

New regulation

Update reference or question.

STATE ROUTE 119 OVERLAY DISTRICT

1. Establishment of Districts

The State Route 119 Overlay District shall be defined as all properties in the corporate limits of the City of Alabaster located on lots, parcels and tracts that have frontage upon the right-of-way along State Route 119 from U.S. 31 to the southern corporate limits of the City of Alabaster. In addition, some parcels are included within the State Route 119 Overlay District that have off-street access to State Road 119 through a parcel.

The State Route 119 Overlay District boundaries are assigned according to the map shown in Figure 1. The Overlay District includes all lots, parcels, and tracts within this boundary.

2. Intent

- a. The regulations in this State Route 119 Overlay District are designed for the following purposes:
 - i. To promote the general health, safety and welfare of the community;
 - ii. To improve the architectural and visual appearance of the State Route 119 corridor by establishing minimum development standards and regulations for properties within the overlay district;
 - iii. To promote small, incremental development, alongside larger developments;
 - iv. To promote infill redevelopment and new development that results in a walkable, vibrant, and diverse commercial corridor;
 - v. To provide unique places for people to live, work, shop, play and learn; and
 - vi. To provide small-scale mixed-use development adjacent to otherwise residential areas.

3. Applicability

Where there appears to be a conflict between these standards and any other sections of the Zoning Ordinance or Subdivision Standards, the requirements in this article prevail. Development must comply with all relative federal, state, and local regulations and ordinances regarding health and safety.

4. Conflicting Ordinances

Except as modified by the State Route 119 Overlay District, the provisions of the base zoning district shall apply to all development within the boundary of the State Route 119 Overlay District. Where there appears to be a conflict between these standards and any other sections of the Zoning Ordinance or Subdivision Standards, the requirements in this article prevail.

5. Compliance

The standards and guidelines apply to all new construction and redevelopment improvements in the State Route 119 Overlay District that require building permits, as well as any other parcel that is aggregated for development with a parcel shown in Figure 1.

These provisions shall not apply to public schools, nor to previously approved projects regarding preliminary site development plans or construction plans.

Overlay compliance will be based on two triggers- the physical expansion /renovation of the building and the value of building improvements:

- a. Physical expansion / renovation - the percentage of increase of the building(s) total gross floor area in relation to the existing square footage. A renovation is any structural alteration, expansion, enlargement or remodeling; or
- b. Value of improvements - the percentage of the value of building improvements in relation to the assessed values of all buildings.
- c. NOTE: Repairs or reconstruction to existing building components, including AC repairs, water/wastewater/drainage repairs, and roof repairs do not account to be considered as expansion/value of improvements.

Compliance with the State Route 119 Overlay District standards and regulations shall be required **as shown in Table 1.**

Table 1: Compliance and Applicability

Project Type		Access Standards	New Streets	Pedestrian Access	Site Standards	Building Standards	Parking Standards	Screening Standards	Fence and Wall Standards	Sign Standards	Additional Regulations
New Construction	New construction on a vacant parcel	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies
	New structure is built on a lot with existing buildings	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies
Minor Repairs & Renovations	Adaptive reuse	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Applies	Applies	Applies	Applies
	Renovations/expansions that add less than 25% to the building's total gross floor area or that increase the building's current assessed value by less than 25%	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Applies	Applies	Applies	Applies
Moderate Redevelopment	Renovations/expansions that increase the existing building's total gross floor area by 25% to 50% more than its existing gross floor area (measured in square feet)	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Applies	Applies	Applies	Applies

Project Type		Access Standards	New Streets	Pedestrian Access	Site Standards	Building Standards	Parking Standards	Screening Standards	Fence and Wall Standards	Sign Standards	Additional Regulations
	Renovations/expansions where the value of the building improvement equates to 25% to 50% more than the current assessed value of the building	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Does not apply	Applies	Applies	Applies	Applies
Major Redevelopment	Renovations/expansions that increase the existing building's total gross floor area by more than 50% than its existing gross floor area (measured in square feet)	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies
	Renovations/expansions where the value of the building improvement equates to more than 50% than the current assessed value of the building	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies	Applies

6. Nonconformities

- a. **Section 111-39 of the Alabaster City Code of Ordinances (nonconforming uses of land and buildings) shall apply to this overlay district. Where there appears to be a conflict between that section and the requirements in this article, the requirements in this article prevail.**
- b. All non-conforming existing developments and businesses in this overlay district on the effective date of this ordinance shall be continued and approved without resubmission, shall be permitted to renew existing licenses without restriction, and continue ongoing construction and development provided that:
 - i. No change shall be permitted to allow any other non-conforming business type, building, or new business of a different non-conforming use.
 - ii. No change to existing construction or renovation plans shall be permitted that materially differ from the plans approved prior to the effective date of this [ordinance].
 - iii. Any non-conforming use that has been abandoned for a continuous period of more than 90 days, or whose business license has expired and was not timely renewed, shall thereafter be required to comply with this ordinance. Applicants shall reference the SR 119 Overlay District requirements regarding more specific guidance on non-conforming developments.
- c. Grandfathered Dwelling Units.
 - i. The provisions of this section shall not apply to any single-family dwelling unit legally existing on the effective date of this ordinance. Such a dwelling unit shall not be deemed nonconforming because of its inability to meet the requirements of this section.

7. Development Plan

- a. An applicant should meet with the **Zoning Administrator** to discuss a proposed site plan for general conformance with the State Route 119 Overlay District and the Alabaster Comprehensive Plan prior to preparation and submission of a site plan.
- b. Prior to issue of a building permit, business license, or any subdivision or resurvey of existing property, each person, business, applicant or property owner desiring to locate a business, build or alter a structure, or subdivide or develop land within the State Route 119 Overlay District must submit to the **Zoning Administrator** for approval a development and/or business plan for each parcel or tract of land proposed to be developed or utilized.
- c. A development plan containing the following information and the following additional items and information shall be filed with each application for the State Route 119 Overlay District. The following requirements are in addition to, and not in lieu of, the requirements of Section 111-13 (Zoning Amendments) in the City of Alabaster Zoning Ordinance:
 - i. The specific location or the tract of property within the State Route 119 Overlay District.
 - ii. Names and addresses of all landowners whose property adjoins said parcel or tract, as shown in the tax assessor's records of Shelby County, Alabama.
 - iii. The location of all buildings proposed to be constructed within the tract, or the existing structures intended to be utilized.
 - iv. Existing and proposed access ways and roads, **both public and private**, including means of vehicular ingress and egress from the public or private roads.
 - v. The number of parking spaces and dimensions of all parking areas.
 - vi. The location, size and dimensions of functional open space and buffers.
 - vii. The location, building height, number of floors, and floor area of all buildings.
 - viii. The distance between each building and the front, rear and side building setbacks.
 - ix. Exterior lighting, fire hydrants and stormwater retention and detention facilities.
 - x. Location of all existing and proposed public utilities as the same relates to the development of the property.

- xi. Location and dimensions of all off-street parking spaces and loading facilities.
 - xii. Location of proposed screening, walls, fences and garbage storage facilities.
 - xiii. Location of all existing and proposed easements.
 - xiv. Location of all sidewalks or multi-use trail (if applicable).
 - xv. Parking, driveway and sidewalk paving materials.
 - xvi. Sufficient information and detail to clearly demonstrate that all applicable requirements and standards of the State Route 119 Overlay District are fully satisfied.
- d. The Development Plan shall include the following written statements and other matters and shall be included on site plan(s) where locations are requested:
- i. A current survey and legal description of the subject property.
 - ii. The proposed density of land use for the subject property with tabulations by acreage and the percentage of the property to be occupied by each use, including functional open space.
 - iii. A landscaping and buffer plan that shows the location and dimensions of all buffers and landscaping areas, as well as the type and size of plant material proposed for those areas.
 - iv. Proposed sign regulations and a signage plan that shows the type, size and location of all building wall and freestanding signs proposed for the development.
 - v. When required by the city, a comprehensive traffic analysis indicating the probable effect of the proposed development on traffic patterns and capacities of adjacent streets in the immediate area, prepared by a registered professional engineer.
 - vi. A fire protection plan, showing the location of all proposed fire hydrants and fire access lanes, as well as a description of all fire protection measures and devices for structures.
 - vii. Written certification from the appropriate county department regarding the adequacy of sanitary sewage disposal for the site.
 - viii. Deed restrictions and/or covenants – must be deposited with the office of the probate judge of Shelby County and copies provided to the Zoning Administrator.
- e. The Zoning Administrator, after certifying the applicant's compliance with these regulations together with all Zoning Regulations and Building Codes of the City of Alabaster, shall approve said development plan, upon finding that the same complies with these regulations.

8. Modifications to Development Plan

- a. It is the intent of this section to provide for flexibility in the development of the property submitted for the 119-overlay district, and to approve minor modifications administratively. Any standard within the State Route 119 Overlay District may be modified, so long as:
- i. The intent of the standard is being met,
 - ii. The modification results in better urban design for the corridor as a whole, and
 - iii. The modification does not impede or burden existing or future development of adjacent properties.
- b. Modifications shall be defined as:
- i. Major modification: A "major modification " in the development plan shall be defined as any deviation of ten percent or more from that which was shown on the final development plan, or any change in the location of any building or structure by more than ten feet in any direction.
 - ii. Minor modification: A "minor modification " in the development plan shall be defined as any deviation of up to ten percent from that which was shown on the final development plan, or any change in the location of any building or structure by up to ten feet in any direction.
- c. Approval of Modifications:
- i. Major modifications shall be approved by the planning and zoning commission if compliant with the regulations and intent set forth in this overlay district and all other applicable regulations.
 - ii. Minor modifications shall be approved administratively by the Zoning Administrator if compliant with the regulations and intent set forth in this overlay district and all other applicable regulations. At the discretion of the Zoning Administrator, minor modifications may be referred

to the planning and zoning commission to determine compliance. The planning and zoning commission shall then be responsible for determining compliance and issuing approval or disapproval of the proposed modification.

9. Use Regulations

- a. Permitted uses: In addition to the requirements set forth by the base zoning district of the individual parcel, within the State Route 119 Overlay District no business license shall be issued, nor shall any building, structure, or land be used or structure shall be erected, structurally altered, or enlarged except for one or more of the permitted uses herein cited and subject to the conditions stated herein:
- i. Art gallery.
 - ii. Art studio.
 - iii. Art/hobby supply.
 - iv. Assisted living establishments.
 - v. Bakery/confections/candy.
 - vi. Banking/finance.
 - vii. Barber/beauty shop.
 - viii. Book shop.
 - ix. Business office.
 - x. Places of Worship
 - xi. Child care/adult care center.
 - xii. Coffee shop/tea room.
 - xiii. Dance/gymnastics/martial arts/music academy.
 - xiv. Toy shop.
 - xv. Discount/department store.
 - xvi. Drugstore/pharmacy.
 - xvii. Dry cleaning pickup.
 - xxviii. Dwellings when part of a mixed-use development.
 - xix. Furnishings (flooring/furniture).
 - xx. Gift shop.
 - xxi. Government office.
 - xxii. Grocery store (< 10,000 sq. ft.).
 - xxiii. Hardware store.
 - xxiv. Home decorating shop.
 - xxv. Hotel/motel.
 - xxvi. Indoor recreation.
 - xxvii. Mail and packaging service.
 - xxviii. Medical/dental clinic.
 - xxix. Mixed uses (residential uses may be located on building floors above retail, commercial or office uses).
 - xxx. Off-premises alcoholic beverage sales.
 - xxxi. Photography shop/supply.
 - xxxii. Professional office.
 - xxxiii. Public/private non-profit.
 - xxxiv. Research/laboratory/testing.
 - xxxv. Restaurant, drive-thru.

- xxxvi. Restaurant, seated in.
 - xxxvii. Restaurant, takeout.
 - xxxviii. Retail.
 - xxxix. Shoe shop/repair.
 - xl. Shopping center.
 - xli. Sporting goods.
 - xlii. Stationary, stamps.
 - xliii. Tailor/seamstress.
- b. Special exception uses in the State Route 119 Overlay District include the following:
- i. Bed and breakfast.
 - ii. Catering.
 - iii. Coin-operated laundry.
 - iv. Commercial > 35,000 sq.ft.
 - v. Convenience store/gas station.
 - vi. Dwellings (multifamily, townhouse).
 - vii. Funeral home.
 - viii. Gold or silver object dealer.
 - ix. On-premises alcoholic beverage sales (bars/lounges).
 - x. Utilities (electric/gas, etc.).
 - xi. Retail with outdoor storage.
 - xii. Radio/TV broadcast studio.
 - xiii. Outdoor recreation.
 - xiv. Thrift stores.
 - xv. Use not listed that otherwise could meet the intent of the overlay.
- c. Prohibited uses. Prohibited uses in the State Route 119 Overlay District include the following:
- i. Alternative financial services.
 - ii. Auto repair (major/minor).
 - iii. Automobile dealerships and used car lots (new/used).
 - iv. Body art establishment.
 - v. Body piercing establishment.
 - vi. Carwash.
 - vii. Dwellings (single-family, two-family, townhouse, multifamily).
 - viii. Flea markets.
 - ix. Massage parlors.
 - x. Medical cannabis dispensary.
 - xi. Newsstand/magazines.
 - xii. Pawn shop.
 - xiii. Radio/TV Antennae.
 - xiv. Tattoo establishment.
 - xv. Temporary vendors (does not include mobile food vendors).
 - xvi. Tobacco/Vape products/CBD Oil product sales exceeding 10 percent gross sales.
 - xvii. Use not listed that otherwise could not meet the intent of the overlay.

10. Access Standards

- a. Cross Access

- i. Cross access, facilitating vehicular passage between properties without utilizing the public right-of-way, is mandated.
- ii. Non-residential developments with parking lots directly accessing State Route 119 must establish at least one vehicular connection to adjacent properties (cross access), unless:
 - 1. Access is determined unfeasible or unsuitable due to topographical or physical constraints, as assessed by the City Engineer.
 - 2. Access is unattainable due to conflicts with neighboring properties or owners. In such instances, installation of a driveway to the adjacent property and provision of a recorded easement ensuring future access suffices.
- b. Joint Access:
 - i. Encouragement of joint access, characterized by a shared driveway facilitating access to multiple properties.
 - ii. A recorded easement agreement, granting mutual right of ingress and egress for all property owners involved, must be deposited with the office of the probate judge of Shelby County.
 - iii. The easement agreement must be referenced on the final plat, and any restrictive covenants must be cited on the final plat.

11. New Streets

The requirements of this section govern all new streets built within the Overlay District. These regulations supersede any conflicting requirements in the Alabaster Subdivision Regulations.

- a. Streets must connect to other streets, forming a network. The City Engineer is authorized to permit a deviation to this requirement, permitting a dead-end street terminating in a cul-de-sac.
- b. Connectivity for pedestrians must be created and maintained, even when there is no vehicular connectivity; and
- c. Streets must be designed as follows:
 - i. Streets must have a sidewalk on both sides of the street, and it must be a minimum of five feet in width.
 - ii. Streets must have a landscaped planting strip with street trees between the sidewalk and the curb. The landscaped planting strip must be a minimum of four feet in width. Street trees must be planted at a maximum spacing of 30 ft on center.
 - iii. Streets must have parking on at least one side of the street, and it may be parallel or diagonal. Parallel parking must not exceed eight feet in width.
- d. Intersection curb radii shall be 10 feet or as recommended by the City Engineer, but in no case to exceed 15 feet.

12. Pedestrian Access

- a. Developments shall provide a continuous walkway connection at least five feet (5') in width from the public sidewalk or right-of-way to the customer entrances of all principal buildings on the site.
- b. For properties fronting State Route 119, a public access easement with a minimum width of 20 feet shall be required for the construction of multi-use trails to enhance pedestrian and non-vehicular connectivity between developments.
- c. Developments adjacent to multi-use trails shall provide a direct connection from the trail to the development's internal pedestrian circulation system.
- d. For trails and sidewalks that are proposed in the Comprehensive Plan, the Alabaster Trails and Sidewalk Study, or any other adopted city document but not yet constructed, the development plan shall make provisions for a connection to the trail or sidewalk and the applicant shall be responsible for constructing the connection.
 - i. A grassy swale or landscape planting area shall be located to provide a separation between the edge of pavement or curb to the trail. The minimum separation shall be ten feet (10'), except in cases where the City Engineer deems that placement of the trail adjacent to a concrete curb is warranted, based on similar facilities in the immediate vicinity, constraints with available rights-of-way or conflicts with existing buildings.
 - ii. The City Engineer may approve a payment of a fee (see Fees-in-Lieu Pedestrian Access Installation Program below) instead of installation of the multi-use trail or sidewalk if the installation is impractical because:
 1. A stormwater drainage ditch or similar utility prevents the installation of the multi-use trail or sidewalk, and neither the pedestrian facility nor the utility can be reasonably relocated to accommodate the pedestrian facility and the utility;
 2. The topography would require the construction of a retaining wall more than two feet (2') high to accommodate the multi-use trail or sidewalk;
 3. Impending road widening;
 4. Other unusual circumstances that would make the installation requirement of a multi-use trail or sidewalk unreasonable.
- e. Multi-building developments shall provide clear and safe walkways of at least five feet (5') in width that connect all buildings on the site. Buildings not intended for routine customer access or intended solely for drive-up services are excluded from this requirement.
- f. Where the required walkways specified in this article cross drives, parking aisles, or other vehicular ways, the crosswalks shall be distinguished from driving surfaces by the use of durable, low-maintenance surface materials such as concrete or brick pavers; or scored, colored concrete. Painted concrete is not acceptable in this application.
- g. Pedestrian connections to adjacent developments shall be provided. If adjacent properties are undeveloped, the development plan shall indicate how future connections will be provided.
- h. Fees-in-Lieu Pedestrian Access Installation Program
 - i. The fee-in-lieu shall be equal to the cost of the multi-use trail or sidewalk improvements that would otherwise have been required, as determined by the City engineer.
 - ii. The applicant must be informed of the amount to be paid upon issuance of the building permit and payment shall be made prior to issuance of the Certificate of Occupancy.
 - iii. A fee paid under this section must be used to install a multi-use trail, sidewalk, or curb ramp within the State Route 119 Overlay District.

- iv. The City may refund the fee to the applicant if it is not spent within 10 years of the date of its collection.

13. Site Standards

- a. Setbacks. Buildings must be set back from lot boundaries according to [Table 2: Building Standards Table by Building Type](#).
- b. Buffers. A 20-ft. landscape buffer is required when abutting a residential district.

14. Building Standards

The requirements of this section apply to all building permit applications.

- a. Buildings should not exceed the height of sixty feet (60') and must have a minimum first floor height of **12 feet (12')**. Building height should be measured from the average grade at the building setback.
- b. The main building entrance must face a street, and be accessible by public sidewalk, along the street on which the building fronts.
- c. One functional entry must be provided for every 80 feet of façade and must lead to habitable space.
- d. Building facades facing side streets are exempt from entry frequency requirements if the side façade is under 50 feet in length.
- e. Ground floor of building facades must be configured as follows:
 - i. **Clear glass is required on all facades fronting State Route 119, as determined by Table 2: Building Standards Table by Building Type. The glazing area is calculated between two feet and ten feet above the adjacent sidewalk.**
 - ii. On corner lots with frontage on State Route 119, the glazing shall turn the corner facing the secondary street a minimum of 20 feet (20') in length along the property frontage.
- f. Building Materials
 - i. **Building facades must use durable materials. Durable materials include brick, stone, stucco (EIFS is not permitted within 36 inches of finished grade), heavy timber, cementitious siding, wood, slate, metal roofing, tile, metal may be used as an accent material. Vinyl is not considered a durable material.**
 - ii. Primary exterior building materials shall not change at outside corners and shall wrap the corner a minimum of 10 feet (10').
- g. **Façade elements above the ground floor may project into yards.**
- h. **Commercial activities, including food service and seating, may occupy yards.**

Table 2: Building Standards Table by Building Type

Building Type	Commercial Use or Mixed-Use	Commercial Uses Greater Than 35,000 sq ft	Civic or Institutional Use
Setbacks:			
Minimum building front setback line ¹	Twenty feet (20')	N/A	Twenty feet (20')
Maximum building front setback line	Seventy feet (70')	N/A	Seventy feet (70')
Minimum building side setback line ²	Five feet (5')	N/A	According to base zoning
Minimum rear building setback line ³ :			
Adjacent to residential	Twenty feet (20')	Twenty feet (20')	According to base zoning
Adjacent to non-residential	Five feet (5')	Five feet (5')	Five feet (5')
Building Configuration:			
Maximum building height	Sixty feet (60')		
Minimum first floor height	Twelve feet (12')		
Minimum % glazing of street wall ⁴ :			
First floor ⁵	50%	30%	40%
Additional floors	15%	15%	15%

15. Parking Standards

- a. Minimum required vehicular parking (as required by Article VI of the City of Alabaster Zoning Ordinance) may be fulfilled in the following locations:
 - i. New parking spaces provided on-site shall be located behind or beside the buildings on all properties.
 - ii. One module of parking (two rows of stalls and a two-way drive aisle) is permitted between the building and the street.
 - 1. Buildings of 35,000 square feet or more are omitted from this on-street parking location requirement with approval from the Zoning Administrator.
 - iii. Parking spaces that are provided on-street must correspond to the lot frontages.
 - 1. On-street parking may be restricted in proximity to intersections, driveways, fire hydrants, and other utilities.
 - iv. Parking spaces leased from a public or private facility.
 - 1. A shared parking agreement (access agreement) with the parking facility owner is required.

¹ Exceptions to front setback: exceptions may be made for recesses up to 5' for articulation of the building façade and up to 20' for seating areas.

² Exceptions to side setbacks: side setbacks with street frontage, on corner lots, shall follow front setbacks.

³ Exception to rear setbacks: development abutting property with an existing residential use shall comply with the applicable landscaping and buffer standards of Article VIII of the City of Alabaster Zoning Ordinance.

⁴ Corner lot glazing: On corner lots with frontage on State Route 119, the glazing shall turn the corner facing the secondary street a minimum of 20 feet (20') in length along the property frontage.

⁵ The glazing area is calculated between two feet and ten feet above the adjacent sidewalk.

- b. A 10% decrease in the total number of parking spaces is allowable when parking spaces are shared among several interconnected sites with an officially documented shared use parking agreement (access easement).
- c. **Parking Access**
 - i. Where parking access is only available from the front lot line, driveways are limited to 20 feet in width.
- d. **Businesses requiring delivery vehicles must have a separate area for these vehicles, with no parking allowed in the required parking spaces for customers, in accordance with the requirements for specific uses set forth in Section 111-191 of the City of Alabaster Zoning Ordinance (Loading Areas).**
- e. **Parking Lot Landscaping.**

This section applies to all off-street parking and loading areas; vehicular storage areas, display areas, maneuvering and washing areas; and areas where the dispensing of motor fuels is permitted. Parking lots must comply with Section 111-265 of the City of Alabaster Zoning Ordinance (Landscaping Requirements for Vehicular Areas in High-traffic Corridors), with the following exceptions and additions that are required by this section:

- i. Each vehicular area shall have interior landscaping covering **no** less than five percent of the total vehicular area, or the vehicular area shall have landscape islands of at least 7 feet (7') in width required between every 10 contiguous parking spaces, whichever is greater.
 - ii. Parking islands including trees, flowers, ground cover, and shrub shall be provided at vehicular access points to external streets.
 - iii. An additional 5% reduction in parking requirements will be allowed for developments that include bio-retention techniques as a part of the design.
- f. **Parking Lot Lighting**
 - i. No exterior lighting fixtures shall exceed **twenty feet (20')** in height measured from grade level and shall be designed and installed as to direct the beam of light away from any adjacent residential areas and onto the property it serves.

16. Screening Standards

- a. All outdoor electrical, plumbing, and mechanical equipment must be located on the roof, in the rear or side of the building, or concealed from street view with a screen or wall. These facilities may not encroach into any required yard.
 - i. Outdoor electrical, plumbing, and mechanical equipment located on the roof shall be screened from abutting streets with parapets or other types of visual screening.
- b. Any garbage/ refuse service areas shall be located to the rear or side of the principal building or complex it serves. It must be located within a four-sided structure which completely conceals the trash receptacle. The enclosure shall be a minimum height of two feet (2') taller than the highest point of the waste/grease container, compactor, or dumpster, to conceal the facilities from public view, and covered if a sewer drain is required in the dumpster facility.
- c. Loading and service areas. Building orientation shall be such that loading and service areas do not face the street right-of-way, except in the case of double frontage lots, where such areas must be located in a

rear or side yard which faces the right-of-way. All loading and service areas shall be screened from view from off the premises.

- d. All outdoor storage areas shall be located behind the front building line and screened, as necessary, from the public view.
- e. When fences and walls are used as screening, they must comply with section eight below.

17. Fence and Wall Standards

When in conflict, this article supersedes Article IV. Supplemental Regulations, Section 111-107 (Fences and Walls) of the City of Alabaster Zoning Ordinance.

- a. No wall or fence will exceed four feet (4') in height for front yards.
- b. When erected on a lot line, all of the fence and any of its supporting structures must be contained within the lot.
- c. The supporting members and post must be on the insides, and smooth or flat faces on the outside. If two faces are used, each face must be in the same type and finish.
- d. Prohibited materials include chain link, barb wire, transparent/ see-thru fencing, plastic, vinyl, or temporary materials. Construction sites with temporary fencing are exempt.
- e. Wood fences must be painted or stained.
- f. Retaining Walls which exceed eight feet (8') in height and are visible from public property shall be visibility screened with vegetation covering no less than 50% of the retaining wall.

18. Signs

Signs must comply with Article VII of the City of Alabaster Zoning Ordinance, with the following exceptions and additions that are required by this section.

- a. No sign will be regulated for content or type as assigned by content. Signs will only be regulated for size, structural type, number, and location.
- b. General Requirements. All on-premises signs in the State Route 119 Overlay District must conform with the following regulations:
 - a. Permitted sign types are limited by land use and the following restrictions according to Table 3: General Sign Restrictions, Table 4: Specific Freestanding Sign Regulations, and Table 5: Specific Attached Sign Regulations.
 - b. Clearance. All signs must meet the following clearance to the lowest portion of the sign:
 - i. Minimum eight feet above sidewalks; or
 - ii. Minimum 14 feet clear above vehicular area
 - c. Double sided. All signs may be double-sided by right if the configuration of the sign permits. The second sign does not affect the calculation of height and width.

Table 3: General Sign Restrictions

Sign Type	State Route 119
Freestanding Signs	
Monument	Permitted
Sign number	Per Sec. 16.e
Max. area	Per Sec. 16.e
Max. height	Per Sec. 16.e
Shopping center bonus	
Max. area	160 sq. ft
Max. height	150% of sec. 16.e
Off-Premise	
Sign number	n/a
Max. area	n/a
Max. height	n/a
Attached Signs	
Awning	Permitted
Sign number	1 sloping panel plus 1 valence per awning
Max. area	75% of sloping panel; 85% of valence
Max. copy height	24 in. on sloping panel; 8 in. on valence
Canopy or Marquee	Permitted
Sign number	1 per canopy or marquee
Max. area	2 sq. ft. per linear foot of storefront
Max. copy height	24 in. max.
Projecting	Permitted
Sign number	2 per tenant
Max. area	12 sq. ft.
Max. copy height	24 in.
Sculptural	Permitted
Sign number	1 per tenant
Max. area	12 sq. ft.
Max. copy height	n/a
Wall	Permitted
Sign number	1 per tenant
Max. area	30% of the facade area
Max. copy height	Per Sec. 5-156
Window	Permitted

Sign Type	State Route 119
Sign number	Multiple per tenant
Max. area	20% of each window area, neon is limited to 24 in. in width and 12 in. in height
Max. copy height	12 in.

c. Freestanding Sign Requirements.

- a. Additional sign restrictions apply per sign type according to this section and Table 4: Specific Freestanding Sign Regulations. Freestanding signs must be separated from all driveways, parking aisles, loading aisles, parking spaces, and loading spaces. Freestanding signs must be securely fastened to the ground so that there is no danger that either the sign or the supportive structure may be moved and cause injury to persons or property.
- b. The maximum area and height for each freestanding sign is according to Table 3: General Sign Restrictions and Table 4: Specific Freestanding Sign Regulations.
- c. Monument signs may contain areas for manual changeable copy or electronic message centers (EMCs), provided such sign area does not exceed fifty percent (50%) of the sign face area. EMCs subject to the regulations set forth in Sec. 111-235 (Electronic Message Center Signs) in the City of Alabaster Zoning Ordinance, with the following exceptions and additions that are required by this section:
 - i. EMCs are prohibited within the State Route 119 Overlay District, except for properties with direct frontage on State Route 119.
- d. The following signs are prohibited: Cabinet (box signs), off-premises business signs, and pole signs.

Table 4: Specific Freestanding Sign Regulations

Monument Sign	
Requirements	<p>a. Signs must be set back so that it does not obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, alley, or other thoroughfare. In no case shall a monument sign be set back less than five (5) feet.</p> <p>b. Monument signs must be constructed of durable materials.</p> <p>c. The sign must be attached directly to the ground by its entire base.</p> <p>d. The sign must have a minimum of 50 square feet of landscaped area at the base of the sign. If the sign is located in a median, the median must be a minimum of 10 feet wide and 50 feet long.</p>


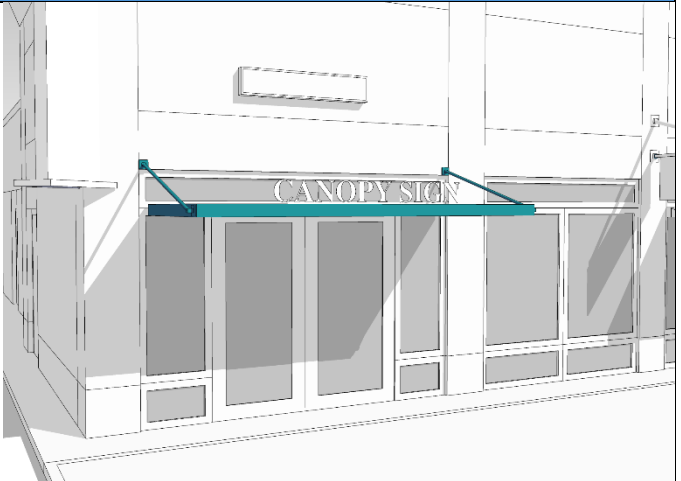



d. Attached Sign Requirements

- a. Additional sign restrictions apply per sign type according to this section and the requirements of Table 5: Specific Attached Sign Regulations and Illustrations. Attached signs must be securely fastened to the building or to some other substantial supportive structure attached to the building so that there is no danger that either the sign or the supportive structure may be moved and cause injury to persons or property. Any signage material placed over an existing sign is considered temporary and subject to the conditions of Section 111-233 of the City of Alabaster Zoning Ordinance (Permit Exceptions; Exempt and Temporary Signs).
- b. Maximum number of attached signs. Except as provided for exempt signs, attached signs are restricted to building facades facing a public street or a customer parking lot. The maximum number of attached signs per building facade are as follows:
 - i. One roof sign or wall sign or one canopy sign or marquee sign per tenant;
 - ii. One awning sign per ground floor window;
 - iii. One projecting sign per tenant or one sculptural sign per tenant; and
 - iv. Except as provided for neon signs displayed in windows in subsection (e.i) below no limit on the number of window signs.
- c. Wall signs. The maximum area and height for each wall sign is according to **Error! Reference source not found., Error! Reference source not found.** and the following requirements.
 - i. Wall signs may not project more than 12 inches from the building wall and may not extend beyond the limits of the building.
- d. Window signs. In addition to **Error! Reference source not found., Error! Reference source not found.** window signs are subject to the following requirements.

- i. Neon signs are limited to one per tenant, require an electrical permit and must comply with Underwriters Laboratory (UL) or equivalent standards. Neon signs are prohibited in the residential, institutional, B-1 Business District.

Table 5: Specific Attached Sign Regulations and Illustrations

Wall Sign	
<p>Requirements</p>	<ul style="list-style-type: none"> a. Signs may not project more than one foot from the building. b. The maximum sign area is limited to 30% of the façade. c. Wall signs may be externally illuminated. d. Fixtures must be shielded to prevent glare. e. Conduit, raceways and wiring may not be exposed.
	
Canopy Sign	
<p>Requirements</p>	<ul style="list-style-type: none"> a. Canopy signs may be externally illuminated. b. Fixtures must be shielded to prevent glare. c. Conduit, raceways and wiring may not be exposed to view from the sidewalk.
	
Awning Sign	
<p>Requirements</p>	<ul style="list-style-type: none"> a. Signs on awning valences must maintain a one-inch border.
	

Marquee Sign

Requirements

- a. Marquee signs may occur parallel to the facade or at the corner of the building on buildings over one story in height.
- b. Sign may extend up to 6 feet above the parapet.
- c. Bottom of the sign must be 12 feet above the sidewalk.



Window Sign

Requirements

- a. The following window signs are permitted: letters painted directly on the window, hanging signs behind the glass, and vinyl applique letters applied to the window. Appliques must consist of individual letters or graphics with no visible background.
- b. Window signs shall cover no more than 20% of any one window.
- c. Window glass must permit at least ninety (90) percent light transmission on the first floor and at least seventy-five (75) percent light transmission on all upper floors.



Projecting Sign

Requirements

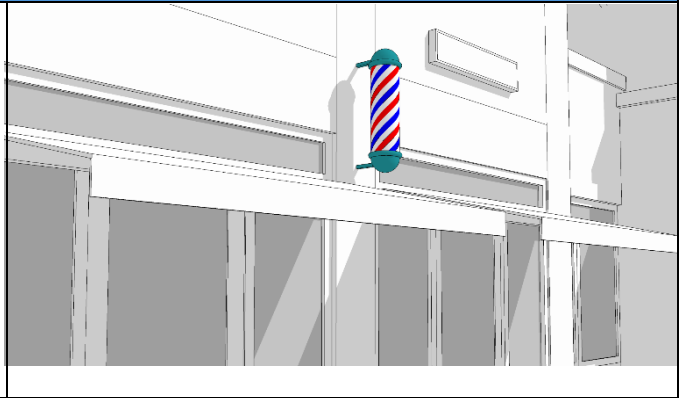
- a. Projecting signs may project up to three feet from the facade.
- b. Cabinet signs are prohibited.



Sculptural Sign

Requirements

- a. Signs may include painted, vinyl or extruded copy or graphics on a sculptural object.
- b. Signs may be attached to wall, parapet or roof of a building and must include a supporting structure which is not computed as part of the allowable sign area.
- c. The bottom of sign must be a minimum of 8 feet above the sidewalk.



- e. Signs within the State Route 119 Overlay District are regulated independently by two use categories: (1) single tenant, and (2) multiple tenant buildings and campuses.
 - a. Single tenants may choose to utilize any two of the following types of signs and are subject to the requirements of Table 3 except for the following:
 - i. Attached signs.
 1. No sign on a building façade may exceed 80 feet in length.
 - ii. Monument signs.
 1. Lots having less than 150 feet of street frontage may have one monument sign per street frontage. The maximum surface area is 30 square feet per side, with a total area of 60 square feet. The maximum height of the monument sign is ten feet (10').
 2. Lots having more than 150 feet of street frontage may have two monument signs per street frontage. There must be 200 feet between signs for lots with more than 200 feet of street frontage. The maximum surface area is 30 square feet per side, with a total area of 60 square feet. The maximum height of the monument sign is 10 feet (10').
 - iii. Shopping Center Bonus. Each shopping center, or multiple business located on a single parcel, may have one monument sign for each 500 feet of road frontage with the following dimensions. Individual businesses may not have separate monument signs.
 1. Maximum height is 20 feet.
 2. Maximum width is 15 feet.
 3. Maximum surface area is 160 square feet, or 80 square feet per side.
 4. When a shopping center is located on a corner, an additional monument sign, not to exceed ten feet (10') in height, nor 48 square feet in surface area, is allowed which will be a monument style sign identifying the name of the shopping center only.

- f. Multiple tenant buildings and campuses may utilize the following types of signs. The sign may be located along any street or highway frontage.
 - a. Monument signs.
 - i. One monument sign is permitted per frontage. If the street frontage exceeds 500 feet, a second sign may be permitted. The maximum area for all monument signs is 80 square feet per side. The maximum height is 20 feet.
 - ii. Each vehicular entrance to the property may have one monument sign not exceeding 80 square feet per side.
 - b. Maximum allowable area.
 - i. For sites with 500 feet or less of road frontage, the maximum sign area per frontage is 300 square feet.
 - ii. For sites with more than 500 feet of road frontage, the maximum sign area per frontage is 600 square feet.
 - iii. Individual businesses within a shopping center or multiple tenant building may erect wall signs and projecting signs per the standards of Table 2 and Table 4. Individual businesses may not have separate monument signs.
- g. No illuminated sign is permitted within 100 feet of any residential district. No sign located within 300 feet of a residential district may be illuminated between the hours of 10:00 p.m. and 6:00 a.m.

19. Additional Regulations

- a. Artisan Manufacturing Standards.
 - i. Outdoor storage. Any activity storing materials outdoors shall construct an opaque fence to screen the ground-level view from any public right-of-way or of any residential or retail use. Materials shall not be piled or staked higher than the opaque fence.
- b. Gold or silver object dealers.
 - i. Purpose. It is recognized that the services offered by gold and silver object dealers may provide an opportunity for individuals to potentially transfer stolen property. Therefore, the general purpose and intent of these regulations are to provide separation, development and operational standards for gold or silver object dealers in the City of Alabaster in order to mitigate the negative impacts associated with such businesses and to serve the public safety and welfare of residents and businesses within the city.
 - ii. Applicability. For the purposes of this section, the standards of this section apply to new establishments of gold or silver object dealers. An establishment is considered new when no previous gold or silver object dealer existed at that location for a period of 90 consecutive days or greater immediately preceding the filing date of an application for permit under this section. Any properly licensed gold or silver object dealer legally operating at the effective date of this ordinance shall be considered a legal nonconforming use and shall be subject to the provisions of Section 111-39 of the Alabaster City Code of Ordinances (nonconforming uses of land and buildings).
 - iii. Discontinuance and termination. Any gold or silver object dealer, whether existing or subsequently granted under this section, that voluntarily discontinues active operation for more than 90 consecutive days; does not maintain a valid city business license for more than 90 consecutive days; or ceases to be licensed by the State of Alabama or any other applicable licensing authority, shall be considered a termination of the use and all privileges and rights held therein.
 - iv. Locational requirements.

1. No gold or silver object dealer (as described and detailed within this section) established after the date of this section shall be located within 2,500 linear feet of any other gold or silver object dealer or pawnshop. The method of measurement that shall be used is a straight line measured from the property line of the site of the proposed business to the closest property line that is already occupied by these businesses.
 2. No gold or silver object dealer shall be located within 500 feet of a residentially zoned district, as measured by a straight line from the property line of the site of the proposed business to the property line of the closest residentially zoned property.
 3. No gold or silver object dealer shall be located within 500 feet of a public building, public or private school, day care center, nursery, preschool, park or playground, church or place of worship, as measured by a straight line from the property line of the site of the proposed business to the property line of the property that is occupied by one of the uses.
 4. No gold or silver object dealer shall be located within 2,500 feet of a pawnshop, as measured by a straight line from the property line of the site of the proposed business to the property line of the closest pawnshop business.
- v. Development and operational standards.
1. Hours of operation. The hours of operation shall be limited to the hours between 9:00 a.m. and 6:00 p.m.
- vi. Other requirements.
1. All gold and silver object dealers are required to obtain a special exception use issued by the board of zoning adjustment, which shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.
- c. Thrift stores.
- i. Purpose. The general purpose and intent of these regulations are to provide separation, development and operations standards for thrift stores, since they can have a deleterious impact on neighboring properties by lowering property values and adversely affecting rental rates of nearby commercial properties.
 - ii. Applicability. For the purposes of this section, the standards of this section apply to new establishments of thrift stores. An establishment is considered new when no previous thrift store existed at that location for a period of 90 consecutive days or greater immediately preceding the filing date of an application for permit under this section. Any properly licensed thrift store legally operating at the effective date of this ordinance that is not in compliance with this section shall be considered a legal nonconforming use and shall be subject to the Section 111-39 of the Alabaster City Code of Ordinances (nonconforming uses of land and buildings).
 - iii. Discontinuance and termination. Any thrift store, whether existing or subsequently granted under this section, that voluntarily discontinues active operation for more than 90 consecutive days; does not maintain a valid city business license for more than 90 consecutive days; or ceases to be licensed by the State of Alabama or any other applicable licensing authority, shall be considered a termination of the use and all privileges and rights held therein.
 - iv. Locational requirements.
 - v. No thrift store (as described and detailed within this section) established after the date of this section shall be located within 2,500 linear feet of any other thrift store. The method of measurement that shall be used is a straight line measured from the property line of the site

of the proposed business to the closest property line that is already occupied by these businesses.

- vi. Development and operational standards.
 - 1. A thrift store shall be a minimum of 12,000 square feet of total gross floor area and operated by a single tenant.
 - 2. A designated area inside the building, not visible from the retail area, shall be established for the receipt, sorting, processing, and storage of goods. Donated goods shall be accepted only inside the building and during regular business hours; no donated goods shall be left outside.
 - 3. Collection areas must be screened and no accumulation of collections or outside storage shall be permitted; they shall be located at the side or rear of the building and not be visible from residentially zoned properties or primary street right-of-way.
 - 4. Signage prohibiting dumping of merchandise during non-business hours shall be installed in conspicuous locations to the satisfaction of the planning and zoning commission. Signage shall include daytime collection hours for donated goods.
 - 5. Outdoor storage or display of donated goods or merchandise shall not be permitted.
 - 6. Donation boxes/bins are not permitted on the premises.
- vii. Other requirements.
 - 1. All thrift stores are required to obtain a special exception use issued by the board of zoning adjustment, which shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.
- d. Underground wiring requirement:
 - i. All power, communication and other wiring hereafter installed to service structures in the State Route 119 Overlay District shall be placed underground.
- e. Gasoline service stations regulations as set forth in Section 111-118 the City of Alabaster Zoning Ordinance
- f. Wireless telecommunications facilities regulations as set forth in Article V of the City of Alabaster Zoning Ordinance
- g. Landscaping and buffering regulations as set forth in Article VIII of the City of Alabaster Zoning Ordinance
 - i. Except for mixed use development, where the requirements will be established for each mixed use development as part of the development plan review process.

20. Definitions

- a. Alternative financial services. Any business, excluding those licensed by an appropriate state or federal agency as a bank, saving and loan association, or credit union, that operates as a check cashing business, pawnshop/ pawnbroker, payday loan (deferred presentment) business, or title loan business.
- b. Artisan production. The shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to electronic goods, food and bakery products; beverages; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production.
- c. Body art establishment. Any establishment, place or premises in which body piercing or tattooing is offered or performed.
- d. Body piercing establishment. Any establishment, place or premises in which body piercing is performed.

- e. **Cabinet Sign (also known as a Box Sign):** A sign with text or symbols printed on a plastic or acrylic sheet that is mounted on a cabinet or box that houses the lighting source and equipment.
- f. **Certificate of Occupancy:** a document issued by the City of Alabaster certifying a building's compliance with applicable building codes and other laws. The Certificate of Occupancy indicates the structure is in a condition suitable for occupancy.
- g. **Cladding:** a covering or coating on the structure.
- h. **Cross Access:** properties utilize a connection between parking lots to allow for traffic flow on-site on off the major road.
- i. **Curb Cut:** or ramp or driveway leading down from a development/ sidewalk to the street.
- j. **Easement:** a legal term used to grant the right to cross or otherwise use another's land for a specific purpose. Easements can be granted for a number of things including: sidewalk easements, utilities easements, cross and joint access easements. Easements are often granted for sidewalks, cross access, and joint access.
- k. **Donation box/bin.** A container, trailer, receptacle or similar device used to temporarily store items or charitable gifts that have been solicited and/or donated from the public.
- l. **Street Frontage:** properties fronting (facing) State Route 119.
- m. **Frontage:** the spacing between the building's façade and the public right-of-way.
- n. **Glazing:** the amount of glass or transparency on a façade. Glazing enables pedestrians to see activity on the inside of the building, and patrons to see the activity on the street.
- o. **Gold or silver object.** Any object that contains gold or silver in any amount whatsoever.
- p. **Gold or silver object dealer.** Any person engaged in the business of buying or selling tangible objects in gold or silver, or other precious metals of any kind or description, from members of the general public. Included in this definition are buyers of second-hand jewelry and gems. This category does not include coin dealers or antique stores.
- q. **Grassed swales:** a linear vegetated ditch used to treat and reduce flow velocities of storm water runoff. Grass swales are applicable nearly everywhere and they are especially effective at receiving runoff from highways and residential areas, due to their linear nature.
- r. **Joint access:** Properties share an access point creating a unified entrance/ exit for multiple properties.
- s. **Makerspace.** A work, studio, and/or retail space for artisans, craftsmen, and small-scale manufacturers to work in an individual or communal setting, where the activities produce little to no vibration, noise, fumes, or other nuisances more typical in industrial or manufacturing uses.
- t. **Massage parlor.** Any building, room, place or establishment, other than a regularly licensed hospital or dispensary, where nonmedical, nonsurgical, non-osteopathic and non-chiropractic manipulative exercises, massages or procedures are practiced upon the human body or any part thereof, for other than cosmetic or beautifying purposes, with or without the use of mechanical or other devices, by anyone not a physician, surgeon, osteopath, chiropractor, or certified massage therapist certified by the state in accordance with the Alabama Massage Therapy Licensure Act of 1996.
- u. **Overhang:** a projecting upper portion of a building, such as a roof or balcony.
- v. **Pole Signs:** An on-premises freestanding sign not meeting all of the characteristics of a monument sign. Pole signs are prohibited in the City.
- w. **Public right-of-way:** an easement granted or reserved over the land for transportation purposes, in this case State Route 119.
- x. **Tattoo establishment.** Any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or

permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

- y. Thrift store. A store in which the items sold (or given away to the needy) have been obtained through donations or gifts and where the donor receives no monetary compensation upon the sale (or gift) of such merchandise to a thrift shop customer, and where the use is designed to sell donated merchandise at a price below reasonable market value, or where the revenue received from selling same is retained by a charitable or not-for-profit organization or institution.