exemption for flags not displaying a commercial message has been removed for content-neutrality purposes.

⁸¹¹ New.

c. Severability

If any section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section is declared to be unconstitutional or otherwise invalid by a judgment or decree of a court of competent jurisdiction, such judgment or decree shall not affect the validity of this section as a whole or any other section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section.

d. Substitution of Message

Any sign allowed in accordance with this Ordinance may contain, in lieu of a commercial message, any lawful message that is not a commercial message.

SEC. 24-6.10.3. TIMING OF REVIEW

Review for compliance with the standards of this section shall occur during review of a development application for a planned development (Sec. 24-3.4.3), a conditional use permit (Sec. 24-3.4.4), a special exception use permit (Sec. 24-3.4.5), a sign permit (Sec. 24-3.4.7), or a land development permit (Sec. 21-218), as appropriate. Review of compliance with these standards for freestanding signs in residential subdivisions may also occur during the subdivision process.

SEC. 24-6.10.4. SIGN PERMIT REQUIRED⁸¹²

- a. Except as otherwise provided in subsection b below, no person shall erect, alter, relocate, repair, replace the face of, or change a sign without first obtaining a sign permit in accordance with Sec. 24-3.4.7, Sign Permit.
- b. The following signs are exempt from the requirement of obtaining a sign permit, but shall comply with all applicable standards in this section:
 1. Signs and activities exempt from these sign and billboard standards in accordance with Sec. 24-6.10.2.b, Exemptions from Standards;
 2. Signs erected by a K-12 school on the premises of the school;
 3. Window signs (see Sec. 24-6.10.9.a);
 4. Traffic and pedestrian signs (see Sec. 24-6.10.9.e);
 5. Drive-through signs (see Sec. 24-6.10.9.f);
 6. Flags (see Sec. 24-6.10.9.g);
 7. Banners (see Sec. 24-6.10.10.a);
 8. Temporary construction signs (see Sec. 24-6.10.10.b);
 9. Temporary real estate signs (see Sec. 24-6.10.10.c); and
 10. Temporary yard signs (see Sec. 24-6.10.10.d).

SEC. 24-6.10.5. SIGN MEASUREMENTS⁸¹³

a. Height

Except as otherwise provided in this Ordinance, the height of a sign shall be measured as the vertical distance between the highest point of the sign and the tallest of:

1. The finished elevation of the lot or development site on which the sign is located;

⁸¹² This section carries forward the general requirement to obtain a sign permit in Sec. 24-133 of the current Zoning Ordinance, and, together with the previous section, the exemptions in Sec. 24-134 (see footnote above).

⁸¹³ This section consolidates rules for measurement for signs and billboards in Article X: Billboards and Signs, of the current Zoning Ordinance.

2. The finished grade of the sidewalk, alley, or ground directly below the sign, provided any berming or filling solely for the purpose of locating the sign shall be computed as a part of the sign height; or
3. The elevation of the adjacent street curb, or in the absence of a curb, the adjacent street centerline.

b. Display Area

1. The display area of a sign or advertising device is measured by the smallest square, rectangle, triangle, circle, or combination thereof, which will encompass the entire sign or advertising device; including trim, frame, apron, posts, wrappings, sheathings, coverings of any type, encasements, uprights, and braces or other structural members which support it. If the sign consists of a logo or symbol, individual letters, or connected lettering mounted on a building in a raceway or similar mounting or on the surface of an integral architectural element, which is a part of the building, the display area shall be measured by the number of square feet in the smallest rectangle, within which all letters, logos, symbols or other elements of the sign can be enclosed, multiplied by 0.8. If an electronic, digital, or video board is included on a sign, the area of the board shall be counted toward the maximum allowable display area. The measurement of display area shall be taken from the largest two-dimensional profile of the structure.
2. If a sign has two or more faces, the display area shall be:
 - i. The display area of the largest of the sign faces if only one face can be viewed from any single location on abutting roadways; or
 - ii. The largest sum of the display areas of all sign faces that can be viewed from any single location, if more than one sign face can be viewed from any single location on abutting roadways.
3. When a sign is in the form of a three-dimensional object, the area shall be determined by drawing a square, rectangle, triangle, circle or combination thereof, which will encompass the projected image of the sign and multiplying that area by two. The "projected image" is that image created by tracing the largest possible two-dimensional outline of the sign.

c. Brightness

Sign brightness shall be measured (in nits) from the sign's face when the sign is set to its maximum brightness.

SEC. 24-6.10.6. GENERAL PROVISIONS

a. Measurement

Sign height, display area, and light intensity shall be measured in accordance with Sec. 24-6.10.5, Sign Measurements.

b. Location

1. Signs and their supporting structures shall not be located within or project into the public right-of-way except as specifically allowed in this Ordinance.⁸¹⁴
2. Signs and their supporting structures shall not be located in any Sight Triangle.
3. Signs and their supporting structures shall not be located so as to impede the use of any fire escape, emergency exit, or ventilation opening.

⁸¹⁴ Because the regulations specifically allow signs to project over public alleyways (see Sec. 24-135(8)(a) of the current Zoning Ordinance carried forward in Sec. 24-6.10.8.f of this Ordinance) this carry-forward provision has been modified to recognize exceptions to the general rule.

4. Except as otherwise provided in Sec. 24-6.10.9.h, Billboards, no sign containing a message related to goods, services, products or other activities that are not offered on the same premises on which the sign is located shall be permitted.

c. Illumination

1. Devices that illuminate a sign or signs shall be placed and shielded so that direct light is not cast into residential areas or the eyes of pedestrians, cyclists, or motorists entering or using a street, road, or highway.
2. Sign lighting shall not be designed or located to cause confusion with traffic signals.

d. Electronic, Digital, and Video Displays

The use of electronic, digital, or video displays in signs shall comply with the following standards:

1. The display shall be programmed so that the message or image on the sign changes no more often than once every eight seconds.
2. There shall be no effects of movement, blinking, animation, scrolling, flashing, scintillation, or similar effects in the individual images.
3. Changes of image shall be instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change.
4. The display shall use automatic level controls incorporating ambient light monitors to automatically adjust the brightness of the display at night and under cloudy and other darkened conditions. Maximum brightness levels shall not exceed 5,000 nits during daylight hours and 500 nits between sunset and sunrise, as those times are determined by the National Weather Service.
5. Any changeable copy sign using an electronic, digital, or video display which malfunctions and fails or ceases to operate in its usual or normal programmed manner, causing motion, movement, flashing, or any similar effects, shall be restored to compliance with the requirements of this section within 48 hours of the malfunction; however, if the Director of Infrastructure and Public Services considers the malfunction to be a hazard to the health, safety, and welfare of the public, the Director may order the sign to be turned off, disconnected, or disabled at any time during the malfunction.⁸¹⁵
6. Except for billboards in accordance with Sec. 24-6.10.9.h, Billboards, a changeable copy freestanding sign using an electronic, digital, or video display shall not exceed 50 percent of the allowable display area of the sign.⁸¹⁶
7. No more than one sign that includes an electronic, digital, or video display per premises shall be visible from any one location; however, a two-sided sign on which the two sides are parallel, with changeable copy on each side, shall be deemed to comply with this standard.

e. Building Code Compliance

All permanent signs and their illumination shall be designed, constructed, and maintained in conformity with the Building Code. Wherever there is inconsistency between this article and the Building Code, the more restrictive requirement shall apply.

f. Maintenance

All signs and billboards and their supporting structures shall be maintained in accordance with the Building Code and in good repair, free of rust, peeling, fading, broken or cracked panels, broken or missing letters, or any condition that would constitute a fire or health hazard. Nonfunctioning light bulbs shall be replaced within ten days of becoming nonfunctioning. Vegetation shall be

⁸¹⁵ Updated from Director of Transportation to IPS.

⁸¹⁶ Updated from 50 square feet in display area.

properly maintained and the general area in the vicinity of the sign or billboard shall be kept free and clear of spare or discarded sign materials.

g. Unsafe Signs

Any sign that, in the opinion of the Chief Building Official, constitutes a danger to the public due to structural, maintenance, or other issues, notwithstanding the fact that it may conform with the dimensional and other standards of this section, shall be illegal. The determination that a sign is a danger to the public shall be made in writing and shall specify the characteristics of the sign that constitute a danger, and a copy of the determination shall be promptly served on the permit holder for the sign or the property owner of record. If the sign owner or property owner responds within three business days of being served with the determination with a proposed plan to eliminate the danger and begins and maintains diligent work to implement that plan, the sign shall no longer be considered illegal. Otherwise, the sign shall be considered illegal and the Director of Planning shall proceed in accordance with the enforcement provisions in this Ordinance (see Article 24-7: Enforcement).

h. Abandoned Signs

Except as otherwise provided in this section, a sign shall be deemed abandoned if it is located on property that is vacant or unoccupied for a period of greater than 90 days, pertains to a business which does not maintain a current business license, or pertains to a time, event, or purpose which no longer applies. Each abandoned sign shall be removed by the owner of the sign or the owner of the property. If the abandoned sign's supporting structure complies with this Ordinance, the supporting structure is not required to be removed, otherwise, the supporting structure shall either be removed or made to conform to this Ordinance.

i. Prohibited Signs

The following signs are expressly prohibited in the City:

1. Any sign which does not conform to the requirements of this Ordinance with respect to number, display area, location, or otherwise;
2. Any sign not expressly authorized by this section;
3. Except as otherwise permitted in this Ordinance, any sign not permanently attached to the ground or other permanent structure or designed to be readily transported, including, but not limited to, signs designed to be transported by means of wheels; balloons used as signs; umbrellas with signs such as those affixed to tables; and signs attached to or painted on vehicles parked and visible from the public right-of-way;
4. Signs made of paper, cloth, or other nondurable materials;
5. Any sign which simulates or imitates in size, color, lettering, or design any official traffic sign or signal;
6. Any signs, other than official traffic control devices, highway identification markers, warning signs, and other official signs, that are located within the right-of-way of a street or alley or outside the right-of-way in a manner that creates a safety hazard by (i) obstructing the vision of pedestrians, cyclists, or motorists traveling on or entering a street, road, or highway, or (ii) using the word "stop" or "danger" or other language that presents or implies the need or requirement of stopping or caution or the existence of danger, if such signs are likely to be confused with a sign displayed or authorized by a public authority;
7. Any sign which employs moving, strobe-type lights, flashing lights, beacons, spotlights directed at the sky or at anything other than the sign surface, flashing or blinking lights, or any type of pulsating or moving light;
8. Feather flag signs;
9. A fluttering object, gas balloon, moored blimp, moving object, pennant, revolving object, ribbon, rotating object, spinner, streamer, or any similar object or structure that is designed to

inform or attract the attention of persons not on the premises on which it is located, except as specifically permitted in Sec. 24-6.10.10.a, Banners.⁸¹⁷

10. Signs that are of such intensity or brilliance as to cause glare or impair the vision of motorists, cyclists, or pedestrians, or that illuminate adjacent residential development;
11. Signs that emit audible sound, odor, or visible matter such as smoke or steam;
12. Signs on public land, other than those erected at the direction or with the permission of the governmental authority that manages the land, in accordance with its established policies and procedures;
13. Signs erected on public utility poles, even if they are located on private property, other than signs erected by a public authority for public purposes;
14. Signs erected on any broadcasting or telecommunications tower or any antenna, except as required by law;
15. Signs installed on any property owned or controlled by the state or City or on school board property, including all public rights-of-way, trees, light poles, sidewalks, streets, benches, fire hydrants, public parks or playgrounds, libraries, fire stations, city hall, and schools, except for signs installed by the owner of the property in accordance with the standards of this section;⁸¹⁸
16. Signs or their supporting structures that interfere in any way with free use of any fire escape, emergency exit, or standpipes, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of these regulations or any other regulation of the City;
17. Signs painted on or attached to trees, rocks, or other natural features;
18. Signs attached to or painted on the roof and intended to be visible from above; and
19. Signs or their supporting structures that have become deteriorated or damaged by any means to an extent of more than 50 percent, as determined by the Chief Building Official, exclusive of foundations.

SEC. 24-6.10.7. FREESTANDING SIGN GENERAL STANDARDS

a. Number of Freestanding Signs Allowed⁸¹⁹

1. Except in the D district, freestanding signs are allowed in accordance with the following:
 - i. For a parcel with one street frontage, a single freestanding sign is allowed.
 - ii. For a parcel with more than one street frontage, up to two freestanding signs are allowed, with no more than one on a single street frontage, and each sign shall be oriented to be perpendicular to the street.
2. Freestanding signs are not allowed in the D district.

b. Maximum Height

1. Except as otherwise provided in subsection 2 below, the maximum height of a freestanding sign shall be 25 feet.⁸²⁰

⁸¹⁷ This list and feather flags constitute a more complete list of prohibited, attention grabbing signs to replace "Inflatable signs, figures, and tethered balloons" in the current code.

⁸¹⁸ Adapts current provision in Sec. 24-134(o)(4) of the current Zoning Ordinance but broadens it to apply to all signs, not just political signs, and clarifies that the owner may post signs in accordance with this Ordinance.

⁸¹⁹ Clarifies rules regarding freestanding signs and prohibits them in the D district.

⁸²⁰ In parts of lots subject to the neighborhood compatibility standards in Sec. 24-6.7, the maximum height of a sign is 20 feet.

2. The maximum height of a freestanding sign on a lot abutting Interstate 20/59 shall be 60 feet if:
 - i. The development, including developments located at designated exit ramps, lies contiguous to the interstate right-of-way;
 - ii. The freestanding sign is oriented to the interstate and is not oriented to any other street or avenue or positioned parallel to the interstate right-of-way; and
 - iii. Development on the lot:
 - (a) Consists of a shopping center (see Sec. 24-2.3, Definitions); or
 - (b) Includes at least 10,000 square feet of gross building area and all buildings, parking lots, and accessory uses are located on a single lot.

c. Maximum Display Area

The maximum height and display area allowed for each freestanding sign shall be as set out in Table 6-18: Maximum Freestanding Sign Display Area.

Table 6-18: Maximum Freestanding Sign Display Area

DEVELOPMENT TYPE/LOCATION		MAXIMUM DISPLAY AREA [2]
General Business (not shopping center)	In all locations except where specified below	200 sf
	On lot abutting Interstate 20/59 [3]	450 sf
Shopping Center [4]	At least 10,000 sf but less than 50,000 sf	300 sf
	At least 50,000 sf but less than 100,000 sf	400 sf
	At least 100,000 sf but less than 200,000 sf	450 sf
	200,000 sf or more	500 sf
NOTES		
[1] sf = square feet		
[2] The maximum display area per sign (see Sec. 24-6.10.5.b, Display Area)		
[3] Applies only if: (i) the development, including developments located at designated exit ramps, lies contiguous to the fenced interstate right-of-way, (ii) the freestanding sign is oriented to the interstate and is not oriented to any other street or avenue or positioned parallel to the interstate right-of-way, and (iii) the development includes at least 10,000 square feet of gross building area and all buildings, parking lots, and accessory uses are located on a single lot. Otherwise, the maximum display area for the freestanding sign is 200 square feet.		
[4] Area measurements refer to the sum of all gross floor areas of all buildings in the shopping center.		

SEC. 24-6.10.8. BUILDING/WALL SIGN GENERAL STANDARDS

a. Number of Building/Wall Signs Allowed

Any number of building/wall signs are allowed subject to the standards of this subsection.

b. Display Area

1. The sum of all display areas of all building/wall signs on any single development site shall not exceed a total of two square feet per linear foot of the main or entry façade of all buildings on the site. For purposes of this section, the main or entry façade shall be the façade or side of the building that faces the public street, road or highway, or, in cases where the building is oriented in a manner not parallel to the street, the façade where the primary entrance is located. In the case of a shopping center, where it cannot be determined which façade is the main or entry façade, the longest single exterior elevation of the structure, or, in the case of an individual shopfront in a multi-tenant building, the longest exterior entry façade of the individual business, shall be the main or entry façade.
2. No single building/wall sign shall exceed 300 square feet of display area.

c. Allocation of Display Area

1. Each individual business is allowed a minimum of 32 square feet and a maximum of 500 square feet of building/wall sign display area, subject to the maximum display area limitations in subsection b above.
2. A minimum of 70 percent of the display area shall be on the main or entry façades determined in accordance with subsection b above.
3. Building façades containing drive-thru or walk-up windows that are not also main or entry façades are limited to 60 square feet of building wall signage.
4. Signs on awnings or canopies shall not exceed 30 percent of the face area of the canopy or awning.⁸²¹

d. Placement on Building/Wall

1. A building/wall sign shall not be mounted to the structural roof or applied to the roof, and may not extend more than four feet above the roof line. This limitation applies to painted signs.⁸²²
2. Building/wall signs shall not project above the building roof or parapet line.

e. Projection

A sign shall not project out more than six feet from the façade to which it is attached, measured from the point of connection on the building to the furthest part of the sign. A right-of-way use permit is required if a sign projects over a public right-of-way.⁸²³

f. Minimum Vertical Clearance

1. Signs projecting over pedestrianways shall provide at least eight feet vertical clearance.
2. Signs projecting over public alleyways shall provide at least 16 feet vertical clearance.

SEC. 24-6.10.9. STANDARDS FOR SPECIFIC TYPES OF PERMANENT SIGNS⁸²⁴**a. Window Signs**

Window signs shall not occupy more than 20 percent of an individual window, or more than 20 percent of the entire glass area along each street-level façade.⁸²⁵

b. Shopping Center Signs

A freestanding sign located on a lot with a shopping center shall be supported by a structure constructed of brick, stone or other masonry material, or other material of similar weight, durability, and finish, as determined by the Director of Planning.⁸²⁶

c. Subdivision or Office/Industrial Park Entrance Signs

A freestanding sign may be located at any primary entrance to a residential subdivision, office park, or industrial park of at least five acres in accordance with the following standards:

⁸²¹ Limitation on awning or canopy signage is new. Awnings and canopies are included within the definition of "building/wall sign" and so the limitations on total building/wall signage includes any signs on awnings or canopies.

⁸²² The height limit on signs extending above the roof line is new. In addition, a new prohibition on building signs visible intended to be viewed from above has been added to Sec. 24-6.10.6.i, Prohibited Signs.

⁸²³ Revised to clarify how to calculate projection and the requirement for a ROW permit.

⁸²⁴ This generally carries forward standards from the current Zoning Ordinance, except that the regulations allowing signs for home occupations in Sec. 24-135(10) have not been carried forward, at staff's request.

⁸²⁵ References to sign content in the current Zoning Ordinance are deleted. Updated to add 20 percent limitation per window, and applies to each street-level façade.

⁸²⁶ This changes the current Zoning Ordinance provision (paragraph (3)(f) of Sec. 24-135), which authorizes the planning commission to make a determination regarding other acceptable materials. This section grants the authority to the Director of Planning and provides additional language regarding acceptable materials.

1. The sign shall be located on private property and not within the public right-of-way, except as provided in subsection 6 below;
2. A maximum of one such sign is allowed per street front (entrance); however two sign faces may be used (on either side of the entrance) if the sign is incorporated into a wall or other architectural entrance feature.
3. The maximum display area of each sign face shall be 32 square feet.
4. The maximum height of each such sign shall be eight feet.
5. The sign supporting structure shall be constructed of brick, stone, or other masonry material or such other decorative material approved by the Director of Planning.⁸²⁷
6. The sign may be platted or designed to be located in a traffic island, located within a median of the development, or at the entrance to the development in a manner that encroaches within or on the street or highway right-of-way, if the sign complies with the following additional standards:
 - i. The sign shall be placed in a designated median or traffic island;
 - ii. The developer shall indicate the location of such sign on a site plan and plat and provide construction details for review and approval by the City Engineer, and shall also apply for and receive a right-of-way use permit for the sign from the City;
 - iii. Any utilities involved with construction of the sign shall be permitted through the Building and Inspection Division; and
 - iv. The developer shall provide an engineer's certification that site distance around the sign meets minimum requirement established by the City.
7. A sign erected in a traffic island, in accordance with subsection 6 above, that is damaged shall be rebuilt, repaired, or replaced only in accordance with the requirements of this Ordinance. Such a sign will not be repaired or replaced at the City's expense and may not remain in a damaged condition.

d. Multifamily Residential Signs⁸²⁸

1. A site that contains a multifamily residential use may contain one of the following at each entrance from a public street:
 - i. A building/wall sign having a maximum display area of 32 square feet; or
 - ii. A freestanding sign having a maximum display area of 32 square feet and a maximum height of eight feet.
2. A site that contains a multifamily residential use and includes uses in the Commercial use classification may additionally include building or wall signs for the nonresidential uses in accordance with Sec. 24-6.10.8, Building/Wall Sign General Standards, above.

e. Traffic and Pedestrian Signs

Up to four signs legible off-site are allowed on each lot containing a Commercial, Institutional, or Industrial use. Each sign shall have a display area of ten square feet or less and a height of three feet or less. All such signs shall be oriented toward pedestrian or vehicular traffic and posted at access or exit points or at trash receptacles, first aid facilities, shopping cart corrals, or locations in the pedestrian and/or vehicular circulation system on a development site. An unlimited number of signs that are not visible off-site are allowed.

⁸²⁷ Approval authority changed from PZC to Director of Planning for consistency with shopping center signs provision above.

⁸²⁸ This allows mixed-use developments with multifamily residential and commercial uses to incorporate additional signage for the nonresidential parts of the building.

f. Drive-Through Facility Signs

Two permanent signs are allowed along the queuing area of each drive-through facility. Each sign shall:

1. Be oriented toward the queuing lane;
2. Have a maximum display area of 48 square feet; and
3. Have a maximum height of eight feet.

g. Flags⁸²⁹

Up to two flags no larger than 32 square feet in area are allowed per premises. The maximum height of any flag is 16 feet in Residential districts and 50 feet in districts other than Residential districts, measured from the ground level in accordance with Sec. 24-6.10.5.a, Height.

h. Billboards**1. Applicability**

- i. The billboard standards in this section shall apply to all billboards constructed after December 4, 2007.
- ii. Billboards erected prior to December 4, 2007, that were legal nonconforming billboards prior to December 4, 2007, shall be considered nonconforming billboards under this Ordinance and shall be subject to Sec. 24-8.6, Nonconforming Signs and Billboards.
- iii. Except as provided in subsection iv below, billboards erected prior to December 4, 2007, that were in conformity with the regulations in effect prior to the adoption of amended billboard regulations on December 4, 2007, shall be deemed conforming billboards under this Ordinance.
- iv. Billboards are prohibited in the following areas, and any existing billboards in such areas are nonconforming billboards, subject to Sec. 24-8.6, Nonconforming Signs and Billboards:
 - (a) Abutting Rice Mine Road as the same is depicted and shown on the Major Streets Plan of Tuscaloosa.
 - (b) Abutting Jack Warner Parkway as the same is depicted and shown on the Major Streets Plan of Tuscaloosa.
 - (c) Abutting Ol' Colony Road as the same is depicted and shown on the Major Streets Plan of Tuscaloosa.
 - (d) Abutting New Watermelon Road as the same is depicted and shown on the Major Streets Plan of Tuscaloosa.
 - (e) Abutting The Eastern Northern Bypass, also known as State Road 297 (21st Street NE) from Jack Warner Parkway to Rice Mine Road N.E.
 - (f) Abutting Northridge Road as the same is depicted and shown on the Major Streets Plan of Tuscaloosa.
 - (g) Abutting McWright's Ferry Road.
 - (h) Abutting a road designated as an Alabama Scenic Byway in accordance with the Alabama Scenic Byways Program.
 - (i) Within the area enclosed by the following boundaries:

⁸²⁹ These standards are revised to delete this language, which is inconsistent with the First Amendment of the United States Constitution (see purposes and scope section above): "Official flags must be flown in a manner that meets U.S. congressional protocol. Failure to display flags in this manner will be a violation of this article."

- (1) On the north: by the Black Warrior River;
- (2) On the west: by Martin Luther King, Jr. Boulevard to the point where Martin Luther King, Jr. Boulevard intersects Jack Warner Parkway. Said boundary is then to continue along an imaginary northern extension of Martin Luther King, Jr. Boulevard to the Black Warrior River;
- (3) On the south: by the centerline of 15th Street going east from Martin Luther King, Jr. Boulevard to the old Southern Railroad right-of-way and then easterly along the old Southern Railroad right-of-way to McFarland Boulevard East; but not to include properties fronting the south side of 15th Street;
- (4) On the east: by McFarland Boulevard East.
- (j) Within 300 feet, measured radially, of the property line of (i) any public park, public playground, church, school, river bridge, or historical structure as designated by the Alabama Register of Landmarks and Heritage maintained by the Alabama Historical Commission or the National Register of Historic Places maintained by the United States Department of the Interior, or (ii) any property line of a cemetery/graveyard, except where separated from the cemetery/graveyard by a U.S. highway of at least four lanes.
- (k) On the premises of any Historic or Architectural Landmark (see Sec. 24-2.3, Definitions) or in any historic district identified in Chapter 20 of the City Code.

2. Limitation on Number of Billboards

The number of billboards and their supporting structures located on properties not adjacent to Interstate 20/59 shall not exceed the number of billboards that existed on December 4, 2007. On properties abutting the fenced right-of-way of Interstate 20/59, there shall be no limitation on the number of billboards provided all new billboards comply with the standards in this Sec. 24-6.10.

3. Modification, Replacement, or Removal of Existing Billboards

- i. Billboards may be dismantled, moved, and/or converted to accommodate electronic, digital, and video displays or tri-vision technology in accordance with the standards in this Sec. 24-6.10.
- ii. A billboard that is replaced or converted is subject to the following:
 - (a) The maximum height of the billboard shall not increase.
 - (b) The display area of each sign face of the billboard shall not increase.⁸³⁰
- iii. Prior to the removal of any billboard, the billboard’s owner shall obtain a permit for the demolition and removal of the billboard.

4. Minimum Clearance and Maximum Height

- i. On properties adjacent to Interstate 20/59, the base of a billboard sign face shall be at least 11 feet above the ground and not more than the higher of 75 feet above the ground or 60 feet above the plane of the adjoining highway lanes. Such billboards are not subject to a maximum total height limitation.
- ii. Except as otherwise provided in subsection i above, the distance from the base of the lowest sign face of a billboard to the ground beneath the billboard shall be at least 11 feet and not more than:
 - (a) Forty (40) feet if the billboard is located along a street with more than three moving lanes; and

⁸³⁰ Language revised to better meet current language used in billboard applications.

- (b) Twenty-six (26) feet if the billboard is located along a street with three or fewer moving lanes.
- iii. Except as otherwise provided in subsection i above, the total height of a billboard, as measured from the top of the sign face to the ground beneath the billboard, shall not exceed:
 - (a) In cases where the ground level is lower than the main-traveled way of the street or highway to which the sign is directed, the higher of 25 feet above the plane of such main-traveled way or 60 feet in total height; and
 - (b) Sixty (60) feet in all other cases.

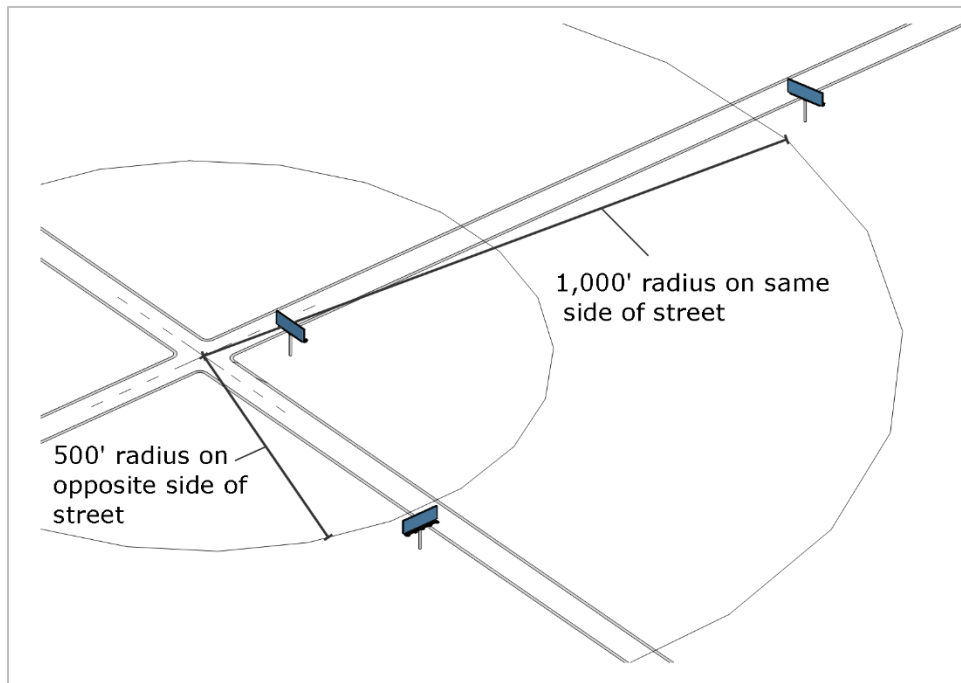
5. Maximum Display Area

The maximum display area of a billboard shall be 672 square feet.

6. Minimum Spacing

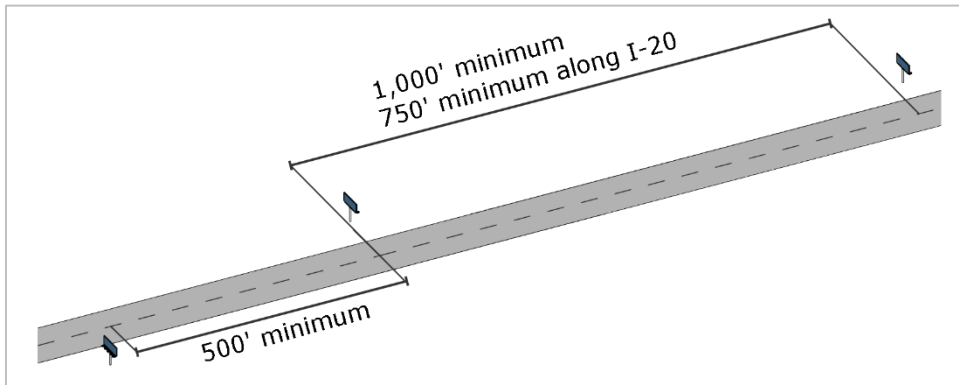
- i. The minimum spacing between billboards which are on the same side of the street shall be 750 feet along Interstate 20/59 and 1,000 feet along all other streets.
- ii. The minimum spacing between billboards which are on opposite sides of the street shall be 500 feet, except no such minimum spacing shall apply along Interstate 20/59.
- iii. The distances specified in subsections i and ii above, shall be measured:⁸³¹
 - (a) Radially from the center point of the adjacent intersection if the billboard is located on a corner lot (see Figure 6-13); or
 - (b) Along the centerline of the street along which the billboards are located in all other cases (see Figure 6-14).

Figure 6-13: Corner Lot Billboard Spacing Measurement



⁸³¹ **NOTE TO STAFF:** New illustrations updating the existing billboard spacing graphics in Sec. 24-135 of the current Zoning Ordinance will be included in a subsequent draft.

Figure 6-14: Non-Corner Lot Billboard Spacing Measurement

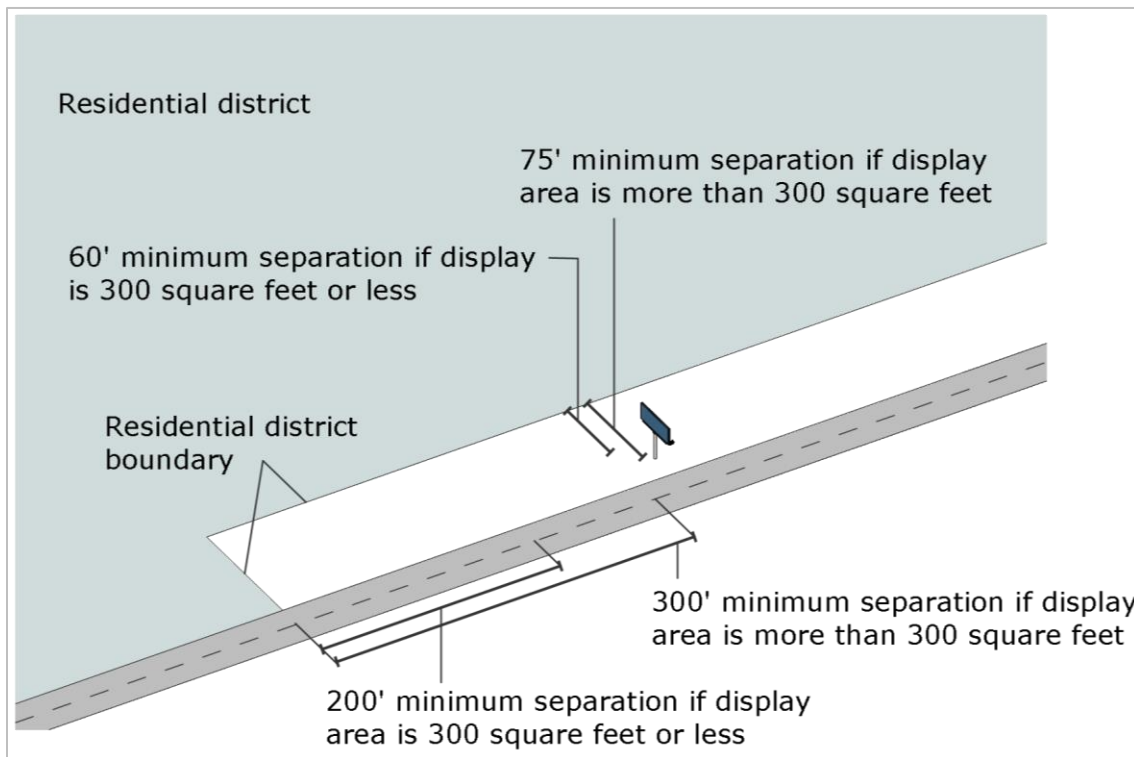


7. Minimum Setback from Residential Districts

Billboards shall be set back from all lands classified in Residential districts as follows (see Figure 6-15: Billboard Setback from Residential Districts):

- i. Billboards having a display area of 300 square feet or less and their supporting structures shall be set back at least 60 feet from all such lands, measured in a straight line, and at least 200 feet from such lands fronting the street on the same side of the street as the billboard, measured along the street frontage; and
- ii. Billboards having a display area of more than 300 square feet and their supporting structures shall be set back at least 75 feet from all such lands, measured in a straight line, and at least 300 feet from such lands fronting the street on the same side of the street as the billboard, measured along the street frontage.

Figure 6-15: Billboard Setback from Residential Districts



8. Design and Configuration

- i. No billboard or component thereof shall revolve, show, or allow movement or rotate, except tri-vision technology in accordance with the standards in this section.
- ii. Lighting of billboards shall be shielded upward to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area and shall not be of such intensity or brilliance as to cause glare or impair vision.
- iii. Billboards that include an electronic, digital, or video display or tri-vision technology shall comply with the standards that apply to electronic, digital, and video displays in Sec. 24-6.10.6.d. No billboard that includes an electronic, digital, or video display or tri-vision technology shall be located within 2,000 feet of any other such billboard, measured along the centerline of the adjacent street, or, if the billboard is located on a corner lot, radially from the center point of the adjacent intersection.
- iv. Sign copy shall not be placed on any portion of the billboard supporting structure other than a sign face.
- v. Each billboard may have a maximum of two sign faces, provided a billboard having two sign faces shall be configured in one of the following configurations:
 - (a) As a "V"-type billboard, with the two sign faces forming an interior angle of 25 degrees or less;
 - (b) With the two sign faces facing opposite directions, the two sign faces parallel and no more than five feet apart;
 - (c) With the two sign faces facing the same direction and not having a combined display area greater than 672 square feet; or
 - (d) If the billboard has electronic, digital, or video display or tri-vision technology installed behind the sign faces, the two sign faces shall be parallel and no more than ten feet apart.
- vi. The sign supporting structure shall not be larger than is reasonably necessary to support the sign.
- vii. Exposed back of signs, poles, and other components of supporting structures shall be painted white, black, dark green, or dark brown to present an attractive and finished appearance which will blend with natural surroundings in order to further accomplish the purposes of this section and this Ordinance.
- viii. No billboard may be mounted or displayed as a roof sign or wall sign or on any structure not intended specifically for use as a billboard.
- ix. No billboard shall be located on, or project over, any public property, right-of-way, utility easement or drainage easement. No part of any billboard supporting structure, including the sign face, shall extend over a building setback line or property line.
- x. No billboard shall be mounted, affixed, or attached to a vehicle, motor vehicle or trailer and operated, maneuvered, or towed in or upon any street, avenue, alley, or right-of-way within the corporate limits of the City. This prohibition shall include vehicles, motor vehicles, or trailers designed and built or used specifically for and as mobile advertising billboards. For the purposes of this section, such vehicles shall not be considered delivery vehicles or vehicles used in the ordinary course of business as a means to circumvent this ordinance.

SEC. 24-6.10.10. TEMPORARY SIGNS⁸³²

Except as otherwise specified in this section, the temporary signs allowed by this section are not exclusive, meaning any one or more types of allowed temporary signs may be displayed on a lot at any given time in accordance with the requirements of this Ordinance.

a. Banners⁸³³

1. Banners are allowed as temporary signs for uses on sites other than shopping centers in accordance with the following standards:
 - i. A single banner is allowed on a lot for no more than 14 consecutive days, no more than four times per calendar year,
 - ii. The maximum display area of each banner shall be 232 square feet.
2. Banners are allowed as temporary signs for uses in shopping centers in accordance with the following standards:
 - i. A maximum of three banners may be posted simultaneously in the shopping center.
 - ii. Each tenant within the shopping center is allowed a single banner for no more than 14 consecutive days, no more than four times per calendar year.
 - iii. The maximum display area of each banner shall be 232 square feet.
 - iv. Each banner shall be spaced at least 50 feet from all other banners on the same premises or site.

b. Temporary Construction Signs⁸³⁴

A temporary sign may be placed at each principal entrance to an area where an active building permit or land development permit has been issued and any construction activities of any type are being performed, in accordance with the following standards:

1. The sign shall not be artificially illuminated.
2. The maximum display area of the sign shall be 32 square feet.
3. The maximum height of the sign shall be eight feet.
4. The sign shall be set back at least 15 feet from the pavement edge and outside of all Sight Triangles.
5. A windscreen placed on construction fencing is not subject to the display area restrictions of this subsection b.

c. Temporary Real Estate Signs

One temporary sign may be located on any real property actively marketed for sale, lease, or rent, in accordance with the following standards:

1. A maximum of one such sign is allowed to face each street adjacent to the property.
2. The maximum display area of each sign shall be as follows:

⁸³² The regulations allowing search lights in Sec. 24-135(12) of the current Zoning Ordinance have been removed.

⁸³³ Standards for banner signs for special events have been merged in this section with the commercial banner standards in order to avoid distinctions that may be problematic based on court decisions. The current permit requirement has been removed but the substantive limitations have been retained. Standards have been updated to allow additional flexibility for shopping centers.

⁸³⁴ This section consolidates and simplifies standards for temporary construction signs in the current Zoning Ordinance. This varies from the current standard in order to simplify the standards somewhat. Rather than allowing one sign per every 50 lots, it allows one sign per principal entrance to the subdivision, or to a subdivision phase consisting of 50 or more lots.

- i. In Residential districts, six square feet per side of the sign, not to exceed 12 square feet; and
 - ii. In all other districts, 32 square feet.
 3. The maximum height of the sign shall be as follows:
 - i. In Residential districts, four feet; and
 - ii. In all other districts, eight feet.
 4. The sign shall be set back at least five feet from the curb or street edge and outside of all rights-of-way and City property.
 5. All such signs on the property shall be removed within two days of the property no longer being offered for sale, lease, or rent.
- d. Temporary Yard Signs⁸³⁵**

Up to three temporary signs may be displayed in the yards of lots in the Residential district containing uses other than Multifamily Dwellings or Multifamily Student Dwellings, in accordance with the following standards:

 1. Each such sign shall have a display area of six square feet or less; and
 2. Each such sign shall be set back at least five feet from the curb or street edge, and shall be located outside of all rights-of-way and City property.
- e. A-Frame Signs**

Each establishment may display one A-frame sign that:

 1. Has no more than six square feet of copy area;
 2. Has a maximum height of six feet;
 3. Is located within ten feet of the use it is serving;
 4. Is not located in the right-of-way (other than an alley), unless for a sidewalk café and only with the appropriate City permit; and
 5. Is taken indoors during non-business hours.

⁸³⁵ The limit of three temporary signs is new, and they are prohibited in multifamily dwellings, multifamily student dwellings, and in non-residential districts.

SEC. 24-8.6. NONCONFORMING SIGNS AND BILLBOARDS⁸⁷⁰

SEC. 24-8.6.1. GENERAL

a. Applicability

A nonconforming sign or billboard may be continued. It shall be maintained in accordance with this section.

b. Requirements⁸⁷¹

1. A nonconforming sign or billboard shall not be:
 - i. Structurally changed to another nonconforming sign, but the sign face and message may be changed;
 - ii. Structurally altered to prolong the life of the sign, including the addition or replacement of any structural supports and or ground or foundation supports;
 - iii. Expanded or altered in any manner that increases the degree of nonconformity; or
 - iv. Continued in use after a new freestanding sign or sign structure is erected on the same parcel or unit.
2. Should any nonconforming structure of a sign or billboard, or nonconforming portion of any structure be removed, destroyed, or become structurally deteriorated (excluding foundations) by any means to an extent of more than 50 percent of the structure as determined by the Chief Building Official, it shall not be reconstructed except in conformity with Sec. 24-6.10, Signs and Billboards, or removed.

SEC. 24-8.6.2. ILLEGAL SIGNS AND BILLBOARDS

a. Applicability

An illegal sign or billboard is a sign or billboard which:

1. Does not conform to the standards in Sec. 24-6.10, Signs and Billboards; and
2. Was erected or maintained in violation of the applicable requirements or ordinances in effect at the time it was erected.

b. Removal or Conformance

Illegal signs shall be removed, or made to conform to the standards in Sec. 24-6.10, Signs and Billboards, by the owner or user of the sign, or by the owner of the premises upon which it is located.

SEC. 24-8.6.3. NONCONFORMING BILLBOARDS

a. Applicability

No new billboards shall be constructed except in accordance with this section and Sec. 24-6.10, Signs and Billboards.

b. Requirements⁸⁷²

1. The number of current billboards and their supporting structures existing on *[insert effective date of this Ordinance]* shall be capped except that such cap shall not apply to the

⁸⁷⁰ This section generally carries forward, with refinements and clarification, Section 24-138, Nonconforming, illegal, and abandoned signs, of the current Zoning Ordinance, and Section 24-135(4), on nonconforming billboards.

⁸⁷¹ This subsection carries forward current standards.

⁸⁷² This section carries forward provisions under Sections 24-135(4)a, d, & e.

Interstate 20/59 corridor where billboards may be constructed subject to and in accordance with the requirements of this Ordinance. Billboards that were in compliance with the requirements of the Ordinance on December 4, 2007, are deemed to be conforming billboards. Billboards that were nonconforming on December 4, 2007, are deemed to be nonconforming billboards and shall be subject to the provisions of this section and Sec. 24-6.10, Signs and Billboards.

2. Existing nonconforming billboards may be converted to accommodate electronic, digital, video, or tri-vision technology, subject to Sec. 24-6.10, Signs and Billboards, provided that such structures are structurally able and capable to support a conversion to electronic, digital, video, or tri-vision technology. The existing foundation, ground-supporting poles or beams shall not be reinforced to accommodate electronic, digital, video or tri-vision technology except that an existing monopole structure may be modified to accommodate electronic, digital, video or tri-vision technology by limiting such modifications to the foundation and header of the pole. The conversion of any existing nonconforming billboard shall be permitted by the Chief Building Official.
3. The owner of an existing nonconforming billboard may remove the existing billboard from a nonconforming site to an approved and conforming location, including such areas annexed into the City subsequent to <insert effective date of this Ordinance> provided that such areas are not included in the billboard-free zone, only after a permit is obtained as set forth in Sec. 24-3.4.7, Sign Permit and Sec. 24-6.10, Signs and Billboards, and compliance with all other provisions of this section, this article, and this Ordinance. Permits to erect or construct a billboard along federal or state-controlled highways in conforming locations must be obtained from the City and the Alabama Department of Transportation.

⁸⁷³ This new section provides relief for those nonconformities created by eminent domain actions, or nonconformities created by the voluntary donation of land for a public purpose.