

**Section 4-6A. Business District Uses and Dimensional Requirements**

The following tables provide for the permitted uses and dimensional requirements in the B1, B2, B3 and MC districts. Table 1 identifies uses that are not permitted, permitted by right, permitted subject to conditional standards identified in 4-6A-4. Dimensional requirements are provided in Table 2.

**4-6A-1 Permitted Uses for B1, B2, B3, and MC**

Permitted Uses for B1, B2, B3, and MC are located in Table 1 found below.

**Table 1 Permitted Uses in Commercial Districts & Medical Center Districts**

**P**-Permitted By Right, **NP**-Not Permitted and **C**-Permitted Subject to Conditions

<b>Uses</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>MC</b>	<b>Standards</b>
Adult Business Uses	NP	NP	NP	NP	
Alcohol Sales – On-Premises beer and wine*	P	P	P	P	
Alcohol Sales – Off-premises beer and wine*	P	P	P	P	
Alcohol Sales – Restaurants*	P	P	P	P	
Alcohol Sales – Sale of liquor for off-premises*	NP	C	P	P	4-6A-5 (1)
Antique Stores	P	P	P	P	
Appliance Stores	NP	P	P	P	
Appliance Repair	NP	P	P	P	
Arcade	P	NP	P	NP	
Assisted Living	NP	P	P	P	
Banks	C	P	P	P	4-6A-5 (2)
Bed and Breakfast	C	P	NP	NP	4-6A-5 (3)
Breweries (Micro, Local)	P	NP	P	NP	
Cafes & Coffee Shops, or Tea Rooms including outdoor dining	P	P	P	P	
Car Wash	NP	C	P	NP	4-6A-5 (4)
Child Care Centers	C	C	C	C	4-6A-5 (5)
Commercial Recreation-Indoor	NP	P	P	NP	
Commercial Recreation-Outdoor	NP	NP	C	C	4-6A-5 (6)
Conference Centers	P	NP	P	P	
Convenience Store with fuel sales	NP	C	C	C	4-6A-5 (7)
Dry Cleaner	C	P	P	P	4-6A-5 (8)
Electronics Stores	P	P	P	P	
Entertainment, Indoor	P	P	P	P	
Entertainment, Outdoor	C	NP	C	NP	4-6A-5 (9)
Essential Utility Services	P	P	P	P	
Farmers Market	C	C	NP	NP	4-6A-5 (10)
Farming & Agriculture	NP	NP	NP	NP	
Fraternal Organizations	NP	NP	P	NP	
Funeral Homes	NP	NP	P	P	
Government Buildings & Services	P	P	P	P	
Grocery Stores	C	P	P	P	4-6A-5 (11)
Grocery Stores with Fuel Sales	NP	C	C	C	4-6A-5 (12)

<b>Uses</b>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>MC</b>	<b>Standards</b>
Hardware Stores	C	P	P	P	4-6A-5 (13)
Health Clubs	C	P	P	P	4-6A-5 (14)
Hospitals	NP	NP	P	P	
Hotel	NP	NP	P	P	
Jewelry Shops	P	P	P	P	
Laundromats	NP	P	P	NP	
Medical Clinics	NP	P	P	P	
Medical Supply Stores & Offices	NP	P	P	P	
Mini Storage Facilities	NP	NP	P	NP	
Mobile Food Vending	P	P	P	NP	4-6A-5 (15)
Museum or Activity Center	C	NP	P	NP	4-6A-5 (16)
Nursing Homes	NP	NP	P	P	
Offices, Professional	P	P	P	P	
Pharmacies	C	P	P	P	4-6A-5 (23)
Professional Schools or Colleges	NP	C	P	P	4-6A-5 (17)
Radio Station Offices	NP	NP	P	NP	
Radio Stations/Transmitters	NP	NP	P	NP	
Rehabilitation Services	NP	NP	P	NP	
Research Facilities	NP	NP	P	P	
Residential, above the first floor	P	NP	NP	NP	
Restaurants-Drive Through	NP	C	C	NP	4-6A-5 (18)
Restaurants & Brewpubs-Sit Down, including Outdoor Dining	P	P	P	P	
Retail Boutique	P	P	P	P	
Retail or Service Establishments **	P	P	P	P	
Shoe Stores	P	P	P	P	
Shoe Repair	P	P	P	P	
Sporting Goods	P	P	P	P	
Small Engine Repair	NP	NP	P	NP	
Surgery Centers	NP	P	P	P	
Teleconferencing Centers	NP	NP	NP	P	
Theaters	C	NP	P	P	4-6A-5 (19)
Travel Agencies	P	P	P	P	
Vehicle Repairs	NP	NP	C	NP	4-6A-5(20)
Vehicle Sales	NP	NP	P	NP	
Vehicle Service (Minor)	NP	C	C	NP	4-6A-5(21)
Veterinary Hospitals & Clinics	NP	C	C	NP	4-6A-5(22)
Visitors Center	P	NP	P	NP	
Worship Centers	P	P	P	P	

\* Proximity to churches and schools are regulated by the latest edition of the Madison Code of Ordinances

\*\*A "retail or service establishment" shall mean an establishment 75% of whose annual gross dollar volume of sales of goods or services (or of both) is not for resale and is recognized as retail sales or services in the particular industry.

**4-6A-2 Prohibited Uses**

No hazardous materials (as defined by the Alabama Department of Environmental Management) shall be produced, stored, used, or disposed of in any self-service storage facility.

#### **4-6A-3 New and Unlisted Uses**

The Planning Director shall determine if a use, not currently listed, is sufficiently similar to a use listed as permitted or conditional for a particular zoning district such that it may also be included as a permitted or conditional use within a zoning district. In the event the Planning Director determines that the requested use is not otherwise listed or defined in the Zoning Code, the developer or owner may request an amendment to this Zoning Code to include a definition for such previously unlisted use and determine in which zoning districts such use shall be permitted or conditional.

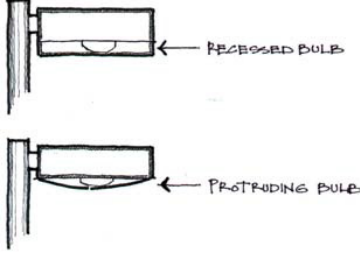
#### **4-6A-4 Accessory Uses and Structures**

The following standards shall apply for non-residential accessory structures.

1. Accessory structures must conform to the front and side setback requirements provided for the principal building.
2. An accessory building in a nonresidential zoning district must:
  - a. Be located in the rear yard of the property;
  - b. Must not be located in any required buffer zone or any drainage or utility easement;
  - c. Be separated from the principal building and any accessory building by a minimum distance of 25 feet; and
  - d. Meet the requirements of the city's fire protection regulations as they relate to accessory buildings.

#### **4-6A-5 Standards for Approval of Conditional Uses**

1. **Alcohol Sales – Sale of liquor for off-premises.** In the B2 District, sales of off-premises liquor must be in association with a restaurant or gas station.
2. **Banks.** In the B1 District, banks with drive-through facilities are not permitted.
3. **Bed and Breakfast.** In B1, Bed and Breakfasts must provide on-site/off-street parking.
4. **Car Wash.**
  - a. In the B2 District, carwashes shall only be permitted as an accessory use for a convenience store or gas station.
  - b. All car wash bays must be located to the rear of the principal building or on the side of the building that is not visible to the traffic flow on the abutting side of the public street. Carwash bays may be located on the on-coming traffic flow side of the building at the approval of the Director of Planning, but must be screened by a masonry wing wall complimenting the architectural style and material of the building or an opaque landscape screen. Additionally, all service bays must be screened from view from adjoining property owners with a landscape screening buffer a minimum of six (6) feet in height. The landscaping in the buffer shall be 80 percent opaque after a period of one year.
5. **Child Care Centers.**
  - a. In the B1 District, child care centers must be in association with a worship center.
  - b. Each facility must be located in an area that is free from conditions dangerous to the physical and moral well-being of children.
  - c. Play areas must be separated and fenced from vehicle circulation and parking areas.
  - d. A paved off-street location, such as a circle drive or another suitable location, must be provided for safe loading and unloading. Maneuvering room must be provided on the property for parking and loading so as to preclude the necessity of backing out into public streets.
6. **Commercial Recreation-Outdoor.**
  - a. Outdoor commercial recreational uses may not be located within two-hundred (200) feet of a residential use or zone.

- b. Any commercial recreational use abutting a residential development shall limit activity to the hours between 9:00am and 10:00pm.
- c. Light or glare shall not spill onto adjacent property or right-of-ways.
- 7. **Convenience Store with Fuel Sales.**
  - a. An automobile service station or convenience store shall have a minimum front lot line on the primary right-of-way of 120 feet and a minimum area of 12,000 square feet.
  - b. Canopies shall be required for fueling stations.
  - c. All buildings shall be set back 40 feet from all right-of-way lines and all canopies shall be set back 15 feet from all right-of-way lines.
  - d. Light or glare shall not spill onto adjacent property or right-of-ways. All light fixtures shall be either recessed into a canopy, or if they protrude shall have a box that shields the bulb from direct view. A light fixture that protrudes from the bottom of a canopy shall have a box completely surrounding the bulb and the lens shall be flush with the box. Should a gas station canopy be repaired or improved and the value of the improvements or the repair total 50% or more of the assessed value of the structure, these lighting requirements must be met. Lenses shall not protrude past the bottom of the box.
 
  - e. In the B2 and MC Districts, fuel pumps must be screened from adjacent property owners by one or some combination of a continuous hedge, shrub or earthen berm that is 5 ft. (min) in height. This standard shall also apply to property located north of Sherborn Drive on County Line Road and property located south of Gooch Lane on Hughes Road.
  - f. In the B2 district, convenience stores with fuel sales should incorporate pitched roof elements to the principal structure so as to provide a look compatible with and similar to a residential architectural style. Canopies shall be similar in materials and architectural design. Building facades shall be designed to a human-scale for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the district or neighborhood.
  - g. Additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.
- 8. **Dry Cleaner.** In the B1 District, dry cleaning establishments with drive-through facilities are not permitted. In all other districts, drive-through facilities must be screened in accordance with district drive-through screening standards.
- 9. **Entertainment, Outdoor.**
  - a. In the B1 District, outdoor entertainment uses may not be located within one-hundred (100) feet of a residential use.
  - b. In all other districts, outdoor entertainment uses may not be located within two-hundred (300) feet of a residential use or zone.
  - c. Any outdoor entertainment use abutting a residential development shall limit activity to the hours between 9:00am and 10:00pm.
  - d. Light or glare shall not spill onto adjacent property or right-of-ways.
- 10. **Farmers Market.** Farmers Markets must provide adequate off-street customer and vendor parking. Farmers Markets must not be located as to impede the regular flow of traffic.
- 11. **Grocery Stores.** In the B1 District, grocery stores must provide off street/on-site parking.
- 12. **Grocery Stores with Fuel Sales.**
  - a. An automobile service station or convenience store shall have a minimum front lot line on the primary right-of-way of 120 feet and a minimum area of 12,000 square feet.

- b. Canopies shall be required for fueling stations. A kiosk located under the canopied area may be incorporated into the site design adjacent to fueling stations.
  - c. All buildings shall be set back 40 feet from all right-of-way lines and all canopies shall be set back 15 feet from all right-of-way lines.
  - d. Light or glare shall not spill onto adjacent property or right-of-ways. All light fixtures shall be either recessed into a canopy, or if they protrude shall have a box that shields the bulb from direct view. A light fixture that protrudes from the bottom of a canopy shall have a box completely surrounding the bulb and the lens shall be flush with the box. Should a gas station canopy be repaired or improved and the value of the improvements or the repair total 50% or more of the assessed value of the structure, these lighting requirements must be met. Lenses shall not protrude past the bottom of the box.
  - e. In the B2 and MC Districts, fuel pumps must be screened from adjacent property owners (where not separated by public street right-of-way) by one or some combination of a continuous hedge, shrub or earthen berm that is five (5) feet (min.) in height. This standard shall also apply to property located north of Sherborn Drive on County Line Road and property located south of Gooch Lane on Hughes Road.
  - f. In the B2 district, convenience stores with fuel sales should incorporate pitched roof elements to the principal structure so as to provide a look compatible with and similar to a residential architectural style. Canopies shall be similar in materials and architectural design to the principal structure. Building facades shall be designed to a human-scale for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the district or neighborhood.
  - g. Additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.
13. **Hardware Stores.** In B1, Hardware stores less than 15,000 square feet are permitted.
14. **Health Clubs.** In B1, Health Clubs less than 15,000 square feet are permitted.
15. **Mobile Food Vending.**
- a. Mobile food vendors shall comply with all regulations and certification requirements set forth by the Alabama Department of Public Health.
  - b. Mobile food vendors shall acquire written permission of the property owner before locating on a site and shall maintain such permission on premises and shall produce such permission upon request.
  - c. Mobile food vendors shall not operate at a fixed place of business for more than two (2) continuous weeks.
  - d. Mobile food vendors shall vacate site at the close of business daily.
16. **Museums or Activity Centers.** In B1, Museums or Activity Centers must provide on- off street/on-site parking.
17. **Professional Schools or Colleges.** In B2, Professional Schools and Colleges must be setback a minimum of 100 feet from any residential use or zone.
18. **Restaurants-Drive Through.** Vehicle drive thru windows facing the street or traffic flow must be screened by one or some combination of a continuous hedge, shrub or earthen berm that is a minimum of five (5) feet in height. Additionally, vehicle drive thru windows must be screened from all adjacent property owners in the same manner. Additional screening and buffering requirements may be recommendation may be recommended
19. **Theatres.** In the B1 District, Theatres must provide off street/on-site parking.
20. **Vehicle Repairs.** All garage and vehicle service bays, including but not limited to off-street loading bays and service bays used for vehicle repair and servicing, must be located to the rear of the principal building or on the side of the building that is not visible to the traffic flow on the abutting side of the public street. Such bays may be located on the on-coming traffic flow side of the building

at the approval of the Director of Planning, but must be screened by a masonry wing wall complimenting the architectural style and material of the building or an opaque landscape screen. Additionally, all service bays must be screened from view from adjoining property owners with a landscape screening buffer a minimum of six (6) feet in height. The landscaping in the buffer shall be 80 percent opaque after a period of one year. Additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.

**21. Vehicle Service (Minor)**

- a. In B2 and MC Districts, all garage and vehicle service bays, including but not limited to off-street loading bays and service bays used for vehicle repair and servicing, must be located to the rear of the principal building or on the side of the building that is not visible to the traffic flow on the abutting side of the public street. Such bays may be located on the on-coming traffic flow side of the building at the approval of the Director of Planning, but must be screened by an opaque landscape screen. Additionally, all service bays must be screened from view from adjoining property owners with a landscape screening buffer a minimum of five (5) feet in height. The landscaping in the buffer shall be 80 percent opaque after a period of one year.
- b. In B2 and MC Districts, drive through service bays visible from the public street right-of way shall be screened by an opaque landscape screen. This standard shall also apply to property located north of Sherborn Drive on County Line Road and property located south of Goch Lane on Hughes Road.
- c. In B3, all garage and vehicle service bays, including but not limited to off-street loading bays and service bays used for vehicle repair and servicing, must be located to the rear of the principal building or on the side of the building that is not visible to the traffic flow on the abutting side of the public street. Such bays may be located on the on-coming traffic flow side of the building at the approval of the Director of Planning, but must be screened by a masonry wing wall complimenting the architectural style and material of the building or an opaque landscape screen.
- d. Additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.

**22. Veterinary Hospitals and Clinics**

- a. In B2, veterinary hospitals and clinics may not have boarding facilities, other than those required for patient recovery and care.
- b. In B3, all outdoor boarding facilities to include animal run areas or play yard must be screened from the right-of-way and adjacent property by a by a continuous hedge, shrub, earthen berm, or retaining wall (complimenting the architectural style and material of the building) that is a minimum of five (5) feet in height.
- c. In B3, all outdoor boarding facilities to include animal run areas and play yards cannot be located within two-hundred (200) feet of a residential use or zone.

**23. Pharmacies.** In the B1 District, pharmacy establishments with drive-through facilities are not permitted. In all other districts, drive-through facilities must be screened in accordance with district drive-through screening standards.

**4-6A-6 Dimensional Requirements for B1, B2, B3, and MC**

Permitted Uses for B1, B2, B3, and MC are located in Table 2 found below.

**Table 2 Dimensional Requirements in Commercial Districts & Medical Center Districts**

District	B1	B2	B3	MC
<b>Building Height(*)(**)</b>				
<i>Minimum</i>	15 ft.	15ft.	15ft.	15ft.
<i>Maximum</i>	40 ft.	35 ft.	70 ft.	70 ft.
<b>Lot Coverage:</b>				
<i>Minimum</i>	N/A	N/A	N/A	N/A
<i>Maximum</i>	90%	50%	50%	60%
<b>Lot Size</b>				
<i>Lot Size</i>	15,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.
<i>Lot Width at the Street ROW</i>	50 ft.	50 ft.	50 ft.	50 ft.
<b>Setback – Front Yard</b>				
<i>Minimum</i>	2 ft.	25 ft.	20 ft.	20 ft.
<i>Maximum</i>	15 ft.	N/A	N/A	N/A
<b>Setback – Interior Side Yard</b>				
<i>Minimum</i>	2 ft.	15 ft.	15 ft.	10 ft.
<i>Maximum</i>	15 ft.	N/A	N/A	N/A
<b>Setback – Adjoining ROW</b>				
<i>Minimum</i>	2 ft.	25 ft.	20 ft.	10 ft.
<i>Maximum</i>	15 ft.	N/A	N/A	N/A
<b>Setback – Rear Yard</b>				
<i>Minimum</i>	0 ft.	20 ft.	20 ft.	15 ft.
<i>Maximum</i>	25 ft.	N/A	N/A	N/A
<b>Setback – Transitional Yard</b>				
<i>Minimum</i>	15 ft.	N/A	N/A	N/A
<i>Maximum</i>	25 ft.	N/A	N/A	N/A
<b>Landscape Buffer Adjoining ROW Width</b>				
	NA	20 ft.	20 ft.	20 ft.

*\*Building Height is the vertical measurement from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof.*

*\*\* Vertically projecting architectural features such as clock towers or spires shall be excluded from measurement but in no case shall such projections exceed fifty feet (50) feet.*

**4-6A-7 Standards to authorize the construction of structures in excess of 30 feet in height**

The following standards shall apply for the construction of structures in excess of 30 feet in height:

1. Setbacks for structures with height in excess of thirty (30) feet must accommodate a fire apparatus access road with a minimum unobstructed width of twenty-six (26) feet in the immediate vicinity of the building or portion of the building that exceeds thirty (30) feet in height.
2. The fire apparatus access road must be located no closer than fifteen (15) feet (minimum) from the building but no farther than thirty (30) feet (maximum) distance from the building.

**4-6A-8 Rear Yard Setbacks Special Requirements**

Where a rear lot- line abuts a street line, or adjoins a residential or agricultural district, a rear yard of thirty (30) feet (minimum) is required.

**4-6A-9 Yard Requirements in B1 Districts**

Those lots that abut public right-of-way or are Transitional Yard shall be completely landscaped except for entry drives, sidewalks, fences, walls or other pedestrian amenities.

**4-6A-10 Elevations Abutting Streets in B1 Districts**

Any elevation of a building that abuts a public right-of-way, except for an alley way, shall have a maximum setback of fifteen (15) feet. No matter the elevation of the building (side, rear, or front) at least twenty (20) percent to sixty (60) percent of the building's façade in linear feet (measure horizontally) must be located within five (5) to ten (10) feet of the right-of-way/property line.

**4-6A-11 Side and Rear Yard Setbacks in the MC District**

Where a lot line abuts a residential district, the side and rear setback shall be fifty (50) feet.

**4-6A-12 Corner Lots in B1 District**

Where property in the B1 District has frontage on two public streets, each frontage will be treated as a front yard. In cases where development of two buildings may be a long range possibility, but not a short term plan, subdivision may be required to comply with maximum dimensional requirements or approved site plans must indicate future phases that will fulfill the dimensional requirements.



**Section 4-6B. B1 Neighborhood Business District Required Conditions**

The B1 District is intended to promote and encourage traditional downtown development or pedestrian friendly neighborhood business areas through the application of urban, rather than suburban or conventional, development styles. It is intended to provide for pedestrian-oriented and small-scale stores and business, as well as residential and office in a mixed-use style. The district is intended to apply to areas where establishments may be appropriately located within downtown, town center or urban scale that is walkable, welcoming and fosters a sense of place. The B1 District is not intended for use by major or larger scale commercial or service establishments. Orientation to the streets and compatibility with adjacent residential neighborhoods to be served is critical. Uses and dimensional requirements in this district shall conform to Section 4-6A.

***4-6B-1 Outdoor Storage and Uses in the B1 District***

Except as provided below, all sales of merchandise and display merchandise shall be conducted within an enclosed building.

1. Storage in connexes, shipping containers and semi-trailers are not permitted. Portable buildings may not be made into permanent structures in any form.
2. Outdoor displays of merchandise may be displayed adjacent to the exterior of the principal building. A clear and unobstructed walkway of at least four (4) feet must be maintained between the display and adjoining driveway.
3. Newspaper racks may be located adjacent to the exterior of the principal building. A clear and unobstructed walking path of at least four (4) feet in width must be provided between the self-service apparatus and the adjoining driveway. No additional freestanding units are permitted except as provided by the U.S. Postal Service. Donation drop boxes are not permitted.
4. Restaurants are permitted to have outdoor seating on private property but must maintain a clear and unobstructed walking path of at least six (6) feet in width between the outdoor seating and an adjoining driveway. A moveable bollard, planting, or fence, three (3) feet maximum in height, is required between the outdoor seating and the walkway.

***4-6B-2 Landscape Requirements in the B1 District***

1. Areas not covered by buildings, storm water facilities or pavement must be landscaped.
3. All required landscaping must be maintained in good condition after installation. The owner must replace any plant material that becomes diseased, deteriorated or dies within 30 days. Enforcement of this provision shall be made in accordance with Article XIII of this Ordinance.
4. Drainage facilities are not allowed within the landscape area except those that are necessary to convey drainage in the shortest possible route to or from the public street right-of-way. Drainage facilities include detention ponds, water quality ponds, outlet structures, drainage berms or other improvements associated with the drainage improvements.
5. Foundation plantings or planting strips are required along 60% of the length of any façade visible from the public right-of way.
6. Incentive for rear-yard oriented parking. Landscaping for off-street parking shall be provided in accordance with Section 5-15-6 except that landscaping area requirements for off-street parking not visible from the public street right-of-way shall be determined in accordance with the following reduced formula: Number of Parking Spaces x 10= Min. sq. ft. of landscaped area.

***4-6B-3 Landscape Buffer Requirements in the B1 District***

1. A planting strip along the required sidewalk shall be provided in lieu of a landscape buffer where the setback provided is fifteen (15) feet. In such cases, the first six (6) feet of setback along a public street must be reserved for the provision of a planting strip and shall provide the following.

- a. One minimum 2.5" caliper Shade Tree (Section 5-15-6) must be planted for each thirty (30) feet of frontage along public street rights-of-way as measured along the lot lines.
  - b. Required trees may be planted in a regular interval or in clusters.
  - c. Up to 50 percent of required shade trees may be substituted with some combination of the following:
    - i. Small upright (ornamental) trees or small spreading trees (ornamental) at a ratio of 3 to 1 (per Section 5-15-6)
    - ii. 24 inch shrubs (min) at a ratio of 5 to 1
2. Where a planting strip is provided, adjacent perimeter landscaping required in subsection 5-15-6 (5) shall not be required for those areas adjacent to the planting strip.
  3. Where a planting strip is provided, foundation planting requirements per Section 4-6B2 shall not be required.

#### ***4-6B-4 Sidewalk Requirements in the B1 District***

Sidewalks shall be provided along adjacent public city street frontage in accordance with Section 5- 18A. When right-of-way is not available, the Planning Commission may require the installation of sidewalks in a pedestrian access easement provided in the front landscape buffer.

#### ***4-6B-5 Screening and Wall Requirements in the B1 District***

1. In addition to the requirements set forth in Section 5-18-1, a landscape screening buffer a minimum of six (6) feet in height shall be provided when a B1 use abuts or is within fifty (50) feet of a residential zone, except where a public street provides buffering. The landscaping in the buffer shall be 80 percent opaque after a period of one year. Required screening shall be satisfied by one (1) or some combination of the following.
  - a. A decorative fence not less than 50 percent behind a continuous landscaped area
  - b. A masonry wall
  - c. A hedge
2. Parking areas shall be screened in accordance with Section 5-15-3.
3. Except as provided below, the following site elements must not be clearly visible at eye level from any public street right-of-way or any adjoining residential use or located within 100 feet of any public street right-of-way, unless a landscape screening buffer or masonry screening wall complimenting the architectural style and material of the building is used.
  - a. Refuse storage and compactors must be enclosed on three sides by a solid wall of wood or masonry to match the color and style of the building and be a minimum of one foot taller than the equipment being screened. The enclosure must provide a self-closing gate. The enclosure must be designed to contain all refuse generated on-site between solid waste collections. The refuse and storage and compactors must be located in the rear or side yard but not within twenty- (20) feet of any public street right-of-way.
  - b. All ground mounted service equipment such as air conditioners, transformers, trash collection equipment, and other service functions must be located at the rear of buildings, and integrated into the building envelope or enclosed service areas, unless the rear of the building faces a public street right-of-way, in which case such equipment must be located on the side least visible from a public street right-of-way.
  - c. If any service equipment is visible from a public street right-of-way, the screening materials must be 100 percent opaque. Screens must incorporate evergreen shrubbery with year-round foliage, or a wall, fence, or architectural element of the adjacent building, and be a minimum of one foot taller than the equipment being screened.

4. Vehicle drive through windows facing the street or traffic flow must be screened by one or some combination of a continuous hedge, shrub or earthen berm a minimum five (5) feet in height. Additionally, vehicle drive through windows must be screened from all adjacent property owners in the same manner.
5. Any wall greater than four (4) feet in height will require a building permit and must be designed by an engineer registered in the State of Alabama.
6. When the above standards do not provide adequate screening for incompatible uses, additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.

**4-6B-6 Site Design Requirements in the B1 District**

In addition to the requirements set forth in Section 5-23, the following standards shall apply in the B1 District.

1. **Pedestrian Access, Safety and Comfort.** All portions of the development must be accessible by a direct, convenient, attractive, safe and comfortable system of pedestrian facilities, and the development must provide appropriate amenities. The design of buildings must provide a safe and attractive pedestrian environment. The following criteria must be incorporated with each new development proposal:
  - a. The building(s) must have at least one (1) primary entrance facing an abutting street, or is accessed by the sidewalk or plaza within ten (10) feet to twenty (20) feet of the primary entrance;
  - b. Building entrances must open directly to the outside. Every building must have at least one (1) entrance that does not require passage through a parking lot or garage to access and corner buildings must have corner entrances whenever possible.
  - c. Pedestrian facilities must connect the development to adjacent land uses and provide connection through the development to the public street right-of-way.
2. **Mixed Use.** Where a proposal includes mixed uses on-site, the combining of land uses should promote easy access to stores and services utilized by pedestrians. The site must be designed in such a way that it is well integrated with adjacent land uses. "Integrated" means that uses are connected to each other with direct, convenient sidewalks and pathways or the proposal contains an equally good or superior way to achieve the above.
3. **Creating and Protecting Public Spaces.** The proposal shall provide useable public spaces, (e.g. sidewalks, plazas and similar spaces.) Public spaces are "public" when they are within view of a street or other public space accessible by pedestrians and can be occupied by the general public.

**4-6B-7 Architectural Appearance of Buildings and Structures in the B1 District**

1. **Human Scaled Building Design.** Building facades shall be designed to a human-scale for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the district or neighborhood.
2. All buildings must be architecturally finished on all sides with same materials, detailing and features, with a higher level of finish on the primary facades.
3. The designer may select a variety of exterior materials for use as the dominant material on the facades of a building, but the number of primary materials on a single building must be limited to no more than three materials in order to achieve a clean design style.
4. First story windows must not be glazed or re-glazed with mirrored or reflective glass.
5. The color of all structures must be generally earth-tone in hue. The Director of Planning may approve accent colors that are not earth tone, but may not approve a façade that displays more

than 10 percent of non-earth tone colors. The Historic Preservation Commission may approve accent colors that are not earth tone for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.

6. Alternative design standards that present a unified design and meet the spirit and intent of the B1 district should be submitted for consideration by the Planning Commission.
7. Materials. A minimum of 85 percent of the surface area of each façade must consist of one or more approved materials.
  - a. Wood
  - b. Fired brick
  - c. Stucco
  - d. Glass
  - e. Natural stone
  - f. Exterior Insulation and Finish Systems may be used when installed above, and is supported by, a masonry half-wall not less than four (4) feet above the finished floor elevation
  - g. Cementitious Fiber Board may be used when installed above, and is supported by, a masonry half-wall not less than four (4) feet above the finished floor elevation; but in no case shall the cementitious fiber board exceed 45 percent of the surface area of each façade
7. The Director of Planning may approve alternative materials not listed above. The Historic Preservation Commission may approve alternate materials for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.
8. Measurement. The percentage of surface area of each façade is measured per side of building. Doors, windows, overhead doors and roofs are exempt from the percentage calculation.

#### ***4-6B-8 Parking and Circulation in the B1 District***

The following are required in addition to the standards identified in Section 5-15.

1. The use of Public Access Easements shall be required between and across adjoining parcels of property in order to protect and preserve the movement function of public roadways.
2. All parking areas (required and optional) must be paved. A parking space or area must include a paved driveway connecting the parking space or area with a street or alley permitting free ingress and egress to the street or alley.
3. Curbing is required around the perimeter of the parking area and all landscaped parking islands. This requirement does not extend to property located in a designated historic district. Alternative designs that promote infiltration and reduce run-off can be submitted for consideration by the Technical Review Committee.
4. Parking shall be located to the side and rear of buildings.
5. Off street/on-site parking areas must be planned so that vehicles are not required to back out of parking spaces directly into a public or private street.
6. All parking must be landscaped and screened per the standards set forth in Section 5-15-6.
7. Parking and vehicle drives shall be located away from building entrances and not between a building entrance and the street.

#### ***4-6B-9 Lighting Requirements in the B1 District***

All lighting shall conform to the standards and specifications provided in 5-22.

#### ***4-6B-10 Signage Requirements in the B1 District***

In addition to the requirements set forth in Article VII of this ordinance the following sign control regulations shall apply in the B1 District.

1. Permitted Freestanding Signs

- a. Monument Signs. Monument signs not exceeding four (4) feet in height are permitted. A monument sign is a ground sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance to the principal building. One monument sign per single tenant detached establishment is permitted.



Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
20 sf.	4 ft.	6 ft.

- b. Multi-Tenant Monument Signs. A multi-tenant monument sign is permitted for retail shopping centers. Shopping centers shall have no more than one multi-tenant sign per public street frontage with a maximum of two total signs per lot.

Size	Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
Multi-tenant buildings	30 sf.	6 ft.	6 ft.

2. The base of all freestanding signs must be landscaped with ground cover and shrubs.
3. Electronic Message Centers (EMC) are not permitted in the B1 district.
4. The Historic Preservation Commission shall review and approve all signs proposed in a designated historic district or for any properties listed on the National Register of Historic Places.

#### **Section 4-7. B2 Community Business District Required Conditions**

The purpose of the Community Business District is to provide for the needs of a larger consumer population than is served by the B1 Neighborhood Business District. The Community Business District is characterized by large volumes of vehicular and/or pedestrian traffic and as such, should be properly located with respect to existing development and thoroughfares. The Community Business District is designed to serve a city-wide clientele. Uses and dimensional requirements in this district shall conform to Section 4-6A.

##### ***4-7-1 Outdoor Storage and Uses in the B2 District***

Except as provided below, all sales of merchandise and display merchandise shall be conducted within an enclosed building.

1. Storage in connexes, shipping containers and semi-trailers are not permitted. Portable buildings may not be made into permanent structures in any form.
2. Outdoor displays of merchandise may be displayed adjacent to the exterior of the principal building. A clear and unobstructed walkway of at least four (4) feet must be maintained between the display and the adjoining driveway.
3. Self-service vending apparatus such as soft-drink machines, ATM machines, movie vending machines, and newspaper racks may be located adjacent to the exterior of the principal building. A clear and unobstructed walking path of at least four (4) feet in width must be provided between the self-service apparatus and the adjoining driveway. No additional freestanding units are permitted except as provided by the U.S. Postal Service. Donation drop boxes are not permitted
4. Restaurants are permitted to have outdoor seating on private property but must maintain a clear and unobstructed walking path of at least six (6) feet in width between the outdoor seating and an adjoining driveway. A moveable bollard, planting, or fence, three (3) feet maximum in height, is required between the outdoor seating and the walkway.

##### ***4-7-2 Landscape Requirements in the B2 District***

2. A total of 15 percent of the total site must be landscaped with living approved trees, shrubs or groundcovers.
3. Landscaping in yards, setback areas, planter islands, swales, and other parking lot landscaping shall be counted for the purpose of meeting the requirements of this Section.
4. All required landscaping must be maintained in good condition after installation. The owner must replace any plant material that becomes diseased, deteriorated or dies within 30 days. Enforcement of this provision shall be made in accordance with Article XIII of this Ordinance.
5. Areas not covered by buildings, storm water facilities or pavement must be landscaped.
6. Drainage facilities are not allowed within the landscape area except those that are necessary to convey drainage in the shortest possible route to or from the public street right-of-way. Drainage facilities include detention ponds, water quality ponds, outlet structures, drainage berms or other improvements associated with the drainage improvements.
7. Foundation plantings or planting strips are required within a planting area a minimum of four (4) feet in width along 60 percent of the length of any façade visible from the public right-of way. Foundation plantings may count toward the required minimum site landscape area.
8. **Incentive for rear-yard oriented parking.** Landscaping for off-street parking shall be provided in accordance with Section 5-15-6 except that landscaping area requirements for off-street parking not visible from the public street right-of-way shall be determined in accordance with the following reduced formula: Number of Parking Spaces x 10= Min. sq. ft. of landscaped area.

##### ***4-7-3 Landscape Buffer Requirements in the B2 District***

A landscape buffer is required adjacent to any public street right-of way in accordance with the dimensional requirements provided in Section 4-6A-2. Where a landscape buffer is provided, adjacent perimeter landscaping required in subsection 5-15-6(5) shall not be required for those areas adjacent to the landscape buffer. The first twenty (20) feet of setback along a public street must be reserved for the provision of a landscape buffer and shall provide the following.

1. One minimum 2.5 inch caliper Shade Tree (Section 5-15-6) must be planted for each thirty (30) feet of frontage along public street rights-of-way as measured along the lot lines.
2. Required trees may be planted in a regular interval or in clusters.
3. Up to 50 percent of required shade trees may be substituted with some combination of the following:
  - a. Small upright (ornamental) trees or small spreading trees (ornamental) at a ratio of 3 to 1 (per Section 5-15-6)
  - b. 24 inch shrubs (min) at a ratio of 5 to 1
4. A minimum 40 percent of required trees must be evergreen with year around foliage.
5. Berms not less than 24 inches nor more than 48 inches in height at no more than a four to one slope are required in the landscape buffer, covering a minimum of 50 percent of the buffer area.

#### ***4-7-4 Sidewalk Requirements in the B2 District***

Sidewalks shall be provided along adjacent public city street frontage in accordance with Section 5- 18A. When right-of-way is not available, the Planning Commission may require the installation of sidewalks in a pedestrian access easement provided in the front landscape buffer.

#### ***4-7-5 Screening and Wall Requirements in the B2 District***

1. In addition to the requirements set forth in Section 5-18-1, a landscape screening buffer a minimum of eight (8) feet in height shall be provided when a B2 use abuts or is within fifty (50) feet of a residential use or zone, except where a public street provides buffering. The landscaping in the buffer shall be 80 percent opaque after a period of one year. Required screening shall be satisfied by one (1) or some combination of the following:
  - a. A decorative fence not less than 50 percent opaque behind a continuous landscaped area
  - b. A masonry wall
  - c. A hedge
2. Parking areas shall be screened in accordance with Section 5-15-3.
3. Except as provided below, the following site elements must not be clearly visible at eye level from any public street right-of-way or any adjoining residential use or located within 100 feet of any public street right-of-way, unless a landscape screening buffer or masonry screening wall complimenting the architectural style and material of the building is used.
  - a. Refuse storage and compactors must be enclosed on three sides by a solid wall of wood or masonry to match the color and style of the building and be a minimum of one foot taller than the equipment being screened. The enclosure must provide a self-closing gate. The enclosure must be designed to contain all refuse generated on-site between solid waste collections. The refuse and storage and compactors must be located in the rear or side yard.
  - b. All ground mounted service equipment such as air conditioners, transformers, trash collection equipment, and other service functions must be located at the rear of buildings, and integrated into the building envelope or enclosed service areas, unless the rear of the building faces a public street right-of-way, in which case such equipment must be located on the side least visible from a public street right-of-way.

- c. If any service equipment is visible from a public street right-of-way, the screening materials must be 100 percent opaque. Screens must incorporate evergreen shrubbery with year-round foliage, or a wall, fence, or architectural element of the adjacent building, and be a minimum of one foot taller than the equipment being screened.
4. Vehicle drive through windows facing the street or traffic flow must be screened by a one or a combination of a continuous hedge, shrub or earthen berm that is a minimum five (5) feet in height. Additionally, vehicle drive through windows must be screened from all adjacent property owners in the same manner.
5. Any wall greater than four (4) feet in height will require a building permit and must be designed by an engineer registered in the State of Alabama.
6. When the above standards do not provide adequate screening for incompatible uses, additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.

#### **4-7-6 Site Design Requirements in the B2 District**

The location and placement of buildings on individual sites must reflect consideration for roadway access, the preservation of major existing natural vegetation, visual impact and the relationship to surrounding developments and the public street right-of-way.

#### **4-7-7 Architectural Appearance of Buildings and Structures in the B2 District**

In addition to the requirements set forth in Section 5-23 the following standards shall apply.

1. All buildings must be architecturally finished on all sides with same materials, detailing and features, with a higher level of finish on the primary facades.
  - a. The Planning Director may approve alternative architectural finishes for rear facades not visible from the public street right-of-way.
  - b. The Planning Director may approve alternative architectural finishes for rear facades visible from the public street right-of-way but alternative finishes must be screened by a landscape screening buffer a minimum of six (6) feet in height. The landscaping in the buffer shall be 80 percent opaque after a period of one year.
2. The designer may select a variety of exterior materials for use as the dominant material on the facades of a building, but the number of primary materials on a single building must be limited to no more than three materials in order to achieve a clean design style.
3. No single building material may cover more than 80 percent of the front of any building, with the exception of on-site utility or service structures.
4. First story windows must not be glazed or re-glazed with mirrored or reflective glass.
5. The color of all structures must be generally earth-tone in hue. The Director of Planning may approve accent colors that are not earth tone, but may not approve a façade that displays more than 10 percent of non-earth tone colors. The Historic Preservation Commission may approve accent colors that are not earth tone for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.
6. The façade must incorporate articulation consisting of a minimum of two of the following design elements spaced every forty-five (45) linear feet for the front façade plus one design element spaced every forty-five (45) linear feet for the other facades, excluding the rear façade.
  - a. Columns
  - b. Pilasters
  - c. Canopies
  - d. Arches
  - e. Awnings



7. For buildings less than or equal to 100,000 square feet in area, articulation must project a minimum of two (2) feet from the vertical wall.
8. For buildings greater than 100,000 square feet in area, articulation must project a minimum of two (2) feet from the vertical wall, except for canopies and awnings which must project five (5) feet from the vertical wall.
9. Alternative design standards that present a unified design and meet the spirit and intent of the B2 district should be submitted for consideration by the Planning Commission.
10. Materials. A minimum of 85 percent of the surface area of each façade must consist of one or more approved materials.
  - a. Wood Siding
  - b. Fired brick
  - c. Stucco
  - d. Glass
  - e. Natural stone
  - f. Exterior Insulation and Finish Systems may be used when installed above, and is supported by, a masonry half-wall not less than four (4) feet above the finished floor elevation
  - g. Cementitious Fiber Board may be used when installed above, and is supported by, a masonry half-wall not less than four (4) feet above the finished floor elevation, but in no case shall the cementitious fiber board exceed 45 percent of the surface area of each façade.
11. The Director of Planning may approve alternative materials not listed above. The Historic Preservation Commission may approve alternate materials for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.
12. Measurement. The percentage of surface area of each façade is measured per side of building. Doors, windows, overhead doors and roofs are exempt from the percentage calculation.

***4-7-8 Parking and Circulation Requirements in the B2 District.***

The following are required in addition to the standards identified in Section 5-15.

1. The use of Public Access Easements shall be required, between and across adjoining parcels of property, in order to protect and preserve the movement function of public roadways.
2. All parking areas (required and optional) must be paved with either asphalt or concrete. A parking space or area must include an asphalt or concrete driveway connecting the parking space or area with a street or alley permitting free ingress and egress to the street or alley.
3. Curbing is required around the perimeter of the parking area and all landscaped parking islands. Alternative designs that promote infiltration and reduce run-off can be submitted for consideration by the Technical Review Committee.
4. Parking to the side and rear of buildings is encouraged and preferred.
5. Parking areas must be planned so that vehicles are not required to back out of parking spaces directly into a public or private street.
6. Parking lots must be designed to preserve the maximum amount of existing trees on site as possible.
7. All parking must be landscaped and screened per the standards set forth in Section 5-15-6.
8. No parking is allowed in the landscape buffer.

***4-7-9 Lighting Requirements in the B2 District***

All lighting shall conform to the standards and specifications provided in 5-22.

***4-7-10 Signage Requirements in the B2 District.***

In addition to the requirements set forth in Article VII of this ordinance the following sign control regulations shall apply in the B2 District.

1. Permitted Freestanding Signs

- a. **Monument Signs.** Monument signs are permitted in accordance with the following requirements. A monument sign is a ground sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance to the principal building.



One monument sign per single tenant detached establishment is permitted.

Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
42 sf.	6 ft.	10 ft.

- b. **Multi-Tenant Monument Signs.** A multi-tenant monument sign is permitted for retail shopping centers. Shopping centers shall have no more than one multi-tenant sign per public street frontage with a maximum of two total signs per lot.

Size	Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
Multi-tenant shopping centers ≤ 75,000 SF	70 sf.	10 ft.	10 ft.
Multi-tenant shopping centers ≥ 75,000 SF	105 sf.	15 ft.	10 ft.

- 2. The base of all freestanding signs must be landscaped with ground cover and shrubs.
- 3. The following standards shall apply to electronic message centers (EMC).
  - a. EMC's are not permitted on sites less than one (1) acre in size.
  - b. EMC's must be incorporated into the permitted ground sign but shall not exceed fifty (50) percent of the maximum allowable sign face area. If more than one accessory ground sign is permitted on the lot, only one such sign may have an electronic message board.
  - c. EMC's shall comply with the Section 7-6-5 of the Zoning Ordinance and shall only emit light of constant intensity and no sign shall be illuminated by or contain flashing or blinking lights. EMC's shall be set so as not to cycle through messages more than once every ten (10) seconds.
  - d. EMC's must be equipped with an auto-dimming feature and shall be dimmed thirty (30) minutes prior to dusk and remain dimmed until thirty (30) minutes past dawn the following morning.
  - e. EMC's shall contain a default mechanism to power-off in case of malfunction or shall be powered-off manually within twenty-four (24) hours of a reported malfunction.
  - f. The minimum distance between EMC's on adjacent lots is 250 feet.

g. The minimum distance between an EMC and a residentially zoned lot is 350 feet. EMC's lawfully in existence prior to the effective date of this ordinance are exempt from the provisions of this ordinance until such time they are replaced.

### **Section 4-8. B3 General Business District Required Conditions**

The General Business District is established to accommodate the needs of a regional market. This includes shopping areas and attractions designed to draw customers from surrounding communities and provide retail sales and service to transits traveling through the City. Uses and dimensional requirements in this district shall conform to Section 4-6A.

#### ***4-8-1 Outdoor Storage and Uses in the B3 District***

Except as provided below, all sales of merchandise and display merchandise shall be conducted within an enclosed building.

1. Storage in connexes, shipping containers and semi-trailers are not permitted. Portable buildings may not be made into permanent structures in any form.
2. Self-Service vending apparatus such as soft-drink machines, ATM machines, movie vending machines, and newspaper racks may be located adjacent to the exterior of the principal building. A clear and unobstructed walking path of at least four (4) feet in width must be provided between the self-service apparatus and the adjoining driveway. No additional freestanding units are permitted except as provided by the U.S. Postal Service.
3. No other display, sales, leasing or operation of merchandise outside of sales areas for dealerships for new trucks, cars, boats and motorcycles, are permitted unless such activity is visually screened with a continuous solid screening device from all streets and adjacent property lines of residentially zoned properties.
4. Restaurants are permitted to have outdoor seating on private property but must maintain a clear and unobstructed walking path of at least six (6) feet in width between the outdoor seating and an adjoining driveway. A moveable bollard, planting, or fence, three (3) feet maximum in height, is required between the outdoor seating and the walkway.
5. Outdoor storage is permitted where the storage area is situated behind the principal building in the rear half of the property and where a solid wood or masonry fence screens the outdoor storage from public view. Such wood or masonry fence must be at least one foot higher than the stored material.

#### ***4-8-2 Landscape Requirements in the B3 District***

1. A total of 15 percent of the total site must be landscaped with living approved trees, shrubs or groundcovers.
2. Yards, setback areas, planter islands, swales, and other parking lot landscaping shall be counted for the purpose of meeting the requirements of this ordinance.
3. All required landscaping must be maintained in good condition after installation. The owner must replace any plant material that becomes diseased, deteriorated or dies within 30 days. Enforcement of this provision shall be made in accordance with Article XIII of this Ordinance.
4. Areas not covered by buildings, storm water facilities or pavement must be landscaped.
5. Drainage facilities are not allowed within the landscape area except those that are necessary to convey drainage in the shortest possible route to or from the public street right-of-way. Drainage facilities include detention ponds, water quality ponds, outlet structures, drainage berms or other improvements associated with the drainage improvements.
6. Foundation plantings or planting strips are required within a planting area a minimum of four (4) feet in width along 60 percent of the length of any façade visible from the public right-of-way. Foundation plantings may count toward the required minimum site landscape area required.
7. **Incentive for rear-yard oriented parking**, Landscaping for off-street parking shall be provided in accordance with Section 5-15-6 except that landscaping area requirements for off-street parking not

visible from the public right-of-way shall be determined in accordance with the following reduced formula: Number of Parking Spaces x 10= Min. sq. ft. of landscaped area.

**4-8-3 Landscape Buffer Requirements in the B3 District**

A landscape buffer is required adjacent to any public street right-of way in accordance with the dimensional requirements provided in Section 4-6A-2. Where a landscape buffer is provided, adjacent perimeter landscaping required in subsection 5-15-6 (5) shall not be required for those areas adjacent to the landscape buffer. The first twenty (20) feet of setback along a public street must be reserved for the provision of a landscape buffer and shall provide the following.

1. One minimum 2.5” caliper Shade Tree (Section 5-15-6) must be planted for each 30 feet of frontage along public street rights-of-way as measured along the lot lines.
2. Required trees may be planted in a regular interval or in clusters.
3. Up to 50 percent of required Shade Trees may be substituted with some combination of the following:
  - a. Small upright (ornamental) trees or small spreading (ornamental) trees at a ratio of 3 to 1 (per Section 5-15-6)
  - b. 24 inch shrubs (min) at a ratio of 5 to 1
  - c. A minimum 40 percent of required trees must be evergreen with year around foliage.
  - d. Berms not less than 24 inches nor more than 48 inches in height at no more than a four to one slope are required in the landscape buffer, covering a minimum of 50 percent of the buffer area.

**4-8-4 Sidewalk Requirements in the B3 District**

Sidewalks shall be provided along adjacent public city street frontage in accordance with Section 5- 18A. When right-of-way is not available, the Planning Commission may require the installation of sidewalks in a pedestrian access easement provided in the front landscape buffer.

**4-8-5 Screening and Wall Requirements in the B3 District**

1. In addition to the requirements set forth in Section 5-18-1, a landscape screening buffer a minimum of eight (8) feet in height shall be provided when a B3 use abuts or is within fifty (50) feet of a residential use or zone, except where a public street provides buffering. The landscaping in the buffer shall be 80 percent opaque after a period of one year. Required screening shall be satisfied by one (1) or some combination of the following.
  - a. A decorative fence not less than 50 percent behind a continuous landscaped area
  - b. A masonry wall
  - c. A hedge
2. Parking areas shall be screened in accordance with Section 5-15-3.
3. Except as provided below, the following site elements must not be clearly visible at eye level from any public street right-of-way or any adjoining residential use or located within 100 feet of any public street right-of-way, unless a masonry screening wall complimenting the architectural style and material of the building is used.
  - a. Refuse storage and compactors must be enclosed on three sides by a solid wall of wood or masonry to match the color and style of the building and be a minimum of one foot taller than the equipment being screened. The enclosure must provide a self-closing gate. The enclosure must be designed to contain all refuse generated on-site between solid waste collections. The refuse storage and compactors must not be located in required setbacks.
  - b. All ground mounted service equipment such as air conditioners, transformers, trash collection equipment, and other service functions must be located at the rear of buildings, and integrated into the building envelope or enclosed service areas, unless the rear of the building faces the

public street right-of-way, in which case such equipment must be located on the side least visible from a public street right-of-way.

- c. If such equipment is visible from a public street right-of-way, the screening materials must be 100 percent opaque. Screens must incorporate shrubbery with year-round foliage, or a wall, fence, or architectural element of the adjacent building, and be a minimum of one foot taller than the equipment being screened.
4. Vehicle drive through windows facing the street or traffic flow must be screened by one or a combination of a continuous hedge, shrub or earthen berm that is a minimum of five (5) feet in height. Additionally, vehicle drive through windows must be screened from all adjacent property owners in the same manner.
5. Any wall greater than four (4) feet in height will require a building permit and must be designed by an engineer registered in the State of Alabama.
6. When the above standards do not provide adequate screening for incompatible uses, additional screening and buffering requirements may be recommended by the Planning Director for approval by the Planning Commission.

#### **4-8-6 Site Design Requirements in the B3 District**

1. Development must be sited as to maximize street presence.
2. The location and placement of buildings on individual sites must reflect consideration for roadway access, the preservation of major existing natural vegetation, visual impact and the relationship to surrounding developments.

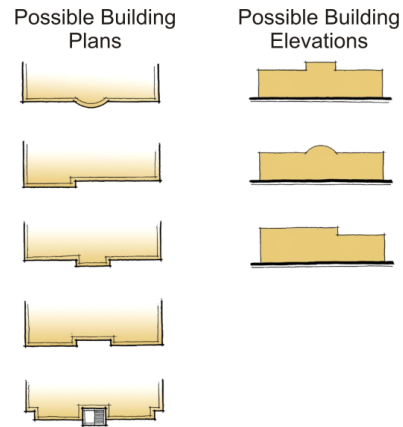
#### **4-8-7 Architectural Appearance of Buildings and Structures in the B3 District**

In addition to the requirements set forth in Section 5-23, the following standards shall apply in the B3 District.

1. All buildings must be architecturally finished on all sides with same materials, detailing and features, with a higher level of finish on the primary facades.
  - a. The Planning Director may approve alternative architectural finishes for rear facades not visible from the public street right-of-way.
  - b. The Planning Director may approve alternative architectural finishes for rear facades visible from the public street right-of-way but alternative finishes must be screened by a landscape screening buffer six a minimum of (6) feet in height. The landscaping in the buffer shall be 80 percent opaque after a period of one year.
2. The designer may select a variety of exterior materials for use as the dominant material on the facades of a building, but the number of primary materials on a single building must be limited to no more three materials in order to achieve a clean design style.
3. No single building material may cover more than 80 percent of the front of any building, with the exception of on-site utility or service structures.
4. First story windows must not be glazed or re-glazed with mirrored or reflective glass.
5. The color of all structures must be generally earth-tone in hue. The Director of Planning may approve accent colors that are not earth tone, but may not approve a façade that displays more than 20 percent of non-earth tone colors. The Historic Preservation Commission may approve accent colors that are not earth tone for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.
6. Building entrances must be articulated four (4) feet (minimum) to present a strong entry presence.
7. All buildings must be designed to incorporate no less than one of the following architectural elements. Buildings over 50,000 square feet must include a minimum of two of the following

elements. Buildings over 100,000 square feet must include a minimum of three of the following elements.

- a. Canopies, awnings or porticos
- b. Overhangs
- c. Recesses or projections
- d. Arcades
- e. Peaked roof forms
- f. Arches
- g. Outdoor patios
- h. Display windows
- i. Architectural details (such as tile work or moldings) integrated into building façade
- j. Articulated ground floor levels or base
- k. Articulated cornice line
- l. Integrated planters or wing walls that incorporate landscape and sitting areas
- m. Offsets, reveals or projecting rib used to express architectural or structural bay
- n. Accent materials



8. All retail and commercial buildings with facades greater than 200 feet in length, visible from a public street right-of-way, must incorporate wall plane projections or recesses that are at least four (4) feet deep. Projections and recesses must be at least 25 percent of the length of the facade. No uninterrupted length of facade may exceed 100 feet in length.
9. Alternative design standards that present a unified design and meet the spirit and intent of the B3 district should be submitted for consideration by the Planning Commission.
10. Materials. A minimum of 85 percent of the surface area of each façade must consist of one or more approved materials. The Director of Planning, may approve alternative materials not listed.
  - a. Fired brick
  - b. Tile
  - c. Glass
  - d. Granite
  - e. Marble
  - f. Stucco
  - g. Natural stone
  - h. Exterior Insulation and Finish Systems may be used when installed above, and is supported by, a masonry half-wall not less than four feet (4') above the finished floor elevation
  - i. Tilt-wall concrete, including, but not limited to smooth faced, patterned and aggregate materials, and other concrete products, such as thin-set masonry, that simulate brick, stone, marble, granite or tile to appear being laid up unit by unit.
  - j. Cementitious Fiber Board may be used when installed above, and is supported by, a masonry half-wall not less than four (4) feet above the finished floor elevation, but in no case shall the cementitious fiber board exceed 45 percent of the surface area of each façade.
11. The Director of Planning, may approve alternative materials not listed above. The Historic Preservation Commission may approve alternate materials for any new construction located in a designated historic district or alterations to any property listed on the National Register of Historic Places.
12. Measurement. The percentage of surface area of each façade is measured per side of building. Doors, windows, overhead doors and roofs are exempt from the percentage calculation.

13. Property located north of Sherborn Drive on County Line Road shall conform to the Architectural Appearance of Buildings and Structures requirements identified in the B2 District.
14. Property located south of Gooch Lane on Hughes Road shall conform to the Architectural Appearance of Buildings and Structures requirements identified in the B2 District.

**4-8-8 Parking and Circulation Requirements in the B3 District**

The following are required in addition to the standards identified in Section 5-15.

Ingress and egress shall be a minimum of sixty (60) feet from the intersection of any two (2) streets.

1. The use of Public Access Easements shall be required, between and across adjoining parcels of property, in order to protect and preserve the movement function of public roadways.
2. All parking areas (required and optional) must be paved. A parking space or area must include a paved driveway connecting the parking space or area with a street or alley permitting free ingress and egress to the street or alley.
3. Curbing is required around the perimeter of the parking area and all landscaped parking islands. Alternative designs that promote infiltration and reduce run-off can be submitted for consideration by the Technical Review Committee.
4. Parking to the side and rear of buildings is encouraged and preferred.
5. Parking areas must be planned so that vehicles are not required to back out of parking spaces directly into a public or private street.
6. Parking lots must be designed to preserve the maximum amount of existing trees on site as possible.
7. All parking must be landscaped and screened per the standards set forth in Section 5-15-6.
8. No parking is allowed in the landscape buffer.

**4-8-9 Lighting Requirements in the B3 District**

All lighting shall conform to the standards and specifications provided in Section 5-22.

**4-8-10 Signage Requirements in the B3 District**

In addition to the requirements set forth in Article VII of this ordinance the following sign control regulations shall apply in the B3 District. Where a conflict between Article VII and this section exists, the standards in this section shall preside.

1. Permitted Freestanding Signs
  - a. Monument Signs. Monument signs are permitted in accordance with the following requirements. A monument sign is a ground sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance to the principal building. One monument sign per single tenant detached establishment is permitted.



Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
56 sf.	8 ft.	10 ft.



- b. Multi-Tenant Monument Signs. A multi-tenant monument sign is permitted for retail shopping centers. Shopping centers shall have no more than one multi-tenant sign per public street frontage with a maximum of two total signs per lot.

Size	Max. Area (square feet) for sign face	Max. Height (includes base)	Max. Width (Includes support structure)
Multi-tenant shopping centers ≤ 230,000 SF	105 sf.	15 ft.	10 ft.
Multi-tenant shopping centers ≥ 230,000 SF	210 sf.	20 ft.	15 ft.

- 2. The base of all freestanding signs must be landscaped with ground cover and shrubs.
- 3. The following standards shall apply to electronic message centers (EMC).
  - a. EMC’s must be located on a site not less than one (1) acre in size.
  - b. EMC’s must be incorporated into the permitted ground sign but shall not exceed fifty (50) percent of the maximum allowable sign face area. If more than one accessory ground sign is permitted on the lot, only one such sign may have an electronic message board.
  - c. EMC’s shall comply with the Section 7-6-5 of the Zoning Ordinance and shall only emit light of constant intensity and no sign shall be illuminated by or contain flashing or blinking lights. EMC’s shall be set so as not to cycle through messages more than once every ten (10) seconds.
  - d. EMC’s must be equipped with an auto-dimming feature and shall be dimmed thirty (30) minutes prior to dusk and remain dimmed until thirty (30) minutes past dawn the following morning.
  - e. EMC’s shall contain a default mechanism to power-off in case of malfunction or shall be powered-off manually within twenty-four (24) hours of a reported malfunction.
  - f. The minimum distance between an EMC and a residentially zoned lot is 250 feet.
  - g. EMC’s lawfully in existence prior to the effective date of this ordinance are exempt from the provisions of this ordinance until such time they are replaced.
- 4. Property located north of Sherborn Drive on County Line Road shall conform to the signage standards identified in the B2 District.  
 Property located south of Gooch Lane on Hughes Road shall conform to the signage standards identified in the B2 District.