Appendix A: ZONING

ZONING ORDINANCE, CITY OF MOODY, ALABAMA

AN ORDINANCE IN PURSUANCE OF THE AUTHORITY GRANTED BY THE CODE OF ALABAMA, 1975, VOLUME 10, TITLE 11, CHAPTER 52, AS AMENDED AND SUPPLANTED BY ALL THE APPLICABLE LAWS TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE CORPORATE LIMITS OF THE CITY OF MOODY, ALABAMA: TO REGULATE WITHIN SUCH DISTRICTS THE HEIGHT; NUMBER OF STORIES; SIZE OF BUILDINGS AND OTHER STRUCTURES; THE PERCENTAGE OF LAND LOT THAT MAY BE OCCUPIED; THE SIZE OF YARDS AND OTHER OPEN SPACES; THE DENSITY OF POPULATION; AND, THE USE OF BUILDINGS, STRUCTURES AND LAND: TO REPEAL ALL EXISTING ZONING ORDINANCES AND PENALTIES FOR THE VIOLATION THEREOF.

THE GENERAL PUBLIC WELFARE REQUIRING IT, BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOODY, ALABAMA, AS FOLLOWS:

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ARTICLE I. GENERAL PROVISIONS

§ 1.00. SHORT TITLE.

This Ordinance shall be known and may be cited as the Zoning Ordinance of the City of Moody, Alabama.

§ 2.00. PURPOSE.

This Ordinance is adopted pursuant to the authority granted by the laws of the State of Alabama for the purpose of implementing the City's Comprehensive Plan and promoting the public health, safety, and general welfare through the orderly and coordinated development of land within the City. The regulations contained herein are intended to:

1. Promote orderly, coordinated, and sustainable growth and development.
2. Implement the goals, policies, and recommendations of the City's Comprehensive Plan.
3. Protect and enhance the character and stability of existing neighborhoods while encouraging compatible new development and redevelopment.
4. Encourage a variety of housing opportunities that meet the needs of residents throughout all stages of life.
5. Promote quality community design, attractive development patterns, and compatible transitions between differing land uses.
6. Reduce traffic congestion, improve public safety, and encourage a connected transportation network for motorists, pedestrians, bicyclists, emergency responders, and freight movement.
7. Ensure the efficient provision of public infrastructure, utilities, schools, parks, emergency services, and other public facilities.
8. Protect environmentally sensitive lands, water resources, flood-prone areas, natural features, and open spaces.
9. Promote sound stormwater management practices and responsible stewardship of natural resources.
10. Support economic development, business investment, and redevelopment opportunities that strengthen the City's tax base and employment opportunities.
11. Encourage efficient land use patterns that make responsible use of public infrastructure and municipal resources.
12. Protect property values through compatible land use relationships and high-quality site design.
13. Provide fair, consistent, and predictable standards for the review and approval of development applications.
14. Secure safety from fire, flooding, and other natural or man-made hazards.
15. Promote the general health, safety, welfare, and quality of life of the residents of the City of Moody.

§ 3.00. INTERPRETATION OF THIS ORDINANCE.

Where this Ordinance imposes a greater restriction than another applicable law, ordinance, rule, regulation, or permit, this Ordinance shall govern. Where another applicable law, ordinance, rule, regulation, or permit imposes a greater restriction, the more restrictive requirement shall govern. Nothing in this Ordinance shall invalidate any lawful private easement, covenant, or agreement; however, the City shall not be responsible for enforcing private restrictions.

§ 4.00. RELATIONSHIP TO THE SUBDIVISION REGULATIONS.

The provisions of this Ordinance shall be interpreted and administered in conjunction with the Subdivision Regulations of the City of Moody, where applicable. Compliance with this Ordinance shall not relieve an applicant from compliance with applicable subdivision plat approval procedures, engineering standards, improvement requirements, or other requirements of the Subdivision Regulations.

§ 5.00. SAVINGS CLAUSE.

The repeal and replacement of any prior zoning ordinance by this Ordinance shall not affect or prevent the prosecution or enforcement of any violation that occurred under any prior zoning ordinance while such ordinance was in effect, nor shall such repeal affect any penalty, liability, or enforcement proceeding arising from such violation.

Any permit, approval, variance, special exception, conditional use, site plan approval, or other authorization lawfully issued or granted prior to the effective date of this Ordinance shall remain valid in accordance with the terms and conditions under which it was approved, unless otherwise provided by this Ordinance or applicable law.

§ 6.00. SEVERABILITY.

If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Ordinance which is not in and of itself invalid or unconstitutional.

§ 7.00. REPEAL OF EXISTING ORDINANCES.

All prior zoning ordinances and amendments thereto are hereby repealed and replaced upon the effective date of this Ordinance, except that such repeal shall not affect matters preserved by Article I, § 5.00.

§ 8.00. OFFICIAL ZONING MAP.

A. The Official Zoning Map of the City of Moody, Alabama, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

B. The Official Zoning Map shall be maintained by the City and shall accurately reflect all zoning district boundaries established by this Ordinance and all amendments adopted by the City Council.

C. The Official Zoning Map may be maintained in paper or digital format. The version designated and maintained by the City as the Official Zoning Map shall constitute the official zoning map of the City.

D. Whenever the City Council adopts a zoning map amendment, the Official Zoning Map shall be updated as soon as practicable to reflect the action taken.

E. In the event of a discrepancy concerning the zoning classification or boundaries of any property, the ordinance adopting or amending the applicable zoning classification, together with the legal description, map, plat, or other records associated with the applicable zoning action, shall control.

§ 9.00. INTERPRETATION OF DISTRICT BOUNDARIES.

A. Where uncertainty exists as to the location of a zoning district boundary shown on the Official Zoning Map, the Building Official shall interpret the boundary in accordance with the following rules. Any person aggrieved by such interpretation may appeal the determination to the Zoning Board of Adjustment in accordance with Article III, § 7.00.

1. Where boundaries are indicated as approximately following the centerlines of streets, alleys, or other public rights-of-way, or property lines, such centerlines or property lines shall be construed to be such boundaries.
2. When a piece of property or tract is not subdivided and a district boundary divides a lot, the location of such a boundary, otherwise indicated by dimensions, legal description, parcel or property line, or other information shown on or incorporated into the Official Zoning Map, shall be determined by reference to the Official Zoning Map and the records associated with the applicable zoning action.
3. Where boundaries are approximately parallel to public right-of-way lines such boundaries shall be construed as being parallel thereto.
4. Where a zoning district boundary is indicated as approximately following the centerline of a stream, river, drainageway, or other natural feature, the centerline of such feature shall be construed to be the zoning district boundary.
5. Where a zoning district boundary is indicated as approximately following the corporate limits of the City, the corporate limits shall be construed to be the zoning district boundary.
6. Where the location of a zoning district boundary cannot be determined by application of the foregoing rules, the Building Official shall determine the boundary based upon the Official Zoning Map, the ordinance establishing or amending the zoning classification, applicable legal descriptions, plats, property records, and other relevant City records.

§ 10.00. ANNEXED PROPERTY.

Property annexed into the City after the effective date of this Ordinance shall be classified as MR, Municipal Reserve District, upon the effective date of annexation, unless the annexation ordinance concurrently assigns another zoning classification in accordance with applicable law. Property within the MR District shall be subject to Article VII, § 19.00.

§ 11.00. ZONING OF VACATED RIGHTS-OF-WAY.

Whenever a street, alley, or other public right-of-way is vacated or abandoned by official action of the City, the zoning district abutting each side of the right-of-way shall extend to the centerline thereof. Where the same zoning district abuts both sides, the entire vacated right-of-way shall be included within that district. Where different districts abut opposite sides, each district shall extend to the centerline.

§ 12.00. EFFECTIVE DATE.

This Ordinance shall become effective upon its adoption and publication as required by law.

ARTICLE II. DEFINITIONS

§ 1.00. PURPOSE OF DEFINITION.

For the purposes of this Ordinance, the terms defined in this Article shall have the meanings assigned herein. Terms not defined in this Article or elsewhere in this Ordinance shall be interpreted according to their ordinary and customary meaning.

§ 2.00. INTERPRETATION.

The Building Official shall make the initial interpretation of any term used in this Ordinance that is not specifically defined. Any person aggrieved by the Building Official's interpretation may appeal such determination to the Zoning Board of Adjustment in accordance with Article III, § 7.00.

§ 3.00. WORD USAGE.

In the interpretation of this Zoning Ordinance, the provisions and rules of this section shall be observed and applied, except when the context clearly requires otherwise.

A. Words used or defined in one tense or form shall include other tenses and derivative forms.
B. Words in the singular number shall include the plural number, and words in the plural number shall include the singular number.
C. Words used in any gender include all genders.
D. The word "shall" is mandatory and the word "may" is permissive.
E. The word "person" includes: an individual, firm, association, organization, partnership, trust, company or corporation.
F. Measurement of Separation Distances. Unless otherwise expressly provided in this Ordinance, all required separation distances shall be measured in a straight line from the nearest property line of the regulated use to the nearest property line of the protected use or zoning district.

§ 4.00. GENERAL TERMS DEFINED.

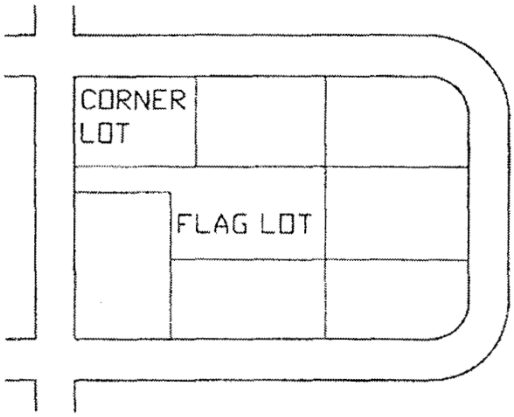
The following general terms, when referred to in this Ordinance, shall have the meanings defined by this section.

- **Abandoned motor vehicle.** Any motor vehicle which is partially dismantled, inoperative (see inoperative motor vehicle), wrecked or junked, which is left at any place on a street or highway within the City for a period of at least seven days.
- **Abut, adjacent, adjoin or contiguous.** To share a common boundary or property line with another lot, parcel, or tract of land, or to be separated only by a public or private easement.
- **Access.** A way or means of approach to provide physical entrance to a property.
- **Accessory recreational facility.** A recreational amenity customarily incidental to a principal residential development or nonresidential use, including swimming pools, tennis courts, pickleball courts, playgrounds, clubhouses, picnic areas, walking trails, and similar facilities.

- **Accessory retail sales.** The incidental sale of goods or products directly associated with the principal use and conducted on the same site as the principal use. Accessory retail sales shall remain clearly subordinate to the principal use. Where conducted within a building, accessory retail sales shall occupy no more than twenty-five (25) percent of the gross floor area devoted to the principal use. Any outdoor display or sales area shall comply with the applicable outdoor sales provisions of this Ordinance.
- **Accessory structure.** A detached structure customarily incidental and subordinate to a principal building or principal use on the same lot.
- **Accessory use.** A use that is customarily incidental, subordinate, and clearly associated with the principal use of the same lot.
- **Acre.** A measure of land containing 43,560 square feet of area.
- **Addition.** An expansion or extension of an existing building or structure that increases its floor area, height, or footprint.
- **Alley.** A service way providing a secondary means of access to abutting property and not intended for general traffic circulation.
- **Alteration.** Any change, reconstruction, or modification to a building or structure other than ordinary maintenance or repair, including changes to structural members, exterior dimensions, or the relocation of a building or structure.
- **Amenity, Major.** A substantial recreational improvement intended for use by all residents of a development. The specific types of improvements, point values, and minimum size/design standards (e.g., swimming pools, clubhouses, or one-acre recreational fields) shall be as defined and regulated in the City of Moody Subdivision Regulations.
- **Amenity, Minor.** A localized recreational improvement intended for use by residents. The specific types of improvements, point values, and minimum size/design standards (e.g., playgrounds, dog parks, or walking trails) shall be as defined and regulated in the City of Moody Subdivision Regulations.
- **Applicant.** Any person submitting an application, request, permit, approval, variance, special exception, rezoning, or other matter for review under this Ordinance.
- **Barndominium.** A permanent single-family dwelling designed with the appearance or structural characteristics commonly associated with an agricultural, ranch, warehouse, or similar utility building, which may include attached or integrated nonresidential space such as garages, workshops, or storage areas.
- **Basement.** A portion of a building located wholly or partially below grade in which one-half or more of the floor-to-ceiling height is below the average finished grade adjoining the building.
- **Bedroom.** A room marketed, designed or otherwise intended to function primarily for sleeping.
- **Berm.** A landscaped mound of earth used to screen or separate land uses.
- **Board of Zoning Adjustment.** The Zoning Board of Adjustment of the City of Moody, Alabama.
- **Buffer.** A strip of land, landscaping, screening, berms, fencing, or a combination thereof designed to separate incompatible land uses, reduce visual or noise impacts, and provide a transition between differing land uses.
- **Building.** A structure designed or intended for occupancy, shelter, storage, or other principal or accessory use.
- **Building height.** The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof.

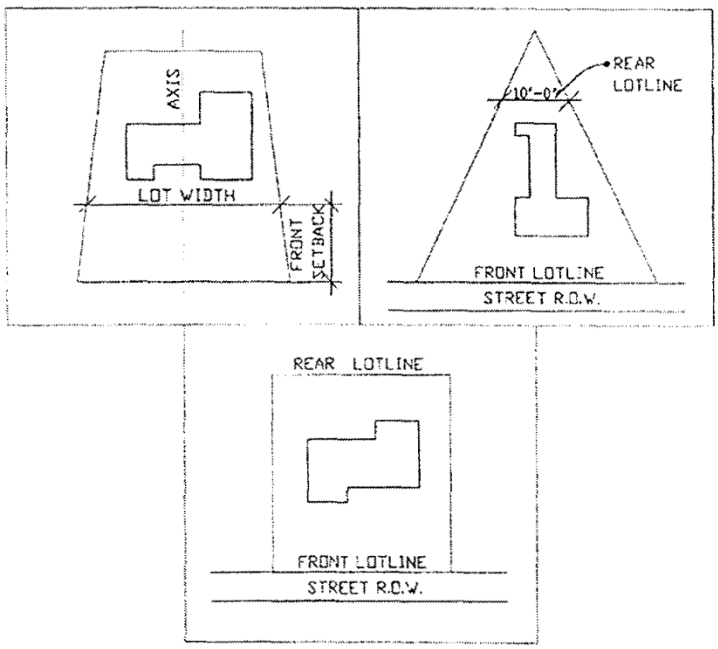
- **Building line or building setback line.** A line establishing the minimum required setback from a property line or street right-of-way beyond which no building may extend except as otherwise permitted by this Ordinance.
- **Building, principal.** The primary building on a lot, or a building that houses a principal use.
- **Building spacing.** The minimum distance between buildings, measured from the outermost projection, excluding: bay windows, chimneys, flues, columns, ornamental features, cornices and eaves.
- **Carport.** A roofed structure providing space for the parking or storage of motor vehicles and enclosed on no more than three sides.
- **City.** The City of Moody, Alabama.
- **Commencement of Construction.** The initiation of construction authorized by a valid building permit, evidenced by substantial and continuous on-site work toward completion of the approved development, including installation of foundations or other permanent structural improvements. Clearing, grading, demolition, installation of temporary facilities, delivery or storage of materials, or other preliminary site preparation alone shall not constitute commencement of construction.
- **Condominium.** A form of ownership in which individual units are separately owned and common elements are held in shared ownership. Condominium ownership is not a land use and shall not affect the use, dimensional, density, or other zoning requirements otherwise applicable to the property.
- **Council or City Council.** The City Council of the City of Moody, Alabama.
- **Cul-de-sac.** A short street designed to have one end permanently closed, with the closed end being terminated by a vehicular turnaround.
- **Density.** The minimum required lot area per dwelling unit or the maximum number of dwelling units per acre of site area.
- **Development.** The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, alteration, relocation or enlargement of a structure; any mining, dredging, filling, grading, paving, excavation, drilling or disturbance of land; and, any use or extension of the use of the land.
- **Dwelling.** Any building or portion thereof, which is designed or used for residential occupancy.
- **Dwelling, attached.** Two or more dwelling units joined by one or more common walls, floors, or roofs.
- **Dwelling, detached.** A dwelling designed for occupancy by no more than one family, and having no wall, roof, or floor in common with another dwelling unit.
- **Dwelling, multifamily.** A building containing three or more dwelling units located on a single lot.
- **Dwelling, two-family.** Two dwelling units adjoining one another by a common wall, roof or floor, such as a duplex or twin townhouse.
- **Easement.** A legal right granted by a property owner for the use of a designated part of a property by another for a specified purpose.
- **Employee.** For purposes of calculating required parking, the maximum number of employees expected to be present on the premises during the largest work shift.
- **Family.** One or more persons living together as a single housekeeping unit.
- **Fence.** An artificially constructed barrier of any material, combination of material or vegetation which is planted or retained as a means to enclose or screen areas of land.

- **Floor area, gross.** The total area of a building measured to the outside dimensions of the building at each floor level intended for occupancy or storage.
- **Inoperative motor vehicle.** A motor vehicle which cannot be driven upon the public streets for reasons including, but not limited to: being unlicensed, wrecked, abandoned, in a state of disrepair or incapable of being moved under its own power.
- **Lot.** A parcel of land in under single ownership or control, used as or set aside and available for use as, the site of one or more buildings and accessory structures, or any other purpose.
- **Lot area or lot site.** The minimum area contained within the boundaries of the individual parcels of land shown on a subdivision plat or survey. Lot area excludes any area within an existing or future street right-of-way or any area devoted to common open space.
- **Lot, corner.** A lot abutting two or more streets at their intersections.
- **Lot, double frontage or through.** A lot having frontage on two or more streets, but not at their intersections.
- **Lot, flag.** A parcel of land which does not have the required minimum lot width at the building line but has direct access to a public street through a narrow strip of land which is part of the same lot. The lot lines of the narrow portion of the lot (the flag pole) are parallel or nearly parallel.



Flag Lot

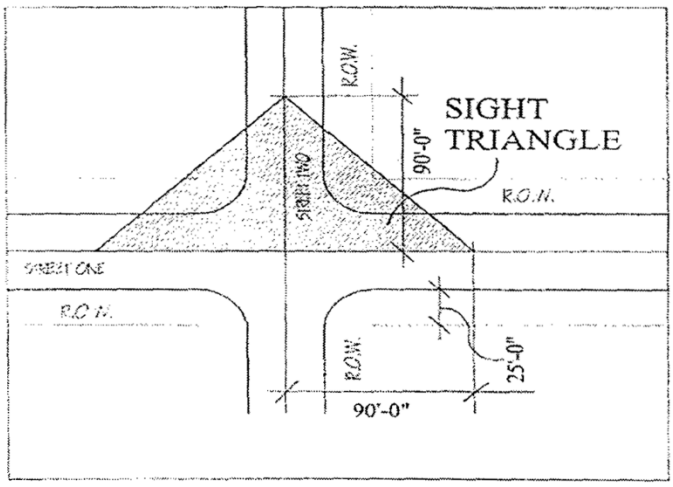
- **Lot frontage.** The lot width measured at the street line. When a lot has more than one street line, lot width shall be measured and the minimum lot width required by this Ordinance shall be provided at each such line.
- **Lot, interior.** A lot other than a corner lot.
- **Lot line.** A line bounding a lot which divides one lot from another lot, street or any other public or private place.
- **Lot line, front.** The lot line adjacent to the street toward which the principal building is oriented. Where a lot abuts more than one street, the front lot line shall be determined by the orientation of the principal building. Where no principal building exists, or where the orientation is unclear, the Building Official shall determine the front lot line.
- **Lot line, rear.** That lot line which is parallel to and most distant from the front line of the lot. In the case of an irregular or triangular lot, a line ten feet in length, entirely within the lot, parallel to and at the maximum distance from the front lot, shall be considered the rear lot line. In the case of a corner lot or a double frontage lot, there are no rear lot lines, only side lot lines. See examples below.



Lot Line Illustrations

- **Lot line, side.** Any lot line other than a front lot line or a rear lot line.
- **Lot of record.** Any validly recorded lot which, at the time of its recording, complied with all applicable laws, Ordinances and regulations.
- **Lot, reverse frontage.** A double frontage lot having a rear yard on a major street and a front yard with access to a local or marginal access street.
- **Lot width.** The minimum distance measured between the side lot lines at the required building setback line. In the case of only one side lot line, lot width is the distance measured between the side lot line and the opposite lot line.
- **Nonconformities.** Lawful uses of lots, structures or characteristics of uses which, as a result of the adoption or subsequent amendment of this Ordinance, no longer conform to all applicable zoning provisions.
- **Open Space, Common.** Land area within a subdivision or development held in common ownership and maintained by a legal entity responsible for its ownership and maintenance for recreation, conservation, or other common use by residents.
- **Outdoor storage.** The keeping or storage of equipment, materials, merchandise, vehicles, or other items outside a fully enclosed building other than for temporary loading, unloading, or outdoor display.
- **Owner.** The person or persons having the right and legal title to, the beneficial interest in or a contractual right to purchase a lot or parcel of land.
- **Planning Commission.** The Planning Commission of the City of Moody, Alabama.
- **Porch.** A roofed open area, which may be windowed or screened, attached to and with direct access to or from a building. A porch becomes a room within the building when heated or air-conditioned or when the walled area is less than 20 percent windowed or screened.
- **Property line.** The lot line or boundary line.

- **Satellite dish antenna.** An accessory structure designed to receive television broadcasts relayed by microwave signals from earth orbiting communication satellites.
- **Screen.** To visually shield or obscure an abutting or nearby structure or use from another by means of: opaque fencing, walls, berms or densely planted vegetation.
- **Sight triangle.** A triangular-shaped portion of land established at street or driveway intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. (See illustration.)



Sight Triangle

- **Site.** A parcel or parcels of land intended to have one or more buildings, or intended to be subdivided into one or more lots.
- **Site area.** A minimum land area required to qualify for a particular use or development. Site area is taken from an actual site survey and excludes:
    - Land within an existing or future street right-of-way, or utility right-of-way easement.
    - Land which is not contiguous or is cut off by a major barrier.
    - Land which is part of a previously approved development.
    - Land which is zoned for another use.
- **Special exception use.** A use that may be permitted in a zoning district upon approval by the Zoning Board of Adjustment in accordance with the applicable standards and procedures of this Ordinance.
- **Story.** That portion of a building included between the upper surface of a floor and the upper surface of the floor or ceiling next above. A mezzanine or partial floor shall be counted as a story if the vertical distance from the floor next to the floor or ceiling above is 24 feet or more. A basement shall be counted as a story if it is used as livable area (in case of dwellings) or is used by the principal use (in the case of other uses).
- **Street.** Any vehicular way which has been dedicated to the public use, including all land within the right-of-way.
- **Structure.** Anything constructed or erected with a fixed location on the ground or attached to anything having a fixed location on the ground. All buildings are structures, but not all structures are buildings.
- **Subdivision.** The division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions for the purpose, whether immediate or future, of sale or building development. Such term

includes re-subdivision of land, and when appropriate to the context, relates to the process of subdivision or to the land or territory subdivided. (See also, City of Moody, subdivision regulations.)

- **Travel trailer/recreation vehicle.** A structure that is intended to be transported over the streets, either driven as a motor vehicle or attached to or hauled by a motor vehicle; and, it is designed for temporary recreational use as sleeping quarters but does not meet the criteria of a Manufactured Home.
- **Undisturbed buffer.** An area of existing natural vegetation that is preserved in its natural state and maintained to provide visual screening, separation between land uses, noise attenuation, and protection of natural resources. An undisturbed buffer may include existing trees, understory vegetation, and natural landforms and shall not include areas that have been cleared, graded, or otherwise disturbed, except as necessary for approved utilities, drainage improvements, or similar infrastructure.
- **Usable open space.** Common open space that is reasonably accessible and suitable for active or passive recreation and is not occupied primarily by required buffers, stormwater facilities, utility easements, public rights-of-way, parking areas, or slopes exceeding twenty-five (25) percent, except where such features are incorporated as an approved recreational amenity.
- **Use.** The activity or function that actually takes place or is intended to take place on a lot or site.
- **Variance.** A relaxation of the dimensional or other applicable requirements of this Ordinance, granted by the Zoning Board of Adjustment where, owing to special conditions, literal enforcement of the Ordinance would result in unnecessary hardship and the variance is not contrary to the public interest.
- **Yard.** A minimum open area, unobstructed from the ground up, extending along a lot line and inward to the structure. The yard shall be measured as the shortest distance between the nearest building or structure and the lot line.
- **Yard, front.** A yard extending along the full width of the front lot line between side lot lines and from the front lot line to the front building line in depth.
- **Yard, rear.** A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. (See typical illustrations of yards below.)
- **Yard, side.** A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines.

§ 5.00. USES DEFINED.

When referred to in this Ordinance, the following uses shall have the meanings defined in this section:

- **Accessory dwelling unit (ADU).** A secondary dwelling unit located on the same lot as a principal Single-Family Dwelling that provides complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- **Adult-oriented business.** An establishment whose principal business is the sale, rental, display, or presentation of adult-oriented materials or entertainment.
- **Airport.** A facility used for the landing and takeoff of fixed-wing aircraft, including associated runways, taxiways, terminals, hangars, aircraft storage, fueling facilities, maintenance facilities, and

other customary aviation-related facilities and uses. An Airport does not include a Heliport or Helipad.

- **Alternative financial service.** A commercial establishment, other than a state or federally chartered bank, savings and loan association, or credit union, that provides as its primary business function non-traditional financial services including the cashing of checks for a fee, the provision of short-term payday or signature loans, the lending of money secured by vehicle titles or the pledge of personal property as collateral, or the primary business of money orders and wire transfers.
- **Animal shelter.** A public or nonprofit facility used for the temporary housing, care, adoption, or transfer of domestic animals.
- **Artisan manufacturing.** The small-scale fabrication, assembly, processing, repair, or production of goods where impacts are comparable to commercial uses rather than industrial manufacturing. Accessory retail sales, studios, classrooms, offices, demonstration areas, galleries, tasting rooms, and similar uses customarily associated with the principal use are permitted.
- **Assembly and community facility.** A building or facility used for civic, cultural, educational, recreational, religious, social, entertainment, meeting, or assembly purposes, including community centers, civic centers, clubs, banquet halls, and similar gathering places.
- **Assisted living facility.** A licensed residential care facility providing housing, meals, personal care, and assistance with activities of daily living for residents who do not require continuous skilled nursing care.
- **Automobile repair, major.** The repair, rebuilding, restoration, modification, or servicing of motor vehicles involving activities that have the potential to generate greater operational impacts than Minor Automobile Repair. Major Automobile Repair includes, but is not limited to, automobile body repair, collision repair, painting and refinishing, frame straightening, engine rebuilding, transmission rebuilding, vehicle dismantling, vehicle restoration, fabrication, and similar activities.
- **Automobile repair, minor.** The repair, servicing, maintenance, or replacement of mechanical or electrical components of automobiles that are routinely completed within a relatively short period of time and does not involve vehicle body repair, painting, frame repair, engine rebuilding, transmission rebuilding, vehicle dismantling, or other activities classified as Major Automobile Repair. Typical activities include oil changes, lubrication, brake service, tire replacement, wheel balancing and alignment, battery replacement, exhaust replacement, windshield replacement, air conditioning service, diagnostics, tune-ups, suspension repairs, and similar routine maintenance and repair.
- **Bank or financial institution.** An establishment engaged in providing banking, lending, trust, investment, financial management, or similar financial services. This definition does not include Alternative Financial Services.
- **Bed and breakfast establishment.** A house, or portion thereof, where short-term lodging and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.
- **Boarding house (shared housing).** A dwelling in which individual sleeping rooms are rented or leased separately to residents for periods of thirty (30) days or more, with residents sharing one or more common kitchen, living, or sanitary facilities. The term does not include a dwelling occupied by persons under a single lease or other common occupancy arrangement who function as a single household.
- **Building material sales.** An establishment engaged in the retail or wholesale sale of lumber, masonry products, hardware, roofing materials, plumbing supplies, electrical supplies, windows, doors, or similar construction materials.

- **Business or professional office.** An establishment providing administrative, executive, management, professional, consulting, or similar office services, excluding medical offices.
- **Campground.** A site or tract of land designed or used for temporary recreational occupancy by persons using tents, recreational vehicles, travel trailers, or similar temporary camping accommodations, and which may include accessory facilities and amenities for the use of campground guests.
- **Car wash.** A commercial establishment engaged in washing or cleaning of automobiles and light vehicles. Such a facility may be automated or may employ the services of individuals to perform such services manually.
- **Cemetery.** Human burial grounds.
- **Child care center.** A facility, other than a Family Child Care Home, that provides care, supervision, protection, and, when applicable, education for children for less than twenty-four (24) hours per day. A Child Care Center may include nursery schools, preschools, after-school programs, and similar childcare facilities but does not include public or private schools regulated elsewhere in this Ordinance.
- **Commercial school.** A private or for-profit educational or training facility providing vocational, technical, trade, business, professional, artistic, or similar instruction, excluding public and private elementary and secondary schools.
- **Construction service.** A business engaged in building construction, contracting, installation, maintenance, construction management, or similar services, which may include offices, enclosed equipment storage, materials storage, and accessory maintenance activities.
- **Contractor storage yard.** A facility used by a contractor for the storage of construction equipment, vehicles, building materials, supplies, and related equipment, together with accessory office and maintenance activities.
- **Coworking and business incubator.** A shared office facility providing individual workstations, offices, meeting rooms, business support services, and similar amenities for independent professionals, entrepreneurs, start-up businesses, or small businesses.
- **Duplex.** A building containing two dwelling units attached by a common wall, floor, or ceiling, with each dwelling unit designed for independent residential occupancy.
- **Electric vehicle charging station.** Equipment and associated infrastructure used for charging electric vehicles. An Electric Vehicle Charging Station may be established as a principal use or as an accessory use to any permitted principal use.
- **Equestrian facility.** A facility used for boarding, breeding, training, riding, instruction, exhibition, or care of horses, whether operated for profit or not. Such facilities may include stables, riding arenas, barns, paddocks, and accessory buildings customarily associated with equestrian activities.
- **Event center.** A commercial establishment designed or operated primarily for hosting scheduled private or public events, including weddings, receptions, banquets, parties, meetings, conferences, and similar gatherings, where the event space is the principal use of the property or tenant space. Accessory catering facilities, commercial kitchens, outdoor ceremony areas, and similar amenities customarily associated with the principal use are permitted.
- **Family child care home.** A dwelling occupied by the child care provider in which care, supervision, and protection are provided for children for less than twenty-four (24) hours per day in accordance with applicable state licensing requirements. A Family Child Care Home is a residential use conducted within a lawfully established dwelling and does not include a Child Care Center.

- **Farm.** A parcel of land used for the cultivation of crops, the raising of livestock or poultry, horticulture, forestry, beekeeping, aquaculture, or other agricultural activities, together with buildings and structures customarily incidental to such activities.
- **Food and beverage establishment.** An establishment engaged in the preparation and sale of food or beverages for on-premises consumption, off-premises consumption, or both. Such establishments may include restaurants, cafés, coffee shops, bakeries, delicatessens, ice cream shops, and similar establishments. This definition does not include Food Trucks or Shared Commercial Kitchens.
- **Funeral home.** A building or part thereof used for human funeral services. Such a building may contain space and facilities for the following:
    - The embalming and the performance of other services used in preparation of the dead for burial.
    - The performance of autopsies and other surgical procedures.
    - The storage of caskets, funeral urns and other funeral supplies.
    - Space for the storage of funeral vehicles is allowed, but funeral homes shall not include facilities for cremation.

  Where a funeral home is permitted, a funeral chapel shall also be permitted as an incidental use.
- **Garden center or nursery.** The retail sale of plants, trees, shrubs and the like for ornamental purposes, conducted from a building, greenhouse, outdoor display area or stand, including incidental sales of items customarily associated with such sales activities, such as containers, fertilizers, ornaments, mulch, potting soil, small gardening tools, gardening equipment, seeds, etc.
- **Gasoline service station.** A commercial establishment providing fuel, lubricants, parts and accessories for vehicles, which may also engage in the incidental sale of food items and beverages. A gasoline service station may also engage in minor vehicle repair activities as defined in this section. The principal building or premises shall not be used for the parking and display of motor vehicles offered for sale; or, for the permanent storage of inoperable motor vehicles. All gasoline storage tanks shall be in full compliance with the Alabama Department of Environmental Management (ADEM) requirements, as well as all local regulations.
- **General retail.** An establishment engaged in the sale, lease, or rental of consumer goods, merchandise, or household products directly to the general public.
- **Grocery store/supermarket.** A retail establishment primarily engaged in the sale of food, beverages, household goods, and personal care products. Such establishments may include accessory uses, such as bakeries, delicatessens, pharmacies, floral departments, cafés, or similar retail services. This use shall not include the retail sale of motor vehicle fuel or motor vehicle repair or maintenance.
- **Heavy industry.** A facility engaged in manufacturing, processing, fabrication, refining, assembly, or similar industrial operations that, because of their scale or operational characteristics, may generate substantial truck traffic, noise, vibration, smoke, odor, dust, glare, or other external impacts.
- **Heliport/helipad.** A facility, site, structure, or designated area established or regularly used for the landing and takeoff of helicopters or other vertical takeoff and landing aircraft. A Heliport/Helipad may be established as a principal use or as an accessory facility serving another principal use, including a hospital, emergency medical facility, public safety facility, or government facility.
- **Hobby farm.** A parcel of land used primarily for the keeping of livestock, poultry, or other farm animals for personal use rather than commercial agricultural production.

- **Home occupation.** A business, profession, occupation, or trade conducted by the resident of a dwelling as an accessory use that complies with the Home Occupation standards of this Ordinance and does not alter the residential character of the property or surrounding neighborhood.
- **Hospital.** An establishment which provides health services primarily for inpatient medical or surgical care of the sick or injured, including accessory facilities such as laboratories, pharmacies, out-patient clinics, training facilities, gift shops, coffee shops, cafeterias and staff offices.
- **Hotel.** A commercial lodging establishment providing transient accommodations in guest rooms accessed primarily from interior corridors or a lobby. Hotels may include accessory uses such as restaurants, meeting rooms, banquet facilities, fitness centers, retail sales, and similar amenities intended primarily for guests.
- **Independent living facility.** Residential dwelling units for older adults or other eligible residents who are capable of living independently, with optional amenities but without personal care or skilled nursing as the principal service.
- **Indoor recreation and fitness.** A facility providing indoor recreational, fitness, instructional, or entertainment activities, including gyms, fitness centers, dance studios, martial arts studios, climbing facilities, indoor sports courts, and similar uses.
- **Kennel.** A facility where dogs or other domestic animals are boarded, bred, trained, groomed, or cared for compensation.
- **Landfill.** A facility permitted by the Alabama Department of Environmental Management (ADEM) for the disposal of solid waste in accordance with applicable federal and state regulations.
- **Light industry.** Manufacturing, fabrication, assembly, processing, packaging, repair, or similar industrial use conducted primarily within enclosed buildings that produces minimal external impacts and is generally compatible with adjacent commercial or industrial development.
- **Livestock.** Domesticated farm animals commonly raised for agricultural purposes, including cattle, horses, sheep, goats, swine, llamas, alpacas, and similar animals. The term does not include household pets.
- **Livestock sales.** An establishment engaged in the auction, sale, purchase, or exchange of livestock.
- **Maker space.** A collaborative workspace providing equipment, tools, and shared facilities for fabrication, prototyping, small-scale manufacturing, woodworking, metalworking, electronics, digital production, arts, crafts, or similar creative activities.
- **Manufactured home sales.** An establishment engaged in the display and sale of manufactured homes.
- **Manufactured home.** A structure, transportable in one or more sections, which, in its traveling mode, is eight feet or more in width or 40 feet or more in length, or, when erected upon a site, is 320 square feet or more; and, which is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, connected to the required utilities, including the plumbing, air conditioning and electrical systems contained therein. If constructed on or before June 15, 1976, the unit bears a seal certifying compliance with the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development (HUD).
- **Manufactured home park.** Land used or designed to accommodate a Manufactured Home community of multiple spaces for rent or lease.
- **Manufactured home space.** A space that is designed for use within a Manufactured Home park.

- **Manufacturing, general.** A facility engaged in the manufacturing, fabrication, assembly, processing, finishing, or packaging of products or materials that is not classified as Artisan Manufacturing, Light Industry, or Heavy Industry.
- **Medical office and clinic.** A facility where physicians, dentists, therapists, or other licensed health care professionals provide outpatient medical, dental, diagnostic, or therapeutic services.
- **Military installation.** A government-owned or government-operated defense facility, including military bases, National Guard armories, military reserve centers, recruiting centers, and similar facilities.
- **Mixed-use development.** A development containing a coordinated combination of residential and nonresidential uses within the same building, on the same lot, or within a unified development, designed and developed as an integrated project.
- **Modular home.** A dwelling constructed off-site in accordance with the International Building Code, composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. A modular home is not a Manufactured Home. Manufactured Homes are constructed in accordance with the U.S. Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards, while modular homes are constructed in accordance with the applicable building code adopted by the City. Modular homes shall be treated in the same manner as site-built single-family dwellings.
- **Motel.** A commercial lodging establishment providing transient accommodations in guest rooms, typically accessed directly from the exterior of the building. Motels may include accessory uses customarily associated with lodging establishments.
- **Nursing care facility.** A licensed facility providing twenty-four-hour skilled nursing care, medical supervision, rehabilitation, or related health services for residents requiring ongoing medical care.
- **Open air market.** Retail sales of arts, crafts, produce, discount or used goods which are located partially or wholly outside an enclosed building. This may include produce markets, craft markets, farmers' markets or similar activities.
- **Outdoor display.** The placement of merchandise, products, equipment, or materials outside a building for the purpose of display or sale during normal business operations.
- **Outdoor recreation and entertainment.** A commercial recreational or entertainment use conducted primarily outdoors, including amusement parks, miniature golf courses, driving ranges, batting cages, go-kart tracks, water recreation facilities, outdoor performance venues, and similar uses.
- **Outdoor sales.** The display, sale, or rental of merchandise outside an enclosed building as an accessory to a principal business located on the same lot.
- **Park.** A public or private area designed for recreational, open space, conservation, or leisure activities, including playgrounds, athletic fields, trails, picnic areas, and similar facilities.
- **Personal service.** A retail establishment engaged in providing services involving the care of a person or persons, such as barber shops, beauty shops, cosmetic studios, laundromats, nail salons, tanning salons, tailors, tattoo studio, shoe repair, travel agencies, locksmiths, interior decorations, formal wear rentals, etc. This definition does not include indoor recreation and fitness uses.
- **Place of worship.** A building or facility used primarily for religious worship and related religious, educational, fellowship, administrative, or community activities.

- **Planned residential development.** A unified residential development consisting of one or more residential building types developed in accordance with an approved development plan and the standards of this Ordinance.
- **Planned unit development.** A unified development containing one or more residential, commercial, office, institutional, or industrial uses developed in accordance with an approved development plan and the standards of this Ordinance.
- **Printing establishment.** A facility engaged in commercial printing, publishing, copying, graphic production, binding, mailing, or similar printing-related services.
- **Private stable.** A building or facility used for the keeping of horses owned or used by the occupants of the property and not operated for commercial purposes.
- **Public building and government office.** Buildings arranged for the purpose of providing public services, not otherwise defined in this section, including government offices, post offices, museums, libraries, transit stations, police and fire stations, emergency service stations, civil defense operations and similar uses.
- **Public utility facility.** A facility providing water, wastewater, electric, natural gas, telecommunications, or similar utility services to the public.
- **Public utility service.** Essential utility services required to support development, and which involve only minor structures such as lines and poles.
- **Recreational vehicle (RV) park.** A parcel or development designed and operated to provide temporary accommodation for recreational vehicles on individual sites with shared or individual utility connections and related amenities. An RV Park does not include a manufactured home park or the permanent occupancy of recreational vehicles.
- **Recycling plant.** A facility in which recoverable resources, such as newspapers; magazines; books and other paper products; glass; metal cans; and other products are recycled, reprocessed and treated to a condition that is adequate for their reuse. Such a facility is not a junk yard.
- **Refuse collection facility.** A facility used for the collection, temporary storage, consolidation, transfer, compaction, or loading of solid waste for transport to another permitted disposal or processing facility. This use includes transfer stations but does not include landfills.
- **Research and development campus.** A coordinated development consisting of one (1) or more buildings used for scientific research, engineering, product development, testing, laboratory activities, software development, or similar innovation-oriented operations. Prototype manufacturing, warehousing, office, and retail uses may be permitted only when clearly accessory to the principal research and development use.
- **Resource extraction.** The removal of soil, sand, clay, gravel, minerals, or similar materials for commercial purposes, including quarries; sand and gravel operations; gas extraction; mining; etc.
- **Salvage yard or junk yard.** A facility used for the storage, dismantling, processing, purchase, sale, or recycling of junk, scrap materials, inoperable vehicles, vehicle parts, machinery, appliances, metals, or similar materials.
- **School.** A facility used for the primary purpose of providing organized educational instruction, including public, private, charter, and religious schools, but excluding commercial schools as defined in this Ordinance.
- **Seasonal sales.** The temporary outdoor sale of seasonal merchandise, including agricultural products, plants, holiday items, pumpkins, Christmas trees, fireworks where permitted, and similar seasonal goods, conducted for a limited period of time.

- **Second-hand retail.** An establishment engaged in the sale of previously owned merchandise, including thrift stores, consignment shops, resale stores, antique stores, and similar businesses.
- **Self-storage facility.** A facility containing individual storage units available for lease or rental for the storage of household goods, business records, equipment, or similar personal property.
- **Shared commercial kitchen.** A commercial kitchen facility designed to be shared by multiple independent food businesses for food preparation, processing, packaging, catering, or similar activities.
- **Shopping center.** A unified development containing two or more commercial establishments located on a single lot or coordinated group of lots with shared access, parking, and circulation, and developed pursuant to a unified site plan or common ownership, management, or maintenance arrangement.
- **Single-family dwelling.** A detached dwelling designed for occupancy by one family and located on an individual lot. A Single-Family Dwelling may include site-built or modular homes constructed in accordance with applicable building codes.
- **Studio.** A facility used for the creation, production, instruction, or display of art, photography, music, dance, ceramics, crafts, or similar creative activities.
- **Surface mining.** Any activity constituting all or part of a process for the removal of minerals, ores and other solid matter for sale or for processing or for consumption in the regular operation of a business.
- **Temporary use.** A land use or activity established for a limited period of time pursuant to the provisions of this Ordinance and intended to terminate upon completion of the authorized event or expiration of an approved permit.
- **Tobacco, vape, and smoke shop.** An establishment whose primary business is the sale of tobacco products, electronic cigarettes, vapor products, electronic smoking devices, cigars, pipes, hookahs, rolling papers, smoking accessories, or similar products intended for smoking, inhaling, or consuming nicotine or other legal smoking substances. The term does not include grocery stores, supermarkets, convenience stores, pharmacies, general retail stores, or other businesses where the sale of tobacco or vaping products is clearly incidental to the principal use.
- **Townhouse.** A dwelling unit attached to one or more other dwelling units by common walls, with each unit extending from foundation to roof, having a separate entrance, and located on an individual lot or within a unified development.
- **Transmission tower, commercial.** A commercially licensed and approved structure, situated on a nonresidential site, that is intended for the purpose of transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.
- **Transmission tower, noncommercial.** A noncommercial structure, which may be situated in commercial or noncommercial areas and may include amateur radio towers, ham operators, private receivers, etc.
- **Truck stop.** A commercial establishment primarily serving large trucks, tractor-trailers, and other motor vehicles that provides for the sale of gasoline, diesel fuel, or other vehicle fuels and includes designated areas for the temporary parking or overnight parking of trucks and tractor-trailers. A truck stop may include accessory uses such as restaurants, convenience retail, driver facilities, and minor vehicle repair.
- **Upper-story residential.** One or more dwelling units located on a floor above a permitted nonresidential use within the same building.

- **Vehicle and equipment sales, major.** An establishment engaged in the sale, lease, or rental of heavy construction equipment, agricultural equipment, commercial trucks, industrial machinery, trailers, or similar heavy vehicles and equipment. Major Vehicle and Equipment Sales may include accessory servicing, storage, and display areas conducted in accordance with this Ordinance.
- **Vehicle and equipment sales, minor.** An establishment engaged in the sale, lease, or rental of passenger vehicles, motorcycles, recreational vehicles, boats, utility trailers, lawn and garden equipment, or similar consumer-oriented vehicles and equipment. Minor Vehicle and Equipment Sales do not include the sale of heavy construction equipment, agricultural equipment, commercial trucks, or industrial machinery.
- **Veterinary clinic.** An establishment providing medical care, treatment, surgery, grooming, boarding, or similar services for animals. This use includes veterinary hospitals, animal clinics, and similar facilities.
- **Warehousing and distribution facility.** A facility used for the storage, handling, consolidation, packaging, sorting, transfer, and distribution of goods, products, freight, or materials, including associated offices and loading facilities.

§ 6.00. OFF-STREET PARKING AND LOADING TERMS DEFINED.

- **BR.** Bedroom or guest accommodations.
- **DU.** Dwelling unit.
- **Loading area.** That area used to satisfy the requirements of this Ordinance for truck loading and unloading.
- **Loading space.** An off-street space or berth used for the unloading or loading of commercial vehicles.
- **Occupancy load.** The maximum number of persons, which may be accommodated by the use determined by its design or by fire code standards.
- **Parking aisle.** That portion of the parking area consisting of lanes providing access to parking spaces.
- **Parking area.** An improved area on a lot exclusively used or designed for use as a temporary storage area for motor vehicles, containing access driveways, parking aisles and parking spaces.
- **Parking space.** That portion of the parking area set aside for the parking of one vehicle.
Stacking space. An off-street space designated for the temporary queuing of a motor vehicle accessing a drive-through facility or similar vehicle-oriented service area.

§ 7.00. SIGN REGULATIONS TERMS DEFINED.

The following sign regulations terms, when referred to in this Ordinance, shall have the meanings defined by this section.

- **Air dancers.** devices that use air power for the purpose moving fabric in a manner designed to attract the attention of passersby, often powered at the base by a fan that forces air into attached fabric in a cylindrical or "t" shape causing the fabric to move about. The fabric may or may not contain writing and other identifying marks and/or information.

- **Animated sign.** Any sign that uses movement or change in lighting to depict action or create a special effect or scheme.
- **Banner.** Any sign of light-weight fabric or similar material that is temporarily mounted to a pole or off a building by permanent frame or one (1) or more edges, except national flags, state flags and municipal flags, or official flags of any institution or business. See Temporary Sign.
- **Bench sign.** Any sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
- **Billboard.** A permanent off-premises sign or outdoor advertising structure that directs attention to a business, product, service, activity, or other matter that is not located, conducted, sold, or offered on the premises where the sign is located. The term includes outdoor advertising structures, poster panels, and similar off-premises advertising signs. See Off-premises Sign.
- **Changeable copy sign (electronic).** A sign board that is designed so that the characters, letters or illustrations can be electronically changed or arranged without permanently altering the face or surface of the sign.
- **Changeable copy sign (manual).** A sign that is designed so that characters, letters or illustrations can be manually changed or arranged without permanently altering the face or surface of the sign.
- **Construction sign.** A sign that bears the name and names of the principal contractors, architects and lending institution responsible for the construction of the site where the sign is placed, together with other information included thereon. See Temporary Sign.
- **Directory sign.** A sign upon which the name and location of the occupants or the use of a building is provided.
- **Erect.** To build, construct, attach, hang, place, mount, suspend or affix and it shall include the painting of wall signs upon the exterior wall surface of building or structures.
- **Feather signs.** A sign comprised of a base and supported by a single support emanating from said base, which may or may not contain additional supports off the base to support the sign. These signs are designed to allow at least one side, but often more, unattached to supports so that fabric may flutter and/or move and pivot in such a way as to attract attention to the sign. Also known as flutter signs, teardrop banners, and rectangle flags.
- **Free-standing sign.** Any sign supported by structures or supports that are placed on or anchored in the ground. These signs are independent from any building or other structure.
- **Ground sign.** Any sign which is supported by structures or supports in or upon the ground and is independent of support from any building. Also qualifies as a free-standing sign.
- **Illuminated sign.** A sign lighted by or exposed to artificial lighting from a source of light or inside the sign face or directed towards the sign.
- **Indirect light.** One reflecting light from a separate outside source aimed toward it, including silhouettes on a background or reflected light.
- **Intermittent light.** Any flashing, traveling light, including arrangements that spell messages, simulate motion or form various symbols or images.
- **Location.** Any lot, premises, building, structure, wall, or any place whatsoever, upon which a sign is located.
- **Marquee.** Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.
- **Non-conforming sign.** Any sign that does not conform to the requirements of this Ordinance.

- **Off-premises sign.** A sign that directs attention to a business, commodity, service, entertainment or activity conducted, sold or offered for sale at a location other than the premises upon which the sign is located.
- **On-premises sign.** A sign which advertises only goods, services, facilities, events or attractions that are available on the premises or identifies the owner or the occupant or one that directs traffic on the premises.
- **Permanent sign.** A sign which is originally designed, constructed or modified to be permanently affixed to a building, structure or to the ground.
- **Person.** Any person, firm, partnership, association, corporation, or organization, singular or plural, of any kind.
- **Portable sign.** Any sign which is not permanently fixed to the ground or other permanent structure or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to "A" or "T" frames, menu and sandwich board signs, balloons used as signs, umbrellas used for advertising and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the day to day operation of a business. Portable signs are temporary signs.
- **Premises.** A lot or tract of land upon which a sign is located or is to be located.
- **Principal building.** A building in which the principal use of a particular zone is conducted. Zone lots with multiple principal uses may have multiple principal buildings; but, storage buildings, garages and other buildings which are clearly accessory in nature, shall not be considered principal buildings.
- **Projecting sign.** Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6) beyond the surface of such building or wall.
- **Roof sign.** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.
- **Roof sign-integral.** Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and no part of the sign is separated from the rest of the roof by a space of no more than six inches (6").
- **Sign.** A name, identification, image, description, display, or illustration which is affixed to, painted on or represented directly or indirectly upon a building, structure or piece of land and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, institution, organization, or business, and which is visible from a street, right-of-way, sidewalk, alley, park, or other public property. Customary displays or merchandise or objects and material without lettering placed behind a store window are not considered signs or a part of a sign. All signs shall reflect a professional quality or workmanship, including all art work, lettering, ornamentation, etc.
- **Sign area.** The area of a sign, measured as follows:
    - The area of any geometric/non-geometric shape, which forms the sign, that encompasses the extreme limits of each and every sign face, including all advertising surfaces, background, framing and ornamentation, excluding structural members that do not form an integral part of the display or pole covers which contain no advertising copy. The area of all such faces shall be totaled and then divided by two (2) to determine the total sign area.

    - All other signs shall be measured as the area within a single rectangle which encompasses all letters, words, symbols or other graphic elements, plus any background area which does not appear as continuous portion of the building surface.
- **Sign face.** The surface or surfaces used for display of a sign message as seen from only one direction.
- **Signable wall area.** The area within a rectangle which encompasses a continuous portion of a building facade, unbroken by windows, doors or major architectural interruptions of the building surface. For signs located completely within a gable, signable wall area may be triangular shape.
- **Spacing of signs.** The distance, between signs, measured from points directly opposite to the signs along the nearest edge of the pavement or roadway, of the main thoroughfare or traveled way of the street or thoroughfare to which said signs are directed.
- **Temporary sign.** Any sign not originally designed, constructed or intended to permanently be affixed to any building, structure or the ground. All temporary signs shall be removed by the responsible party/parties at the time specified in the permit.
- **Temporary subdivision sign.** A temporary sign advertising the sale of property in an approved subdivision within the City.
- **Wall sign.** Any sign painted on or attached to and erected parallel to the face of or erected and confirmed within the limits of, the outside wall of any building and supported by such wall or building and which displays only on one advertising surface.
- **Window sign.** Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, product, service, event or sale, that is placed inside a window or upon the window pane or glass, and is visible from the exterior of the building.

ARTICLE III. ADMINISTRATION AND REVIEW PROCEDURES

§ 1.00. ENFORCING OFFICER.

The provisions of this Ordinance shall be administered and enforced by the Building Official of the city. The Building Official may be provided with the assistance of such other person or persons or designee(s) as the City Council deems appropriate. The Building Official, or the duly authorized representative, shall in relation to this Ordinance:

A. Review all building permit applications with regard to conformance with all applicable provisions of this Ordinance and perform required inspections to ensure such conformance;

B. Issue all building permits and maintain records thereof;

C. Issue all certificates of occupancy and maintain records thereof;

D. Issue and renew, where applicable, all temporary use permits and maintain record thereof;

E. Maintain current zoning maps and records of amendments thereto; and

F. Have the right to enter upon any premises at any reasonable time for the purpose of making inspections of land, structures and buildings necessary to carry out the enforcement of this Ordinance. If the Building Official finds that any of the provisions of this Ordinance are being violated, the Building Official shall proceed to notify, in writing, the person or persons responsible for such violations, indicating the nature of the violation(s) and ordering the appropriate action necessary to rectify it. The Building Official shall order the discontinuance of the illegal use of land, buildings or structures; removal of all the illegal buildings or structures or any additions, alterations or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with, or to prevent violation of its provisions.

G. Review and act upon requests for reasonable accommodation in accordance with § 9.00 of this Article.

§ 2.00. BUILDING PERMIT REQUIRED.

It shall be unlawful to commence earthwork or the construction, moving, alteration, or repair of any building or other structure, including accessory structures or signs, until all applicable permits required by the City have been issued. Where a building permit is required, the application shall be filed with the Building Official on forms provided for that purpose, and the permit shall include a determination that the proposed work and intended use comply with the applicable provisions of this Ordinance. Temporary construction offices, structures, and material storage located on an active construction site for which a building permit has been issued shall not require a separate building permit and shall comply with Article V, § 5.08. A temporary office or structure not associated with an active, permitted construction project shall require a building permit and shall comply with all applicable Temporary Use requirements of Article V.

2.01. Plot Plan.

A. It shall be unlawful for the Building Official to approve any plans or issue building permits for any excavation or construction until the Building Official has inspected such plans in detail and found them in conformity with this Ordinance. To this end the Building Inspector shall require that every application for a building permit be accompanied by a plot plan drawn to scale with dimensions and showing the following, in sufficient detail, to enable the Building Inspector to ascertain whether or not the proposed development is in conformance with the provisions of this Ordinance:

1. The actual shape, proportion and dimensions of the lot to be built upon;
2. The shape, size and location of all buildings or other structures to be erected, altered or moved and of any building(s) or other structures already on the lot, both above and below existing grade;
3. The existing and intended use of all buildings or other structures;
4. The setback and sidelines of buildings on adjoining lots and such other information concerning the lot of adjoining lots as may be essential for determining conformance with the provisions of this Ordinance;
5. Where required, development plans shall identify the location of proposed fire hydrants and demonstrate adequate water supply and fire flow. Fire protection facilities shall be reviewed and approved by the Moody Fire Department and Building Official prior to issuance of applicable permits;
6. Where applicable, the applicant shall provide the Building Official with copies of recorded deed restrictions or covenants applicable to the subject property; and
7. Where applicable, the Building Official may require additional information necessary to determine compliance with this Ordinance, including information related to parking, landscaping, buffering, lighting, drainage, utilities, floodplain limits, or other applicable development standards.

2.02. Site Plan Review.

A. Applicability. Site plan approval by the Planning Commission shall be required prior to the issuance of a building permit for any of the following:

B. Any principal use identified in Table 5.1, Use Table, as requiring site plan review;

C. Any new commercial, industrial, institutional, or mixed-use development;

D. Any planned residential development, townhouse development, garden home development, planned unit development, Manufactured Home park, Manufactured Home subdivision, or development containing three (3) or more multifamily dwelling units; and

E. Site plan review shall be required for new development and for any expansion or redevelopment of an existing development involving an increase or modification to the building footprint, gross floor area, parking or loading areas, vehicular access or circulation, or other site improvements regulated by this Ordinance.

F. Submission Requirements. An applicant for development subject to this section shall submit a site plan prepared by a professional engineer or professional land surveyor licensed in the State of Alabama. The site plan shall contain, at a minimum, the information required by this section.

1. One (1) reproducible set of plans and three (3) copies shall be submitted for review and approval by the Planning Commission.
2. Cover sheet and the following shall be submitted:
3. The name and the location of the development.
4. The name, address, and signature of the owner.
5. The name, address and seal of the engineer.
6. A vicinity map.
7. The zoning district and the existing and proposed land use of the site.
8. The date, scale, north arrow and the names and numbers of streets.
9. The site layout shall include: property dimensions, rights-of-way, easements, topography, the location, dimensions, and proposed use of all existing and proposed buildings and structures, required setbacks, driveway access, off-street parking and loading, vehicle stacking areas where applicable, traffic circulation, methods of screening, buffer yards, landscaping, open space and common areas where applicable, exterior lighting, dumpster, refuse collection, and mechanical equipment locations and screening, pedestrian access where applicable, and adjacent land uses and zoning districts.
10. The drainage; paving; grading and excavation; erosion and sedimentation; and storm water detention and floodplain management controls shall be indicated.
11. All public and private utilities, including sanitary sewer, water, storm drainage, electric, gas, and other utility infrastructure, shall be shown.
12. The location of all existing and proposed fire lanes, fire hydrants, and other fire protection facilities, as applicable and as required by the Moody Fire Department.

G. Expiration and Transfer of Site Plan Approval.

1. Approval of a site plan by the Planning Commission shall remain valid for twelve (12) months after the date of approval. If construction authorized by the approved site plan has commenced pursuant to a valid building permit within that period, the site plan approval shall remain valid for so long as the building permit remains valid and construction proceeds in accordance with the approved site plan. The Planning Commission may grant one extension of up to twelve (12) months upon written request submitted prior to expiration.
2. If property subject to an approved site plan is transferred to a new owner prior to completion of the approved development, the site plan approval shall remain valid, subject to the original expiration date and all approved plans, conditions of approval, and other applicable requirements of this Ordinance. The new owner shall submit updated ownership and contact information and, where applicable, any required replacement or updated financial guarantee to the Building Official within thirty (30) days after the transfer of title. Any material modification to the approved site plan shall be reviewed and approved in accordance with the applicable provisions of this Ordinance.

2.02. Approval of Building Permit Application. If, after the review, it is found that the proposed construction, excavation, moving and/or other alteration (as set forth in the application) is in conformity with the provisions of this Ordinance, the Building Official of the City shall issue a building permit accordingly.

2.03. Denial of Building Permit Application. Any person aggrieved by a decision of the Building Official may appeal such decision to the Zoning Board of Adjustment in accordance with Article III, §7.00.

2.04. Certificate of Occupancy.

A. No land, building, structure, or portion thereof that is erected, moved, or changed in use shall be occupied or used until the Building Official has issued a Certificate of Occupancy.

B. The building or structure complies with the provisions of this Ordinance;

C. All applicable zoning requirements have been satisfied;

D. All required site improvements and conditions of approval required by this Ordinance or the approved plans have been completed, unless otherwise approved by the City; and

E. All other applicable permits, inspections, and approvals required by the City have been obtained.

F. All applicable inspections required by the City have been successfully completed.

G. If the Building Official determines that the building or premises does not comply with this Ordinance, the Certificate of Occupancy shall be denied. The applicant shall be provided written notice identifying the reasons for the denial.

H. A copy of the applicant's statement regarding the intended use of the property and any written denial of a Certificate of Occupancy shall be maintained in the records of the Building Official.

2.05. Any person aggrieved by a decision of the Building Official may appeal the decision to the Zoning Board of Adjustment pursuant of Article III, §7.00.

2.06. Expiration of Building Permit. Any building permit shall expire if construction authorized by the permit has not commenced within twelve (12) months after the date of issuance or if, after commencement, construction is suspended or discontinued for a continuous period of twelve (12) months. Upon reapplication, the permit may be renewed or reissued subject to all applicable provisions of this Ordinance in effect at the time of reapplication. In no event shall a permit be renewed more than once.

§ 3.00. PLANNING COMMISSION.

3.01. Appointment. Any proposal for a Zoning Ordinance or for an amendment to the existing Zoning Ordinance must begin with the Planning Commission. Such commission shall be created and shall function as provided by the Code of Alabama, 1975, § 11-52-2 through 11-52-10 or as such may be amended and, it shall have all the powers granted therein.

§ 4.00. CONDITIONAL USES.

4.01. Applicability.

A. All conditional uses shall comply with the procedures of this Section, the applicable standards of Article VII, Detailed Use Regulations, and the requirements of the underlying zoning district. Where standards conflict, the more restrictive provision shall apply unless otherwise expressly stated.

4.02. Application.

A. An application for Conditional Use approval shall be filed with the Building Official at least twenty-one (21) days prior to the scheduled Planning Commission public hearing. The application shall be filed by the property owner or the authorized agent of the property owner on a form provided by the Building Official.

4.03. Submission Requirements.

A. No request for Conditional Use approval shall be considered complete until all of the following have been submitted to the Building Official:

1. Application Form. The application shall be submitted on a form provided by the Building Official. The application shall be signed by the property owner or the authorized agent of the property owner.
2. Plans and Specifications. Each application shall be accompanied by a site plan, where applicable, drawn to scale showing the property boundaries, existing improvements, proposed development layout, access, parking and loading areas, and other information necessary to determine compliance with this Ordinance. Where Site Plan Review is required pursuant to § 2.02 of this Article, the site plan shall comply with the submission requirements of that section. The Building Official may require such additional information as is reasonably necessary to determine compliance with this Ordinance.
3. Property Owner Information. The applicant shall provide the names and mailing addresses of all property owners required to receive notice pursuant to § 4.04 of this Article, as shown on the most recent records of the St. Clair County Tax Assessor.
4. Application Fee. The applicant shall be required to pay an application fee according to the current schedule of fees established by the City Council. This fee shall be nonrefundable irrespective of the final disposition of the application.

4.04. Public Notice.

A. At least fifteen (15) days prior to the scheduled Planning Commission public hearing, the Building Official shall provide written notice of the Conditional Use application to all property owners adjacent to the subject property, as shown in the most recent records of the St. Clair County Tax Assessor. Such notice shall contain the following:

1. The name of the applicant.
2. The location of the subject property.
3. The proposed conditional use.
4. The time, date and location of the planning commission public hearing.

4.05. Planning Commission Hearing.

A. The Building Official shall, upon determination that the application complies with all applicable submission requirements, schedule it for public hearing by the Planning Commission. The Planning Commission shall consider the application at a public hearing in accordance with the standards of this Section.

4.06. Standards for Approval.

A. A Conditional Use may be approved by the Planning Commission only upon determination that the application and evidence presented demonstrate compliance with all applicable provisions of this Ordinance and that the following standards have been met:

1. The proposed use shall be in harmony with the purpose and intent of this Ordinance, the applicable zoning district, and the adopted City of Moody Comprehensive Plan.
2. Adequate provisions have been made for ingress and egress, including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
3. Adequate provisions have been made for off-street parking and loading areas.
4. Refuse and service areas are appropriately located and designed to minimize adverse effects on surrounding properties.
5. Adequate screening and buffering are provided for potentially adverse views and activities from surrounding properties.
6. Adequate measures are provided to control noise, glare, odor, stormwater runoff, and other potentially adverse impacts upon surrounding properties.
7. Adequate utilities and public facilities are available to serve the proposed use.
8. Exterior lighting shall comply with Article IV, § 9.00.
9. Exterior signage, where applicable, are designed and located to minimize adverse impacts upon surrounding properties and traffic safety.
10. The proposed use shall not unduly decrease the value of neighboring property.
11. The use shall be compatible with the surrounding area and not impose an excessive burden or have a substantial negative impact on surrounding or adjacent uses or on community facilities or services.
12. The proposed use shall comply with all applicable Detailed Use Regulations.

4.07. Decision.

A. The Planning Commission shall consider the application and approve, approve with conditions, or deny the Conditional Use at the conclusion of the public hearing unless the Planning Commission determines that additional information or review is necessary and defers action to a subsequent meeting.

B. The decision of the Planning Commission shall be based upon the standards for approval established in Article III, § 4.00.

4.08. Conditions of Approval.

A. In approving a conditional use, the Planning Commission may impose reasonable conditions and restrictions as necessary to ensure compliance with this Ordinance, minimize potentially adverse impacts upon surrounding properties, and protect the public health, safety, and welfare. Failure to comply with any such condition or restriction imposed by the Planning Commission shall constitute a violation of this Ordinance.

B. Approval of a Conditional Use and any conditions of approval shall apply to the property and approved use and shall not be limited to a particular property owner, applicant, or operator unless expressly stated otherwise by the Planning Commission.

4.09. Expiration.

A. Approval of Conditional Use shall expire twelve (12) months after the date of approval unless the approved use has been established or construction authorized by the approval has commenced pursuant to a valid building permit. Where a building permit is required, the Conditional Use approval shall remain valid for so long as the building permit remains valid and construction proceeds in accordance with the approved plans. The Planning Commission may grant one extension of up to twelve (12) months upon written request submitted prior to expiration.

4.10. Transfer of Approval

A. Approval of a Conditional Use and any conditions of approval shall apply to the property and approved use and shall not be limited to a particular property owner, applicant, or operator unless expressly stated otherwise as a condition of approval. A change in ownership or operator shall not require reapproval, provided the approved use and operation remain in compliance with the approved plans, conditions of approval, and all applicable requirements of this Ordinance.

4.11. Abandonment or Discontinuance.

A. A Conditional Use shall be considered abandoned and the approval shall expire if the approved use is discontinued for a continuous period of twelve (12) months. Any subsequent establishment of the use shall require approval of a new Conditional Use in accordance with this Article.

4.12. Modifications.

A. Modifications that do not change the approved use or any condition of approval and that otherwise qualify for administrative approval under the Site Plan Review provisions of this Article may be approved by the Building Official. Any other modification to an approved Conditional Use shall require review and approval by the Planning Commission in accordance with the procedures applicable to the original approval.

§ 5.00. ZONING BOARD OF ADJUSTMENT.

A. Appointment. A Zoning Board of Adjustment is hereby established. Such board shall be appointed as provided by the Code of Alabama, 1975, § 11-52-80 as amended, and shall have all powers granted by applicable state law and this Ordinance.

§ 6.00. VARIANCES.

The Zoning Board of Adjustment has the authority to authorize, upon appeal, in specific cases, such variances from the terms of this Ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship. Any variance shall be granted only where the purposes and intent of this Ordinance are maintained and substantial justice is achieved.

6.01. Standards for Approval

A. Variances may be granted only where the Zoning Board of Adjustment determines that all of the following standards have been satisfied:

1. Owing to special conditions affecting the property, literal enforcement of this Ordinance would result in unnecessary hardship.
2. The special conditions or circumstances are unique or peculiar to the property and are not generally applicable to other properties in the same zoning district.
3. The unnecessary hardship is not self-created by the applicant or property owner.
4. Mere financial loss, economic disadvantages, or the potential for greater financial gain shall not, by itself, constitute unnecessary hardship.
5. The variance will not be contrary to the public interest or substantially detrimental to surrounding properties.
6. The variance is the minimum relief necessary to avoid the unnecessary hardship and will observe the spirit and intent of this Ordinance and accomplish substantial justice.

6.02. Application for a Variance.

A. An application for a variance shall be filed with the Building Official at least twenty-one (21) days prior to the scheduled hearing date before the Zoning Board of Adjustment. The application shall

be filed by the property owner or the authorized agent of the owner on a form provided by the Building Official and shall include the following:

1. The name, signature and address of the property owner and agent of the property owner, if any.
2. The address of the property under consideration.
3. The zoning and land use of the property under consideration.
4. The justification for the variance in accordance with all of the criteria in, the standards of § 6.01.
5. A vicinity map showing the location of the property.
6. A plot plan, drawn to scale with dimensions, showing the property boundaries and proposed development layout with the variance noted or highlighted.
7. The names and addresses all property owners required to receive notice pursuant to § 6.03, as shown on the most recent records of the St. Clair County Tax Assessor.

   The applicable filing fee established by the City Council shall be submitted with the application.

6.03. Public Notice Required.

A. At least fifteen (15) days prior to the scheduled Zoning Board of Adjustment hearing, the Building Official shall give written notice of the variance request to all adjacent property owners, as shown on the most recent records of the St. Clair County Tax Assessor. Such notice shall be deemed given when deposited in the United States Mail, by registered mail, addressed to such property owners at the addresses shown on the most recent records of the St. Clair County Tax Assessor. Any error in the address of such notices shall not invalidate the serving of notice, provided that no more than five percent of the total number of notices given contain any such error. Such notice shall state the following:

   1. The name of the applicant.
   2. The location of the subject property.
   3. The nature of the variance and applicable zoning provisions.
   4. The time, date and location of the Zoning Board of Adjustment hearing at which the application is to be considered.

6.04. Decision.

A. Following the public hearing, the Zoning Board of Adjustment shall approve, approve with conditions, or deny the variance based upon the standards of § 6.01. Any conditions imposed shall be reasonably related to the variance and necessary to ensure compliance with this Ordinance and protect the public interest.

§ 7.00. APPEALS TO THE ZONING BOARD OF ADJUSTMENT.

A. The Zoning Board of Adjustment shall hear and decide appeals where it is alleged that an error exists in any order, requirement, decision, or determination made by the Building Official or other administrative official in the enforcement of this Ordinance.

B. Appeals may be taken by any person aggrieved or by any officer, department, board, or bureau of the City affected by a decision of the Building Official or other administrative official.

C. An appeal shall be taken within a reasonable time, as provided by the rules of the Zoning Board of Adjustment, by filing a notice of appeal specifying the grounds thereof with the administrative official from whom the appeal is taken and with the Zoning Board of Adjustment.

D. The administrative official from whom the appeal is taken shall promptly transmit to the Zoning Board of Adjustment all papers constituting the record upon which the appealed action was taken.

E. The applicable filing fee established by the City Council shall be submitted with the appeal.

7.02. Hearing and Decision.

A. The Zoning Board of Adjustment shall fix a reasonable time for hearing the appeal, give public notice thereof and due notice to the parties in interest, and decide the appeal within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

B. In exercising its authority on an appeal, the Zoning Board of Adjustment may reverse, affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and, to that end, shall have all powers of the administrative official from whom the appeal is taken.

C. The concurring vote required for action by the Zoning Board of Adjustment shall be as provided by applicable state law.

7.03. Stay of Proceedings.

A. An appeal to the Zoning Board of Adjustment shall stay all proceedings in furtherance of the action appealed from unless the administrative official from whom the appeal is taken certifies to the Board, after the notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, the proceedings shall not be stayed except by a restraining order granted by the Zoning Board of Adjustment or by a court of record upon application, notice to the administrative official, and due cause shown.

7.04. Appeals from the Action of the Board.

A. Any party aggrieved by a final decision of the Zoning Board of Adjustment may appeal the decision to the circuit court in accordance with Code of Alabama, 1975, § 11-52-81, as amended.

B. The aggrieved party shall file a written notice of appeal with the Zoning Board of Adjustment within fifteen (15) days after the final decision, specifying the decision from which the appeal is taken, and shall thereafter file the appeal with the appropriate circuit court within forty-five (45) days after the final decision and serve the Board as required by state law.

C. Upon an appeal to circuit court, the Zoning Board of Adjustment shall transmit the record of the proceedings to the circuit court in accordance with § 11-52-81. The action in circuit court shall be tried de novo.

The decision of the Zoning Board of Adjustment shall remain in effect during the pendency of an appeal to circuit court unless the circuit court grants a stay in accordance with applicable state law.

§ 8.00. SPECIAL EXCEPTION.

8.01. Applicability.

All uses identified in Table 5.1, Use Table, as Special Exceptions shall require review and approval by the Zoning Board of Adjustment. Special Exceptions shall comply with the procedures and standards of this Section, the applicable Detailed Use Regulations, the requirements of the underlying zoning district, and all other applicable provisions of this Ordinance. Where standards conflict, the more restrictive provision shall apply unless otherwise expressly stated.

8.02. Application and Submission Requirements.

A. An application for special exception use shall be filed with the Building Official at least twenty-one (21) days before the scheduled public hearing before the Zoning Board of Adjustment. The application shall be filed by the property owner or the authorized agent of the property owner on a form made available by the Building Official. The application shall include the following information and materials.

1. The name, address and signature of the property owner and authorized agent, if any.
2. The address of the property under consideration.
3. The existing zoning and land use of the property under consideration.
4. The proposed Special Exception.
5. A vicinity map showing the location of the property.
6. A site plan, where applicable, drawn to scale showing the property boundaries, existing improvements, and the proposed development layout. Where Site Plan Review is required pursuant to § 2.02 of this Article, the site plan shall comply with the submission requirements of that section. The Building Official may require such additional information as is reasonably necessary to determine compliance with this Ordinance.
7. At the time the application is submitted, the applicant or authorized agent shall provide the Building Official with the names and mailing addresses of all adjacent property owners, as shown on the most recent records of the St. Clair County Tax Assessor.
8. The applicable filing fee established by the City Council shall be submitted with the application and shall be nonrefundable.

8.03. Public Notice.

A. At least fifteen (15) days prior to the public hearing before the Zoning Board of Adjustment, the Building Official shall provide written notice of the proposed Special Exception application by

registered mail to all adjacent property owners at the mailing addresses shown on the most recent records of the St. Clair County Tax Assessor. Any error in address of such notice shall not invalidate the proceedings, provided that no more than five percent of the total number of notices given contain any such error. Such notice shall contain the following:

1. The name of the applicant.
2. The location of the subject property.
3. The proposed Special Exception.
4. The time, date and location of the Zoning Board of Adjustment public hearing.

8.04. Zoning Board of Adjustment Hearing.

A. The Building Official shall, upon determination that the application complies with all applicable submission requirements, schedule the application for public hearing before the Zoning Board of Adjustment.

B. The Zoning Board of Adjustment shall consider the application at a public hearing in accordance with the standards of this Section.

8.05. Standards for Approval.

A. A Special Exception may be approved by the Zoning Board of Adjustment only upon determination that the application and evidence presented demonstrate compliance with all applicable provisions of this Ordinance and that the following standards have been met:

1. The proposed use is consistent with the purpose and intent of this Ordinance and the applicable zoning district.
2. Adequate provisions have been made for ingress and egress, including vehicular and pedestrian safety and convenience, traffic flow and control, and emergency access.
3. Adequate provisions have been made for off-street parking and loading areas.
4. Refuse and service areas are appropriately located and designed to minimize adverse effects on surrounding properties.
5. Adequate screening and buffering are provided for potentially adverse views and activities from surrounding properties.
6. Adequate measures are provided to control noise, glare, odor, stormwater runoff, and other potentially adverse impacts upon surrounding properties.
7. Adequate utilities and public facilities are available to serve the proposed use.
8. The location, scale, density, lot coverage, yards, and open areas of the proposed development are compatible with the character of the surrounding area.
9. Exterior lighting and signage, where applicable, are designed and located to minimize adverse impacts upon surrounding properties and traffic safety.
10. The proposed use is compatible with the surrounding area and will not impose an excessive burden or substantial adverse impact upon surrounding or adjacent uses or community facilities or services.
11. The proposed use complies with all applicable Detailed Use Regulations.

8.06. Decision.

A. Following the public hearing, the Zoning Board of Adjustment shall approve, approve with conditions, or deny the Special Exception based upon the standards of § 8.05.

8.07. Conditions of Approval.

A. In approving a Special Exception, the Zoning Board of Adjustment may impose reasonable conditions necessary to ensure compliance with this Ordinance, minimize potentially adverse impacts upon surrounding properties, and protect the public health, safety, and welfare.

B. Approval of Special Exception Use and any conditions of approval shall apply to the property and approved use and shall not be limited to a particular property owner, applicant, or operator unless expressly stated otherwise as a condition of approval. A change in ownership or operator shall not require reapproval, provided the approved use and operation remain in compliance with the approved plans, conditions of approval, and all applicable requirements of this Ordinance.

8.08. Expiration.

A. Approval of a Special Exception Use shall expire twelve (12) months after the date of approval unless the approved use has been established or construction authorized by the approval has commenced pursuant to a valid building permit. Where a building permit is required, the Special Exception Use approval shall remain valid for so long as the building permit remains valid and construction proceeds in accordance with the approved plans. The Zoning Board of Adjustment may grant one extension of up to twelve (12) months upon written request submitted prior to expiration.

8.09. Transfer of Approval.

A. Approval of a Special Exception and any conditions of approval shall apply to the property and approved use and shall not be limited to a particular property owner, applicant, or operator unless expressly stated otherwise as a condition of approval. A change in ownership or operator shall not require reapproval, provided the approved use and operation remain in compliance with the approved plans, conditions of approval, and all applicable requirements of this Ordinance.

8.10. Abandonment or Discontinuance.

A. A Special Exception shall be considered abandoned and the approval shall expire if the approved use is discontinued for a continuous period of twelve (12) months. Any subsequent establishment of the use shall require approval of a new Special Exception in accordance with this Article.

8.11. Modifications. Modifications that do not change the approved use or any condition of approval and that otherwise qualify for administrative approval under the Site Plan Review provisions of this Article may be approved by the Building Official. Any other modification to an approved Special Exception shall require review and approval by Zoning Board of Adjustment in accordance with the procedures applicable to the original approval.

§ 9.00. REASONABLE ACCOMMODATION.

9.01. Purpose.

The purpose of this Section is to establish a procedure for considering requests for reasonable accommodation from the requirements of this Ordinance when such accommodation may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling, as required by the Fair Housing Act and other applicable federal law. A reasonable accommodation shall not be required solely because one or more persons with disabilities reside in a dwelling. This Section applies only when an exception, modification, or adjustment to a requirement of this Ordinance is requested because of a disability-related need.

9.02. Request.

A. A person with a disability, or a person acting on behalf of a person with a disability, may request a reasonable accommodation from a requirement of this Ordinance by submitting the request to the Building Official.

B. A request may be made in writing or by another reasonable means necessary to accommodate the person making the request. The City shall not require use of a particular form as a condition of considering a request for reasonable accommodation.

C. The request shall identify:

1. The provision of this Ordinance from which accommodation is requested;
2. The accommodation requested; and
3. Information reasonably necessary to establish that the accommodation may be necessary because of a disability to afford an equal opportunity to use and enjoy a dwelling.

D. Where the disability or disability-related need for the requested accommodation is readily apparent or otherwise known to the City, the City shall not require additional information concerning the disability. The City shall not require medical records or detailed information concerning the nature or severity of a person's disability except to the extent permitted by applicable federal law.

9.03. Review and Decision.

A. The Building Official shall review and act upon a request for reasonable accommodation based upon the individual circumstances of the request.

B. Reasonable accommodation shall be approved when the information provided demonstrates that:

1. The request is made by or on behalf of one or more persons with a disability;

2. There is an identifiable relationship between the requested accommodation and the disability-related need;
3. The accommodation may be necessary to afford one or more persons with a disability an equal opportunity to use and enjoy a dwelling; and
4. The requested accommodation is reasonable and would not impose an undue financial or administrative burden upon the City or fundamentally alter the City's zoning scheme.

C. The Building Official may approve the request, approve the request with reasonable conditions directly related to the accommodation, or deny the request.

D. The Building Official shall issue a written decision within a reasonable period of time following receipt of the information necessary to evaluate the request. A denial shall state the basis for the decision.

9.04. Alternative Accommodation.

If the Building Official determines that the requested accommodation cannot be granted as proposed, the City and applicant may consider whether an alternative accommodation would effectively address the disability-related need without imposing an undue financial or administrative burden upon the City or fundamentally altering the City's zoning scheme.

9.05. Appeals.

A decision of the Building Official under this Section may be appealed to the Zoning Board of Adjustment in accordance with the administrative appeal provisions of this Ordinance.

9.06. Relationship to Other Procedures.

A request for reasonable accommodation under this Section is not a Variance, Special Exception, Conditional Use, or amendment to this Ordinance and shall not be subject to the findings or approval criteria applicable to those procedures. Nothing in this Section shall preclude a person from requesting a reasonable accommodation by another means recognized under applicable federal law.

§ 10.00. ENFORCEMENT.

10.01. Violations.

A. Any use of land building or structure, or any construction, erection, alteration, conversion, movement, maintenance, or occupancy thereof, in violation of any provisions of this Ordinance shall constitute a violation of this Ordinance. The Building Official shall be authorized to enforce the provisions of this Ordinance and to take such action as authorized by the Section and applicable law to correct or abate a violation.

B. Whenever the Building Official determines that a violation of this Ordinance exists, the Building Official may provide written notice to the property owner, occupant, or other person responsible for the violation. The notice shall identify the nature of the violation and the corrective action required and shall provide a reasonable period of time for compliance, taking into consideration the nature and severity of the violation.

C. Where written notice is required under this Section, notice may be provided by one or more of the following methods:

1. By delivery to the owner, occupant, or other responsible person personally; or by leaving the notice at the owner's or occupant's place of residence, with a person of suitable age and discretion.
2. By depositing the notice in the United States Mail, addressed to the owner or other responsible person at his or her last known address with postage prepaid.
3. By posting a copy of the notice in a conspicuous place on the subject property.

10.02. Penalties.

A. Any person, firm, corporation or other organization which violates any provision of this Ordinance shall be fined, upon conviction, in accordance with the applicable penalties established by the City Code and state law. Each day that a violation continues, it shall constitute a separate offense. The imposition of a penalty shall not relieve any person from compliance with this Ordinance or prevent the City from pursuing any other remedy available by law.

10.03. Remedies.

A. In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any building, structure or land is used in violation of this Ordinance, the Building Official or any other appropriate authority of the City may, in addition to other remedies provided by law:

1. Institute an injunction.
2. Institute a mandamus.
3. Institute abatement or take any other appropriate action or proceeding to prevent, restrain, correct, or abate the violation.

B. The remedies provided by this Section shall be cumulative and the use of one remedy shall not preclude the use of any other remedy authorized by this Ordinance or applicable law.

§ 11.00. AMENDMENTS TO THE ZONING ORDINANCE OR THE ZONING MAP.

The regulations, restrictions, zoning district boundaries, and Official Zoning Map established by this Ordinance may be amended, supplemented, changed, modified, or repealed by the City Council of the City of Moody in accordance with this Section and applicable state law. Any proposed amendment shall first be submitted to the Moody Planning Commission for review and recommendation to the City Council.

11.01. Authority to Amend.

Whenever the public necessity, convenience, general welfare, or good zoning practice warrants such action, the City Council may amend the regulations or zoning district boundaries established by this Ordinance in accordance with the Code of Alabama, 1975, § 11-52-78, as amended.

11.02. Authorized Applicants.

A. An amendment to this Ordinance or the Official Zoning Map may be initiated by the City Council or the Planning Commission.

B. An amendment to the Official Zoning Map affecting specific property may also be initiated by the owner of the subject property or the owner's authorized agent.

11.03. Application for Zoning Map Amendment.

A. A Zoning Map amendment or rezoning application, when initiated by the property owner or their authorized agent, shall meet the application requirements of this section.

B. The application for rezoning shall be filed with the Building Official, on a City of Moody application for rezoning form, at least seven (7) days prior to the regularly scheduled Planning Commission meeting at which the application is to be considered. The applicant shall produce the following:

1. The name, signature and address of the property owner and authorized agent, if any.
2. The address and legal description of the property under consideration, accompanied by a copy of the applicable tax map clearly identifying the property subject to the rezoning request.
3. The present and proposed zoning and land use of the property under consideration.
4. The reason for the rezoning request.
5. The availability of required utilities and information regarding stormwater drainage and traffic access, where applicable.
6. A vicinity map, showing the location of the subject property.
7. A concept plan or site plan, where applicable, showing the property boundaries, public rights-of-way, and proposed development of the property.
8. The names and addresses of all the adjacent property owners, as shown on the most recent records of the St. Clair County Tax Assessor.
9. The applicable filing fee established by the City Council, together with any applicable costs of notice and publication.

11.04. Planning Commission Review and Recommendation.

A. Upon receipt of a complete application, the proposed amendment shall be placed on the agenda of a regularly scheduled Planning Commission meeting for review and recommendation to the City Council.

B. In making its recommendation to the City Council, the Planning Commission shall consider the adopted Comprehensive Plan, compatibility with surrounding land uses, the availability of public facilities and infrastructure, and the intent and purpose of the requested zoning district.

C. The Planning Commission shall recommend approval, approval with modifications where appropriate, or denial of the proposed amendment and shall transmit its recommendation to the City Council.

11.05. Action Following Rezoning.

A. Where a Zoning Map amendment is approved in connection with a proposed development, a building permit shall be issued, or a preliminary plat shall be approved by the Planning Commission within twelve (12) months after the effective date of the rezoning.

B. If neither a building permit has been issued nor a preliminary plat has been approved within the twelve (12)-month period, the City shall initiate an amendment to the Official Zoning Map to restore the zoning classification in effect immediately prior to the rezoning.

C. The amendment to restore the prior zoning classification shall be made in accordance with the procedures and notice requirements applicable to amendments to the Official Zoning Map.

§ 12.00. CITY COUNCIL ACTION ON AMENDMENTS.

12.01. Notification and Adoption Requirements.

A. Following receipt of the Planning Commission's recommendation, the proposed amendment shall be considered by the City Council in accordance with the public hearing and notice requirements of Code of Alabama, 1975, §§ 11-52-77 and 11-52-78, as amended.

B. Following the required public hearing, the City Council may approve, approve with modifications as permitted by law, or deny the proposed amendment.

C. For a proposed amendment to the Official Zoning Map, the City shall provide written notice to adjacent property owners in accordance with the procedures established by the City.

§ 13.00. LIMITATIONS ON REZONING REQUESTS.

A. Following denial by the City Council of an application to rezone property, an application for the same or substantially similar rezoning of the same property shall not be accepted for a period of twelve (12) months from the date of denial.

B. An application withdrawn after the Planning Commission has conducted its hearing or made its recommendation shall be subject to the same twelve (12)-month limitation.

C. The Planning Commission may waive or reduce the twelve (12)-month limitation upon a finding that there has been a substantial change in circumstances affecting the property or the proposed rezoning, or that other circumstances warrants a reconsideration of the request.

D. Any subsequent application shall be considered a new application and shall be subject to all applicable application requirements and filing fees.

E. Application fees shall be nonrefundable regardless of the final disposition of the application.

ARTICLE IV. GENERAL DEVELOPMENT STANDARDS

§ 1.00. GENERAL APPLICABILITY AND COMPLIANCE.

1.01. Applicability.

No structure shall be constructed, erected, placed or maintained and no land use commenced or continued in the City of Moody except as authorized by this Ordinance or other applicable laws of the City.

1.02. Compliance.

A. No land may be used except for a purpose permitted in the district of its location.

B. No building shall be erected, converted, enlarged, reconstructed, moved, or structurally altered except in compliance with the use, dimensional, height, and other applicable requirements of the zoning district in which it is located.

C. Required setbacks, yards, open space, parking, and other required site areas shall not be reduced below the minimum requirements of this Ordinance or counted toward satisfying the corresponding requirement for another building, lot, or development, except as otherwise expressly permitted by this Ordinance.

D. Buildings and structures shall comply with the accessibility requirements of the currently adopted building codes and all other applicable federal and state accessibility laws.

E. In no case shall basements of dwellings, residences or buildings be used as temporary living space prior to the total completion of the structure.

1.03. Number of Principal Buildings and Uses.

Except as otherwise expressly permitted by this Ordinance, each lot shall contain no more than one principal building and one principal use. Multiple principal buildings or uses may be permitted where authorized by the applicable zoning district, an approved site plan, a planned development, or another provision of this Ordinance.

1.04. Joint Occupancy.

A Single-Family Dwelling or Duplex shall not be occupied simultaneously by an unrelated principal nonresidential use, except for accessory uses, Home Occupations, Family Child Care Homes, Accessory Dwelling Units, or other uses expressly authorized by this Ordinance.

1.05. Public Utilities.

Public Utility Services, including utility lines, poles, transformers, meters, hydrants, valves, and similar minor facilities necessary to provide utility service, may be installed, maintained, repaired, or replaced in any zoning district, subject to applicable federal, state, and local requirements. Public Utility Facilities involving buildings or other substantial facilities shall be permitted only as authorized by Table 5.1, Use Table and shall comply with the applicable Detailed Use Regulations.

§ 2.00. LOTS AND YARDS.

2.01. Nonconforming Lots of Record.

A. Where a lot of record existed at the time of the effective date of this Ordinance, having less area or width than herein required for the district in which it is located, the following shall apply:

1. A lot may be used as a building site, provided that setbacks and other applicable dimensional requirements are met to the maximum extent practicable. Any necessary relief shall be obtained through the Zoning Board of Adjustment.
2. The provisions of subsection A.1 shall not apply where two or more contiguous lots are held in common ownership on the effective date of this Ordinance or thereafter. Such lots shall be considered a single lot for purposes of this Ordinance and shall not be separately used or conveyed if doing so would create a lot that fails to comply with the minimum lot area or lot width requirements of this Ordinance.

2.02. Area Modification for Lots of Record.

Development on a nonconforming lot of record shall comply with the applicable requirements of § 2.01, Nonconforming Lots of Record. Where relief from an applicable dimensional requirement is necessary, a variance shall be obtained from the Zoning Board of Adjustment in accordance with Article III, § 6.00, prior to issuance of any required building permit or other development approval

2.03. Reduction in Lot Area Prohibited.

No lot shall be reduced in area or width so as to create or increase a nonconformity with the applicable lot area, lot width, setback, or other dimensional requirements of this Ordinance.

2.04. General Yard Requirements.

A. Required yards shall remain open to the sky and shall not be occupied by buildings, structures, storage, or other uses except as expressly permitted by this Ordinance.

B. More than one principal building may be located on a lot or tract where expressly permitted by the applicable zoning district or as part of an approved site plan or planned development. Each building shall comply with the minimum yard requirements of the applicable zoning district unless otherwise approved pursuant to this Ordinance.

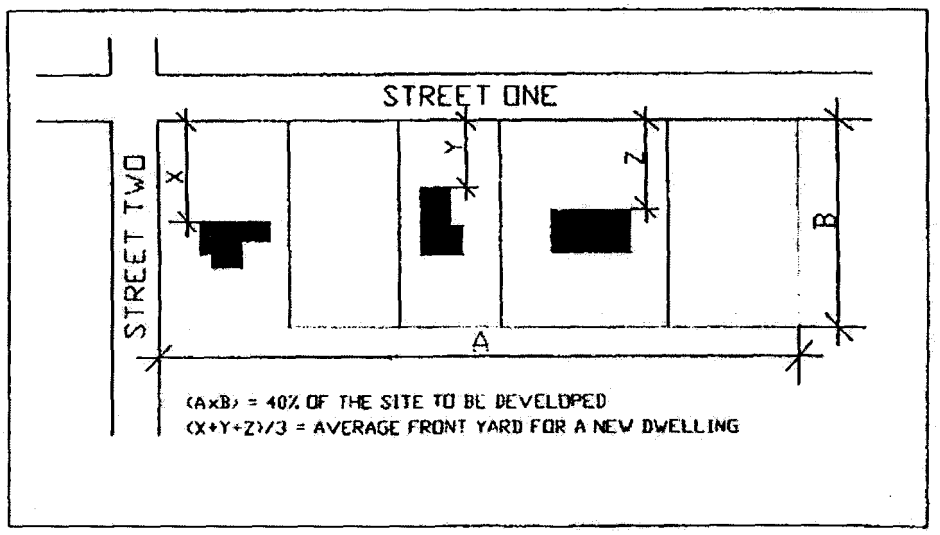
C. Through lots shall provide the required front yard setback along each street frontage.

D. Corner lots shall provide the required front yard setback along each street frontage.

2.05. Front Yard Modifications.

A. Where forty (40) percent or more of the lots on the same side of a street between two intersecting streets are developed with principal buildings having front setbacks that differ from the required district setback by no more than five (5) feet, the required front setback for a new principal building may be established by averaging the existing front setbacks of the developed lots.

1. Where Subsection A does not apply and a vacant lot is located within one hundred (100) feet of developed lots on both sides, the required front setback may be established by connecting the nearest front corners of the adjacent principal buildings.
2. Where Subsection A does not apply and a vacant lot is located within one hundred (100) feet of a developed lot on only one side, the new principal building may align with the front setback of the adjacent principal building, provided it does not project into any required sight triangle or public easement.



2.06. Rear Yard Modifications. Where a lot abuts a public alley, one-half (½) of the alley right-of-way width may be credited toward the required rear yard setback, provided such credit does not conflict with applicable building or fire codes.

2.07. Permitted Yard Encroachments.

A. Windowsills and other similar architectural features may project into a required yard not more than six (6) inches.

B. Cornices or eaves may project into a required yard not more than twenty-four (24) inches.

C. Unenclosed terraces, porches, patios, decks, balconies, and similar architectural features may project into a required yard not more than five (5) feet, provided that such projection complies with applicable building and fire code requirements and does not encroach into a required landscape buffer, easement, sight triangle, or public right-of-way.

D. Unenclosed fire escapes may project into a required side or rear yard to the minimum extent necessary to comply with applicable building and fire code requirements, provided that the projection does not encroach into a required landscape buffer, easement, sight triangle, or public right-of-way.

E. Nothing in this section shall permit an encroachment that conflicts with a more restrictive requirement of the applicable zoning district or another provision of this Ordinance.

§ 3.00. HEIGHT MODIFICATIONS.

A. Buildings used exclusively for storage shall comply with the maximum building height established for the applicable zoning district unless otherwise expressly permitted by this Ordinance.

B. The following architectural features and appurtenances may extend above the maximum building height otherwise permitted, provided they are customary, proportionate to the building they serve, and comply with all applicable building, fire, and safety regulations:

C. Chimneys, steeples, cupolas, parapets, elevator penthouses, mechanical equipment, cooling towers, water tanks, ornamental towers and spires, and similar architectural or mechanical features.

D. Wireless communication facilities, radio towers, television towers, and similar structures shall comply with the applicable provisions of this Ordinance regulating those uses.

E. In residential zoning districts, architectural features and appurtenances permitted by this section shall not extend more than twenty-five (25) feet above the maximum permitted building height unless a variance is approved by the Zoning Board of Adjustment in accordance with Article III, §6.00.

§ 4.00. ACCESSORY BUILDINGS AND STRUCTURES.

4.01. Applicability.

Accessory buildings and structures shall be incidental and subordinate to the principal use and shall not be constructed prior to the establishment of the principal use on the property unless otherwise specifically authorized by this Ordinance.

4.02. Location and Setbacks.

A. Detached accessory buildings and structures shall not be located within a required front yard.

B. Detached accessory buildings and structures shall be located in the rear yard and shall maintain a minimum setback of five (5) feet from any side or rear property line.

C. Accessory buildings and structures exceeding twelve (12) feet in height shall increase the required side and rear setback by one (1) foot for each additional four (4) feet of height.

D. Attached accessory buildings and structures shall be considered part of the principal building and shall comply with the setback requirements applicable to the principal structure.

4.03. Residential Accessory Buildings and Structures.

A. Except for garages and Accessory Dwelling Units, the maximum floor area of an accessory building or structure shall not exceed twenty-five (25) percent of the gross floor area of the principal dwelling.

B. The maximum floor area of an attached or detached garage shall not exceed forty (40) percent of the gross floor area of the principal dwelling.

C. The maximum height shall not exceed the height of the principal building.

D. Accessory buildings and structures shall be constructed of durable materials, maintained in good repair, and be generally compatible with the principal dwelling.

E. Accessory buildings and structures shall not be used as dwelling units except where specifically authorized as an Accessory Dwelling Unit (ADU) or otherwise permitted by this Ordinance.

F. Electrical service shall comply with all applicable building, electrical, and utility provider requirements.

§ 5.00. FENCES AND WALLS.

5.01. General.

A. Fences and walls may be located within required yards subject to the standards of this section and all applicable sight-distance, easement, utility, and public safety requirements.

5.02. Visibility at Intersections.

A. No fence, wall, hedge, landscaping, or other obstruction shall be erected, planted, or maintained within a required sight triangle in a manner that obstructs the visibility of motorists or pedestrians. Fences and walls shall not obstruct access to fire hydrants, utility equipment, drainage facilities, or other public safety facilities.

5.03. Fence Height: Residential Districts.

A. Front Yards. Fences and walls located within a required front yard shall not exceed four (4) feet in height.

B. Side and Rear Yards. Fences and walls located within a side or rear yard shall not exceed six (6) feet in height.

C. Corner Lots. On a corner lot, the four-foot height limitation shall apply along the primary street frontage. A fence or wall along the secondary street frontage may be permitted up to six (6) feet in height, provided it complies with all applicable sight-distance requirements.

5.04. Fence Materials.

A. Residential Districts. Permitted fence and wall materials include:

1. Brick, stone, decorative concrete block, or other masonry;
2. Ornamental metal;
3. Chain-link fencing, except as prohibited within a front yard;
4. Wood;
5. Vinyl or composite materials manufactured for permanent fence construction;
6. Living hedges; and
7. Other materials determined by the Building Official to be of similar quality, durability, and appearance.

B. Prohibited Materials. The following materials shall be prohibited in residential districts and the B-3 District:
   1. Electric or electrified fencing;
   2. Barbed wire, razor wire, concertina wire, spikes, nails, or similar hazardous materials;
   3. Netting, fabric, or similar materials used to create an opaque or semi-opaque fence;
   4. Temporary fencing materials, except during active construction; and
   5. Pallets, scrap materials, or other materials not manufactured or intended for permanent fence construction.

C. Agricultural and Industrial Districts. Barbed wire, electric fencing, and similar fencing customary to agricultural or industrial operations may be permitted in the AG-1, I-1, and I-2 Districts, provided such fencing complies with applicable safety, building, and electrical requirements and does not create a hazard to the public.

5.05. Front Yard Fence Standards.

A. Fences proposed within a required front yard shall require approval by the Building Official prior to installation.

B. Chain-link fencing, barbed wire, netting, temporary fencing materials, and other materials prohibited by this section shall not be permitted within a required front yard.

C. Wood fencing within a required front yard shall be painted, stained, sealed, or otherwise finished to provide a durable, weather-resistant surface.

D. Hedges used as fences shall be maintained so as not to obstruct required sight distance.

5.06. Maintenance.

A. All fences and walls shall be maintained in good condition and in an upright and structurally sound manner. Broken, leaning, deteriorated, or otherwise improperly maintained fences or walls shall constitute a violation of this Ordinance.

§ 6.00. COMMON OPEN SPACE AND AMENITY STANDARDS.

6.01. Applicability.

Residential and mixed-use developments subject to subdivision plat approval or site plan review shall provide Common Open Space and recreational amenities in accordance with § 5.09, Common Open Space and Recreational Amenity Requirements, of the City of Moody Subdivision Regulations, as applicable.

6.02. Relationship to District Standards.

Where the requirements of § 5.09 of the Subdivision Regulations apply, compliance with those requirements shall satisfy the Common Open Space and recreational amenity requirements of this Ordinance unless a specific provision of this Ordinance expressly establishes an additional or more restrictive requirement.

6.03. Protection of Required Open Space.

Required Common Open Space, yards, parking areas, and other open areas required by this Ordinance shall not be encroached upon or counted toward satisfying the corresponding requirement for another building, lot, or development, except as otherwise expressly permitted by this Ordinance.

§ 7.00. DURABLE BUILDING MATERIALS.

7.01. Applicability.

A. Residential Buildings. The residential building material standards of this section shall apply to new principal residential buildings in the E-1, R-1, R-2, R-3, RT, RG, PRD, and PUD Districts.

B. Commercial and Nonresidential Buildings. The commercial and nonresidential building material standards of this section shall apply to new principal commercial and nonresidential buildings in the B-3, B-4, B-5, I-1, and I-2 Districts.

C. Where a zoning district establishes more specific building design or material standards, the more specific standards shall control.

7.02. Residential Building Materials.

A. Street-facing façades of residential buildings subject to this section shall be finished primarily with durable exterior building materials, including brick, stone, architectural masonry, fiber-cement siding, stucco, wood, engineered wood, or other materials of comparable durability approved by the Building Official.

B. The following exterior materials shall be prohibited as the predominant exterior finish on a residential façade facing a public street:

1. Exposed concrete masonry units (CMU), except architectural split-face, burnished, glazed, or similarly finished masonry units; and
2. Corrugated or ribbed metal panels, except as otherwise permitted by this section.

C. Vinyl siding having a minimum thickness of 0.044 inches may be permitted on side and rear façades that do not face a public street.

7.03. Commercial and Nonresidential Building Materials.

A. Exterior walls of commercial and nonresidential buildings subject to this section that are visible from a public street, public road, or public parking area shall be finished primarily with masonry, including brick, stone, hard-coat stucco, architectural masonry, glass, or a combination thereof.

B. Exterior walls that are not visible from a public street, public road, or public parking area may utilize standard concrete masonry units (CMU), provided such walls are painted or otherwise finished with a color and treatment compatible with the remainder of the building.

C. Wood, glass, vinyl, architectural masonry, cut stone, and other materials permitted by this section may be used as secondary exterior materials or architectural accents. Exposed cinder block and unfinished standard concrete masonry units (CMU) shall be prohibited on exterior walls visible from a public street, public road, or public parking area. Architectural split-face,

burnished, glazed, or similarly finished masonry units may be used without separate Planning Commission approval.

D. Exterior insulation and finish systems (EIFS) may be used as an accent material, architectural feature, or column covering but shall not be used as the predominant exterior wall material on an exterior wall visible from a public street, public road, or public parking area.

7.04. Alternative Materials.

A. The Building Official may approve an alternative exterior material upon determining that the material is comparable in durability, weather resistance, appearance, and long-term maintenance characteristics to an otherwise permitted material and is consistent with the intent of this section.

7.05. Architectural Metal.

A. Standing-seam metal roofing and similar architectural metal roofing materials may be used as a roof material. Flat metal panels and other architectural metal materials may also be used for awnings, canopies, architectural features, and building accents. Architectural metal used as an exterior wall material shall not comprise more than twenty-five (25) percent of an exterior wall visible from a public street, public road, or public parking area unless otherwise expressly permitted by the applicable zoning district.

7.06. Applicability for New Construction.

The requirements of this section shall apply to new principal buildings for which a building permit is issued after the effective date of this Ordinance.

7.07. Administration.

A. Construction plans that comply with the requirements of this section shall be reviewed and approved administratively by the Building Official as part of the applicable building permit or Site Plan Review process.

§ 8.00. BUILDINGS TO BE MOVED.

Any building or structure which is to be moved to any location within the City limits of the City of Moody shall be considered for the purpose of this Ordinance to be a new building under construction, and as such, shall conform to all applicable provisions of this Ordinance.

§ 9.00. EXTERIOR LIGHTING.

9.01. Exterior lighting shall comply with the following standards:

A. Light Trespass and Glare. Exterior lighting shall be designed, located, and shielded or directed so that illumination is confined to the property or area intended to be illuminated and does not create glare or light trespass onto adjacent properties or public rights-of-way.

B. Fixture Design. Outdoor light fixtures shall be full-cutoff or otherwise fully shielded and directed downward.

C. Fixture Height. Pole-mounted light fixtures shall not exceed twenty (20) feet in height. Pole-mounted light fixtures located within fifty (50) feet of a residential zoning district or dwelling shall not exceed fifteen (15) feet in height.

§ 10.00. NONCONFORMING USES, STRUCTURES AND LOTS.

10.01. Purpose and Intent.

A. Within the districts established by this Ordinance, there exist lots, structures, uses of land or structures, and other characteristics of development that were lawful when established but that do not conform to the requirements of this Ordinance. These are considered nonconformities.

B. Lawful nonconformities may continue, except as otherwise provided in this Ordinance and subject to the requirements of this Section.

C. The intent of this Section is to encourage nonconformities to be brought into compliance as properties are redeveloped or improved.

D. Except as otherwise provided in this Ordinance, a nonconformity shall not be enlarged, expanded, or extended. A nonconformity shall not be used as justification for establishing another structure or use that is prohibited in the applicable zoning district.

10.02. Nonconforming Lots.

A. Lawful nonconforming lots of record shall be subject to the applicable lot and yard provisions of this Article.

10.03. Continuance of Nonconforming Uses.

A. A lawful nonconforming use existing at the effective date of this Ordinance, or any subsequent amendment that renders the use nonconforming, may be continued, subject to the provisions of this section.

10.04. Restoration to a Safe Condition.

A. Nothing in this Ordinance shall prevent the restoration of any building or structure to a safe or sanitary condition when required by the proper authorities.

10.05. Restoration After Damages.

A. No nonconforming building or structure damaged by fire or other causes, to the extent of more than fifty (50) percent of its replacement value at the time of such damage, shall be rebuilt or restored except in conformity with the provisions of this Ordinance.

B. If a nonconforming building or structure is damaged by fifty (50) percent or less of its replacement value, it may be rebuilt or restored to its previous condition, provided that such rebuilding or restoration is completed within twelve (12) months of the date of damage.

10.06. Abandonment of Nonconforming Uses.

A. A nonconforming use that has been discontinued or abandoned for a continuous period of twelve (12) months shall not be re-established and any subsequent use of the property shall conform to the provisions of this Ordinance.

10.07. Change in Nonconforming Use.

A. A nonconforming use shall not be changed to another nonconforming use.

10.08. Nonconforming Structures.

A. A building or structure that conforms to the use regulations of the applicable zoning district but does not conform to one or more dimensional or other development standards of this Ordinance may be enlarged or altered, provided that the enlargement or alteration complies with all applicable provisions of this Ordinance and does not increase the extent of the existing nonconformity.

§ 11.00. PERFORMANCE STANDARDS.

A. Noise or vibration, other than related to transportation activities and temporary construction work, that are discernible without instruments. Allowable decibel limits in residential zones are typically 55-65 dB daytime and 45-55 dB nighttime with higher limits in industrial zones 70-80+dB. When industrial activity is near residential property, the residential limit controls at the property line. When industrial borders residential, the noise measured at the residential property line must meet the residential limit, not the industrial limit.

B. Typical Quiet Hours:

1. Daytime: ~7:00-8:00 AM to 10:00 PM
2. Nighttime: ~10:00 PM to 7:00 AM

C. Radioactivity.

1. Emission of radioactivity in any amount is prohibited.

D. Electrical Disturbance.

1. Electrical disturbance adversely affecting the operation of any equipment is prohibited.

E. Inflammable or Explosive Materials.

1. Inflammable or explosive materials production, use, storage, or handling are prohibited.

F. Air Pollution.

1. Air pollution or smoke in violation of the requirements of the Alabama Department of Environmental Management standards are prohibited.

G. Glare or Heat.

1. Direct or sky-reflected glare or heat discernible without instruments at any point on a property line of the building site is prohibited.

H. Odorous Gases.

1. Emission of any odorous gases or matter in quantities that are discernible without instruments at any point on a property line of the building site is prohibited.

I. Dust, Dirt, or Particulate Matter.

1. Discharge into the air of any dust, dirt or particulate matter from any activity or from any products stored on the building site that is discernible without instruments at any point on a property line of the building site is prohibited.

J. Liquid Contaminants.

1. Discharge into any public sewer, private sewage disposal system, stream, or into the ground of any liquid contaminants or materials of such nature or temperature which contaminates any water supply, interferes with bacterial processes and sewage treatment, or in any way causes the emission of dangerous or offensive materials is prohibited.

ARTICLE V. USE REGULATIONS

§ 1.00. PURPOSE.

The purpose of this Article is to establish the uses permitted by right, permitted as conditional uses, permitted by special exception, and prohibited within the zoning districts established in Article VI Establishment of Districts. Each zoning district shall be subject to the use regulations set forth herein, as well as any applicable standards in Article VII Detailed Use Regulations, the applicable zoning district standards, and all other applicable requirements of this Ordinance.

§ 2.00. USE LIMITATIONS.

Although a use may be permitted by right, as a conditional use, or by special exception in a particular district, such use is not necessarily entitled to approval on every parcel of land in the district. A use may be established or approved only if it can meet all of the applicable standards of this Ordinance and other applicable codes, ordinances, and regulations.

Approval of a use under this Article shall not relieve the applicant from compliance with any applicable site plan, dimensional, parking, access, landscaping, buffering, screening, lighting, signage, building, fire, subdivision, or other requirements of the City.

§ 3.00. INTERPRETATIONS OF USES.

This Ordinance recognizes the limitations of Table 5.1, Use Table given the infinite variations of essentially similar uses. Therefore, the Building Official is authorized to classify any questioned use as the listed use having the most similar characteristics and impacts.

In making such determination, the Building Official shall consider the nature, scale, intensity, operational characteristics, and potential impacts of the proposed use. In no case shall a use be classified as a listed use when the proposed use is more similar in characteristics and impacts to another listed use.

The Building Official shall prepare a written interpretation supporting the determination, which shall be maintained as part of the City's zoning records. Any person aggrieved by the Building Official's interpretation may appeal the determination to the Zoning Board of Adjustment in accordance with Article III, § 7.00.

§ 4.00. UNCLASSIFIED USES.

In the event the Building Official determines that a proposed use is not listed in Table 5.1, Use Table, and cannot reasonably be classified as a listed use under Article V, § 3.00, the following procedure shall apply:

A. If the proposed use is compatible with the purpose and intent of the existing zoning district, the use may be considered as a conditional use by the Planning Commission in accordance with Article III, § 4.00.

B. If the proposed use is not compatible with the purpose and intent of the existing zoning district, the Building Official shall determine the most appropriate zoning district for the use, and the applicant may apply for rezoning in accordance with Article III, § 11.00. The unclassified use shall not be established unless and until the property is rezoned to an appropriate zoning district and all approvals required by this Ordinance have been obtained.

C. Following final action on an unclassified use, the Planning Commission may initiate an amendment to this Ordinance to incorporate the use into Table 5.1, Use Table for the appropriate zoning district or districts

§ 5.00. TEMPORARY USES.

5.01. General Provisions.

Certain temporary uses may be permitted in accordance with this section, provided that the use is compatible with surrounding properties and complies with all applicable requirements of this Ordinance. The Building Official may issue a temporary zoning permit for the temporary uses identified in this section, subject to the applicable standards and time limitations.

Before issuing a temporary zoning permit, the Building Official shall obtain approval from the City's Police Department and Fire Department. Each department shall review the application for matters within its area of responsibility, including traffic control, public safety, fire safety, and emergency access. A temporary zoning permit shall not be issued until all required departmental approvals have been obtained.

5.02. General Standards.

A. All temporary uses shall comply with the following:

1. The use shall comply with all applicable building, fire, health, safety, and other requirements of the City and other applicable regulatory agencies.
2. The use shall not obstruct a public street, sidewalk, fire lane, emergency access route, drainage facility, required parking area, or required sight triangle.
3. Adequate vehicular access, parking, and circulation shall be provided for the temporary use.
4. The use shall be conducted in a manner that minimizes adverse impacts on adjoining properties, including noise, glare, dust, traffic, litter, and similar impacts.
5. The site shall be maintained in a clean, safe, and orderly condition for the duration of the temporary use.
6. Upon expiration or termination of the temporary use, all temporary structures, equipment, merchandise, signs, waste, and other materials associated with the use shall be removed and the site restored to its prior condition.

5.03. Temporary Special Events.

A. Temporary special events may include carnivals, circuses, fairs, festivals, community events, fundraisers, outdoor entertainment, equestrian events, weddings, receptions, and similar temporary activities.

B. Temporary tents, stages, booths, food service areas, portable restrooms, temporary lighting, and similar facilities associated with an approved temporary special event may be permitted for the duration of the event, subject to all applicable requirements.

C. A carnival, circus, fair, or similar large-scale temporary event may be permitted in a commercial or industrial district, or on undeveloped property in a residential district, for a period not to exceed twenty-one (21) days, subject to approval by the Planning Commission and issuance of a temporary zoning permit by the Building Official in accordance with § 5.01.

D. The Building Official may require measures addressing parking, traffic circulation, emergency access, hours of operation, lighting, noise, sanitation, waste collection, and site restoration where necessary to protect public health and safety and surrounding properties.

5.04. Temporary Religious Meetings.

Temporary religious meetings may be permitted for a period not to exceed sixty (60) days, subject to issuance of a temporary zoning permit by the Building Official and compliance with the general standards of this Section.

5.05. Seasonal Sales.

A. Seasonal sales may include the temporary sale of seasonal agricultural products, plants, holiday items, Christmas trees, pumpkins, landscape materials, and similar seasonal merchandise.

B. Temporary tents, canopies, produce stands, and similar temporary structures may be permitted during the period of operation.

C. Adequate off-street parking shall be provided, and customer vehicles shall not obstruct public streets, sidewalks, fire lanes, or adjacent properties.

D. Safe vehicular ingress and egress shall be maintained.

E. The site shall be maintained in a clean and orderly condition throughout the period of operation.

F. A seasonal sale shall not exceed forty-five (45) consecutive days.

5.06. Garage or Yard Sales.

A. Garage or yard sales conducted on the same lot shall not exceed three (3) days, whether consecutive or nonconsecutive, during any ninety (90)-day period.

B. All temporary signs, display tables, racks, stands, and similar items shall be removed immediately upon completion of the sale. Items remaining on the property shall be stored within an enclosed building or otherwise screened from public view.

5.07. Temporary Real Estate Sales Offices and Model Homes.

A. The Building Official may issue a temporary zoning permit for a real estate sales office or model home for an initial period not exceeding twelve (12) months.

B. The Building Official may approve extensions of the temporary zoning permit in increments not exceeding twelve (12) months, provided the development remains active and the temporary use remains in compliance with this Ordinance.

C. No cooking or sleeping accommodations shall be maintained in a temporary real estate sales office. This limitation shall not apply to a model home constructed as a permanent dwelling within the development.

D. The temporary use shall cease upon completion of sales activity within the development or expiration of the temporary zoning permit, whichever occurs first.

5.08. Temporary Construction Offices, Structures, and Material Storage.

A. Temporary buildings and structures may be permitted for the storage of construction materials, equipment, and supplies associated with an active construction project. Temporary construction offices may also be permitted until construction is substantially complete and the permanent building is ready for occupancy.

B. Temporary construction offices, structures, materials, and equipment shall be located on the property where the associated construction activity is occurring.

C. No temporary building or structure shall be established until all required permits have been approved by the Building Official and issued by the City.

D. Building materials and construction equipment shall be stored in an orderly manner and shall not obstruct public rights-of-way, sidewalks, drainage facilities, emergency access, or required parking areas.

E. Temporary buildings and structures shall be removed within thirty (30) days following completion of the construction project or issuance of a certificate of occupancy, unless an extension is approved by the Building Official.

§ 6.00. USES ALLOWED.

A. Uses listed in Table 5.1, Use Table, shall have the meanings established in Article II, Definitions, and shall comply with any provisions identified in the “Other Applicable Regulations” column of the Use Table.

B. Uses listed in Table 5.1 shall have the meanings established in Article II, Definitions.

C. The following symbols indicate the approval status of each use:

1. Permitted Use [P]. The use is permitted by right, subject to administrative review by the Building Official and compliance with all applicable provisions of this Ordinance.
2. Conditional Use [C]. Requires review and approval by the Planning Commission in accordance with Article III, § 4.00.
3. Special Exception [SE]. Requires review and approval by the Zoning Board of Adjustment in accordance with Article III, § 8.00.
4. Not Permitted []. The use is prohibited in the district.
5. Other Applicable Regulations. Where the Use Table identifies other applicable regulations for a use, the use shall comply with the referenced provisions, including any applicable standards in Article VII, Detailed Use Regulations, in addition to all other applicable requirements of this Ordinance.

§ 7.00. ACCESSORY USES AND STRUCTURES.

Accessory uses and structures that are customarily incidental and subordinate to a lawful principal use shall be permitted in conjunction with the principal use, unless otherwise prohibited by this Ordinance. Accessory uses and structures shall comply with all applicable requirements of this Ordinance, including the applicable accessory building and structure standards of Article IV, § 4.00.

No accessory use or structure shall be established on a lot prior to the establishment of the principal use or structure, except as otherwise specifically authorized by this Ordinance.

Table 5.1: Use Table (see pages at end of the document)

ARTICLE VI. ESTABLISHMENT OF DISTRICTS

In order to carry out the intent and purpose of this Ordinance, the City of Moody is hereby divided into the following zoning districts, the locations and boundaries of which are established on the Official Zoning Map. The zoning districts are as follows:

Table 6.1: Zoning District Classifications

AG-1	Agricultural District
MF	Mini-Farm District
E-1	Single-Family Residential Estate District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Multiple-Family Residential District
RT	Townhouse Residential District
RG	Garden Home Residential District
PRD	Planned Residential Development District
PUD	Planned Unit Development District
RMHP	Residential Manufactured Home Park District
B-3	General Business District
B-4	B-4 Flex Business District
B-5	Commercial Industrial Park District
I-1	Light Industrial
I-2	Heavy Industrial
L-1	Landfill District
MR	Municipal Reserve District

The boundaries of the zoning districts are hereby established as shown on the Official Zoning Map of the City of Moody, Alabama. Questions concerning the interpretation of zoning district boundaries shall be decided by the Zoning Board of Adjustment in accordance with Article I, § 9.00.

§ 1.00. GENERAL DEVELOPMENT STANDARDS.

1.01. Applicability. The following standards apply in all zoning districts unless otherwise stated.

1. Administrations and Review Procedures, Article III.
2. General Development Standards, Article IV.
3. Use Regulations, Article V
4. Establishment of Districts, Article VII.
5. Detailed Use Regulations, Article VII.
6. Landscaping, Buffering, and Screening, Article VIII.
7. Off-Street Parking and Loading, Article IX.

8. Sign Regulations, Article X.

1.02. Sidewalks. Sidewalks shall be provided in conjunction with all new principal development and shall comply with the applicable requirements of the City of Moody Subdivision Regulations.

1.03. Public Buildings. All public buildings shall have a front yard setback of 50 feet. Within a residential zoning district, where permitted, public buildings shall have a rear yard setback of thirty-five (35) feet, a maximum height of forty-five (45) feet, and a maximum building area of fifty (50) percent of the lot.

§ 2.00. AG-1 AGRICULTURAL DISTRICT.

2.01. Intent. This district consists primarily of undeveloped land where agricultural and related activities may occur within the City and where agricultural support centers may serve outlying areas beyond the City. The intent of the AG-1 district is to preserve agricultural land and rural character through large-lot development patterns and restricted subdivision activities until such time as a higher density development pattern may be desired and City services can be expanded to accommodate such development.

2.02 Uses Permitted. Uses within the AG-1 Agricultural District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

2.03 Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Table 6.2: AG-1 Agricultural District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	Ten Acres
Minimum Lot Width:	250 feet at the building line
Minimum Yard Setbacks:	
Front:	50 feet
Rear:	40 feet
Side:	15 feet (on each side)

2.04. Additional regulations. See § 1.00, of this Article; and:

A. Fowl and livestock shall conform with the following provisions:

1. Horses, cows, sheep, goats, and swine shall be housed not less than one hundred fifty (150) feet from any dwelling or principal building located on an adjacent property within a residential or business zoning district, other than the owner's residence. At least fifteen thousand (15,000) square feet of lot area shall be provided for each animal.
2. Fowl, rabbits, and other small animals shall be housed not less than one hundred (100) feet from any dwelling or principal building located on an adjacent property within a residential or

business zoning district, other than the owner's residence. A maximum of twenty (20) such fowl or animals shall be permitted for every seven thousand (7,000) square feet of lot area.

§ 3.00. MF MINI FARM DISTRICT.

3.01. Intent. This district is intended to provide opportunities for low-density residential development while preserving Moody's rural character through limited agricultural activities, hobby farming, and open space. The district is designed to serve as a transition between agricultural areas and more conventional residential neighborhoods while allowing compatible institutional uses.

3.02. Uses permitted. Uses within the MF Mini Farm District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

3.02. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Table 6.3: MF Mini Farm District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	Three acres
Minimum Lot Width:	200 feet at the building line
Minimum Yard Setbacks:	
Front:	50 feet
Rear:	40 feet
Side:	15 feet (on each side)

3.05. Additional Regulations. See § 1.00, of this Article; and the following additional standards shall apply:

A. Unless otherwise provided in this Ordinance, the keeping of farm animals and fowl (livestock and fowl) shall be limited to the following types:

1. Poultry.
2. Horses, donkeys and ponies.
3. Goats, sheep and swine shall not be permitted in this district.

B. The use shall be subject to the following setback and area requirements:

1. Farm animals shall be housed not less than one hundred fifty (150) feet from any adjacent lot not zoned MF or AG-1.
2. At least one (1) acre lot area shall be required for each horse, donkey, or pony. No more than fifteen (15) poultry shall be allowed for every 7,000 square feet of lot area.

§ 4.00. E-1 SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT.

4.01. Intent. The E-1 Single-Family Residential Estate District is intended to provide areas for low-density detached single-family residential development, together with selected institutional and other compatible uses that support residential neighborhoods.

4.02. Uses Permitted. Uses within the E-1 Single-Family Residential Estate District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

4.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.4: E-1 Single-Family Residential Estate District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	1.0 acre
Minimum Lot Width:	100 feet at the building line
Minimum Yard Setbacks:	
Front:	50 feet
Rear:	50 feet
Side:	15 feet
Maximum Height:	35 feet
Minimum Floor Area:	1,600 square feet

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.

§ 5.00. R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT.

5.01. Intent. The R-1 Single-Family Residential District is intended to provide areas suitable for low-to-medium-density detached single-family residential development, together with selected institutional and other compatible uses that support residential neighborhoods.

5.02. Uses Permitted. Uses Permitted. Uses within the R-1 Single-Family Residential District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

5.03 Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.5: R-1 Single-Family Residential District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	20,000 square feet
Minimum Lot Width:	100 feet at building line
Minimum Yard Setbacks:	
Front:	40 feet
Rear:	40 feet
Side:	15 feet (on each side)
Maximum Height:	35 feet
Minimum Floor Area:	
Total for building:	1,600 square feet
First Story:	1,600 square feet regardless of the number of stories in the residence

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.
2. Lots Without Public Sanitary Sewer. Where public sanitary sewer service is unavailable, the developer shall submit an engineering report prepared by a professional engineer licensed in the State of Alabama evaluating site suitability for on-site wastewater disposal. The report shall include information regarding soil conditions, percolation, topography, flood hazards, and other factors necessary to determine the site's development potential. Any on-site wastewater disposal system shall comply with all applicable requirements of the St. Clair County Health Department.
3. Measurement of Front Yard Setback. Where a sidewalk is required or provided, the required front yard setback shall be measured from the sidewalk.

5.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

B. All detached single-family dwellings shall have attached, enclosed double-car garages with either rear or side entry.

C. All utilities shall be placed underground in compliance with the requirements of the applicable utility provider.

§ 6.00. R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT.

6.01. Intent. The R-2 Single-Family Residential District is intended to provide areas suitable for medium-density detached single-family residential development, together with selected institutional and other compatible uses that support residential neighborhoods.

6.02. Uses Permitted. Uses within the R-2 Single-Family Residential District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

6.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.6: R-2 Single-Family Residential District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	15,000 square feet
Minimum Lot Width:	100 feet at the building line
Minimum Yard Setbacks:	
Front:	35 feet
Rear:	35 feet
Side:	10 feet (on each side)
Maximum Height:	35 feet
Minimum Floor Area:	
Total for building:	1,400 square feet
First Story:	1,400 square feet regardless of the number of stories in the residence

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.
2. Lots Without Public Sanitary Sewer. Where public sanitary sewer service is unavailable, the developer shall submit an engineering report prepared by a professional engineer licensed in the State of Alabama evaluating site suitability for on-site wastewater disposal. The report shall include information regarding soil conditions, percolation, topography, flood hazards, and other factors necessary to determine the site's development potential. Any on-site wastewater disposal system shall comply with all applicable requirements of the St. Clair County Health Department.
3. Measurement of Front Yard Setback. Where a sidewalk is required or provided, the required front yard setback shall be measured from the sidewalk.

6.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. All detached single-family dwellings shall have attached, enclosed double-car garages with either rear or side entry.

B. All utilities shall be placed underground in compliance with the requirements of the applicable utility provider.

§ 7.00. R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

7.01. Intent. The R-3 Multiple-Family Residential District is intended to provide areas suitable for duplex and multifamily residential development, together with selected institutional and other compatible uses that support residential neighborhoods.

7.02. Uses Permitted. Uses within the R-3 Multiple-Family Residential District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

7.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.7: R-3 Multiple-Family Residential District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	Duplexes: 6,000 square feet
	Multifamily: None
Maximum Density	8 dwelling units per acre
Minimum Yard Setbacks:	
Front:	25 feet
Rear:	25 feet
Side:	10 feet (on each side)
Maximum Height:	35 feet

A. Maximum Residential Density. The total number of dwelling units within a development shall not exceed eight (8) dwelling units per gross acre of the development site. Gross acreage shall include streets, common open space, stormwater facilities, and other land located within the boundaries of the development.

B. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.
2. Lots Without Public Sanitary Sewer. Where public sanitary sewer service is unavailable, the developer shall submit an engineering report prepared by a professional engineer licensed in the State of Alabama evaluating site suitability for on-site wastewater disposal. The report shall include information regarding soil conditions, percolation, topography, flood hazards, and other factors necessary to determine the site's development potential. Any on-site wastewater disposal system shall comply with all applicable requirements of the St. Clair County Health Department.
3. Measurement of Front Yard Setback. Where a sidewalk is required or provided, the required front yard setback shall be measured from the sidewalk.

7.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. All utilities shall be placed underground in compliance with the requirements of the applicable utility provider.

§ 8.00. RT TOWNHOUSE RESIDENTIAL DISTRICT.

8.01. Intent. The RT Townhouse Residential District is intended to provide areas suitable for townhouse residential development and associated uses compatible with a residential neighborhood.

8.02. Uses Permitted. Uses within the RT Townhouse Residential District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

8.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.8: RT Townhouse Residential District Dimensional Standards

Standard	Requirement
Maximum Density:	10 dwelling units per gross tract acre, including common area
Minimum Lot Width:	18 feet at the building line
Minimum Yard Setbacks:	
Front:	35 feet
Rear:	30 feet
Side:	0 feet
Minimum Livable Floor Area:	
Total minimum:	1,200 square feet
One story:	1,200 square feet
Two story:	500 square feet on first floor
Maximum Height:	35 feet

A. Additional Dimensional Requirements.

1. District Boundary Setbacks. Townhouse dwellings shall be located at least fifteen (15) feet from the RT District boundary and at least twenty (20) feet from any detached single-family residential zoning district.
2. Front Yard Setback with Front Parking. Where parking is provided in front of a dwelling, the minimum front yard setback may be reduced to thirty (30) feet.

8.06. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Access Easements. Where access to a townhouse lot or dwelling requires crossing an adjoining lot or commonly owned area, an appropriate access easement shall be provided and recorded. Where a fence crosses such an easement, a gate shall be provided to maintain required access.

B. Common Area Ownership and Maintenance. Where common areas are provided, the applicant shall establish a homeowners' association or other legal entity responsible for their ownership and maintenance. Applicable covenants, deed restrictions, or other legal instruments shall run with the land and shall be recorded in the Office of the Judge of Probate of St. Clair County.

C. Fences. Fences shall not be permitted within a required front yard.

D. Private Swimming Pools. Private in-ground swimming pools shall be prohibited on individual townhouse lots.

E. Refuse Collection. Where common refuse collection facilities are provided, their maintenance shall be the responsibility of the homeowners' association or other legal entity responsible for common areas.

§ 9.00. RG GARDEN HOME RESIDENTIAL DISTRICT.

9.01. Intent. The RG Garden Home Residential District is intended to provide areas suitable for garden home residential development, together with selected institutional and other compatible uses that support residential neighborhoods.

9.02. Uses Permitted. Uses within the RG Garden Home Residential District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

9.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.9: RG Garden Home Residential District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	8,000 square feet
Minimum Lot Width:	70 feet at building line
Minimum Yard Setbacks:	
Front:	30 feet
Rear:	20 feet
Side:	10 feet (on each side)
Maximum Height:	35 feet
Minimum Floor Area:	
Total for building:	1,200 square feet
One story:	1,200 square feet
Two story:	900 square feet on first floor

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.
2. Lots Without Public Sanitary Sewer. Where public sanitary sewer service is unavailable, the developer shall submit an engineering report prepared by a professional engineer licensed in the State of Alabama evaluating site suitability for on-site wastewater disposal. The report shall include information regarding soil conditions, percolation, topography, flood hazards, and other factors necessary to determine the site's development potential. Any on-site wastewater disposal system shall comply with all applicable requirements of the St. Clair County Health Department.
3. Development Boundary Setback. No principal building shall be located within twenty-five (25) feet of the boundary of an RG development unless separated from an adjacent residential district by a required buffer yard or other approved screening.

9.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Garages. All garden home dwellings shall include an attached, enclosed two-car garage. Garage doors shall not project beyond the primary front façade of the dwelling.

§ 10.00. PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT.

10.01. Intent. The Planned Residential Development (PRD) District is intended to provide for comprehensively planned residential neighborhoods that offer flexibility in housing type, lot arrangement, building placement, and neighborhood design in exchange for a coordinated development plan, usable common open space, pedestrian connectivity, neighborhood amenities, and compatibility with surrounding development. The PRD District is intended to:

A. Provide for a variety of housing types, sizes, and arrangements within a unified residential development;

B. Encourage the efficient use of land and infrastructure through coordinated site planning;

C. Preserve and integrate natural features and usable common open space into the overall development;

D. Promote interconnected streets, sidewalks, trails, and other pedestrian facilities that provide safe and convenient access throughout the development;

E. Allow limited neighborhood-serving commercial, civic, recreational, and mixed-use development where integrated into and subordinate to the residential character of the PRD;

F. Encourage the location of higher-density residential uses and neighborhood-serving uses near common open spaces, major internal streets, neighborhood centers, and other focal points of the development;

G. Provide appropriate transitions between differing housing types and between the PRD and surrounding development; and

H. Provide a coordinated development pattern and community benefits that could not reasonably be achieved through conventional residential zoning.

10.02. Applicability and Minimum Development Area.

A. A PRD shall contain a minimum of ten (10) contiguous acres under unified ownership or development control at the time of application.

B. Property within a PRD may be developed in phases or under separate ownership following approval, provided all property remains subject to the approved Master Development Plan, conditions of approval, and applicable provisions of this Ordinance.

C. Property lawfully zoned PRD prior to the effective date of these regulations may continue in accordance with any previously approved development plan and applicable provisions of this Ordinance. Any amendment to an existing PRD shall be reviewed in accordance with § 10.13.

10.03. Permitted Uses.

A. Uses within the PRD District shall be permitted, conditional, or otherwise authorized as established in Table 5.1, Use Table of this Ordinance.

B. The types, general locations, and extent of residential, nonresidential, mixed-use, civic, recreational, and other uses proposed within a PRD shall be identified on the Master Development Plan.

C. Approval of PRD zoning shall not authorize a use otherwise prohibited in the PRD District by Table 5.1, Use Table.

D. The maximum number of dwelling units and the approved composition of dwelling types shall be established through approval of the Master Development Plan.

10.04. Area and Dimensional Requirements.

Development within the PRD District shall comply with the following requirements:

A. Maximum Residential Density.

1. The total number of dwelling units within a PRD shall not exceed eight (8) dwelling units per gross acre of the entire PRD. Gross acreage shall include streets, common open space, residential development areas, neighborhood commercial areas, and other land located within the boundaries of the PRD.

B. Localized Residential Density.

1. Individual development areas containing townhouses or multifamily dwellings may exceed eight (8) dwelling units per acre, provided the total number of dwelling units within the entire PRD does not exceed the maximum overall density established by this Section or the maximum number of dwelling units approved as part of the Master Development Plan.

C. Perimeter Setback.

1. No principal building shall be located within twenty (20) feet of the exterior boundary of the PRD. Where another provision of this Ordinance requires a greater setback, buffer, or separation, the greater requirement shall apply.

D. Reduced Residential Front Setbacks.

1. The residential front setback may be reduced from twenty-five (25) feet to not less than fifteen (15) feet where specifically shown on and approved as part of the Master Development Plan. Reduced setbacks may be approved for townhouses, cottage-style development, dwellings fronting common open space, or other residential development

where the reduced setback contributes to a coordinated, pedestrian-oriented neighborhood design.

E. Reduced Lot Widths.

1. The minimum lot width for a detached single-family dwelling may be reduced from fifty (50) feet to forty (40) feet where vehicular and garage access is provided from a rear alley or other approved rear accessway.
2. The minimum lot width for a duplex may be reduced from sixty (60) feet to fifty (50) feet where parking and garages are rear-loaded, side-loaded, or otherwise arranged so that garage doors and driveways do not dominate the street-facing façade.

F. Townhouses.

1. Minimum lot width requirements shall apply to individual townhouse lots. No minimum lot area shall apply, provided all applicable density, building separation, parking, open space, and other requirements of this Ordinance are satisfied.

G. Multifamily Development.

1. Multifamily building placement, lot dimensions, internal circulation, parking, and building orientation shall be established through the approved Master Development Plan and applicable Site Plan Review. Multifamily development shall be arranged to provide appropriate transitions to detached single-family and duplex development within and adjacent to the PRD.

H. Building Separation.

1. The building separation requirements in Table 6.10, PRD Area and Dimensional Standards, are minimum PRD standards. Where a greater building separation is required by an applicable Detailed Use Regulation or other provision of this Ordinance, the greater requirement shall apply.

Table 6.10: PRD Planned Residential District Dimensional Standards

Standard	Requirement
Minimum PRD area	10 contiguous acres
Maximum overall residential density	8 dwelling units per gross acre
Minimum common open space	15% of gross PRD area
Maximum neighborhood commercial area (see § 10.06)	10% of gross PRD area
Maximum gross floor area per individual commercial establishment	6,000 square feet
Minimum exterior PRD perimeter setback	20 feet
Residential front setback	25 feet
Reduced residential front setback	15 feet, where approved pursuant to § 10.04(D)

Standard	Requirement
Detached single-family minimum lot area	None
Detached single-family minimum lot width	50 feet
Rear-loaded detached single-family minimum lot width	40 feet
Duplex minimum lot area	None
Duplex minimum lot width	60 feet, 30 feet per unit
Reduced duplex minimum lot width	50 feet, 25 feet per unit where approved pursuant to § 10.04(E)
Townhouse minimum lot area	None
Townhouse minimum lot width, interior unit	18 feet
Townhouse minimum lot width, end unit	25 feet
Multifamily minimum lot area and width	As established by approved Master Development Plan
General minimum separation between residential buildings	10 feet
Minimum separation between a multifamily building and detached or duplex dwelling	20 feet
Minimum rear-to-rear separation between principal residential buildings	20 feet
Maximum height, detached, duplex, and townhouse	3 stories or 45 feet, whichever is less
Maximum height, multifamily	4 stories or 65 feet, whichever is less

10.05. Common Open Space and Amenities.

A. A minimum of fifteen percent (15%) of the gross area of the PRD shall be established and permanently maintained as common open space.

B. Required common open space shall comply with the applicable common open space and recreational amenity requirements of the City of Moody Subdivision Regulations.

C. The ownership and perpetual maintenance of common open space, recreational facilities, private infrastructure, and other common facilities shall be established in accordance with the Subdivision Regulations and identified as part of the Master Development Plan.

10.06. Neighborhood Commercial and Mixed-Use Development.

A. Neighborhood-serving commercial and mixed-use development may be incorporated into a PRD where authorized by Table 5.1, Use Table and specifically identified on and approved as part of the Master Development Plan.

B. Commercial uses shall remain subordinate to the principally residential character of the PRD and shall be designed as an integrated component of the neighborhood rather than as a separate highway-oriented or conventional commercial development.

C. Land designated primarily for neighborhood commercial uses shall not exceed ten percent (10%) of the gross area of the PRD.

D. No individual commercial establishment shall exceed six thousand (6,000) square feet of gross floor area.

E. Multiple commercial establishments may occupy a single building. The limitation established in subsection D. shall apply to each individual establishment and shall not prohibit a multi-tenant or mixed-use building having a total gross floor area greater than six thousand (6,000) square feet.

F. Upper-story residential uses shall not count toward the maximum neighborhood commercial area or maximum commercial establishment size.

G. Neighborhood commercial and mixed-use development shall comply with the general development standards in §10.07.

H. Buildings containing neighborhood commercial or mixed-use development may have a front setback of between zero (0) and fifteen (15) feet where established by the approved Master Development Plan.

10.07. General Development Standards.

A. A PRD shall be designed as a unified neighborhood rather than as a collection of unrelated subdivisions, apartment developments, commercial sites, or other individual development areas.

B. Housing types shall be distributed and arranged to provide appropriate transitions in building scale and intensity. Townhouses, multifamily dwellings, mixed-use buildings, and neighborhood-serving uses shall generally be located near common open spaces, major internal streets, neighborhood centers, or other focal points of the development, where appropriate to the overall development plan.

C. Streets, sidewalks, trails, and other pedestrian facilities shall provide safe and convenient connections between residential areas, common open spaces, amenities, civic uses, neighborhood commercial areas, and adjoining development where appropriate.

D. Buildings shall generally be oriented toward streets, common open spaces, or other public or common areas. Parking lots, garages, blank walls, and service areas shall be arranged to avoid dominating primary neighborhood streets or common open spaces.

E. Parking areas serving townhouses, multifamily dwellings, and neighborhood commercial or mixed-use development shall be located to the side or rear of principal buildings where practicable.

F. All utilities shall be placed underground in accordance with the requirements of the applicable utility provider.

G. Development shall comply with the applicable requirements of the Subdivision Regulations and all other applicable provisions of this Ordinance except where an alternative zoning standard is expressly authorized by this Section and approved as part of the Master Development Plan.

10.08. Pre-Application Conference.

A. Prior to submitting an application for PRD zoning, the applicant shall participate in a pre-application conference with the Building Official and other appropriate City staff.

B. Prior to the conference, the applicant shall provide sufficient preliminary information to allow discussion of the proposed development concept, including the general development area, proposed land uses and housing types, anticipated density, common open space, access, utilities, and other significant development considerations.

C. The purpose of the pre-application conference shall be to review the proposed development concept, applicable Comprehensive Plan recommendations, existing site conditions, surrounding development, proposed land uses and housing types, anticipated density, common open space, transportation and utility considerations, phasing, and the information required for the Master Development Plan.

D. Comments or recommendations provided during the pre-application conference shall be advisory and shall not constitute approval of the PRD application or Master Development Plan.

10.09. Application and Master Development Plan.

A. An application for rezoning to PRD shall be submitted in accordance with the applicable zoning amendment procedures of this Ordinance and shall be accompanied by a Master Development Plan.

B. The Master Development Plan shall contain sufficient information to establish the overall character, intensity, and development framework of the proposed PRD, including, at a minimum:

1. Name of the proposed development and applicant;
2. Boundary, legal description, and gross acreage of the proposed PRD;
3. Existing zoning and land uses of the property and surrounding properties;
4. Existing site conditions, including significant natural features, flood hazard areas, streams, wetlands, steep slopes, and other significant development constraints;
5. General location and acreage of proposed residential development areas;
6. Proposed housing types and approximate number of dwelling units by type;
7. Maximum total number of dwelling units and calculation of gross residential density;
8. General location and acreage of any neighborhood commercial, mixed-use, civic, institutional, or recreational areas;
9. General location and amount of required common open space and major recreational amenities;

10. General street network, points of external vehicular access, and major internal vehicular connections;
11. General pedestrian and bicycle circulation system, including connections between residential areas, common open spaces, amenities, and neighborhood-serving uses;
12. General location of stormwater facilities and major utility infrastructure;
13. Proposed perimeter buffers and transitions to adjoining properties;
14. Proposed development standards, including any reduced setbacks or lot widths authorized by this Section;
15. Proposed development phases and the general sequencing of streets, utilities, common open space, amenities, and neighborhood commercial development;
16. Proposed means of ownership and maintenance of common open space, private streets, recreational facilities, and other common facilities; and
17. A written statement describing the proposed development, its planning objectives, and its consistency with the Comprehensive Plan and purposes of the PRD District.

10.10. Review and Approval.

A. An application for PRD zoning and the accompanying Master Development Plan shall be reviewed concurrently in accordance with the applicable procedures for amendments to the Zoning Ordinance and Official Zoning Map.

B. The Planning Commission shall review the proposed PRD and recommend approval, approval with conditions, or denial to the City Council.

C. In making its recommendation, the Planning Commission shall consider whether:

1. The proposed development is consistent with the City's adopted Comprehensive Plan;
2. The site is suitable for the proposed type and intensity of development;
3. The proposed housing types, density, building arrangement, open spaces, and neighborhood-serving uses create a coordinated residential development;
4. Streets, access, pedestrian facilities, utilities, and infrastructure are adequate or can reasonably be made adequate to serve the proposed development;
5. The proposed development provides appropriate transitions and compatibility with surrounding development;
6. Required common open space and amenities are appropriately located and integrated into the development;
7. Any neighborhood commercial or mixed-use component is subordinate to and appropriately integrated with the residential character of the PRD; and
8. The proposed PRD provides a coordinated development pattern or community benefit that could not reasonably be achieved through conventional residential zoning.

D. Following receipt of the Planning Commission's recommendation and completion of the required zoning amendment procedures, the City Council may approve, approve with conditions, or deny the request for PRD zoning and the accompanying Master Development Plan.

E. Approval of the PRD zoning application by the City Council shall constitute approval of the Master Development Plan and any conditions of approval.

F. The approved Master Development Plan shall establish, at a minimum:

1. The boundaries of the PRD;
2. Maximum overall residential density and total number of dwelling units;
3. Approved housing types and general land-use composition;
4. Maximum extent and general location of neighborhood commercial and mixed-use development;
5. Minimum common open space;
6. General street network and points of external access;
7. Major pedestrian connections;
8. General development phases;
9. Perimeter transitions and buffers; and
10. Any reduced setbacks, lot widths, or other development standards specifically authorized by this Section.

G. Following approval, the property may proceed through applicable Site Plan Review, subdivision approval, and permitting procedures without further zoning approval, provided all subsequent plans and development conform to the approved Master Development Plan and conditions of approval.

H. Approval of the Master Development Plan shall be binding and enforceable upon the property owner, developer, and their successors and assigns.

10.11. Subsequent Development Review.

A. Following approval of PRD zoning and the Master Development Plan, development shall be subject to Site Plan Review, subdivision approval, and other permits or approvals required by this Ordinance, the Subdivision Regulations, and other applicable City regulations.

B. A Site Plan or subdivision application may encompass the entire PRD or an individual phase identified on the approved Master Development Plan.

C. Each subsequent plan shall substantially conform to the approved Master Development Plan and applicable conditions of approval.

D. Site Plan Review, subdivision approval, or issuance of a permit shall not authorize:

1. An increase in the maximum number of dwelling units or overall residential density;
2. A reduction in required common open space;
3. A use not authorized by the approved Master Development Plan and Use Table;
4. An increase in the approved maximum amount of neighborhood commercial development;
5. A material alteration to external access or the major street network;
6. A material reduction in required pedestrian connectivity or approved common amenities;
7. A reduction in an approved perimeter buffer or setback; or
8. Another modification constituting a major amendment pursuant to § 10.13.

10.12. Phasing and Development Sequence.

A. A PRD may be developed in phases where such phases are identified on the approved Master Development Plan.

B. Each phase shall provide the streets, utilities, stormwater facilities, pedestrian facilities, common open space, recreational amenities, and other improvements necessary to adequately serve that phase.

C. Required common open space and amenities shall be provided proportionately with the residential development they are intended to serve and shall not be deferred entirely to the final phase of development.

D. Neighborhood commercial or mixed-use development shall be constructed in accordance with the approved phasing plan and shall not be developed in a manner that results in the PRD functioning principally as a commercial development.

10.13. Amendments to the Master Development Plan.

A. Minor Changes. Minor changes to an approved Master Development Plan may be approved administratively by the Building Official, provided the proposed change remains consistent with the approved Master Development Plan and conditions of approval.

B. A change shall not be considered minor if it would:

1. Increase the maximum overall residential density or total number of dwelling units;
2. Reduce the minimum required common open space;
3. Introduce a use not authorized by the approved Master Development Plan;
4. Increase the approved maximum amount of neighborhood commercial development;
5. Materially alter external vehicular access or the major street network;
6. Materially reduce pedestrian connectivity or an approved common amenity;
7. Reduce an approved perimeter buffer or setback;
8. Materially change the approved housing composition, development phasing, or relationship between land-use areas; or
9. Otherwise substantially alter the character or intent of the approved Master Development Plan.

C. Major Amendments. Any proposed change meeting one or more of the criteria in subsection B. shall constitute a major amendment.

D. A major amendment shall require an application to amend the Master Development Plan and shall be reviewed by the Planning Commission and City Council in accordance with the same procedures applicable to the original PRD approval.

E. Minor changes approved pursuant to subsection A. shall be documented and maintained with the approved Master Development Plan.

F. Nothing in this Section shall authorize the Building Official to approve a modification that would conflict with an express condition imposed by the City Council.

10.14. Continuing Effect of Approval.

A. The approved Master Development Plan, conditions of approval, and applicable provisions of this Ordinance shall be binding upon the property and all subsequent owners and successors in interest.

B. No property within an approved PRD shall be developed or used in a manner inconsistent with the approved Master Development Plan or conditions of approval except through an amendment authorized pursuant to § 10.13.

C. Approval of a PRD shall not relieve an applicant from obtaining subdivision approval, Site Plan Review, building permits, or other permits and approvals otherwise required by applicable law.

D. Where development of an approved PRD has not commenced or has ceased for an extended period, the applicable expiration, abandonment, or extension provisions of this Ordinance shall apply.

§ 11.00. PUD PLANNED UNIT DEVELOPMENT DISTRICT.

11.01. Intent. The Planned Unit Development (PUD) District is intended to provide for large-scale, comprehensively planned developments containing an integrated mixture of land uses and development types that function as a unified community and that, because of their scale, complexity, or combination of uses, cannot reasonably be accommodated through conventional zoning districts or the PRD Planned Residential Development District. The PUD District is intended to:

A. Provide flexibility for the coordinated development of residential, commercial, office, institutional, civic, recreational, and compatible employment uses within a unified development;

B. Encourage an integrated mixture of uses, housing types, densities, and development intensities;

C. Promote compact, efficient, and pedestrian-oriented development patterns where appropriate;

D. Preserve and integrate common open space, natural features, parks, greenways, and recreational amenities into the overall development;

E. Provide appropriate transitions between land uses of differing scale and intensity and between the PUD and surrounding development; and

F. Provide identifiable community benefits and a coordinated development pattern that could not reasonably be achieved through conventional zoning districts or the PRD District.

11.02. Applicability and Minimum Development Area.

A. A PUD shall contain a minimum of twenty (20) contiguous acres under unified ownership or development control at the time of application.

B. Property within a PUD may be developed in phases or under separate ownership following approval, provided all property remains subject to the approved Master Development Plan, conditions of approval, and applicable provisions of this Ordinance.

C. PUD zoning is appropriate only where the scale, mixture of uses, development arrangement, or other characteristics of the proposed development warrant the flexibility provided by this District.

D. PUD zoning shall not be used solely to avoid the requirements of an otherwise applicable conventional zoning district or the PRD District.

E. Property lawfully zoned PUD prior to the effective date of these regulations may continue in accordance with any previously approved Master Development Plan, Planning Criteria, conditions of approval, and applicable provisions of this Ordinance. Amendments to an existing PUD shall be reviewed in accordance with § 11.14.

F. Community Benefit. The applicant shall demonstrate that the flexibility requested through PUD zoning will result in identifiable community benefits or a superior development pattern compared with development under otherwise applicable zoning districts. Such benefits may include a coordinated mixture of uses, housing variety, pedestrian and bicycle connectivity, usable common open space, preservation of natural features, efficient infrastructure, enhanced public or common spaces, or other benefits consistent with the City's adopted Comprehensive Plan.

11.03. Required Mix of Uses.

A. A PUD shall contain an integrated mixture of two (2) or more principal land use categories, which may include:

1. Residential;
2. Commercial;
3. Office;
4. Institutional or civic;
5. Recreational; and
6. Compatible employment uses as authorized by this Section and Table 5.1, Use Table.

B. The proposed mixture of uses shall be of a type, scale, intensity, or arrangement that cannot reasonably be accommodated through the application of a single conventional zoning district.

C. The inclusion of a nominal, incidental, or accessory secondary use solely for the purpose of qualifying a development for PUD zoning shall not satisfy the mixed-use requirement of this Section.

1. In determining whether a proposed development constitutes a mixed-use development appropriate for PUD zoning, the Planning Commission and City Council shall consider:

a. The acreage devoted to each proposed land use;
b. The scale and intensity of each proposed land use;
c. The functional relationship and physical integration of the proposed uses;
d. Pedestrian, bicycle, and vehicular connections between land use areas;
e. The proposed phasing and timing of the different uses; and
f. Whether the development functions as an integrated community rather than as a collection of unrelated development sites.

11.04. Uses Permitted.

A. Uses within the PUD District shall be permitted, conditional, or otherwise authorized as established in Table 5.1, Use Table of this Ordinance.

B. The specific uses authorized within an individual PUD shall be those identified on and approved as part of the Master Development Plan.

C. The listing of a use as permitted or conditional within the PUD District shall establish the eligibility of the use for consideration within a PUD but shall not constitute authorization to establish the use unless included in the approved Master Development Plan.

D. Approval of PUD zoning shall not authorize a use otherwise prohibited in the PUD District by Table 5.1, Use Table.

E. The City Council may approve a PUD containing all or only a portion of the uses otherwise eligible within the PUD District, as specified in the approved Master Development Plan.

11.05. Land Use and Development Areas.

A. The Master Development Plan shall divide the PUD into identifiable land use or development areas sufficient to establish the location, character, intensity, and relationship of the proposed uses.

B. Development areas may include, as applicable, residential neighborhoods of varying housing types and densities; mixed-use centers; commercial areas; office or employment areas; institutional or civic areas; parks, recreation, and common open space; and other development areas specifically authorized as part of the PUD.

C. For each development area, the Master Development Plan and accompanying development criteria shall establish, as applicable, permitted uses; residential density or nonresidential development intensity; dimensional standards; parking and loading; access and circulation; landscaping, buffering, and screening; open space and amenities; and other standards necessary to establish the character and intensity of development.

D. Development areas shall be arranged to provide appropriate transitions between uses of differing scale and intensity and shall be interconnected through streets, sidewalks, trails, common open spaces, or other appropriate facilities.

11.06. Density and Development Intensity.

A. Residential density shall be established through approval of the Master Development Plan based upon the location, infrastructure capacity, surrounding development, Comprehensive Plan policies, and overall design of the PUD.

B. The Master Development Plan shall establish the maximum total number of dwelling units within the PUD and the maximum number of dwelling units and residential density applicable to each residential or mixed-use development area. Higher-density residential development should generally be located near mixed-use centers, commercial and employment areas, major internal streets, parks, common open spaces, or other community focal points.

C. The Master Development Plan shall establish the maximum gross floor area or other appropriate measures of development intensity for commercial, office, employment, institutional, and mixed-use development areas.

D. Approval of the Master Development Plan by the City Council shall establish the maximum residential and non-residential development entitlement for the PUD.

11.07. Area and Dimensional Requirements.

A. Except as otherwise provided in this Section, minimum lot area, lot width, setbacks, building separation, lot coverage, and similar dimensional requirements shall be established by development area through the approved Master Development Plan.

B. Proposed dimensional standards shall be appropriate to the type and intensity of development proposed and shall provide adequate access, fire protection, light and air, privacy, pedestrian circulation, parking and service access, and transitions between uses.

C. The Master Development Plan may establish dimensional standards that differ from those of conventional zoning districts where the applicant demonstrates the alternative standards:

1. Are necessary or appropriate to accomplish the coordinated design of the PUD;
2. Will not adversely affect public health or safety;
3. Will not create unreasonable impacts on adjoining property;
4. Are accompanied by appropriate site planning, buffering, open space, building arrangement, or other design measures; and
5. Contribute to a development pattern or design outcome consistent with the purpose of the PUD District.

D. Where the Master Development Plan does not establish an alternative standard, the applicable requirement of this Ordinance shall apply.

E. No Master Development Plan shall modify or waive a requirement of another applicable City ordinance or code unless such modification is expressly authorized.

11.08. Common Open Space and Amenities.

A. A minimum of fifteen percent (15%) of the gross area of the PUD shall be established and permanently maintained as common open space.

B. Required common open space shall comply with the applicable common open space and recreational amenity requirements of the City of Moody Subdivision Regulations and shall be integrated into the overall Master Development Plan.

C. The ownership and perpetual maintenance of common open space, recreational facilities, private infrastructure, and other common facilities shall be established in accordance with the Subdivision Regulations and identified as part of the Master Development Plan.

11.09. General Development Standards.

A. A PUD shall be designed as an integrated development in which land uses, streets, infrastructure, open spaces, and amenities function as a coordinated whole.

B. Development areas shall provide appropriate transitions between uses of differing scale and intensity through building placement and scale, streets, common open space, landscaping, buffering, changes in density or intensity, or other appropriate design measures.

C. Streets, sidewalks, trails, bicycle facilities, and other pedestrian connections shall form an interconnected circulation system that provides safe and convenient access between principal destinations within the PUD and, where appropriate, adjoining development.

D. Mixed-use, commercial, civic, and higher-density residential areas shall be designed at a pedestrian scale where appropriate to the character of the applicable development area. Buildings shall generally be oriented toward streets, sidewalks, plazas, greens, or other public or common spaces, and principal pedestrian entrances shall provide convenient connections to the adjoining pedestrian network.

E. Parking, loading, drive-through facilities, and service areas shall be located and designed to minimize their visual and operational impacts on primary streets, pedestrian routes, common open spaces, and residential areas. Within pedestrian-oriented development areas, off-street parking shall be located primarily to the side or rear of buildings where practicable.

F. Where large blocks, development sites, or parking areas would substantially increase pedestrian travel distances between adjoining destinations, pedestrian passages, sidewalks, trails, cross-connections, or similar facilities shall be provided where practicable.

G. Commercial, office, civic, and mixed-use areas shall be designed as integrated components of the PUD rather than as isolated development sites.

H. Where a drive-through use is authorized, drive-through lanes and service areas shall be located and designed to minimize conflicts with pedestrian movement and shall not materially disrupt a pedestrian-oriented mixed-use center, civic area, plaza, common open space, or primary pedestrian route.

I. All utilities shall be placed underground in accordance with the requirements of the applicable utility provider.

J. Development shall comply with the applicable requirements of the Subdivision Regulations and all other applicable provisions of this Ordinance except where an alternative zoning standard is expressly authorized by this Section and approved as part of the Master Development Plan.

11.10. Pre-Application Conference.

A. Prior to submitting an application for PUD zoning, the applicant shall participate in a pre-application conference with the Building Official and other appropriate City staff.

B. Prior to the conference, the applicant shall provide sufficient preliminary information to allow discussion of:

1. The boundaries and approximate acreage of the proposed PUD;
2. Existing site conditions;
3. General development concept;
4. Proposed land uses and development areas;
5. Approximate residential densities and nonresidential intensities;
6. Common open space and major amenities;

7. Access and circulation;
8. Pedestrian and bicycle connectivity;
9. Utilities and infrastructure;
10. Proposed phasing; and
11. Significant development or compatibility considerations.

C. The purpose of the conference shall be to identify applicable City policies and requirements, significant development issues, necessary supporting studies, and the information required for the Master Development Plan.

D. Comments or recommendations provided during the pre-application conference shall be advisory and shall not constitute approval of the PUD application or Master Development Plan.

11.11. Application and Master Development Plan.

A. An application for rezoning to a PUD shall be submitted in accordance with the applicable zoning amendment procedures of this Ordinance and shall be accompanied by a Master Development Plan and written development criteria.

B. The Master Development Plan shall contain sufficient information to establish the overall character, intensity, development framework, and proposed entitlements of the PUD, including, at a minimum:

1. Name of the proposed development and applicant;
2. Boundary, legal description, and gross acreage of the proposed PUD;
3. Existing zoning and land uses of the property and adjacent properties;
4. Existing site conditions, including significant natural features, flood hazard areas, streams, wetlands, steep slopes, and other significant development constraints;
5. Proposed development areas, including the acreage, principal land uses, and general character of each;
6. Proposed housing types, maximum dwelling units, and residential densities by applicable development area;
7. Maximum total number of dwelling units within the PUD;
8. Maximum nonresidential gross floor area or other applicable measure of development intensity by development area;
9. General location and amount of common open space, parks, greenways, recreational amenities, and other major common facilities;
10. General street network, external access, major internal vehicular connections, and pedestrian and bicycle circulation system;
11. Identification of pedestrian-oriented development areas, where applicable, and the general building orientation, parking arrangement, streetscape, and public-space framework proposed within such areas;
12. General location of stormwater facilities, major utility infrastructure, and other significant infrastructure;

13. Proposed perimeter buffers, transitions, and other measures addressing compatibility with adjoining properties;
14. Proposed development phases and general sequencing of land uses, infrastructure, common open space, and amenities;
15. Proposed means of ownership and maintenance of common open space, private infrastructure, and other common facilities;
16. Proposed development criteria, including applicable dimensional standards and any proposed departures from otherwise applicable zoning standards; and
17. A written statement describing the proposed development, integration of land uses, requested zoning flexibility, community benefits provided pursuant to § 11.02(F), and consistency with the City's adopted Comprehensive Plan and purposes of the PUD District.

C. Based upon the scale, intensity, location, and anticipated impacts of the proposed PUD, the City may require supporting studies prepared by qualified professionals addressing traffic and transportation, stormwater and watershed impacts, utility capacity, environmental conditions, fiscal or public-service impacts, or other technical matters directly related to the proposed development.

11.12. Review and Approval.

A. The application for PUD zoning, Master Development Plan, and development criteria shall be reviewed concurrently in accordance with the applicable procedures for amendments to the Zoning Ordinance and Official Zoning Map.

B. The Planning Commission shall review the proposed PUD and recommend approval, approval with conditions, or denial to the City Council.

C. In making its recommendation, the Planning Commission shall consider whether the proposed PUD:

1. Is consistent with the City's adopted Comprehensive Plan and the purpose and intent of the PUD District;
2. Constitutes a bona fide integrated mixed-use development that cannot reasonably be accommodated through conventional zoning or the PRD District;
3. Proposes land uses, densities, and development intensities appropriate to the site, surrounding development, and available or planned infrastructure;
4. Provides adequate streets, access, utilities, stormwater facilities, pedestrian and bicycle connections, and other infrastructure necessary to serve the development;
5. Provides appropriate transitions between uses and surrounding development and appropriately incorporates common open space, amenities, and significant natural features;
6. Justifies any proposed alternative development standards through the overall design and community benefits of the PUD; and
7. Provides identifiable community benefits, superior site design, pedestrian-oriented development where appropriate, or a coordinated development pattern that could not reasonably be achieved through conventional zoning or the PRD District.

D. Following receipt of the Planning Commission's recommendation and completion of the required zoning amendment procedures, the City Council may approve, approve with conditions, or deny the request for PUD zoning and the accompanying Master Development Plan and development criteria.

E. Approval of the PUD zoning application by the City Council shall constitute approval of the Master Development Plan, development criteria, and conditions of approval.

F. Approval shall establish the approved development areas and uses, maximum residential density and dwelling units, maximum nonresidential development intensity, minimum common open space, general circulation and access framework, development phases, applicable dimensional and development standards, and any conditions imposed as part of the approval.

G. Following approval, the property may proceed through applicable Site Plan Review, subdivision approval, and permitting procedures without further zoning approval, provided all subsequent plans and development substantially conform to the approved Master Development Plan, development criteria, and conditions of approval.

H. The approved Master Development Plan, development criteria, and conditions of approval shall be binding and enforceable upon the property owner, developer, and their successors and assigns.

11.13. Subsequent Development Review and Phasing.

A. Following approval of PUD zoning and the Master Development Plan, development shall be subject to Site Plan Review, subdivision approval, and other permits or approvals required by this Ordinance, the Subdivision Regulations, and other applicable City regulations.

B. A Site Plan or subdivision application may encompass the entire PUD or an individual phase identified on the approved Master Development Plan and shall substantially conform to the approved Master Development Plan, development criteria, and applicable conditions of approval.

C. Each phase shall provide the streets, utilities, stormwater facilities, pedestrian facilities, common open space, recreational amenities, and other improvements necessary to adequately serve that phase.

D. Required common open space and amenities shall be provided proportionately with the development they are intended to serve and shall not be deferred entirely to the final phase.

E. The sequence of development shall maintain the integrated mixed-use character approved by the City Council. Development shall not be phased in a manner that permanently eliminates or materially diminishes a principal land-use component relied upon to satisfy the mixed-use requirements of § 11.03.

F. Pedestrian and bicycle connections necessary to serve an individual phase shall be constructed with that phase and shall connect to existing portions of the approved circulation network where practicable.

G. Subsequent Site Plan Review, subdivision approval, or permitting shall not authorize a modification constituting a major amendment pursuant to § 11.14.

11.14. Amendments to the Master Development Plan.

A. Minor Changes. Minor changes to an approved Master Development Plan or development criteria may be approved administratively by the Building Official, provided the proposed change remains consistent with the approved Master Development Plan, development criteria, and conditions of approval.

B. A change shall not be considered minor if it would:

1. Increase the maximum number of dwelling units or approved residential density;
2. Increase the maximum approved nonresidential development intensity;
3. Reduce required common open space;
4. Introduce a use not authorized by the approved Master Development Plan;
5. Materially alter the approved acreage, intensity, or relationship of development areas;
6. Materially alter external vehicular access or the major street network;
7. Materially reduce pedestrian or bicycle connectivity or an approved common amenity;
8. Reduce an approved perimeter buffer or transition;
9. Materially alter approved development phasing;
10. Modify an approved development standard in a manner that could materially affect surrounding property or the character of the PUD; or
11. Otherwise alter the character, intent, community benefits, pedestrian-oriented development framework, or integrated mixed-use nature of the approved PUD.

C. Major Amendments. Any proposed change meeting one or more of the criteria in subsection B. shall constitute a major amendment.

D. A major amendment shall require an application to amend the Master Development Plan and shall be reviewed by the Planning Commission and City Council in accordance with the same procedures applicable to the original PUD approval.

E. Minor changes approved pursuant to subsection A. shall be documented and maintained with the approved Master Development Plan.

F. Nothing in this Section shall authorize the Building Official to approve a modification that conflicts with an express condition imposed by the City Council.

11.15. Continuing Effect of Approval.

A. The approved Master Development Plan, development criteria, conditions of approval, and applicable provisions of this Ordinance shall be binding upon the property and all subsequent owners and successors in interest. No property within an approved PUD shall be developed or used inconsistently with such approval except through an amendment authorized pursuant to § 11.14.

B. Approval of a PUD shall not relieve an applicant from obtaining subdivision approval, Site Plan Review, building permits, or other permits and approvals otherwise required by applicable law.

C. Where development of an approved PUD has not commenced or has ceased for an extended period, the applicable expiration, abandonment, extension, and continuing-validity provisions of this Ordinance shall apply.

§ 12.00. RMHP RESIDENTIAL MANUFACTURED HOME PARK DISTRICT.

12.01. Intent. The RMHP Residential Manufactured Home Park District is intended to provide areas for manufactured home park development in a coordinated residential setting and to protect such development from incompatible land uses.

12.02. Uses Permitted. Uses within the RMHP Residential Manufactured Home Park District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

12.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.11: RMHP Residential Manufactured Home Park District Dimensional Standards

Standard	Requirement
Minimum Park area:	20 acres
Minimum Manufactured Home Space Area:	5,000 square feet
Minimum Manufactured Home Space Width:	45 feet
Minimum Front Setback:	25 feet
Minimum Rear Setback:	10 feet
Minimum Side Setback:	10 feet
Minimum Setback from Exterior Park Boundary:	35 feet
Minimum Separation Between Manufactured Homes:	20 feet

A. Internal Street Setback. Manufactured Homes shall also comply with the applicable setback from internal streets and drives established in Article VIII, §43.00.J.

B. Maximum Density: Six (6) Manufactured Home spaces per gross acre.

C. Fire Protection. Fire hydrants and other required fire-protection improvements shall comply with applicable City and Fire Department requirements.

12.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Installation. See Article VII, §43.00

B. Storage Facilities, Accessory Uses, and Structures.

1. Storage. Each Manufactured Home space shall be provided with access to enclosed storage having a minimum capacity of one hundred (100) square feet. Required storage may be

provided within an individual accessory storage structure located on the Manufactured Home space or within a common storage facility maintained by the park owner or management.

2. Accessory Structures. Accessory structures shall comply with the applicable accessory structure requirements of this Ordinance and shall not be located within five (5) feet of a side or rear Manufactured Home space boundary.
3. Carports. Carports may be permitted as accessory structures to an individual Manufactured Home. A carport shall not be located within five (5) feet of a side or rear Manufactured Home space boundary and shall maintain a minimum setback of twenty-five (25) feet from the front boundary of the Manufactured Home space. On a corner space, the twenty-five-foot setback shall apply along each boundary adjoining an internal street or drive.
4. Swimming Pools. Private in-ground swimming pools shall not be permitted on individual Manufactured Home spaces. Common swimming pools or other recreational facilities may be provided as park amenities in accordance with applicable requirements of this Ordinance.

C. Internal Streets. Internal streets and drives shall comply with the applicable street and right-of-way standards of the City of Moody Subdivision Regulations, including applicable right-of-way, pavement, access, and turnaround requirements.

D. Laundry Facilities. A common laundry facility shall be provided for the use of Manufactured Home park residents and their guests, unless laundry facilities are provided within each Manufactured Home.

E. Refuse Collection. Common refuse collection facilities shall be maintained by the park owner or management and shall comply with applicable screening and site-design requirements of this Ordinance.

F. Perimeter Buffer. A The minimum thirty-five-foot (35-foot) setback from the exterior Manufactured Home Park boundary required by § 12.03 shall be maintained in addition to the applicable perimeter buffer required by Article VIII, § 4.00. The required buffer shall be provided and maintained along the exterior boundary of the Manufactured Home Park. No building or structure shall be located within the required buffer except as otherwise permitted by Article VIII.

G. Deck or Patios. Each manufactured home shall be provided with a deck or patio of at least 200 square feet.

H. Common open space shall be provided for park residents in accordance with Article IV, §6.00, Common Open Space and Amenity Standards, where applicable.

I. Screening requirements. As described in Article VIII, § 5.00.

J. Fences. Fences shall be in accordance with the provisions of Article IV, § 5.00.

§ 13.00. B-3 GENERAL BUSINESS DISTRICT.

13.01. Intent. The B-3 General Business District is intended to accommodate a broad range of commercial, office, lodging, entertainment, and service uses that serve both the traveling public and the surrounding community. The district is intended to support attractive commercial corridors, safe

access, quality site design, and compatibility with adjacent land uses in accordance with the City's Comprehensive Plan.

13.02. Uses Permitted. Uses within the B-3 General Business District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

13.03. Area and Dimensional Regulations. Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.12: B-3 General Business District Dimensional Standards

Standard	Requirement
Minimum Lot Area:	None
Minimum Lot Width:	100 feet
Minimum Yard Setbacks:	
Front:	35 feet
Rear:	35 feet
Side:	15 feet
Maximum Height:	45 feet

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.

13.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

B. Service Areas. Loading, unloading, refuse collection, and similar service areas shall be located to the side or rear of the principal building, shall have adequate access for service vehicles, and shall comply with the applicable screening requirements of Article VIII, Buffers, Landscaping and Screening Requirements.

C. Pedestrian Connections. A paved pedestrian connection shall be provided between the primary building entrance, required parking areas, and any adjacent public sidewalk.

§ 14.00. B-4 FLEX BUSINESS DISTRICT

14.01. Intent.

The B-4 Flex Business District is intended to provide locations for a flexible range of office, research and development, service, artisan and small-scale manufacturing, studio, showroom, compatible mixed-use, and other employment-oriented uses with limited external impacts. The district is intended to provide a transition between general commercial and industrial districts by accommodating uses that may include production, assembly, fabrication, or storage activities while limiting the outdoor activity and operational impacts typically associated with industrial development.

14.02. Uses Permitted.

Uses permitted within the B-4 Flex Business District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

14.03. Area and Dimensional Regulations.

Except as otherwise provided in this Ordinance, the following area and dimensional requirements shall apply within the B-4 Flex Business District:

Table 6.13: B-4 Flex Business District Dimensional Standards

Standard	Requirement
Minimum Lot Area	None
Minimum Lot Width	100 feet
Minimum Front Yard	35 feet
Minimum Side Yard	15 feet
Minimum Rear Yard	35 feet
Maximum Building Height	45 feet

A. Additional Dimensional Requirements.

1. Corner Lots. Front yard setbacks shall apply along each street frontage.

14.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Except where otherwise expressly permitted by this Ordinance, principal business operations, production, fabrication, assembly, repair, and storage shall be conducted within a fully enclosed building.

B. Loading docks, loading areas, service areas, refuse collection areas, mechanical equipment, and similar operational areas shall be located to the side or rear of the principal building to the maximum extent practicable and shall comply with the applicable screening requirements of Article VIII, Buffers, Landscaping and Screening Requirements.

C. Outdoor storage shall be prohibited except where expressly authorized for a permitted or conditional use by this Ordinance. Where authorized, outdoor storage shall comply with the applicable requirements of Article VII, § 52.00, Outdoor Storage and Article VIII, Buffers, Landscaping and Screening Requirements.

§ 15.00. B-5 COMMERCIAL INDUSTRIAL PARK DISTRICT.

15.01. Intent.

The purpose of the Commercial Industrial Park District is to provide for the development of business and professional offices, the light manufacture and assembly of products, and the warehousing and

distribution of such products within the controlled environment of an attractive, park-like setting. The district is intended to accommodate employment-oriented commercial and light industrial uses while maintaining a high-quality development character through landscaping, screening, controlled access, and coordinated site design. Minimum lot sizes are defined, front, side and rear yards are required, and landscaping and natural buffers are specified.

15.02. Uses Permitted.

Uses permitted within the B-5 Commercial Industrial Park District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

15.03. Area and Dimensional Regulations.

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.14: B-5 Commercial Industrial Park District Dimensional Standards

Standard	Requirement
Minimum Lot Area	1 acre
Minimum Lot Width	100 feet
Minimum Front Yard:	50 feet from a major arterial street 40 feet from any other public street
Minimum Side Yard	10 feet
Minimum Rear Yard	35 feet
Maximum Building Height	45 feet

A. Additional Dimensional Requirements.
   1. All yards abutting an existing or proposed public street shall be considered front yards.
   2. On a corner lot having two front yards, the required front yard shall be maintained along the street toward which the principal building is oriented. The required front yard along the remaining street may be reduced to thirty (30) feet, provided such street is not a major arterial.
   3. Where a side lot line abuts a residential zoning district, a minimum side yard of fifty (50) feet shall be provided and shall comply with the applicable buffer and screening requirements of Article VIII, Buffers, Landscaping and Screening Requirements.

15.04. Street Access and Frontage.

A. Each lot shall have a minimum frontage of one hundred (100) feet on a public street.
B. Culs-de-sac shall be allowed in the commercial industrial park district, in accordance with the City of Moody Subdivision Regulations.

C. Access to lots and building sites shall be provided from a collector or arterial street, except where access is provided from an internal street within an approved commercial or industrial park.

15.05. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Manufacturing, assembly, warehousing, storage, and other principal business operations shall be conducted within fully enclosed buildings, except where outdoor activities are expressly permitted by this Ordinance.

B. Development within the B-5 District shall comply with Article VIII, Buffers, Landscaping and Screening Requirements.

C. Loading docks, loading areas, service areas, refuse collection areas, mechanical equipment, and similar operational areas shall be located to the side or rear of the principal building to the maximum extent practicable and shall comply with the applicable screening requirements of Article VIII, Buffers, Landscaping and Screening Requirements.

15.06. Development Procedure for Tracts or Parcels.

In addition to the applicable requirements of Article VII, § 39.00, the following requirements shall apply within the B-5 District. In the event of a conflict, the requirements of this Section shall control.

A. Any landowner of property lying within a commercial industrial park district desiring to dedicate any street, road, or right-of-way to the public must first submit to the architectural review board, and then to the planning commission, for approval, a plan of the proposed street, road, or right-of-way.

B. In addition to the requirements under article III, anyone desiring to secure a building permit for the use of land lying within a commercial industrial park district must first submit to the architectural review board, and then to the planning commission, the following information, as appropriate for approval of plans:

1. A site plan for traffic engineering analysis, showing location and design of buildings, driveways, driveway intersections with streets, parking areas, loading areas, maneuvering areas and sidewalks;
2. A planting plan, including screen walls and fences, for analysis of adequacy of visual screening and landscape architectural design;
3. Plans for all signs to be erected, including location and lighting of each sign.
4. The architectural review board shall review and approve by signature the proposed plot plan upon finding that the same complies with these requirements. If the proposed plot plan is not approved, the architectural review board shall state in writing on the proposed plot plan the cause for such disapproval. In either event, the architectural review board shall report its findings and recommendations to the planning commission. The planning commission shall either approve or disapprove such plans.

15.07. Architectural Review Board.

The architectural review board shall be an advisory board to the planning commission and shall be comprised of at least three individuals, one of whom shall be either the mayor or a member of the city council, one of whom shall be a property owner within the B-5 zoning district, and one of whom shall be an owner of a business located within the B-5 zoning district. Other than the mayor or member of the city council, who shall be appointed by the city council, the remaining members of the architectural review board shall be designated and redesignated every two years by majority vote of the owners of the lots in the commercial industrial park district.

§ 16.00. I-1 LIGHT INDUSTRIAL DISTRICT.

16.01. Intent.

This district consists of areas where light manufacturing, assembly, warehousing and distribution, industrial services, contractor operations, research and development, and other employment-oriented uses that have limited external impacts. The district encourages employment centers with a low degree of environmental impact. Selected commercial and office uses may also be permitted where compatible with the light industrial character of the district.

16.02. Uses Permitted.

Uses permitted within the I-1 Light Industrial District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

16.03. Area and Dimensional Regulations.

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.15: I-1 Light Industrial District Dimensional Standards

Standard	Requirement
Minimum Lot Area	None
Minimum Lot Width	100 feet
Minimum Front Yard:	75 feet
Minimum Side Yard	35 feet
Minimum Rear Yard	35 feet
Maximum Building Height	45 feet

A. Additional Dimensional Requirements.

1. Reduced Setbacks Between Industrial Districts. Where an interior side or rear lot line abuts property within another industrial zoning district, the applicable side or rear yard may be reduced to fifteen (15) feet, subject to applicable Building and Fire Code requirements.

16.04. Additional Regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Outdoor Storage. Outdoor storage shall be permitted where associated with a use permitted within the district, provided such storage complies with the applicable requirements of Article VII, § 52.00, Outdoor Storage, and Article VIII, Buffers, Landscaping and Screening Requirements.

B. Operational and Service Areas. Loading docks, loading areas, service areas, refuse collection areas, mechanical equipment, and similar operational areas shall be located to the side or rear of the principal building where practicable and shall be screened from adjoining residential districts in accordance with Article VIII, Buffers, Landscaping and Screening Requirements.

§ 17.00. I-2 HEAVY INDUSTRIAL DISTRICT.

17.01. Intent.

The I-2 Heavy Industrial District is intended to provide suitable locations for general manufacturing, heavy industry, processing, warehousing and distribution, logistics, contractor operations, resource-related activities, and other industrial uses that may generate greater operational or environmental impacts than uses permitted in the I-1 Light Industrial District. Development within the district shall be located and designed to minimize adverse impacts on surrounding properties and shall comply with the applicable Performance Standards and other requirements of this Ordinance.

17.02. Uses Permitted.

Uses permitted within the I-2 Heavy Industrial District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, §§ 3.00 and 4.00.

17.03. Area and Dimensional Regulations.

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply:

Table 6.16: I-2 Heavy Industrial District Dimensional Standards

Standard	Requirement
Minimum Lot Area	None
Minimum Lot Width	100 feet
Minimum Front Yard:	75 feet
Minimum Side Yard	35 feet
Minimum Rear Yard	35 feet
Maximum Building Height	45 feet

A. Additional Dimensional Requirements.

1. Reduced Setbacks Between Industrial Districts. Where an interior side or rear lot line abuts property within another industrial zoning district, the required side or rear yard may be reduced to fifteen (15) feet, subject to applicable Building and Fire Code requirements.
2. Corner Lots. On a corner lot, each yard abutting a public street shall meet the minimum front yard requirement.
3. Reduced Setbacks Between Industrial Districts. Where an interior side or rear lot line abuts property within an industrial zoning district, the required side or rear yard may be reduced to fifteen (15) feet, subject to applicable Building and Fire Code requirements.
4. Corner Lots. On a corner lot, each yard abutting a public street shall meet the minimum front yard requirement.

17.04. Additional regulations. See § 1.00 of this Article. The following additional standards shall apply:

A. Outdoor Storage and Operations. Outdoor storage and outdoor industrial operations shall be permitted where associated with a use permitted within the district, subject to applicable Detailed Use Regulations and the screening requirements of Article VIII.

B. Operational and Service Areas. Loading docks, truck courts, loading areas, service areas, refuse collection areas, mechanical equipment, and similar operational areas shall be located to the side or rear of the principal building where practicable and shall be screened from adjoining residential districts in accordance with Article VIII, Buffers, Landscaping and Screening Requirements.

§ 18.00. L-1 LANDFILL DISTRICT.

18.01. Intent. This district is intended to regulate landfill operations in selected areas and to provide safeguards for both adjacent properties and the environment.

18.02. Uses Permitted. Uses within the L-1 Landfill District shall be as provided in Table 5.1, Use Table. Uses not specifically listed shall be interpreted in accordance with Article V, § 3.00, Interpretation of Uses, and § 4.00, Unclassified Uses.

A. Landfills.

1. The deposit of garbage, solid waste, construction and demolition debris, and special wastes as defined by the Alabama Department of Environmental Management (ADEM) solid waste regulations, AL Admin. Code § 335 13-1-03 is a permitted use. The deposit of hazardous wasted, as defined by AL Code § 22-30-3 and the regulations promulgated there under, and untreated medical wastes, as defined by AL Admin. Code § 335-13-7, is not a permitted use.
2. The violation of any applicable regulations warrants the revocation of local approval by the City. In determining if violations exist, the City will consider appropriate regulations to protect public health, safety and welfare.

B. All buildings/premises/cells, related to landfill operations, shall fulfill the following:

1. "The right to erect; maintain; alter; enlarge; use and operate a structure, building machinery, housing, road, transmission lines, rights-of-way and other facilities accessory to landfill and waste collection operations."

18.03. Area and Dimensional Regulations. In the above permitted uses, the area and dimensional regulations set forth in the following section shall be observed:

A. No active waste disposal cell shall be located within two hundred (200) feet of any property line or public street right-of-way unless otherwise authorized by applicable state regulations.

B. Except as otherwise set forth herein, the right to erect; maintain; alter; use and operate a structure, building, housing, haulage roads, and rights-of-way will not be permitted within 200 feet of any property line or public road right-of-way line. An exception shall be made where haulage roads join such right-of-way lines. The Planning Commission and the City Council will have the jurisdiction over such haulage roads and may permit their relocation to within 200 feet of any property line or right-of-way line. Any area affected due to such relocation of roads within said 200 feet of any property line or right-of-way lines. In addition, within said 200 feet buffer zone activities necessary for environmentally sound landfill operations and management shall be permitted including erecting, maintaining, altering, and operation security structures and equipment, ground water and gas monitoring and collection systems, screening berms, walls, vegetation, trees and shrubs, signage, utility and transmission lines, roads, surface water management systems and gas migration management systems.

18.04. Additional Regulations. See § 1.00, of this Article; and the following additional standards shall apply:

A. Buffers shall be designed and maintained to reduce visual impacts, noise, dust, and other potential nuisances through the use of berms, landscaping, fencing, walls, or similar screening techniques.

B. Routine landfill operations shall comply with all applicable federal, state, and local noise regulations.

a. Where operational noise creates documented adverse impacts on adjacent properties, the City may require additional buffering, berms, fencing, landscaping, or other reasonable mitigation measures consistent with applicable law.

C. Primary access to landfill facilities shall be from arterial or major collector streets.

D. Outdoor equipment storage and maintenance areas visible from a public street shall be screened in accordance with Article VIII, § 5.00.

§ 19.00. MR MUNICIPAL RESERVE DISTRICT.

19.01. Intent. The MR Municipal Reserve District is intended to serve as a temporary zoning classification for property annexed into the City until permanent zoning is established. The district preserves existing lawful uses while providing an orderly transition to permanent zoning consistent with the Comprehensive Plan, surrounding development, the availability of public facilities, and this Ordinance.

19.02. Zoning of Annexed Areas. Upon the effective date of annexation, all annexed property shall be temporarily classified as MR Municipal Reserve District unless otherwise provided in the annexation Ordinance.

19.03. Rezoning from the MR District. Following annexation, the Planning Commission shall initiate the process of assigning permanent zoning to property within the MR District as soon as reasonably practicable in accordance with the procedures established in Article III. In determining the most appropriate zone, the Planning Commission shall duly consider the following items, among others:

A. Consistency with the Comprehensive Plan and any adopted small area, corridor, or neighborhood plans.

B. The existing development pattern, property owner requests, and public input received during the rezoning process.

C. Compatibility with surrounding land uses, adopted land use policies, transportation facilities, and the availability of public infrastructure and utilities.

D. The purposes and considerations of zoning as contained in this Ordinance as well as the Code of Alabama, 1975, § 11-52-72 and as same may be amended.

19.04. Permitted Uses and Development Standards. Lawfully established uses existing on the effective date of annexation may continue until permanent zoning is assigned. Prior to the assignment of permanent zoning, any proposed new development, expansion of an existing use, or change in use shall require review by the Planning Commission and approval in accordance with this Ordinance. Until permanent zoning is established, the Planning Commission shall determine the most appropriate zoning district and applicable development standards based on the Comprehensive Plan, surrounding development, and the purpose and intent of this Ordinance.

19.05. Action on Annexation Petitions.

E. All annexation Ordinances enacted by the City of Moody shall include the provision that the property shall be temporarily classified as the MR Municipal Reserve District. A copy of the annexation Ordinance shall be made available to the City Building Official and the Planning Commission for action. The Building Official, or their designee, shall maintain records of all properties assigned to the MR District until permanent zoning is adopted.

F. The zoning map shall be updated within 30 days of enactment of the zoning change from the MR district.

ARTICLE VII. DETAILED USE REGULATIONS

§ 1.00. PURPOSE.

The Detailed Use Regulations in this Article establish additional standards for specific land uses that, because of their nature, scale, operational characteristics, or potential impacts, require regulations beyond those applicable to the underlying zoning district. These standards are intended to ensure that such uses are designed, located, and operated in a manner that is compatible with surrounding development, protects the public health, safety, and welfare, and minimizes adverse impacts on nearby properties.

1.01. Applicability.

A. Any use identified in Table 5.1, Use Table as subject to the Detailed Use Regulations shall comply with the applicable requirements of this Article, in addition to all other applicable provisions of this Ordinance.

B. Compliance with the applicable Detailed Use Regulations shall be demonstrated prior to the issuance of any required zoning approval, building permit, or other development approval.

C. Where a standard of this Article is more restrictive than a corresponding standard of the underlying zoning district or another provision of this Ordinance, the more restrictive standard shall apply unless otherwise expressly provided.

§ 2.00. ACCESSORY DWELLING UNITS.

2.01. Purpose.

The purpose of this section is to allow accessory dwelling units as a subordinate residential use while maintaining the character of single-family neighborhoods and ensuring compatibility with surrounding development.

2.02. General Standards.

A. Only one (1) accessory dwelling unit shall be permitted per lot.

B. An accessory dwelling unit may be located:

1. Within the principal dwelling;
2. As an addition to the principal dwelling; or
3. Within a detached accessory structure.

C. An accessory dwelling unit shall remain clearly subordinate to the principal dwelling and shall not alter the property's overall residential character.

D. Recreational vehicles, travel trailers, tiny homes on wheels, shipping containers, or other temporary or movable structures shall not be used as accessory dwelling units.

2.03. Dimensional Standards.

A. An accessory dwelling unit shall comply with the dimensional standards of the underlying zoning district.

B. An attached or internal accessory dwelling unit shall comply with the setbacks applicable to the principal dwelling.

C. A detached accessory dwelling unit shall comply with the setback requirements applicable to accessory structures.

D. The gross floor area of an accessory dwelling unit shall not exceed:

1. Fifty (50) percent of the gross floor area of the principal dwelling; or
2. One thousand (1,000) square feet, whichever is less.

2.04. Design Standards.

A. Exterior additions or detached accessory dwelling units shall be designed to be generally compatible with the principal dwelling through the use of similar building materials, roof forms, and architectural character.

B. A separate exterior entrance serving an accessory dwelling unit shall be located on the side or rear of the principal dwelling or otherwise designed to maintain the appearance of a single-family residence.

C. A detached accessory dwelling unit shall be constructed on a permanent foundation.

2.05. Access and Parking.

A. The accessory dwelling unit shall use the existing driveway serving the principal dwelling whenever practicable.

B. A separate driveway may be approved by the Building Official where necessary due to lot configuration, topography, traffic safety, or emergency access considerations.

C. One (1) additional off-street parking space shall be provided for the accessory dwelling unit. The Building Official may waive this requirement when the existing driveway or parking area provides sufficient parking for both dwellings without parking within the public right-of-way.

D. If an existing garage is converted to an accessory dwelling unit, all required off-street parking for both the principal dwelling and the accessory dwelling unit shall be provided prior to occupancy.

2.06. Utilities and Public Services.

A. An accessory dwelling unit shall be served by public water and sanitary sewer where available.

B. Where public sanitary sewer is not available, the property owner shall demonstrate compliance with all applicable requirements of the Alabama Department of Public Health for on-site wastewater disposal.

C. The accessory dwelling unit shall be assigned an address or unit designation approved by the City to facilitate emergency response.

2.07. Additional Standards.

A. An accessory dwelling unit shall comply with all applicable building, fire, life-safety, and other applicable codes.

B. An accessory dwelling unit shall not be sold, transferred, or conveyed separately from the principal dwelling except as part of a subdivision approved in accordance with this Ordinance and the Subdivision Regulations, where each resulting lot and dwelling independently complies with all applicable requirements.

C. An accessory dwelling unit shall not be used as a short-term rental unless expressly authorized elsewhere in this Ordinance.

§ 3.00. ADULT-ORIENTED BUSINESSES.

The purpose of this Section is to regulate the adverse secondary effects associated with adult-oriented businesses, including impacts on public safety, surrounding properties, and nearby residential and other sensitive uses, and not to regulate the content of protected expression. The City Council finds that the location and operation of adult-oriented businesses may produce such adverse secondary effects.

3.01. Applicability.

A. Any commercial enterprise that has as a principal business purpose the sale, rental, or display of adult-oriented media or merchandise, or the presentation of live adult entertainment. This includes:

1. Adult Retail: Establishments where 10% or more of the stock-in-trade consists of sexually explicit books, videos, or novelties.
2. Adult Entertainment: Establishments featuring live performances characterized by an emphasis on specified anatomical areas or specified sexual activities.

3.02. Discontinuance and Termination.

A. An adult retail or entertainment establishment use shall be considered terminated if any of the following occur for more than one hundred eighty (180) consecutive days:

1. The business stops operating voluntarily;
2. The business does not maintain a valid City business license; or
3. The business loses any required license from the State of Alabama or other applicable licensing agency.
4. Once terminated, all rights and privileges associated with the use shall expire and may not be resumed except in full compliance with this Ordinance.

3.03. Location Requirements.

A. An adult retail or entertainment establishment shall not be constructed, opened, or operated within one thousand feet (1,000’), measured in a straight line from property line to property line, of any of the following:

1. Another adult retail or entertainment establishment;
2. A residential use or residential zoning district;
3. A public or private school or licensed child-care center;

4. A public or private park or playground; or
5. A church or other place of religious assembly.

3.04. Signage.

A. Each establishment shall be limited to one (1) wall-mounted sign not exceeding fifteen (15) square feet. Freestanding signs, flashing lights, and graphic or animated displays are prohibited.

3.05. Operational Standards.

A. Activities shall not be visible from the public right-of-way. Windows and doors must be opaque or treated with a professional architectural film to prevent interior visibility. Temporary coverings (plywood, etc.) are prohibited.

B. Any outdoor storage areas associated with an adult entertainment establishment shall be screened with an opaque fence or wall with a minimum height of six (6) feet.

C. Hours of operation shall be limited to 8:00 a.m. through 12:00 a.m. (midnight). The restricted hours of operation are intended to reduce adverse secondary effects associated with adult-oriented businesses during late-night hours, including increased noise, crime, and other activities affecting surrounding properties and public safety.

§ 4.00. AIRPORTS AND HELIPORTS/HELIPADS.

4.01. Airports.

A. All airports shall comply with all applicable Federal Aviation Administration (FAA) requirements and applicable state laws.

B. Prior to issuance of final City approval, the applicant shall provide documentation demonstrating compliance with applicable federal and state aviation requirements, including any required Federal Aviation Administration (FAA) airspace determination and applicable State of Alabama airport or aviation facility license or approval. The site plan shall identify the landing and takeoff areas, applicable safety areas, and approach and departure paths.

C. No runway, taxiway, aircraft parking apron, or other aircraft operational area shall be located within five hundred (500) feet of a residential zoning district.

D. Aircraft maintenance, fueling operations, and equipment storage shall occur only within designated operational areas.

E. Exterior lighting shall comply with the applicable exterior lighting requirements of Article IV, § 9.00.

F. The location and design of airport operational areas, including runways, taxiways, aircraft parking areas, fueling areas, and maintenance areas, shall minimize potential noise, lighting, safety, and operational impacts on existing residential neighborhoods, schools, hospitals, and similar sensitive land uses.

G. Any fuel storage shall comply with all applicable federal, state, and local environmental and fire safety requirements.

H. Where an airport site abuts a residential zoning district, buffering and screening shall be provided in accordance with Article VIII, Landscaping, Buffering, and Screening.

4.02. Heliports and Helipads.

A. Heliports and helipads shall comply with all applicable Federal Aviation Administration (FAA) requirements, applicable state aviation requirements, and other applicable federal, state, and local laws and regulations.

B. Prior to issuance of final City approval, the applicant shall provide documentation demonstrating compliance with applicable federal and state aviation requirements, including any required Federal Aviation Administration (FAA) airspace determination and applicable State of Alabama airport or aviation facility license or approval. The site plan shall identify the landing and takeoff areas, applicable safety areas, and approach and departure paths.

C. No heliport or helipad shall be located within five hundred (500) feet of a residential zoning district.

D. Heliports and helipads shall be located and designed to provide for the safe approach, departure, landing, and takeoff of aircraft and, to the greatest extent practicable, approach and departure paths shall be oriented to minimize overflight of residential areas and other sensitive land uses, consistent with applicable FAA requirements.

E. Where a heliport or helipad includes permanent fueling, aircraft storage, maintenance, passenger facilities, or similar operational facilities, such facilities shall be located and operated to minimize impacts on adjacent properties.

F. Any permanent fuel storage shall comply with all applicable federal, state, and local environmental and fire safety requirements.

G. Exterior lighting shall comply with the applicable exterior lighting requirements of Article IV, § 9.00, except for lighting required for aviation safety or otherwise required by applicable federal or state regulations.

H. Emergency Landings. Nothing in this Section shall prohibit the temporary or emergency landing or takeoff of an aircraft at a location not established or regularly used as an Airport, Heliport, or Helipad when necessary for emergency medical services, law enforcement, firefighting, disaster response, public safety, or an in-flight emergency.

§ 5.00. ALTERNATIVE FINANCIAL SERVICES.

5.01. Alternative financial services shall comply with the following requirements:

A. Applicability. The standards of this section shall apply to all Alternative Financial Services whether established as a principal use or as a change of use within an existing building.

B. Discontinuance and Termination. An alternative financial services business is considered terminated if any of the following conditions apply for more than 180 consecutive days:

1. The business stops operating voluntarily,

2. The business does not maintain a valid City of Moody business license, or

3. The business loses required licenses from the State of Alabama or any other licensing agency
4. Once terminated, all rights and approvals associated with the use expire and cannot be resumed unless the property complies with current zoning and licensing requirements.

C. Location requirements. A new alternative financial services business or establishment may not be located within 1,000 feet of any of the following:

1. Another alternative financial services business
2. A residential zoning district or use
3. A public or private school or child care center
4. A public park or playground
5. A place of worship
6. A state or federally chartered bank, savings association, credit union, or industrial loan company

D. Development and Operational requirements.

1. The portion of the building used for business operations must include at least 1,500 square feet of floor area.
2. The business must provide glass entrance and exit doors.
3. A security plan must be submitted with permit applications. The required security plan must be reviewed and approved by the Building Official (in consultation with the Police Department).
4. The plan must include:
   a. A lighting plan showing interior and exterior lighting.
   b. Security features such as fencing, cameras, and alarm systems.
   c. Emergency access provisions appropriate for the site and building.

§ 6.00. ANIMAL SHELTER.

6.01. General Standards.

A. Outdoor animal runs, exercise areas, and play yards shall be screened in accordance with the Buffer and Screening requirements of this Ordinance.

B. Outdoor animal runs, exercise areas, and play yards shall not be located within two hundred (200) feet of a residential zoning district or residential use.

C. Dedicated outdoor animal housing shall be prohibited.

D. Outdoor animal runs, exercise areas, and play yards shall be screened in accordance with Article VIII, § 5.00, Screening Requirements.

E. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 7.00. ARTISAN MANUFACTURING.

7.01. General Standards.

A. Production, assembly, fabrication, processing, and the storage of raw materials, finished products, equipment, and supplies shall occur within an enclosed building, except during active loading and unloading operations.

B. Accessory retail sales, studios, classrooms, galleries, tasting rooms, demonstration areas, and similar customer-oriented spaces shall be permitted.

C. Loading areas and overhead doors shall be located to the side or rear of the principal building and shall not face a public street.

D. Mechanical equipment, exhaust systems, and dust collection equipment shall be screened from view from public streets and adjacent properties. The use shall not create dust, smoke, odor, vibration, glare, noise, or other impacts that exceed the Performance Standards in Article IV, § 11.00.

E. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 8.00. ASSISTED LIVING FACILITY.

8.01. General Standards.

A. The facility shall maintain all licenses required by the State of Alabama.

B. A covered passenger drop-off area shall be provided at the principal entrance to the facility.

C. Common outdoor open space, including courtyards, gardens, walking paths, seating areas, or similar amenities, shall be provided at a minimum rate of 150 square feet per resident.

D. Resident staff necessary for operation of the facility may reside on-site.

§ 9.00. AUTOMOBILE REPAIR, MINOR AND MAJOR.

9.01. General Standards.

A. All repair activities shall occur entirely within an enclosed building.

B. Vehicles awaiting repair or pickup shall not be stored within required setbacks, required landscape buffers, or public rights-of-way and shall be located to the side or rear of the principal building.

C. Outdoor storage of vehicle parts, tires, scrap materials, dismantled vehicles, or inoperable vehicles shall be prohibited except during active loading, unloading, or repair operations.

D. Vehicles awaiting repair or pickup shall not remain on the site for more than thirty (30) consecutive days.

E. Customer and employee parking areas shall not be used for the storage of vehicles awaiting repair or pickup.

F. Vehicles shall not queue within a public street or public right-of-way.

G. Service bay doors, loading areas, and vehicle service areas shall be located to the side or rear of the principal building. Where this is not practicable, they shall be screened in accordance with Article VIII, Landscaping, Buffering, and Screening

H. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

I. Accessory uses customarily associated with automobile repair, including offices, customer waiting areas, parts storage, detailing, vehicle inspections, and similar uses, shall be permitted.

9.02. Additional Standards for Automobile Repair, Major.

A. Outdoor automobile body repair, painting, refinishing, welding, fabrication, frame repair, engine rebuilding, transmission rebuilding, vehicle dismantling, or similar repair activities shall be prohibited.

B. Paint booths, spray-finishing operations, and similar equipment shall comply with all applicable building, fire, and environmental regulations.

§ 10.00. BED AND BREAKFAST.

10.01. General Standards.

A. A bed and breakfast establishment shall operate within a detached single-family dwelling.

B. The owner shall reside on the premises during operation of the bed and breakfast establishment.

C. Breakfast may be served only to overnight guests.

D. Guest rooms shall not contain kitchen facilities and shall not function as separate dwelling units.

E. A maximum of five (5) guest bedrooms shall be permitted.

F. Exterior alterations shall maintain the appearance and character of a detached single-family dwelling.

G. One (1) additional off-street parking space shall be provided for each guest room in addition to the parking required for the principal dwelling.

H. Weddings, receptions, banquets, parties, and similar events open to persons other than overnight guests shall be permitted only in accordance with Article V, § 5.00, Temporary Uses.

I. Recreational vehicles shall not be used for guest lodging.

J. One (1) stationary sign (ground-mounted or wall-mounted) shall be permitted. The sign shall not exceed eight (8) square feet in area or six (6) feet in height and shall not be illuminated. Ground-mounted signs shall comply with the setback requirements of Article X. Sign Regulations.

§ 11.00. BOARDING HOUSE (SHARED HOUSING).

11.01. General Standards.

A. A Boarding House (Shared Housing) shall consist of individual sleeping units occupied by unrelated persons who share common kitchen, dining, living, laundry, or similar common areas.

B. Individual sleeping units shall not contain complete kitchen facilities or otherwise function as independent dwelling units.

C. The property shall remain under single ownership or professional property management.

D. The building shall maintain the appearance and character of a residential dwelling.

E. Outdoor storage shall comply with Article VII, § 52.00.

11.02. Operational Standards.

A. The use shall be occupied only for long-term residential purposes and shall not operate as a hotel, motel, bed and breakfast establishment, short-term rental, or other transient lodging use.

B. The minimum rental or lease term for each occupant shall be thirty (30) consecutive days.

C. Occupancy shall comply with all applicable Building Code, Fire Code, and life safety requirements.

D. The owner or designated property manager shall maintain current emergency contact information with the City.

E. Parking shall be provided in accordance with Article IX.

§ 12.00. BUILDING MATERIAL SALES.

12.01. General Standards:

1. Outdoor display or storage of building materials shall require Conditional Use approval.
2. Outdoor display and storage areas shall comply with Article VII, § 52.00.
3. Loading areas shall be located to the side or rear of the principal building.

§ 13.00. CAMPGROUND.

13.01. General Standards:

A. A Campground shall be developed as a unified project under single ownership or management.

B. Campsites shall be intended for temporary occupancy only and shall not serve as permanent residences.

C. Permanent residential dwellings shall be prohibited except for one on-site manager's residence, where permitted.

D. Campsites shall have direct access to an internal drive or pedestrian circulation system designed to accommodate emergency access.

E. Common restroom and bathing facilities shall be provided where required by applicable health regulations.

F. Adequate refuse collection areas shall be provided and screened from public streets and adjacent properties.

G. Common open space or recreational amenities shall be provided for campground users.

H. Water supply, wastewater disposal, and utility facilities shall comply with all applicable federal, state, and local regulations.

I. Outdoor storage shall comply with Article VII, § 52.00.

J. The owner or operator shall maintain all campsites, common facilities, and internal circulation areas.

K. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

13.02. Operational Standards.

A. An attendant, caretaker, or management representative shall be available during periods of operation.

B. The campground shall be maintained in a clean, safe, and sanitary condition.

C. A campsite shall not be occupied by the same person or recreational vehicle for more than one hundred eighty (180) consecutive days. Campsites shall not be used as a permanent residence.

§ 14.00. CAR WASH.

14.01. General Standards.

A. Separation Requirement. No car wash shall be located within one thousand five hundred (1,500) feet of another car wash. The required separation shall be measured from the nearest property line of the lot containing the proposed car wash to the nearest property line of a lot containing an existing car wash.

B. Vehicle stacking lanes, pay stations, tunnel entrances, tunnel exits, vacuum stations, and other customer service areas shall be located to the side or rear of the principal building and shall not be located between the principal building and a public street.

C. Tunnel entrances and exits shall not face an adjacent residential zoning district where practicable.

D. Vehicle stacking shall be accommodated entirely on-site. No vehicle shall queue within a public street, public right-of-way, or access easement serving another use.

E. A minimum of fifteen (15) stacking spaces shall be provided before the entrance to an automatic tunnel car wash. Each stacking space shall be at least twenty (20) feet in length.

F. Outdoor vacuum stations shall be located at least one hundred (100) feet from any residential zoning district and shall be screened by a minimum six-foot opaque fence, wall, evergreen landscaping, or combination thereof.

G. Mechanical equipment, dumpsters, utility equipment, chemical storage areas, and other service areas shall be screened from view from public streets and adjacent properties in accordance with this Ordinance.

H. Buildings shall provide a primary entrance oriented toward the street and shall be designed so that the principal façade faces the public street.

I. Blank building walls facing a public street shall be prohibited. Building elevations visible from a public street shall incorporate windows, architectural offsets, varying materials, or similar architectural features.

J. A landscaped area at least ten (10) feet in width shall be provided along all public street frontages, exclusive of required sight triangles and driveways.

K. Parking areas, stacking lanes, and vacuum areas shall be landscaped in accordance with this Ordinance.

L. Exterior lighting shall comply with the applicable exterior lighting requirements of Article IV, § 9.00.

M. Exterior lighting shall be fully shielded and directed away from adjacent properties and public rights-of-way.

N. Outdoor speakers shall not be oriented toward residential property.

O. Engine cleaning, engine degreasing, and similar services shall be prohibited unless specifically authorized as part of an approved Automobile Repair use.

P. Wastewater shall be discharged in accordance with all applicable federal, state, and local regulations.

Q. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 15.00. CEMETERY.

15.01. General Standards.

A. New cemeteries shall contain a minimum of three (3) acres.

B. All cemeteries shall be developed on a single lot under unified ownership or management.

C. Vehicular access shall be provided from a public street.

D. A landscape buffer shall be provided along any property line adjoining a residential use or residential zoning district in accordance with Article VIII, Buffers, Landscaping and Screening Requirements.

E. Gravesites, columbariums, mausoleums, and similar burial structures shall be located at least fifty (50) feet from any property line and public street right-of-way.

F. Mausoleums, columbariums, chapels, administrative offices, maintenance buildings, memorial gardens, and similar facilities customarily associated with cemetery operations shall be permitted as accessory uses.

G. A crematory may be permitted as an accessory use to a cemetery only in the AG-1, B-5, I-1, and I-2 Districts, subject to Conditional Use approval. The crematory building and associated equipment shall be located at least two hundred (200) feet from any residential zoning district.

H. Areas used for maintenance operations, equipment storage, and refuse collection shall be screened from public streets and adjacent properties in accordance with this Ordinance.

I. Cemeteries shall comply with all applicable state laws and regulations governing the establishment and operation of cemeteries.

J. If a crematory is an accessory, the use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 16.00. CHILD CARE CENTER.

16.01. General Standards.

A. The facility shall maintain all licenses required by the State of Alabama.

B. Passenger loading and unloading areas shall be designed to permit safe and efficient vehicle circulation without backing onto a public street or obstructing traffic.

C. Outdoor play areas shall:

1. Be located to the side or rear of the principal building;
2. Be enclosed by a fence where required by applicable state regulations; and
3. Be screened from adjacent residential properties in accordance with Article VIII, Landscaping, Buffering, and Screening.

D. Outdoor play areas shall not be located within a required front yard.

E. Safe pedestrian access shall be provided between the building entrance and designated passenger loading areas.

F. Outdoor storage shall comply with Article VII, § 52.00.

§ 17.00. CONTRACTOR STORAGE YARD.

17.01. General Standards.

A. A Contractor Storage Yard shall be operated in conjunction with a principal contractor's office, warehouse, or similar business.

B. Outdoor storage shall comply with Article VII, § 52.00.

C. Outdoor storage areas shall not be located within required setbacks or landscape buffers.

D. Loading and unloading areas shall be located to the side or rear of the principal building.

E. Vehicle and equipment maintenance shall be limited to routine maintenance of equipment owned or operated by the business.

F. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 18.00. CONSTRUCTION SERVICES.

18.01. General Standards.

A. Construction services may include offices, enclosed equipment storage, and accessory parking for company vehicles.

B. Outdoor storage of equipment or materials shall require approval as a Contractor Storage Yard.

§ 19.00. COMMERCIAL SCHOOL.

A. Outdoor training activities and associated training equipment shall not be located within any required setback or landscape buffer.

B. Vehicle or equipment training areas shall be designed so that vehicles do not queue or maneuver within a public street.

§ 20.00. DUPLEX.

20.01. General Standards.

A. At least one dwelling unit shall have a primary entrance facing a public street.

B. Where attached garages are provided, garage doors shall not occupy more than 50 percent of the width of the front building façade.

C. Duplexes shall comply with Article VII, § 61.00.

§ 21.00. DRIVE-THROUGH SERVICE.

21.01. General Standards.

A. A drive-through service shall be accessory to a permitted principal use located on the same lot.

B. Drive-through service lanes shall be located to the side or rear of the principal building whenever practicable.

C. Vehicle stacking shall be accommodated entirely on-site. No vehicle shall queue within a public street, public right-of-way, parking area, fire lane, sidewalk, or access easement serving another use.

D. A minimum of five (5) stacking spaces shall be provided for each drive-through service lane or service window. Each stacking space shall be at least twenty (20) feet in length.

E. Vehicle entrances and exits shall be designed to provide safe and efficient circulation and minimize conflicts with pedestrians, parking areas, and internal drive aisles.

F. Drive-through lanes shall not cross required pedestrian walkways between the principal building entrance and the primary parking area where a reasonable alternative exists.

G. Order boards, menu boards, speaker systems, and similar equipment shall be located and oriented to minimize noise impacts on adjacent residential properties.

H. Drive-through service lanes and service windows adjacent to a residential zoning district shall be screened in accordance with Article VIII, Landscaping, Buffering, and Screening.

I. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 22.00. ELECTRIC VEHICLE CHARGING STATION.

22.01. General Standards.

A. Electric vehicle charging stations shall not obstruct required parking spaces, accessible routes, fire lanes, required drive aisles, or pedestrian walkways.

B. Parking spaces equipped with electric vehicle charging stations may count toward the minimum off-street parking requirements of this Ordinance.

C. Charging stations and associated equipment shall comply with all applicable building, electrical, fire, and accessibility requirements.

D. Canopies and other accessory structures shall comply with the dimensional standards of the applicable zoning district.

E. Electric vehicle charging equipment accessory to an otherwise permitted principal use are permitted in all zoning districts.

§ 23.00. EQUESTRIAN FACILITY.

23.01. General Standards.

A. Barns, stables, riding arenas, paddocks, corrals, exercise rings, and similar structures customarily associated with an equestrian facility shall be permitted as accessory structures.

B. Parking shall be provided in accordance with Article IX. Off-street Parking and Loading Requirements.

C. Parking and circulation areas shall accommodate horse trailers without requiring backing movements into a public street.

D. Outdoor riding arenas and activity areas shall be located and designed to minimize impacts on adjacent residential properties.

E. Outdoor storage shall comply with Article VII, § 52.00.

F. Feed, hay, bedding, manure, and similar materials shall be stored and managed in a manner that minimizes odors, dust, pests, and stormwater runoff onto adjacent properties.

G. The property shall be maintained in a clean and orderly condition and operated in a manner that does not create a public nuisance.

H. Special events associated with an equestrian facility shall comply with the Temporary Use regulations in Article V, § 5.00, unless otherwise approved as part of the facility.

I. The use shall comply with the Performance Standards in Article IV, § 11.00 of this Ordinance.

§ 24.00. EVENT CENTERS.

24.01. General Standards.

A. Event Centers with an approved occupant load exceeding 250 persons shall have direct access to an arterial or collector street (not a residential street).

B. Outdoor event areas shall be located a minimum of 100 feet from any property line adjoining a detached single-family residential use or residential zoning district that permits detached single-family dwellings.

C. Where a public sidewalk or shared-use path abuts the property, pedestrian connections shall be provided between the public facility and the principal entrance.

D. Outdoor lighting shall comply with the applicable exterior lighting requirements of Article IV §9.00.

E. Outdoor amplified sound shall not be audible beyond the property line between the hours of 10:00 p.m. and 7:00 a.m.

F. The use shall comply with the Performance Standards in Article IV, § 11.00 of this Ordinance.

§ 25.00. FAMILY CHILD CARE HOME.

25.01. General Standards.

A. The day care home shall maintain all licenses required by the State of Alabama.

B. The day care home shall operate within a lawfully established dwelling occupied by the provider.

C. The day care home shall not operate within an accessory structure.

D. The use shall maintain the appearance and character of a single-family residence.

E. Passenger loading and unloading shall occur on the property whenever practicable and shall not obstruct traffic on adjacent public streets.

F. Outdoor play areas shall be enclosed by a fence where required by applicable state regulations.

G. Outdoor play activities shall be designed to minimize impacts on adjacent residential properties.

H. Outdoor storage shall comply with Article VII, § 52.00.

§ 26.00. FOOD AND BEVERAGE ESTABLISHMENT (WITHOUT DRIVE-THROUGH).

26.01. General Standards.

A. Outdoor dining areas shall maintain a minimum unobstructed pedestrian walkway of six (6) feet where adjacent to a building entrance or pedestrian route.

B. Outdoor dining areas adjacent to parking areas or drive aisles shall be separated by a fence, planter, railing, or similar physical barrier at least thirty (30) inches in height.

C. The addition of outdoor dining consisting of no more than twenty (20) seats or five (5) tables, whichever is less, shall not require additional off-street parking.

§ 27.00. FARM.

27.01. General Standards.

A. The minimum lot area shall be five (5) acres.

B. The following agricultural activities shall be permitted:

1. Forage and sod crops.
2. Grain and seed crops.
3. Dairy animals and dairy products.
4. The breeding, raising, and keeping of livestock, excluding commercial meat processing.
5. Poultry and egg production, excluding commercial poultry processing.
6. Nursery operations, including greenhouses and the incidental sale of products customarily associated with the nursery.
7. Bees and apiary products.
8. Fisheries, excluding commercial fish processing.
9. Fruit, vegetable, and crop production, excluding commercial food processing.
10. Forestry operations, including temporary sawmills and chippers used in connection with timber harvesting on the same property.

C. Livestock barns and commercial poultry houses shall be located at least one hundred (100) feet from side and rear property lines, three hundred (300) feet from public street rights-of-way, and three hundred (300) feet from any existing off-site dwelling.

D. Swine housing areas shall be located at least one hundred (100) feet from any property line and three hundred (300) feet from any public street right-of-way.

E. Temporary sawmills and chippers shall be located at least two hundred (200) feet from any property line.

F. Farm stands selling agricultural products grown or produced on the property shall be permitted as an accessory use.

G. Barns, silos, livestock shelters, greenhouses, loading areas, fences, and similar agricultural structures customarily associated with a farm shall be permitted as accessory structures.

§ 28.00. FUNERAL HOME.

28.01. General Standards.

A. Service entrances and loading areas shall not be located between the principal building and a public street and, where adjacent to a detached single-family residential use or district, shall be screened in accordance with Article VIII, Landscaping, Buffering, and Screening

B. Mechanical equipment shall be located to the side or rear of the principal building and screened from view from public streets in accordance with Article VIII, Landscaping, Buffering, and Screening.

§ 29.00. FARM SUPPORT BUSINESS.

29.01. General Standards.

A. The principal business shall provide goods, equipment, materials, or services primarily intended to support agricultural operations.

B. Outdoor display and sales of merchandise customarily associated with agricultural operations shall be permitted, subject to Article VII, § 51.00

C. Outdoor storage shall comply with Article VII, § 52.00.

D. Loading and unloading areas shall be designed to accommodate farm equipment and commercial vehicles without interfering with customer parking or internal circulation.

E. Commercial vehicle parking shall occur on improved surfaces.

F. Equipment maintenance shall be limited to routine service of equipment owned or sold by the business. Major Automobile Repair shall comply with § 9.00. Automobile Repair, Minor and Major in this Article.

G. The dismantling, salvage, processing, or recycling of equipment or materials shall be prohibited unless authorized as a separate use.

H. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 30.00. GARDEN CENTER/NURSERY.

30.01. General Standards.

A. Outdoor storage shall comply with Article VII, § 52.00.

B. Bulk materials, including mulch, topsoil, gravel, stone, and similar landscape materials, shall be stored in designated areas designed to minimize dust, erosion, and stormwater runoff.

C. Loading and unloading activities shall be conducted in a manner that does not interfere with customer parking or on-site circulation.

§ 31.00. GASOLINE SERVICE STATIONS.

31.01. General Standards.

A. Where permitted, gasoline service stations shall comply with all applicable federal, state, and local requirements and the following standards:

1. Separation Requirements.

a. No gasoline service station shall be located within five hundred (500) feet of a place of worship, school, child day care center, hospital, community center, park or playground, or other similar use where children or large numbers of persons regularly congregate. The required separation shall be measured in a straight line from the nearest point of the lot line of the gasoline service station to the nearest point of the lot line of the protected use.

b. No gasoline service station shall be located within one thousand (1,000) feet of another gasoline service station. The required separation shall be measured in a straight line from the nearest point of the lot line of the proposed gasoline service station to the nearest point of the lot line of the existing gasoline service station.

2. Outdoor Storage and Refuse.

a. Outdoor storage shall comply with Article VII, § 52.00.

b. Waste and refuse collection areas shall comply with the screening requirements of Article VIII, § 5.00.

3. Fuel Storage, Drainage, and Environmental Compliance.

a. Fuel pumps, underground storage tanks, fuel delivery areas, and associated equipment shall comply with all applicable federal, state, and local requirements, including applicable requirements of the Alabama Department of Environmental Management (ADEM).

b. Drainage from fuel dispensing, vehicle service, car wash, and similar areas shall comply with all applicable City, state, and federal requirements. Where required by the applicable authority, oil-water separators or other approved treatment measures shall be provided.

4. New Gasoline Service Stations. The following standards shall apply to new gasoline service stations:

a. A minimum site area of 12,000 square feet shall be required.

b. The site shall have a minimum of 120 feet of frontage on a public street.

c. Fuel pump islands and fuel dispensing equipment shall have a minimum setback of 20 feet from any public right-of-way.

d. Driveways shall comply with the applicable access and driveway requirements of this Ordinance and the City of Moody Subdivision Regulations. No driveway shall be located within twenty (20) feet of a property corner, measured along the property line.

e. Fuel dispensing areas, vehicle circulation areas, and fuel delivery areas shall be designed to provide safe and efficient on-site circulation and to minimize conflicts with pedestrians, parking areas, drive-through facilities, and adjacent public streets.

f. Vehicle stacking and queuing associated with fuel pumps shall be accommodated entirely on-site and shall not obstruct required parking spaces, internal drive aisles, fire lanes, sidewalks, drive-through stacking areas, or adjacent public streets.

5. Gasoline Dispensing Facilities Accessory to Existing Establishments.

a. Gasoline dispensing facilities added to an existing establishment shall comply with the applicable requirements of this Section, including the separation, setback, circulation, stacking, access, drainage, lighting, landscaping, and screening requirements.

6. Prohibited Uses and Activities. The following uses and activities are prohibited at gasoline service stations:

a. Long-term outdoor storage of inoperable, wrecked, dismantled, or partially dismantled vehicles. Vehicles temporarily awaiting minor repair, insurance inspection, or removal shall not remain on the premises for more than seventy-two (72) hours.

b. Major Automobile Repair.

c. Vehicle and Equipment Sales.

d. Any activity that fails to comply with the Performance Standards of Article IV, § 11.00.

7. Automobile Repair and Accessory Uses.

a. Minor Automobile Repair, where permitted, shall comply with the applicable Detailed Use Regulations for Automobile Repair, Minor (§ 9.00) of this Article.

b. Drive-through facilities (§ 21.00), car washes (§ 14.00), and other accessory uses shall comply with the applicable Detailed Use Regulations of this Article.

8. Lighting, Landscaping, and Site Design.

a. Exterior lighting shall comply with Article IV, § 9.00.

b. Landscaping, buffering, and screening shall comply with Article VIII.

c. Buildings, fuel canopies, and accessory structures shall utilize compatible architectural materials, colors, roof forms, and design elements to create a coordinated development.

§ 32.00. GROCERY STORE/ SUPERMARKET.

32.01. General Standards.

A. Within the B-5 District, customer entrances shall be oriented toward the primary street or internal drive serving the development.

B. Loading, unloading, and service areas shall be located to the side or rear of the principal building.

C. Outdoor storage shall comply with Article VII, § 52.00.

D. Outdoor sales shall comply with Article VII, § 51.00.

§ 33.00. HOBBY FARM.

33.01. General Standards.

A. A hobby farm shall be accessory to a principal single-family dwelling located on the same lot.

B. The minimum lot area shall be two (2) acres.

C. Agricultural activities shall be conducted primarily for personal use, recreation, education, or the limited sale of products grown or produced on the property and shall not constitute a commercial farm operation.

D. Poultry, horses, donkeys, and ponies shall be permitted. Goats, sheep, swine, and similar livestock shall be prohibited unless otherwise authorized by this Ordinance.

E. Barns, sheds, coops, greenhouses, and other agricultural accessory structures shall comply with this Ordinance.

F. Farm animals shall be housed at least two hundred (200) feet from any property line adjoining property not zoned AG-1.

G. At least one (1) acre shall be provided for each horse, donkey, or pony.

H. A maximum of twenty (20) poultry shall be permitted for every 8,000 square feet of lot area.

I. Limited accessory sales of products grown or produced on the property shall be permitted.

J. Feed, manure, compost, and similar agricultural materials shall be stored and managed in a manner that minimizes odors, pests, and stormwater runoff.

§ 34.00. HOME OCCUPATIONS.

34.01. Applicability.

A. A Home Occupation may be permitted as an accessory use to a lawfully established dwelling in the districts identified in Table 5.1 Use Table, subject to compliance with this section.

34.02. General Standards.

A. A Home Occupation shall be clearly incidental and subordinate to the principal residential use of the dwelling and shall not alter the residential character of the property.

B. The Home Occupation shall be conducted entirely within the principal dwelling.

C. No more than twenty-five percent (25%) of the gross floor area of the dwelling shall be devoted to the Home Occupation.

D. Only persons residing in the dwelling shall be employed in the Home Occupation.

E. No outdoor storage, display of merchandise, equipment, materials, or business activities shall be permitted.

F. No signage identifying the Home Occupation shall be permitted unless otherwise expressly authorized by this Ordinance.

G. Retail sales shall be limited to products produced on the premises or products delivered directly to customers at locations other than the dwelling.

H. Instructional Home Occupations, including tutoring, music, art, dance, and similar instruction, shall be limited to no more than six (6) students on the premises at any one time.

I. The Home Occupation shall not generate noise, vibration, smoke, dust, odor, glare, electrical interference, traffic, or other impacts that are inconsistent with the residential character of the neighborhood.

J. The Home Occupation shall not serve as the primary storage location for a business, industrial, or agricultural operation conducted off-site.

K. Commercial vehicle parking, outdoor storage of construction materials, heavy equipment, or similar business-related equipment shall be prohibited.

L. Hours of operation shall be limited to between 7:00 a.m. and 10:00 p.m.

M. Automobile Repair, welding, machine shops, and other uses involving hazardous materials, excessive noise, or similar industrial activities shall be prohibited as Home Occupations.

34.03. Approval.

A. A Home Occupation shall require approval by the Building Official prior to commencing operation.

B. Approval shall be limited to the applicant and the subject property and shall expire upon discontinuance of the Home Occupation or transfer of the business to another location.

§ 35.00. HOSPITALS.

35.01. General Standards.

A. Primary vehicular access to a hospital shall be provided from an arterial or collector street.

B. At least five percent (5%) of the total site area shall be provided as improved common open space for patients, visitors, and employees. Improved common open space may include landscaped courtyards, gardens, walking paths, plazas, and similar outdoor areas and shall not include required setbacks, landscape buffers, parking areas, loading areas, stormwater facilities, or vehicular circulation areas.

C. Where a hospital campus contains multiple buildings, safe pedestrian connections shall be provided between buildings, parking areas, common open spaces, and other principal destinations within the development.

D. Ambulance loading areas, service entrances, loading areas, dumpsters, and mechanical equipment shall be located or screened to minimize visibility from public streets and adjacent residential properties.

E. Any heliport, helistop, or similar aviation facility shall comply with the airport and heliport (see §3.00) regulations of this article.

§ 36.00. HOTEL AND MOTEL.

36.01. General Standards.

A. Hotels and motels shall be located only on property fronting on an arterial or collector street.

B. Access to guest rooms in a hotel shall be provided exclusively from interior corridors accessed through the main lobby or interior building entryways.

C. Where a hotel or motel abuts property occupied by a detached single-family dwelling, duplex, townhouse, or similar low-density residential use, a minimum fifty-foot (50-foot) setback shall be provided along the shared property line. No buildings, parking areas, or vehicle use areas shall be located within the required setback.

D. Outdoor recreation areas, event spaces, and other outdoor guest amenities shall not be located on the side of the property adjacent to a detached single-family dwelling, duplex, townhouse, or similar low-density residential use.

§ 37.00. INDEPENDENT LIVING FACILITY.

37.01. General Standards.

A. Common outdoor open space, including courtyards, gardens, walking paths, seating areas, or similar amenities, shall be provided at a minimum rate of 150 square feet per dwelling unit.

B. Medical or nursing care shall not be the principal use of the facility.

§ 38.00. INDOOR RECREATION AND FITNESS.

A. All recreational activities shall occur within an enclosed building, except for accessory outdoor recreation areas approved as part of the site plan.

§ 39.00. INDUSTRIAL PARK.

39.01. General Standards.

A. An Industrial Park shall consist of two (2) or more principal industrial buildings or development sites planned and developed under a master development plan.

B. Primary access to an Industrial Park shall be provided from an arterial or collector street.

C. Individual uses within the Industrial Park shall be limited to those permitted in the underlying zoning district and shall comply with all applicable provisions of this Ordinance.

D. Shared access, coordinated internal circulation, and cross-access between development sites shall be provided where practicable.

E. Outdoor storage shall comply with Article VII, § 52.00.

F. Common infrastructure, landscaping, private streets, signage, stormwater facilities, and other shared improvements shall be maintained by the property owner, property owners' association, or similar entity.

G. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

39.02. Master Development Plan.

A. Applications for an Industrial Park shall include a master development plan showing:

1. Proposed lot layout.
2. Internal streets and circulation.
3. Access points.
4. Stormwater management facilities.
5. Utility infrastructure.
6. Common areas and easements.
7. Phasing, where applicable.

§ 40.00. KENNEL.

40.01. General Standards.

A. The facility shall comply with all applicable federal, state, and local regulations governing animal care, licensing, and waste disposal.

B. Outdoor kennels, runs, exercise yards, and similar outdoor animal areas shall be located at least two hundred (200) feet from any residential zoning district or residential use.

C. Outdoor animal runs, exercise areas, boarding areas, and similar outdoor enclosures shall be screened from public streets and adjacent properties by an opaque fence, wall, evergreen landscaping, or a combination thereof.

D. Animal waste shall be collected and disposed of in accordance with applicable federal, state, and local regulations.

E. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

Outdoor storage shall comply with §52.00.

§ 41.00. LIVESTOCK SALES.

41.01. General Standards.

A. Livestock sales facilities shall be designed to safely accommodate the loading, unloading, temporary holding, and movement of animals.

B. Animal holding pens, loading areas, and auction rings shall be securely enclosed and located at least one hundred (100) feet from any residential zoning district or residential use.

C. Adequate off-street parking and maneuvering areas shall be provided for passenger vehicles, livestock trailers, and commercial vehicles associated with the use.

D. Feed, bedding, manure, animal waste, and other agricultural materials shall be stored and disposed of in accordance with applicable federal, state, and local regulations.

E. Outdoor public address systems shall be directed away from residential properties and operated in a manner that minimizes impacts on adjacent properties.

F. Outdoor storage shall comply with Article VII, § 52.00.

G. The use shall comply with the Performance Standards in Article IV, § 11.00. of this Ordinance.

§ 42.00. MANUFACTURED HOMES.

42.01. Manufactured homes shall comply with the following:

A. Manufactured homes shall be permitted only in zoning districts identified in Table 5.1, Use Table, and shall comply with the standards of this section.

B. Manufactured homes may be located in the AG-1 agricultural district, upon the fulfillment of the following:

1. The home(s), on a proposed site, shall be located at least 75 feet from the nearest residential structure, located on an adjoining property.

C. Site requirements.

1. Minimum lot width at front setback line: 100 feet.
2. Minimum lot area: 15,000 sf.
3. Yard requirements.
    a. Front: 35 feet.
    b. Un-dedicated street: 60 feet from centerline.
    c. Side: 15 feet.
    d. Rear: 35 feet.
4. Only two additional manufactured homes, for a maximum of three dwelling units total, shall be permitted in any parcel in this district, without subdividing the said parcel.
    a. One home: 15,000 sf. minimum
    b. Two homes: one acre minimum.
5. All manufactured homes shall be installed in accordance with applicable federal and state manufactured home installation requirements. The space between the manufactured home and finished grade shall be enclosed with durable, weather-resistant skirting or another approved perimeter enclosure installed in accordance with applicable installation requirements.
6. Manufactured Homes shall not be greater than eight (8) years old when first occupied within the City; older homes are prohibited from placement within the City unless the homeowner can affirmatively establish that the home meets all requirement of the then current National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401-5426) (the Act), as amended, and as implemented by HUD in the Federal Manufactured Home Construction and Safety Standards (the Construction and Safety Standards) codified in 24 CFR part 3280, as amended.
7. Any Manufactured Home placed or relocated within the City shall bear the certification required under the Federal Manufactured Home Construction and Safety Standards, where applicable.

§ 43.00. MANUFACTURED HOME PARK.

43.01. General Standards.

A. A manufactured home park shall be developed under a unified development plan and shall remain under single ownership or management.

B. Manufactured home parks shall be designed in accordance with the City's applicable site development standards and approved site plan.

C. All manufactured homes shall be located on individual leased spaces.

D. The development shall be served by public water and sanitary sewer.

E. Common open space shall be provided for park residents, in accordance with Article IV, §6.00.

F. Outdoor storage shall comply with §52.00.

G. No individual Manufactured Home space shall have direct vehicular access to a public street.

H. Internal streets and drives shall be privately owned and maintained and shall provide access to all Manufactured Home spaces.

I. A minimum of two (2) off-street parking spaces shall be provided for each Manufactured Home space.

J. Manufactured Homes shall be set back a minimum of ten (10) feet from the pavement edge of any internal street or drive.

§ 44.00. MANUFACTURED HOME SALES.

44.01. General Standards.

A. Service, delivery, and storage areas shall be located to the side or rear of the principal building and screened in accordance with this Ordinance.

§ 45.00. MULTIFAMILY DWELLING.

45.01. General Standards.

A. Where a development contains more than one principal building, a minimum separation of twenty (20) feet shall be maintained between buildings, or as otherwise required by the adopted building or fire code.

B. Service areas, loading areas, dumpsters, and mechanical equipment shall be located to the side or rear of buildings and screened in accordance with Article VIII.

C. All multifamily developments shall be served by public water and public sanitary sewer.

D. Multifamily developments shall comply with Article VII, § 61.00.

E. Within the B-3 District, Multifamily Dwellings shall be permitted only as part of a unified mixed-use development containing at least one nonresidential principal use.

§ 46.00. MILITARY INSTALLATION.

46.01. General Standards.

A. The site shall have direct access to a Collector or Arterial Street where practicable.

B. Outdoor storage of military vehicles or equipment shall be screened from adjacent public streets and detached single-family residential uses.

§ 47.00. MIXED-USE DEVELOPMENT.

47.01. General Standards.

A. Uses. A Mixed-Use Development shall contain both residential and nonresidential uses. All uses within the development shall be permitted within the applicable zoning district or otherwise approved in accordance with this Ordinance.

B. Integration. Residential and nonresidential components shall be designed as a coordinated and integrated development through any of the following site-design features, as applicable:

1. Building placement
2. Pedestrian connections
3. Shared open spaces
4. Parking
5. Access
6. Other site-design features

C. Compatibility. The arrangement of uses shall minimize potential conflicts between residential and nonresidential components, including impacts associated with loading, refuse collection, service areas, outdoor activity, lighting, and vehicular circulation

D. Pedestrian Connections. Safe and convenient pedestrian connections shall be provided between residential and nonresidential components of the development.

E. Parking. Parking shall be provided in accordance with the applicable requirements of this Ordinance. Shared parking may be permitted where authorized by the Parking Article.

F. Landscaping. Landscaping, buffering, and screening shall comply with the applicable requirements of Article VIII, Landscaping, Buffering, and Screening.

G. PUD. Within a PUD, the mix, location, and arrangement of uses shall be established by the approved master development plan.

§ 48.00. NURSING CARE FACILITY.

48.01. General Standards.

A. A Nursing Care Facility shall maintain all licenses required by the State of Alabama.

B. A covered patient and passenger drop-off area shall be provided at the principal entrance to the facility.

C. Common outdoor open space, including courtyards, gardens, walking paths, seating areas, or similar amenities, shall be provided at a minimum rate of 150 square feet per licensed bed.

§ 49.00. OPEN AIR MARKET.

49.01. General Standards.

A. An Open Air Market shall operate under unified ownership or management.

B. Designated vendor spaces shall be arranged to provide safe pedestrian circulation and vehicle access.

C. Adequate off-street parking shall be provided for vendors and customers.

D. The market shall not obstruct public streets, sidewalks, fire lanes, or required access drives.

E. Restroom facilities shall be provided where required by applicable federal, state, or local regulations.

F. Refuse receptacles shall be provided throughout the site, and the property shall be maintained free of litter and debris.

G. Temporary tents, canopies, and similar structures shall be securely anchored.

H. Outdoor lighting shall comply with the applicable exterior lighting requirements of Article IV, §9.00

I. Outdoor storage of merchandise between market events shall be prohibited**.**

J. Junk, salvage, and scrap material sales shall be prohibited.

K. The market shall operate only during the approved hours established as part of the zoning approval or business license.

§ 50.00. OUTDOOR RECREATION AND ENTERTAINMENT.

50.01. General Standards.

A. Outdoor recreation and entertainment facilities adjoining a residential zoning district or residential use shall comply with Article VIII, Landscaping, Buffering, and Screening.

B. Outdoor speakers and public address systems shall be oriented away from residential properties and operated in a manner that minimizes impacts on adjacent properties.

C. Outdoor lighting shall comply with the applicable exterior lighting requirements of Article IV, § 9.00.

D. Outdoor lighting shall be directed away from adjacent properties and public rights-of-way.

E. Adequate off-street parking shall be provided in accordance with the Article IX, Off Street Parking and Loading Requirements.

F. Outdoor activities adjoining a residential zoning district or residential use shall be limited to the hours of 7:00 a.m. to 10:00 p.m.

G. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 51.00. OUTDOOR SALES.

51.01. General Standards.

A. Outdoor sales and display areas shall be accessory to a principal business located on the same lot.

B. Outdoor sales and display areas shall be limited to merchandise offered for immediate sale to the public.

C. Outdoor sales and display areas shall be located adjacent to the principal building unless otherwise approved as part of the site plan.

D. Merchandise shall not be displayed within required parking spaces, fire lanes, sidewalks, accessible routes, required landscape areas, or required sight triangles.

E. Outdoor sales areas shall maintain safe pedestrian access to all building entrances.

F. Temporary display fixtures shall be maintained in good condition and securely anchored where necessary.

§ 52.00. OUTDOOR STORAGE.

52.01. General Standards.

A. Outdoor storage shall be accessory to a principal use located on the same lot.

B. Outdoor storage shall not include merchandise temporarily displayed for immediate sale to the public as permitted by Article VII, § 51.00.

C. Outdoor storage shall not be located within any required front yard or required landscape buffer.

D. Outdoor storage shall be screened from view from public streets, adjacent residential zoning districts, and adjacent residential uses by a fence, wall, berm, evergreen landscaping, or a combination thereof, in accordance with the applicable screening requirements of Article VIII, Landscaping, Buffering, and Screening

E. Outdoor storage shall not create a safety hazard or nuisance.

F. Materials susceptible to being carried by wind shall be enclosed or otherwise secured.

G. Outdoor storage shall not obstruct fire lanes, emergency access, sidewalks, stormwater facilities, or required parking areas.

H. Outdoor storage shall not include junk, salvage, or inoperable equipment unless specifically permitted as a principal use.

I. Shipping containers, freight containers, semi-trailers, and similar equipment shall not be used for permanent outdoor storage except where specifically permitted by this Ordinance.

J. Hazardous materials shall be stored in accordance with all applicable federal, state, and local regulations.

§ 53.00. PLACE OF WORSHIP.

53.01. General Standards.

A. Within a residential zoning district, a Place of Worship providing more than fifty (50) off-street parking spaces shall require the Planning Commission to determine that the scale of the development is compatible with surrounding residential development, considering traffic, site layout, buffering, and access.

§ 54.00. PRIVATE SWIMMING POOLS.

54.01. General Standards.

A. Where permitted, private swimming pools shall comply with the following requirements:

1. Private swimming pools, which are wholly or partially above ground level, shall be located in the rear yard of a single- or two-family residential district no closer than twenty-five (25) feet from any property line. No mechanical appurtenance shall be located within ten (10) feet of any property line.
2. Private swimming pools constructed below grade level shall be:
    a. Located, including all mechanical equipment, no closer than ten (10) feet from any property line.
    b. Enclosed by a fence or other barrier meeting the requirements of the currently adopted Building Code, Residential Code, and applicable swimming pool safety regulations. Gates shall be self-closing and self-latching.
3. Swimming pools shall comply with all applicable provisions of the currently adopted Building Code, Residential Code, Electrical Code, and any other applicable codes adopted by the City.
4. Exterior lighting associated with swimming pools shall comply with the applicable exterior lighting requirements of Article IV, §9.00.

§ 55.00. PRIVATE STABLE.

55.01. General Standards.

A. A Private Stable shall be accessory to a principal single-family dwelling located on the same lot.

B. A Private Stable shall be located on a lot containing at least two (2) acres.

C. Barns, shelters, and areas used for housing horses shall be located at least one hundred (100) feet from any property line adjoining a residential zoning district or residential use.

D. Horses shall be provided with adequate shelter.

E. Feed, hay, bedding, manure, and similar materials shall be stored and managed in a manner that minimizes odors, insects, and impacts on adjacent properties.

F. The site shall be maintained to minimize standing water, erosion, and runoff onto adjacent properties.

G. Commercial boarding, riding instruction, horse leasing, horse rentals, equestrian events, and similar commercial activities shall be prohibited.

§ 56.00. PRIVATE TENNIS COURTS.

56.01. General Standards.

A. Where permitted, private tennis courts shall comply with the following requirements:

1. All tennis courts constructed in single-family or two-family residential districts shall meet the following minimum standards:

a. The tennis court shall be in the rear yard.
b. The tennis court shall not be located any closer than 25 feet from any property line and residential structure.
c. All fences shall meet the requirements of Article IV, § 5.00.
d. Tennis courts serving multifamily or non-residential developments shall be reviewed as part of the applicable Site Plan Review and shall comply with all applicable requirements of this Ordinance, including the buffer requirements of Article VIII, § 4.00.
e. If lighted, all exterior lighting shall comply with the exterior lighting requirements of Article IV, § 9.00.

§ 57.00. RECREATIONAL VEHICLE (RV) PARKS.

57.01. General Standards.

A. An RV Park shall be developed as a unified project under single ownership or management.
B. Recreational vehicles shall be used only for temporary occupancy and shall not serve as permanent residences.
C. No recreational vehicle shall remain on the same site for more than one hundred eighty (180) consecutive days.
D. The park shall be served by public water and sanitary sewer where available and shall comply with all applicable health department requirements.
E. Individual RV sites shall:
    1. Contain only one (1) recreational vehicle;
    2. Have direct access to an internal private street;
    3. Provide at least one (1) off-street parking space; and
    4. Maintain a minimum separation of twenty (20) feet between recreational vehicles on adjoining sites.
F. Internal streets shall be designed to safely accommodate recreational vehicles, emergency vehicles, and service vehicles.
G. Permanent accessory structures, including detached storage buildings, garages, carports, and porches, shall be prohibited. Factory-installed awnings and similar recreational vehicle accessories shall be permitted.
H. Common open space or recreational amenities shall be provided for park occupants.
I. Refuse collection areas, dump stations, and utility service areas shall be screened from public streets and adjacent properties.
J. Outdoor storage shall comply with Article VII, § 52.00.
K. The owner or operator shall maintain all common facilities, utilities, landscaping, and internal streets.
L. The use shall comply in accordance with the Performance Standards in Article IV, §11.00. of this Ordinance.

57.02. Operational Standards.

A. The RV Park shall maintain on-site management or provide twenty-four-hour emergency contact information.

B. The park shall maintain a register of occupants for emergency response purposes.

C. The park shall be maintained in a clean, safe, and sanitary condition.

§ 58.00. RECYCLING CENTER.

58.01. General Standards.

A. Collection containers, processing areas, and outdoor storage shall be located to the side or rear of the principal building.

B. Materials stored outdoors shall be contained within designated collection bins or containers.

C. Outdoor storage shall comply with Article VII, § 52.00.

D. Loading and unloading activities shall not occur within a public street or public right-of-way.

E. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 59.00. REFUSE COLLECTION FACILITY.

59.01. General Standards.

A. All refuse handling and transfer operations shall occur within an enclosed building, except for the temporary staging of collection vehicles.

B. Loading areas, dumpsters, compactors, and other refuse handling equipment shall be located to the side or rear of the principal building and screened in accordance with this Ordinance.

C. Outdoor storage shall comply with Article VII, § 52.00.

D. Access to the facility shall be designed to prevent queuing of collection vehicles within a public street.

E. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 60.00. RESEARCH AND DEVELOPMENT CAMPUS.

60.01. General Standards.

A. A Research and Development Campus shall consist of one (1) or more buildings developed under a coordinated site plan for research, development, testing, engineering, laboratory, office, or similar innovation-oriented activities.

B. Buildings and site improvements shall be designed as part of a coordinated development using consistent access management, landscaping, signage, and architectural design elements.

C. All research, testing, laboratory, and prototype development activities shall occur within enclosed buildings unless specifically approved as part of an outdoor testing area.

D. Manufacturing, warehousing, and retail sales shall be permitted only when clearly accessory to the principal research and development use.

E. Outdoor storage shall comply with Article VII, § 52.00.

§ 61.00. RESIDENTIAL SITE AND DESIGN STANDARDS.

61.01. Applicability.

A. The standards of this section shall apply to Duplexes, Townhouses, Multifamily Dwellings, and residential development within the R-3, RG, RT, PRD, and PUD Districts, unless otherwise provided by this Ordinance.

61.02. Building Orientation.

A. Principal building entrances shall face a public street, private street, internal drive, or common open space.

B. A paved pedestrian connection shall be provided from the primary building entrance to a public sidewalk or internal pedestrian circulation system, where such facilities are provided.

61.03. Building Design.

A. Street-facing building facades shall incorporate windows, doors, porches, changes in building materials, projections, recesses, or similar architectural features to avoid long, uninterrupted blank walls.

B. End units located on corner lots shall incorporate windows and architectural detailing on the street-facing side elevation comparable to the front façade.

61.04. Parking and Garages.

A. Parking areas for Multifamily Dwellings shall not be located entirely between the principal building and a public street.

B. Front-loading garages shall provide a minimum driveway depth of twenty-four (24) feet measured from the back of curb to the garage door.

C. Where alley access is provided, garage access shall be from the alley.

61.05. Open Space.

A. Residential development shall comply with Article IV, § 6.00, Common Open Space and Amenity Standards, where applicable.

61.06. Utilities.

A. All utility distribution lines serving the development shall be installed underground.

§ 62.00. RESOURCE EXTRACTION .

62.01. General Standards.

A. Access to the site shall be from an arterial or collector street.

B. A site reclamation plan shall be submitted with the Special Exception application and shall include, at a minimum:
   1. The proposed final contours and grading of the site;
   2. Proposed stabilization and revegetation measures;
   3. Proposed drainage improvements, if applicable; and
   4. The intended post-extraction use of the property.
C. Processing equipment, stockpiles, and other accessory facilities shall comply with the setback, buffering, and screening requirements of this Ordinance.
D. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 63.00. SCHOOLS.

63.01. General Standards.

A. Passenger pick-up and drop-off areas shall be located on-site and designed to prevent vehicles from queuing within a public street.

§ 64.00. SHARED COMMERCIAL KITCHENS.

64.01. General Standards.

A. All food preparation, processing, and storage shall occur within an enclosed building.
B. Outdoor storage shall comply with Article VII, § 52.00.
C. Accessory educational activities, demonstrations, tasting events, and similar activities customarily associated with a Shared Commercial Kitchen shall be permitted. A principal Food and Beverage Establishment shall require separate approval in accordance with this Ordinance.
D. Accessory retail sales and food-truck operations shall not be permitted as accessory uses to a Shared Commercial Kitchen.

§ 65.00. SALVAGE YARD OR JUNK YARD.

65.01. General Standards.

A. All salvage operations, dismantling, processing, and outdoor storage shall occur within an area enclosed by a continuous opaque fence or wall not less than eight (8) feet in height. Gates shall remain closed except during normal business operations.
B. Landscape buffers shall be provided in accordance with Article VIII, § 4.00.
C. Outdoor storage shall comply with § 52.00. All outdoor storage and processing areas shall be set back a minimum of twenty (20) feet from the screening fence or wall to provide adequate space for maintenance and to prevent stored materials from being visible above or beyond the required screening from adjacent properties or public streets.
D. All fluids, hazardous materials, and regulated wastes shall be stored, handled, and disposed of in accordance with applicable federal and state requirements.

E. The use shall comply with the Performance Standards in Article IV, § 11.00.

F. All fences and walls shall comply with the applicable requirements of Article IV, § 5.00.

G. Exterior lighting shall comply with the exterior lighting requirements of Article IV, § 9.00.

§ 66.00. SATELLITE DISH ANTENNAS.

66.01. General Standards.

A. Ground-mounted satellite dish antennas shall not be located within the required front yard unless no reasonable alternative location exists that provides adequate signal reception.

B. Ground-mounted antennas shall maintain a minimum setback from all property lines equal to the height of the antenna.

C. Nothing in this Ordinance shall prohibit the installation or use of antennas protected under applicable federal law.

§ 67.00. SECOND-HAND RETAIL/ THRIFT STORE.

67.01. General Standards.

A. All merchandise offered for sale shall be displayed within an enclosed building.

B. Outdoor display, sales, and storage of merchandise shall be prohibited, except as otherwise expressly permitted by this Ordinance.

C. Donation collection areas and donation bins shall be located to the side or rear of the principal building whenever practicable.

D. Donation bins shall be maintained in good condition and regularly emptied to prevent the accumulation of donated materials outside the collection container.

E. Merchandise or donated materials shall not be stored or accumulated outside the principal building or approved donation containers.

F. Loading and unloading areas shall be designed to minimize conflicts with customer parking and internal circulation.

67.02. Prohibited Activities.

A. The following activities shall be prohibited unless otherwise permitted by this Ordinance:

1. Outdoor processing, dismantling, or repair of donated goods.
2. Salvage operations.
3. Junkyards.
4. Recycling facilities.

§ 68.00. SELF-STORAGE FACILITY.

68.01. General Standards.

A. Storage units shall be used solely for the storage of personal property, household goods, business records, inventory, equipment, and similar items.

B. Storage units shall not be used for residential occupancy, lodging, or the operation of a business requiring regular customer visits.

C. No wholesale, retail, manufacturing, repair, or salvage activities shall occur within individual storage units.

D. No storage of hazardous, explosive, or highly flammable materials shall be permitted except as authorized by applicable federal, state, and local regulations.

E. Outdoor storage shall comply with § 52.00. Where outdoor storage of recreational vehicles, boats, trailers, or similar vehicles is permitted, such storage shall occur only in designated storage areas.

F. Buildings on corner lots or lots fronting an arterial or collector street should orient office space, decorative façades, or building elevations without roll-up doors toward the street whenever practicable.

G. Roll-up doors shall not face a public street.

H. Loading and maneuvering areas shall be provided on-site and shall not obstruct internal circulation or required parking areas.

I. The site shall be maintained in a clean, safe, and orderly condition.

§ 69.00. TOBACCO, VAPE, AND SMOKE SHOP.

69.01. Discontinuance and Termination.

A. A Tobacco, Vape, and Smoke Shop shall be considered terminated if the business:

1. Stops operating for more than one hundred eighty (180) consecutive days;
2. Does not maintain a valid City of Moody business license for more than one hundred eighty (180) consecutive days; or
3. Loses any license required by the State of Alabama or other applicable licensing authority.
4. Once terminated, all rights and approvals associated with the use shall expire and shall not be resumed unless the property complies with the current provisions of this Ordinance.

69.02. Location Requirements.

A. A new Tobacco, Vape, and Smoke Shop shall not be located within one thousand (1,000) feet of any of the following:

1. The boundary of any residential zoning district.
2. A public or private K-12 school.
3. A licensed child care facility or preschool.
4. A place of worship.

5. A public library.
6. A public playground.
7. A public park.
8. A youth center or other space used primarily for youth-oriented activities.
9. Another Tobacco, Vape, and Smoke Shop.

69.03. General Standards.

A. Outdoor sales shall comply with Article VII, § 52.00.

§ 70.00. TOWNHOUSE.

70.01. General Standards.

A. No townhouse building shall contain fewer than three (3) or more than eight (8) dwelling units.
B. Each townhouse dwelling unit shall have an individual exterior entrance.
C. A minimum separation of twenty (20) feet shall be maintained between townhouse buildings.
D. All townhouse developments shall be served by public water and sanitary sewer.
E. Townhouse developments shall comply with Article VII, § 61.00, Residential Site Design Standards.
F. Each townhouse dwelling unit shall be provided with a private outdoor area in the form of a yard, patio, deck, porch, balcony, or similar usable outdoor space.

§ 71.00. TRANSMISSION TOWERS (COMMERCIAL).

71.01. General Standards.

A. Where permitted, the distance between the base of the tower and property lines abutting urban residential districts, public parks and public roads must equal 20 percent of the tower height. Property lines adjacent to others uses (e.g. agricultural, industrial) shall require a setback equal to the rear yard setback established for the underlying zone.
   1. All applicants for towers shall submit an engineering report to both the Building Official and the Planning Commission, documenting all of the following:
      a. The height, design and building materials selected, including: pertinent technical, engineering, economic and other factors influencing the final design.
      b. The total anticipated capacity of the structure, including the number and types of antennas that can be accommodated.
      c. The evidence of structural integrity.
      d. The tower's failure characteristics; the demonstration that the site and setbacks are of adequate size to contain debris.
      e. The mitigation measures for ice and other hazards, including setbacks and de-icing equipment.

f. Where applicable, adequate parking shall be provided, along with buffers, required by Article VIII, § 4.00, bordering a residential zoning district. Commercial transmission towers shall not be permitted in residential zoning districts.

g. In all zoning districts where permitted, a security fence, around the tower base or along the perimeter of the site, shall be required to prevent unauthorized entry, vandalism and injuries.

h. All such structures shall be in full compliance with all the applicable local, state and federal regulations.

§ 72.00. TRUCK STOP / TRAVEL CENTER.

72.01. General Standards.

A. Truck Stops and Travel Centers shall comply with the standards for Gasoline Service Stations in Article VII, § 31.00.

B. The site shall provide safe internal circulation for both passenger vehicles and commercial trucks. Separate circulation and fueling areas should be provided where practicable.

C. Overnight truck parking shall be permitted as an accessory use and shall be located to minimize conflicts with customer parking and internal circulation.

D. Truck parking areas shall not be used for the long-term storage of trailers, shipping containers, or commercial freight not associated with the principal use.

E. Outdoor storage shall comply with Article VII, § 52.00.

F. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 73.00. VEHICLE AND EQUIPMENT SALES (MINOR AND MAJOR).

73.01. General Standards.

A. Display vehicles and equipment shall not be located within required setbacks, required landscape areas, required parking spaces, or the public right-of-way.

B. Customer parking shall be provided separately from vehicle display areas.

C. Loading and unloading areas shall be located to the side or rear of the principal building.

D. Damaged or inoperable vehicles or equipment awaiting repair or sale shall be stored to the side or rear of the principal building and screened in accordance with this Ordinance.

E. Outdoor storage shall comply with Article VII, § 52.00.

F. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 74.00. UPPER-STORY RESIDENTIAL.

74.01. Location.

A. Upper-story residential dwelling units shall be located on a floor above a permitted nonresidential use, including an institutional, office, retail, service, or other permitted nonresidential use.

74.02. Access.

A. Residential dwelling units shall be provided with access separate from the ground-floor nonresidential use. Where a dwelling is occupied by the owner or manager of the associated nonresidential use, access may also be provided through the nonresidential portion of the building, subject to applicable building and fire codes.

74.03. Parking.

Off-street parking shall be provided in accordance with Article IX. Off-Street Parking and Loading Requirements.

74.04. Building and Fire Codes.

A. Residential dwelling units shall comply with all applicable building, fire, life-safety, emergency egress, and fire-separation requirements.

§ 75.00. VETERINARY CLINIC.

75.01. General Standards.

A. Veterinary clinics shall be conducted entirely within an enclosed building, except for approved outdoor animal exercise areas.

B. Accessory boarding shall be permitted, provided boarded animals are housed entirely within an enclosed building.

C. Outdoor animal exercise areas shall comply with the standards for Kennels in Article VII, § 40.00.

D. Outdoor treatment of animals shall be prohibited except during emergencies or temporary supervised activities.

E. Animal waste shall be stored and disposed of in accordance with applicable federal, state, and local regulations.

F. Animal waste storage areas shall be maintained in a sanitary condition and screened from public streets and adjacent properties.

G. Incineration of animal waste or animal remains shall be prohibited unless specifically authorized by all applicable regulatory agencies.

H. Outdoor storage shall comply with Article VII, § 52.00.

I. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

§ 76.00. WAREHOUSE AND DISTRIBUTION FACILITY.

76.01. General Standards.

A. Loading docks, loading berths, and service areas shall be located to the side or rear of the principal building where practicable and shall be designed to minimize visibility from public streets and adjacent non-industrial properties.

B. Truck maneuvering areas shall be designed to allow trucks to enter and exit the site without backing onto a public street.

C. Truck circulation and employee/customer parking areas shall be designed to minimize conflicts between passenger vehicles and commercial trucks.

D. All loading, unloading, and truck maneuvering areas shall be located on-site.

E. Outdoor storage is prohibited.

F. The use shall comply with the Performance Standards in Article IV, §11.00. of this Ordinance.

ARTICLE VIII. LANDSCAPING, BUFFERING, AND SCREENING.

§ 1.00. GENERAL LANDSCAPE STANDARDS.

1.01. Applicability.

A. The landscaping standards of this Article shall apply where landscaping, buffering, or screening is required by this Ordinance. Required landscaping shall comply with the applicable standards of this Article.

B. Existing Vegetation.

1. Existing vegetation used to satisfy landscaping or buffer requirements shall consist primarily of healthy, non-invasive plant species and shall meet the following requirements:

a. Vegetation listed on the Alabama Invasive Plant List or identified as invasive by the Alabama Cooperative Extension System shall not be credited toward landscaping or buffer requirements.

b. The existing vegetation shall provide landscaping or screening comparable to that otherwise required by this Article.

c. Existing vegetation credited toward a landscaping or buffer requirement shall remain undisturbed during construction and shall be protected from clearing, grading, excavation, filling, equipment parking, material storage, or other activities that could damage or destroy the vegetation.

2. The Building Official may require supplemental plantings where existing vegetation is insufficient to satisfy the applicable landscaping or buffer requirement.

1.02. Landscape Plan.

A. A landscape plan shall be required as part of any Site Plan Review, building permit application, or other development application for which landscaping, buffering, or screening is required by this Ordinance.

B. The landscape plan shall be drawn to scale and shall contain sufficient information to demonstrate compliance with the applicable requirements of this Article, including:

1. The location and dimensions of all areas proposed for landscaping, buffering, or screening;

2. Property lines, public rights-of-way, easements, and required setbacks;

3. Existing and proposed buildings, structures, vehicular areas, driveways, parking areas, refuse collection areas, and other site features relevant to the required landscaping or screening;

4. The species, size at planting, quantity, and spacing of all trees and shrubs proposed to satisfy the requirements of this Article;

5. The location, height, material, and design of fences or walls proposed to satisfy buffering or screening requirements;

6. Existing vegetation proposed to be credited toward required landscaping or buffering;

7. The location of stormwater detention or retention areas where located within or adjacent to required landscaped areas or buffers;

8. The proposed method of irrigation or other means of providing adequate water to required plant materials; and
9. Such other information necessary to demonstrate compliance with the applicable landscaping, buffering, and screening requirements of this Article.

1.03. Maintenance.

A. Required landscaping shall be maintained in a healthy and growing condition. Dead, diseased, or damaged required plant materials shall be replaced within the next appropriate planting season.

B. Required landscaping shall be provided with an adequate means of irrigation or watering sufficient to establish and maintain required plant materials. Drought-tolerant and native plant species are encouraged. Where required landscaping is not served by a permanent irrigation system, the landscape plan shall identify the proposed method by which required plant materials will be adequately watered and maintained.

C. Required landscaping, buffering, and screening shall be maintained for the life of the development.

§ 2.00. LANDSCAPING FOR RESIDENTIAL LOTS.

2.01. Applicability.

A. The following standards shall apply to the construction of new single-family dwellings, duplexes, townhouses, multifamily dwellings, and group care homes.

2.02. Residential Lot Landscaping Requirements.

A. Prior to issuance of a certificate of occupancy, the following landscaping shall be provided:

1. Lots More Than 100 Feet in Width. At least two (2) shade trees shall be planted in each front yard and at least two (2) shade trees in the rear yard.
2. Lots 25 to 100 Feet in Width. At least one (1) shade tree shall be planted in each front yard and at least two (2) shade trees in the rear yard.
3. Lots Less Than 25 Feet in Width.
    a. On interior lots, at least one (1) ornamental tree shall be planted in the front yard and one (1) shade tree in the rear yard.
    b. On corner lots, at least one (1) shade tree shall be planted in one front yard, one (1) ornamental tree in the other front yard, and one (1) shade tree in the rear yard.
    c. Each development shall provide, in aggregate, at least two (2) shade trees per dwelling unit. After meeting the requirements of paragraphs a. and b. above, remaining required shade trees may be planted in the side yards of end units, common open spaces, and planting areas between common parking areas and abutting streets. Approved Tree Species.

B. Approved Trees. Only tree species listed in Appendix D: Approved Trees may be planted to satisfy the requirements of this section, except that the Building Official may approve other tree species that are comparable to the approved shade or ornamental trees listed in Appendix D.

C. Existing Trees. Existing trees at least six (6) inches in diameter may be credited toward the requirements of this section, provided that the ground area within the dripline of each tree is maintained in a natural condition and no filling, grading, excavation, parking of vehicles or equipment, or other activity that could damage or kill the tree occurs within such area.

D. Installation Standards.

1. At the time of planting, required shade trees shall be at least two and one-half (2½) inches in caliper, and required ornamental trees shall be at least one and one-half (1½) inches in caliper, unless otherwise approved by the Building Official.
2. Required trees shall be planted in accordance with ANSI A300 planting standards and in a manner that promotes long-term survival and healthy growth.
3. At the time of final inspection, all yards and disturbed areas shall be stabilized with sod, grass, landscaping, or an appropriate combination thereof, as approved by the Building Official, to prevent erosion and sedimentation runoff.

§ 3.00. LANDSCAPING FOR VEHICULAR AREAS.

3.01. Applicability.

A. The standards of this section shall apply to vehicular areas serving non-residential uses and to common parking areas serving multifamily and other residential uses. Frontage, perimeter, and interior landscaping shall be provided in accordance with Table 8.1: Applicability of Vehicular Area Landscaping Requirements.

B. If the size of an existing vehicular area is increased by ten percent (10%) or more, the expanded portion shall comply with the requirements of this section. Where the cumulative expansion of a vehicular area increases its size by fifty percent (50%) or more, the entire vehicular area shall be brought into compliance with this section to the maximum extent practicable.

C. Only shade trees listed in Appendix D: Approved Trees may be used to satisfy the shade tree requirements of this section, except as otherwise provided in this Ordinance.

Table 8.1: Applicability of Vehicular Area Landscaping Requirements

Number of Spaces / Type of Vehicular Area	Frontage Landscaping	Perimeter Landscaping	Interior Landscaping
Parking area with fewer than 40 spaces	X	X	
Parking area with 40 or more spaces	X	X	X
Parking structures	X	X	
Any other vehicular use area	X	X	

3.02. Interior Landscaping.

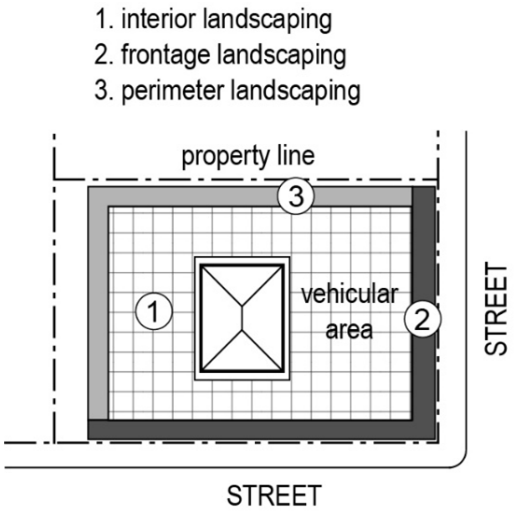
A. Each vehicular area containing forty (40) or more parking spaces shall provide interior landscaping covering not less than five percent (5%) of the total vehicular area. Such

landscaping shall be provided in addition to any landscaping located within six (6) feet of a building.

B. Each landscaped island, peninsula, or other interior landscaped area shall contain at least one (1) shade tree. Shrubs and other plant materials may be used to complement the required shade tree plantings.

C. The interior dimensions of each landscaped planting area shall be sufficient to protect the landscaping materials planted therein.

Landscaping areas



D. Trees planted to satisfy interior landscaping requirements may be counted toward the number of trees required for frontage or perimeter landscaping where such trees are located within fifteen (15) feet of the applicable frontage or perimeter landscaping strip.

3.03. Perimeter Landscaping.

A. A landscape strip at least five (5) feet in width shall be provided along the edges of a vehicular area nearest the side and rear property lines. Perimeter landscaping shall not be required between a vehicular area and a structure located on the same lot.

B. Perimeter landscape strips shall contain at least one (1) shade tree for every fifty (50) linear feet of property line, or portion thereof. Where this requirement overlaps or conflicts with another landscaping requirement of this Ordinance, the greater requirement shall govern.

C. Vehicular access between adjoining businesses and other compatible uses is encouraged. The width of approved vehicular cross-access connections shall not be included when calculating perimeter landscaping requirements.

D. The Building Official may reduce the perimeter landscaping requirements where the vehicular area is located within five (5) feet of a conforming perimeter landscape strip on an abutting lot.

3.04. Frontage Landscaping.

A. A landscape strip at least eight (8) feet in width, exclusive of sidewalks or shared-use paths, shall be provided between a vehicular area and a public right-of-way, except where an approved driveway or other vehicular access crosses the landscape strip.

B. The frontage landscape strip shall be planted with evergreen shrubs spaced no more than six (6) feet on center. Required shrubs shall be at least thirty (30) inches in height at the time of installation.

C. At least one (1) shade tree shall be planted for every thirty (30) linear feet of street frontage, or portion thereof. Required trees shall be evenly spaced to the greatest extent practicable.

D. Landscaping shall not be planted or maintained in a manner or location that obstructs required sight distance or otherwise creates a hazard for vehicles or pedestrians entering or traveling within the public right-of-way.

§ 4.00. BUFFER REQUIREMENTS.

4.01. Applicability.

A. A landscape buffer is required along shared lot lines where different zoning districts abut, as specified in Table 8.2 Buffer Types.

4.02. General Buffer Standards.

A. Required buffer trees may be grouped or irregularly spaced, but tree separation must not exceed sixty (60) feet along property lines.

B. Buffers must meet the configuration standards in Table 8.2, Buffer Types and Table 8.3 Buffer Matrix.

1. Required buffer widths, plantings, fences, walls, and other screening elements shall be provided as specified in Table 8.2 Buffer Types

C. Where Table 8.2, Buffer Types, identifies more than one type of screening element, the listed walls, fences, and hedges are alternatives and shall not be cumulative unless otherwise specified.

1. Landscape buffers must:
   a. Be located on the newly developing property;
   b. Include continuous evergreen hedges with one row per twenty-five (25) feet of buffer width; and
   c. Include ground cover to cover all exposed soil.
2. Required perimeter buffers serving residential subdivisions or developments containing common open space shall be located within a common area, landscape easement, or other tract owned and maintained by a homeowners' association, property owners' association, or other entity approved by the City. Required buffers shall not be located on individual residential lots unless specifically approved by the Planning Commission.
3. Two (2) ornamental trees may substitute for one (1) required shade tree, for up to fifty percent (50%) of the required shade tree count.

4. Required evergreen hedges or other vegetative screening intended to provide opacity shall attain a minimum height of six (6) feet within three (3) full growing seasons.

4.03. Existing Vegetation.

A. Existing vegetation may be used to satisfy the landscaping and planting requirements of a required buffer in accordance with this Article (§1.00 Existing Vegetation). Where an existing natural drainageway or other undisturbed natural area is proposed to satisfy all or a portion of a required buffer, the area shall be at least twenty (20) feet in width and shall provide screening substantially equivalent to the applicable buffer requirements. Supplemental plantings may be required where necessary to satisfy the applicable buffer standard.

4.04. Fences and Walls.

A. Fences and walls used to satisfy the requirements of this section shall comply with the applicable requirements of Article IV, § 5.00, in addition to the requirements of this section.

B. All walls and fences shall be continuously maintained, be of durable construction, and have the finished face toward the buffered property.

C. The location of walls and fences shall not obstruct the visibility of any traffic circulation.

4.05. Modification.

A. The Planning Commission may approve a modification to the required buffer configuration where one or more of the following conditions exist and the modified buffer provides separation and screening substantially equivalent to the otherwise applicable requirement.

1. Existing vegetation meeting the requirements of this Article (§ 1.00, Existing Vegetation) provides screening substantially equivalent to the applicable buffer standard.

2. Development of the adjacent property has received an approved site plan, subdivision plat, building permit, or other applicable development approval, and the approved development would make the otherwise applicable buffer configuration unreasonable or impractical.

3. A street or alley between the incompatible districts provides adequate separation, and a change in grade or other physical features substantially limit views between the properties.

B. In approving a modification, the Planning Commission shall make written findings identifying the applicable condition or conditions in subsection A. and determining that the modified buffer provides separation and screening substantially equivalent to the otherwise applicable requirement.

4.06. Installation.

A. Required landscape buffers, fences, walls, and plant materials shall be installed prior to issuance of a certificate of occupancy unless an alternative installation schedule is approved by the Planning Commission due to seasonal planting conditions.

Table 8.2: Buffer Types

Type	Minimum Width in feet	Ornamental Metal or Wood Fence	Masonry Wall	Evergreen Hedge	Shade Trees
A	50	6 to 8 feet high	6 to 8 feet high	6 ft. high, minimum	
B	100			6 ft. high, minimum	1 every 50 linear ft., min.
C	300		6 to 8 feet high		2 every 40 linear ft., min., alternating spacing in two rows

Table 8.3: Buffer Matrix

	AG-1	MF	E-1	R-1	R-2	R-3	RT	RG	PRD	PUD	RMHP	B-3	B-4	B-5	I-1	I-2	L-1	MR
AG-1				A	A	B	B	A	A	B	B	B	B	B	C	C	C	
MF				A	A	B	B	B	A	B	B	B	B	B	C	C	C	
E-1				A	A	B	B	A	A	B	B	B	B	B	C	C	C	
R-1	A	A	A		A	B	A	A	A	B	B	B	B	B	C	C	C	A
R-2	A	A	A	A		B	A	A	A	B	B	B	B	B	C	C	C	A
R-3	B	B	B	B	B		B	B	B	B	B	B	B	B	C	C	C	B
RT	B	B	B	A	A	B		A	A	B	B	B	A	A	C	C	C	B
RG	B	B	B	A	A	B	A		A	B	B	B	A	A	C	C	C	A
PRD	A	A	A	A	A	B	A	A		B	B	B	A	A	C	C	C	A
PUD	B	B	B	B	B	B	B	B	B		A				B	C	C	B
RMHP	B	B	B	B	B	B	B	B	B	A		A	A	A	B	C	C	B
B-3	B	B	B	B	B	B	B	B	B		A				A	C	C	C
B-4	B	B	B	B	B	B	A	A	A		A							
B-5	B	B	B	B	B	B	A	A	A		A				A	B	B	B
I-1	C	C	C	C	C	C	C	C	C	B	B	A	A	A		B	C	C
I-2	C	C	C	C	C	C	C	C	C	C	C	B	B	B	B		C	C
L-1	C	C	C	C	C	C	C	C	C	C	C	C	B	B	C	C		C
MR				A	A	B	B	A	A	B	B	B	B	B	C	C	C	

§ 5.00. SCREENING REQUIREMENTS.

5.01. Applicability.

A. The standards of this section shall apply whenever this Ordinance requires screening of refuse collection areas, outdoor storage, loading areas, mechanical equipment, or other site features.

5.02. General Standards.

Required screening shall comply with the maintenance requirements of §1.03. Fences, walls, gates, and other structural screening materials shall also be maintained in a safe and structurally sound condition.

5.03. Refuse Collection Areas.

A. Trash receptacles, dumpsters, compactors, grease containers, and similar refuse collection facilities shall be located to the side or rear of the principal building and shall be located and screened to minimize visibility from public streets and adjacent residential properties.

B. Trash receptacles, compactors, grease containers, and dumpsters shall be located within a four-sided opaque enclosure that completely conceals the refuse collection area. The enclosure, including an opaque gate, shall be a minimum of two feet (2') taller than the highest point of the waste or grease container, compactor, or dumpster. The color and architectural design of the enclosure shall be compatible with the principal building it serves. Gates shall remain closed except during refuse collection or when refuse is being deposited.

5.04. Outdoor Storage and Loading Areas.

A. Outdoor storage areas shall be screened in accordance with Article VII, § 52.00.

B. Loading areas visible from a public street or adjacent residential property shall be screened by an opaque fence, wall, evergreen landscaping, berm, or a combination thereof.

C. Fences and walls used to satisfy the requirements of this section shall comply with the applicable fence and wall standards of Article IV, § 5.00.

5.05. Mechanical Equipment.

A. Ground-mounted mechanical equipment, including HVAC units, generators, transformers, backflow preventers, and similar equipment, shall be located to the side or rear of the principal building whenever practicable.

B. Ground-mounted mechanical equipment visible from a public street or adjacent residential property shall be screened by landscaping, fencing, walls, or a combination thereof.

C. Rooftop mechanical equipment shall be screened from public view by parapet walls or other architectural features integrated into the building design.

ARTICLE IX. OFF-STREET PARKING AND LOADING REQUIREMENTS

§ 1.00. PURPOSE.

The purpose of this Article is to establish standards for off-street parking, loading, and vehicular access that provide for the safe and efficient movement of vehicles and pedestrians; ensure adequate parking and loading facilities for development; minimize conflicts between parking areas, adjoining properties, and public streets; and support efficient use of land.

§ 2.00. OFF-STREET PARKING REQUIREMENTS.

2.01. Minimum Parking Requirements.

A. Unless otherwise provided in this Ordinance, each use shall provide the minimum number of off-street parking spaces required by Table 9.1, Minimum Off-Street Parking Requirements.

B. Where a use is not specifically listed in Table 9.1, Minimum Off-Street Parking Requirements, the Building Inspector shall determine the minimum parking requirement based on the listed use or uses with similar parking demand characteristics.

2.02. Multiple Uses.

A. Where a building, lot, or development contains two or more uses, the minimum number of required parking spaces shall be the sum of the parking requirements applicable to each use, except where a reduction is permitted through an approved shared parking arrangement in accordance with this Article.

2.03. Fractional Spaces.

A. Where calculation of the required number of parking spaces results in a fractional space, a fraction of one-half (0.5) or greater shall be rounded up to the next whole number, and a fraction of less than one-half (0.5) shall be rounded down to the next whole number.

2.04. Minimum Off-Street Parking Requirements Table.

Table 9.1: Minimum Off-Street Parking Requirements

Accessory Uses	Required Parking Spaces
Accessory Structure	None required beyond that required for the principal use
Accessory Recreational Facilities	None required beyond that required for the principal use
Accessory Retail Sales	None required beyond that required for the principal use.
Home Occupation	None required beyond that required for the principal dwelling
Private Swimming Pool	None required
Private Tennis Court	None required
Satellite Dish Antenna	None required

Electric Vehicle Charging Station	Charging spaces serving a principal use count toward that use's required parking. A standalone charging facility requires 1 space per 2 charging positions
Agricultural Uses	**Required Parking Spaces**
Farm	2 spaces for every 3 employees on the largest shift
Farm Support Business	1 space per 100 sf of display area
Hobby Farm	None required beyond that required for the principal dwelling
Livestock Sales	1 space per 3 persons of maximum occupancy of the sales or auction area, plus 1 space per employee on the largest shift
Private Stable	None required beyond that required for the principal dwelling
Equestrian Facility	1 space per 3 persons of maximum occupancy, plus 2 spaces for every 3 employees on the largest shift
Commercial Uses	**Required Parking Spaces**
Kennel	1 space per employee on the largest shift, plus 1 space per 10 animal boarding spaces
Veterinary Clinic	1 space per 300 sf of gross floor area
Bed and Breakfast Establishment	1 space per guest bedroom, plus 1 space per employee on the largest shift
Commercial School	1 space per 3 students of maximum occupancy, plus 2 spaces for every 3 employees on the largest shift
Business and Professional Office	1 space per 300 sf of gross floor area
Medical Office and Clinic	1 space per 250 square feet of gross floor area.
Coworking and Business Incubator	1 space per 300 sf of gross floor area
Convenience Store	1 space per 125 sf of gross floor area
General Retail, Enclosed	1 space per 200 sf of gross floor area
General Retail, Unenclosed	1 space per 600 sf of display area, plus 1 space per employee on the largest shift
Grocery Store/Supermarket	1 space per 250 sf of gross floor area
Garden Center/Nursery	1 space per 250 square feet of gross floor area, plus 1 space per 500 square feet of outdoor sales or display area.
Building Material Sales	1 space per 500 square feet of gross floor area, plus 1 space per 1,000 square feet of outdoor sales or display area.
Home Improvement Center	1 space per 400 sf of gross floor area
Vehicle and equipment sales, minor	1 space per 200 sf of indoor sales area, plus 1 space per service bay, plus 1 space per 2,500 sf of outdoor display area
Vehicle and equipment sales, major	1 space per 500 sf of indoor sales area, plus 1 space per service bay, plus 1 space per 2,500 sf of outdoor display area
Manufactured Home Sales	1 space per 500 sf of indoor sales area, plus 1 space per 2,500 sf of outdoor display area
Open Air Market	1 space per 200 sf of display area
Second-hand Retail	1 space per 300 sf of gross floor area
Tobacco, Vape, and Smoke Shop	1 space per 200 sf of gross floor area
Nail Salons	1 space per employee on the largest shift, plus 1 space per manicure or pedicure station

Personal Service	1 space per 200 sf of gross floor area
Indoor Recreation and Fitness	1 space per 300 sf of gross floor area; except bowling, 4 spaces per lane; and billiards, 2 spaces per table
Studio	1 space per 200 sf of gross floor area
Funeral Home	1 space per 3 persons of maximum occupancy of the largest chapel or assembly area, plus 1 space per employee on the largest shift, plus 1 space per company vehicle
Hotel/Motel	1 space per room; 2 spaces for every 3 employees on the largest shift; plus 1 space per 8 seats of maximum occupancy in banquet, meeting, restaurant, and bar areas
Campground	1 space per campsite or RV space, plus 1 space per employee on the largest shift, plus 1 guest space per 10 campsites
Food and Beverage Establishment (without Drive-Through)	1 space per 100 sf of gross floor area, plus 1 space per delivery vehicle
Food and Beverage Establishment (with Drive-Through)	1 space per 100 sf of gross floor area, plus 1 space per delivery vehicle, plus 6 stacking spaces in advance of and including the service window, at least 2 of which shall be beyond the order board, plus 1 stacking space beyond the service window
Shared Commercial Kitchen	1 space per employee on the largest shift, plus 1 space per 1,000 square feet of gross floor area.
Gasoline Service Station	2 spaces per service bay; 1 space per company vehicle; 2 spaces for every 3 employees on the largest shift; 2 stacking spaces per fuel island
Car Wash	Vehicle stacking shall comply with Article VII, § 14.00, and the applicable stacking-space design standards of this Article.
Truck Stop Travel Center	As required for a Gasoline Service Station, plus 1 truck parking space per fuel position, plus 1 space per 200 sf of retail or restaurant gross floor area
Automobile Repair, Minor	3 spaces per service bay, plus 1 space per employee on the largest shift
Automobile Repair, Major	4 spaces per service bay, plus 1 space per employee on the largest shift; required spaces shall not include vehicles awaiting repair
Adult-Oriented Businesses	1 space per 3 persons of maximum occupancy for establishments with live entertainment or on-premises consumption; otherwise 1 space per 200 sf of gross floor area
Bank or financial institution	1 space per 300 sf of gross floor area, plus 4 stacking spaces per drive-through window
Alternative Financial Services	1 space per 300 sf of gross floor area, plus 4 stacking spaces per drive-through window
Event Centers	1 space per 3 persons of maximum occupancy
Industrial Uses	**Required Parking Spaces**
Research and Development Campus	1 space per 500 sf of gross floor area
Artisan Manufacturing	1 space per 500 sf of gross floor area
Light Industry	2 spaces for every 3 employees on the largest shift, plus 1 space per company vehicle kept on site, but not less than 1 space per 1,000 sf of gross floor area
Heavy Industry	2 spaces for every 3 employees on the largest shift, plus 1 space per company vehicle kept on site, but not less than 1 space per 1,000 sf of gross floor area

Manufacturing, General	2 spaces for every 3 employees on the largest shift, plus 1 space per company vehicle kept on site, but not less than 1 space per 1,000 sf of gross floor area
Construction Services	1 space per 250 sf of office area, plus 1 space per 1,000 sf of indoor storage area
Maintenance Services	1 space per employee on the largest shift, plus 1 space per company vehicle
Printing Establishment	2 spaces for every 3 employees on the largest shift, plus 1 space per company vehicle kept on site, but not less than 1 space per 1,000 sf of gross floor area
Warehouse and Distribution Facility	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site, plus 1 space per 2,000 sf of office area
Self-storage Facility	1 space per employee on the largest shift, plus 2 spaces for any on-site office; a minimum of 2 spaces shall be provided
Recycling Plant	2 spaces for every 3 employees on the largest shift, plus 1 space per company vehicle kept on site
Salvage yard or junk yard	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site
Industrial Park	As required for each individual use within the park; no separate requirement for the park itself
Contractor Storage Yard	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site
Resource Extraction	1 space per employee on the largest shift
Institutional Uses	**Required Parking Spaces**
Animal Shelter	1 space per 400 square feet of gross floor area.
Nursing Care Facility	1 space per 4 beds, plus 1 space per employee on the largest shift
Public Building and Government Office	1 space per 300 sf of gross floor area
Assembly and Community Facility	1 space per 3 persons of maximum occupancy of the largest assembly area; where there is no assembly area, 1 space per 300 sf of gross floor area
Place of Worship	1 space per 3 persons of maximum occupancy of the main assembly area
School	Elementary and middle school: 1 space per 8 students of maximum enrollment, plus 2 spaces for every 3 employees on the largest shift. High school: 1 space per 6 students of maximum enrollment, plus 2 spaces for every 3 employees on the largest shift
Child Care Center	1 space per employee on the largest shift, plus 1 space for every 8 occupants of maximum occupancy
Park	As determined by the Building Inspector based on the facilities provided, using the applicable rates for individual recreational facilities in this table
Cemetery	1 space per employee on the largest shift, plus 1 space per 4 seats in any chapel or assembly building
Hospital	1 space for every 2 beds; 1.5 spaces for every emergency bed; plus 1 space per employee on the largest shift
Military Installation	As determined by the Building Inspector, which may require a parking demand study
Mixed-use	**Required Parking Spaces**

Mixed-use Development	As required for each individual use within the development. Shared parking may be permitted in accordance with the shared parking provisions of this Article
Residential Uses	**Required Parking Spaces**
Single-Family Dwelling	2 spaces per dwelling unit
Duplex	2 spaces per dwelling unit
Townhouse	2 spaces per dwelling unit
Multifamily Dwelling	1 space per 1-bedroom unit; 1.5 spaces per 2-bedroom unit; 2 spaces per unit with 3 or more bedrooms; plus 1 guest space per 7 dwelling units
Manufactured Home	2 spaces per dwelling unit
Manufactured Home Park	2 spaces per dwelling unit
Boarding House (Shared Housing)	1 space per bedroom
Accessory Dwelling Unit	1 space in addition to that required for the principal dwelling, unless waived in accordance with Article VII, §2.00.
Independent Living Facility	1 space per dwelling unit
Assisted Living Facility	1 space per 4 residents, plus 1 space per employee on the largest shift
Family Child Care Home	None required beyond that required for the principal dwelling, plus 1 on-site drop-off space
Upper-story Residential	As required for the applicable residential use. Required parking may be provided through an approved shared parking arrangement in accordance with this Article
Temporary Uses	**Required Parking Spaces**
Seasonal Sales	1 space per 600 sf of display area, plus 1 space per employee on the largest shift; minimum 3 spaces
Garage/Yard Sale	None required
Utility/Infrastructure Uses	**Required Parking Spaces**
Public Utility Facility	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site; no parking required for unstaffed facilities
Public Utility Services	None required
Airport / Heliport	As determined by the Building Inspector, which may require a parking demand study
Transmission Tower, Commercial	1 space per tower for maintenance access
Transmission Tower, Non-commercial	None required
Refuse Collection Facility	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site
Landfill	1 space per employee on the largest shift, plus 1 space per company vehicle kept on site

§ 3.00. OFF-STREET PARKING DESIGN REQUIREMENTS.

3.01. Parking Space and Stacking Dimensions.

A. Off-street parking spaces and parking aisles shall comply with the minimum dimensions established in Table 9.2, Minimum Parking Space and Aisle Dimensions.

1. Table 9.2: Minimum Parking Space and Aisle Dimensions

Parking Angle	Minimum Space Width	Minimum Space Length	Minimum Aisle Width
Parallel	9 ft	22 ft	12 ft*
45°	9 ft	19 ft	13 ft*
60°	9 ft	19 ft	18 ft*
90°	9 ft	19 ft	24 ft
*For one-way circulation.			

2. Stacking spaces shall measure a minimum of ten (10) feet in width and twenty (20) feet in length and shall be located so as not to obstruct required parking spaces, parking aisles, driveways, sidewalks, or other required pedestrian or vehicular circulation areas.
3. Accessible parking spaces, access aisles, accessible routes, signage, and related improvements shall comply with the accessibility requirements of the applicable building code and all applicable federal and state requirements.

B. Vehicular Circulation. Parking areas shall provide adequate access, circulation, and maneuvering space and shall be designed so that vehicles are not required to back onto a public street. This requirement shall not apply to parking serving a Single-Family Dwelling or Duplex, except where the property has direct access to an Arterial Street.

C. Separation from Public Rights-of-Way. Parking areas shall be physically separated from adjacent public street rights-of-way by a curb, landscaped area, sidewalk, or other approved physical separation, except at approved points of vehicular access.

D. Lighting. Lighting within parking areas shall comply with Article IV, § 9.00, Exterior Lighting.

E. Emergency and Service Vehicle Access. Parking areas and internal circulation drives shall be designed and constructed to provide adequate access and maneuvering space for emergency, sanitation, and other public service vehicles, as applicable. Fire lanes and emergency access shall comply with the requirements of the applicable fire code and the City of Moody Fire Department.

F. Surfacing. All required parking spaces, parking aisles, and vehicular circulation areas associated with nonresidential uses shall be paved with asphalt or concrete.

G. Parking Space Markings. All required parking spaces shall be clearly delineated with painted lines or other durable markings, except for spaces serving a Single-Family Dwelling or Duplex.

H. Maintenance. Parking areas, including pavement, striping, wheel stops, curbing, landscaping, lighting, and drainage facilities, shall be maintained in good condition and kept free of potholes, excessive vegetation, trash, debris, and other conditions that interfere with their intended use. Maintenance shall be the responsibility of the property owner or other responsible party.

I. Drainage.

1. Parking areas shall be graded and drained to prevent adverse drainage impacts on adjacent properties and public rights-of-way and shall comply with all applicable City drainage, stormwater management, and engineering requirements.

2. Parking areas containing more than twenty (20) parking spaces shall have drainage plans prepared by a professional engineer registered in the State of Alabama. Such plans shall be reviewed and approved by the City Engineer prior to construction.

J. Pedestrian Circulation. Parking areas shall provide safe and convenient pedestrian access between parking spaces and principal building entrances. Parking areas containing twenty (20) or more spaces shall provide a clearly defined pedestrian connection from the parking area to the principal building entrance.

K. Parking areas shall comply with the applicable vehicular area landscaping requirements of Article VIII, § 3.00.

L. Existing Nonresidential Parking Areas.

1. Existing nonresidential parking areas that do not comply with the asphalt or concrete paving requirements of subsection F shall be brought into compliance upon any of the following:

a. The issuance of a new business license for a business operating on the property; or

b. The issuance of a new building permit for the property.

2. Where compliance is required under subsection L.1, all required parking spaces, parking aisles, and vehicular circulation areas shall be paved with asphalt or concrete prior to the commencement of operations under the new business license or the issuance of a certificate of occupancy associated with the new building permit, as applicable.

§ 4.00. LOCATION AND SHARED USE OF REQUIRED PARKING.

4.01. Location of Required Parking.

A. Except as otherwise provided in this Section, required off-street parking shall be located on the same lot as the use it serves.

1. Common Parking Areas. Required parking within a unified development, including a planned residential, planned unit, or mixed-use development, may be provided in common parking areas located within the development.

B. Off-Site Parking. Where required parking cannot reasonably be provided on the same lot as the use served, required parking may be provided on another lot, subject to the following requirements:

1. The off-site parking area shall be located within four hundred (400) feet of a public entrance to the principal building or, where the principal use is not located within a building, within four hundred (400) feet of the lot containing the use.

2. A safe and convenient pedestrian route shall be provided between the off-site parking area and the use served.

3. The applicant shall provide a recorded parking agreement, easement, lease, or other legal instrument acceptable to the City Attorney demonstrating the continued availability of the required parking spaces for the use served.

4.02. Shared Parking.

A. Required parking spaces may be shared by two or more uses where the uses have different peak parking demand periods, subject to the following requirements:

1. Shared parking may be approved by the Building Official where the applicant demonstrates, through a parking demand analysis or other information acceptable to the Building Official, that the participating uses have different peak parking demand periods and that the proposed supply will accommodate the combined anticipated demand.
2. Where the shared parking spaces are located on a separately owned or controlled property, the applicant shall provide a parking agreement, easement, lease, or other documentation demonstrating the continued availability of the shared spaces.

4.03. Continued Availability.

A. Required parking spaces shall remain available for parking for the duration of the use or development they serve and shall not be reduced, removed, assigned to another use, or converted to another purpose unless the remaining parking complies with this Article or an alternative parking arrangement is approved in accordance with this Section.

§ 5.00. PARKING PROHIBITIONS.

5.01. Inoperative Motor Vehicles. In a residential zoning district, an inoperative motor vehicle shall be stored within a fully enclosed building or completely screened from view from public streets and adjacent properties. No inoperative motor vehicle shall be parked or stored within a public right-of-way.

5.02. Commercial and Recreational Vehicles in Residential Districts. Within a residential zoning district, vehicles exceeding ten thousand (10,000) pounds gross vehicle weight, and boats, trailers, recreational vehicles, campers, and similar vehicles or equipment, shall be parked or stored behind the front building line.

5.03. Non-residential Parking in Residential Districts. Off-street parking associated with a residential use shall not be used to provide required, overflow, or routine parking for a non-residential use. Temporary parking associated with a private social gathering, lawful home occupation, or other nonresidential use permitted on the residential property may be allowed for a period not exceeding twenty-four (24) hours. This exception shall not authorize the routine parking or storage of commercial vehicles or equipment associated with a business or home occupation.

5.04. Use of Required Parking Spaces. Required parking spaces and associated parking aisles shall not be used for the sale, display, repair, dismantling, or storage of vehicles, equipment, materials, merchandise, or other goods, or for any other purpose that interferes with their availability for parking, except as otherwise expressly permitted by this Ordinance.

§ 6.00. ACCESS AND DRIVEWAY STANDARDS.

6.01. Review and Approval.

A. Proposed vehicular access points shall be reviewed by the Building Official, Street Department Superintendent, and City Engineer, as applicable, and shall be approved as part of the applicable site plan or development approval. Access points shall be designed with consideration of location, width, drainage, traffic conditions, sight distance, pavement improvements, and other applicable engineering requirements.

B. Number and Location of Access Points. The number of vehicular access points shall be limited to the minimum necessary to provide reasonable access to the property. Access points shall be located to provide adequate sight distance, minimize conflicts with traffic and pedestrian circulation, and provide appropriate separation from other access points and intersections. Shared driveways, cross-access connections, or frontage access drives may be required where necessary to promote safe and efficient access along Arterial and Collector Streets.

C. The City Engineer may approve a different number of access points than permitted by Table 9.3, Maximum Number of Vehicular Access Points, where necessary to address site constraints, traffic safety, roadway function, or applicable access-management requirements, provided that the approved access configuration provides safe and reasonable access to the property.

Table 9.3: Maximum Number of Vehicular Access Points

	Street Frontage Width	Maximum Entrances
1.	Less than 125 feet	One
2.	125 to 300 feet	Two
3.	300 to 500 feet	Three
4.	500 to 1,000 feet	Four
5.	Above 1,000 feet	Five

D. Lots with Multiple Street Frontages. A lot with frontage on two or more streets may be permitted access from each street, subject to the requirements of this Section. Where practicable, access shall be located on the street with the lower functional classification.

E. Access Point Separation. Vehicular access points shall comply with the minimum spacing requirements of Table 9.4, Minimum Access Point Spacing, measured between the nearest edges of pavement of each access point.

Table 9.4: Street Classification Minimum Spacing

Street Classification	Minimum Spacing
Local Street	125 feet
Collector Street	250 feet
Arterial Street	400 feet

1. Where the required spacing cannot reasonably be achieved due to existing lot dimensions, existing access locations, topography, or other site constraints, the City Engineer may approve a reduced spacing where safe and adequate access can be provided. Shared

access and cross-access to adjoining properties may be required where necessary to meet the intent of this Section.

2. Access to a State-maintained roadway shall comply with applicable Alabama Department of Transportation requirements.

F. Turn Lanes and Other Improvements. The City Engineer may require turn lanes, pavement widening, traffic control improvements, or other access-related improvements where necessary to provide safe and adequate vehicular access based on anticipated traffic volumes, roadway conditions, or other relevant traffic and engineering considerations.

G. Cross-Access. For nonresidential and mixed-use development along Arterial and Collector Streets, vehicular connections to adjoining compatible development may be required where practicable to facilitate shared access and reduce unnecessary vehicular trips on the public street system.

§ 7.00. OFF-STREET LOADING REQUIREMENTS.

7.01. Applicability.

A. Uses that routinely receive or distribute goods, materials, merchandise, or equipment shall provide off-street loading spaces in accordance with Table 9.5, Off-Steet Parking and Loading Requirements.

Table 9.5: Off-Steet Parking and Loading Requirements

Gross Floor Area	Minimum Loading Spaces
Less than 10,000 sf	0
10,000–49,999 sf	1
50,000–149,999 sf	2
150,000–299,999 sf	3
300,000–499,999 sf	4
500,000 sf or more	5, plus 1 for each additional 250,000 sf

§ 8.00. OFF-STREET LOADING DESIGN STANDARDS.

8.01. Dimensions.

A. Each required loading space shall measure a minimum of twelve (12) feet in width and fifty-five (55) feet in length, exclusive of drive aisles and maneuvering areas, and shall provide a minimum vertical clearance of fourteen (14) feet.

8.02. Location.

A. Required loading spaces shall be located on the same lot as the use they serve.

B. Required loading spaces shall not be located within a required front yard or within five (5) feet of any property line.

C. Where a loading area is visible from a public street or adjacent residential zoning district or residential use, it shall comply with Article VIII, § 5.04, Outdoor Storage and Loading Areas.

8.03. Circulation and Use.

A. Required loading spaces shall not be used to satisfy required off-street parking and shall be designed and located so as not to obstruct required parking spaces, drive aisles, fire lanes, sidewalks, or other required pedestrian or vehicular circulation. Loading and unloading activities shall occur entirely on the lot and shall not extend into a public right-of-way or across a property line.

B. Lighting. Lighting within loading areas shall comply with Article IV, § 9.00, Exterior Lighting.

C. Maneuvering. Loading areas shall provide sufficient on-site maneuvering area so that vehicles may enter, load or unload, and exit the site without backing onto an Arterial or Collector Street.

§ 9.00. CHANGE IN PARKING AND LOADING REQUIREMENTS.

9.01. Where an alteration, expansion, or change in use increases the number of required parking or loading spaces, the additional parking or loading required by the alteration, expansion, or change in use shall be provided in accordance with this Article.

ARTICLE X. SIGN REGULATIONS

§ 1.00. PURPOSE AND INTENT.

The purpose of these sign regulations is: to encourage the effective use of signs as a means of communications in the City of Moody, to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety, to minimize the possible adverse effects of signs on nearby public and private property; and, to enable the fair and consistent enforcement of these regulations. This sign Ordinance is adopted under the zoning authority of the City of Moody in furtherance of the more general purposes set forth in the zoning Ordinance.

1.02 General regulations applying to all signs in any zoning district, within the City of Moody, the following regulations shall apply;

A. No sign shall be erected or maintained at any location where, by reason of its position, wording, illumination, shape, symbol, color, form or character, it may obstruct, impair, obscure or interfere with the view. Such signs shall be designed and located in a manner that would prevent them from being mistaken for any authorized traffic sign, signal or device. They shall not interfere with, mislead, confuse or disrupt traffic flow or traffic safety.

B. Signs incorporating any noisy mechanical device (whistles, horns noise makers, sirens, or any other noisy audible devices) are expressly prohibited within the City of Moody.

C. No sign of any type or foundation or support thereof shall be placed in a public street or its right-of-way.

D. No sign with flashing, traveling or animated illumination shall be permitted in any zoning district of the City, with the exception of permanent signs located in commercial districts providing public service information such as, but not limited to: time, date, temperature, news or weather.

E. All portable and temporary signs shall be set back at least 20 feet (20’) from the pavement edge of public street or road; and in no case shall such signs be closer than ten feet (10’) from the property line. No portable or temporary sign of any type shall be permitted within 35 feet (35’) of an intersection of the pavement edge lines of two public streets or roads or of the edge of the pavement line of public street or road and the right-of-way line of a railroad.

F. No illuminated sign, other than a permanent subdivision identification sign, shall be permitted within 50 feet (50’) of any residential zone district of the City.

G. The area around all signs shall be kept clean and free of trash and all vegetation, unless such area is a part of the landscaping associated with the sign, in case of which, such shall be well maintained. In addition, it shall be the responsibility of the sign owner/lessor or property owner to maintain all signs in a safe and proper operating manner at all times.

H. No person shall park any vehicle or trailer on a public street or public parking area for the sole purpose of advertising.

I. Snipe signs, feather signs, and air dancers shall not be permitted in any district except as may be authorized by the City Ordinance.

J. The City of Moody Planning Commission (the "commission"), or the Building Official and the chairperson of the commission (the "committee"), must approve any sign prior to its

construction or modification. Upon approval of any sign by the commission or committee, a permit shall be issued by the City's Building Official for the construction of said sign.

1. Upon a determination by the commission or committee that any sign has been constructed or modified in a manner inconsistent with the approval given by the commission or committee, or the permit issued by the Building Official, the owner of said sign shall be allowed 30 days to bring said sign into compliance at his/her expense. If the sign is not brought into compliance within the 30 days allowed, the sign shall be removed by the City at the owner's expense.
2. All signs must be maintained in a manner to preserve and enhance the quality of the surrounding community. All signs shall be kept free from defects or disrepair that adversely impact the safety, health, welfare, image and character of the surrounding community. Upon a determination by the commission or committee that any sign has not been maintained, the owner shall be allowed 30 days to bring said sign into compliance at his/her/its expense. After the 30-day compliance period, a sign still in violation shall be removed or brought into compliance by the City at the owner's expense.
3. No future construction of a permanent pole-mounted sign shall be permitted in commercial zoned areas; except, this restriction shall not apply to the "interstate district". All signs in commercial zoned areas must be of a monument/ground type. One freestanding monument/ground type sign is allowed for each street frontage per establishment or per multi-establishment development (i.e., shopping centers, office buildings/complexes, etc.). All signs must be a minimum of ten feet (10') from the nearest public right-of-way and may be located in a landscaped area or "planting strip" area between the development and any public right-of-way.
4. Signs shall have a base no more than two feet wide and no less than one foot in height from the ground. Signs shall be no taller than seven feet in height, as measured from the top of the closest edge of the adjacent roadway and no longer than 16 feet in total length. Signs shall have no more than 72 square feet in total sign area. All sign bases and columns shall be fully enclosed in masonry (brick, stone, hard coat stucco or a combination thereof).
5. Signs for shopping centers or developments shall be allowed to display a single sign on each street frontage displaying the name of the shopping center or development. Each individual business within said shopping center or development shall be allowed to mount a single wall sign, 20 percent of the gross area of the exterior wall of the structure on which said sign is located, on the outside of its business. The size of wall signs for businesses not a part of a shopping center or development shall be limited to 20 percent of the gross area of the exterior wall of the structure on which said sign is located. Wall signs for said business shall be located exclusively on the wall of the business which fronts the road.
6. Roof signs are prohibited, except as provided for by regulation. Plasma signs are prohibited. Portable signs are prohibited.
7. Owners of signs which utilize lights or light sources of any type to provide any information to the general public must diligently conduct all maintenance on said lights and lighting sources to keep them fully functional and operational. Within ten days of notification by the City of any defect in any sign's light or lighting source, the owner or operator of the sign at issue shall conduct any necessary maintenance as required by the City to bring any lights or lighting sources at issue back into compliance.

8. The above provisions shall not apply to signs erected within the "interstate district" of the City. Businesses located within the interstate district must elect to construct signs consistent with this section or the section devoted to interstate district signage.

K. No sign shall occupy any portion of a parking space or aisle.

L. All signs shall conform with the Standard Building Code, chapter 22, or as may be amended, which provides a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses and electrical wiring and other components.

M. Professional signs for home occupations, where permitted, shall not exceed three square feet in area. Such sign may be either a wall mounted sign or a ground sign. In the case of ground signs, none shall be located any closer than 20 feet from the street right-of-way.

1.03. Exempt Signs, Permit Exemptions.

N. Except as may be otherwise provided for elsewhere in this Ordinance, the following signs are exempt from the sign permit requirements and the provisions of this Ordinance, subject to meeting all the applicable regulations, codes and any City policies concerning such signs.

1. Permanent or temporary signs required to be posted by law.
2. Permanent or temporary WARNING and NO TRESPASSING signs. (snipe signs shall not be allowed.)
3. Permanent or temporary signs established by, or by order of, any government agency or official body.
4. Signs indicating the location of bus stops, taxi stands and similar transportation facilities.
5. Signs providing information concerning the location or use of accessory off-street facilities and/or loading or unloading facilities.
6. Permanent or temporary signs required for the control of vehicular or pedestrian traffic.
7. Temporary holiday signs, banners, displays and decorations.
8. Routine sign maintenance and repair, including changeable copy signs.
9. Decorative flags and bunting for City-wide celebrations, conventions and commemorations, when authorized by the City for a specified time period.
10. One construction sign per street frontage, located on the property, shall be allowed, where building is actually in progress under a current building permit. This shall be a ground sign not to exceed 32 square feet in area, be non-illuminated and may include the names of persons and firms performing such services, labor or supplying materials to the premises. Such sign must be removed before a certificate of occupancy is issued.
11. Flags, banners or insignias of a governmental, religious, charitable or fraternal organization.
12. Integral, decorative or architectural features of buildings, except letters, trademarks or moving parts.
13. Directory signs located inside the buildings they serve.
14. Signs not exceeding three square feet in area and bearing only property numbers, post office box numbers or names of the occupants of the premises to which the sign permits.

15. Window signs located in commercial zone districts, advertising activities, services, goods or products available within the building, with a total area of 20 percent or less of the window glass surface area.
16. A permit shall be obtained by the responsible individual(s) or party/parties, from the City of Moody, to post all political campaign posters, signs, etc. provided that they do not create traffic hazards as a result of poor or improper placement. The said individual(s) or party/parties shall remove all such signs, posters, etc. within 72 hours of the end of the general or runoff election or political even to which they pertain. Such signs shall not be illuminated in any manner whatsoever. (Snipe signs shall not be allowed.)
17. Temporary, non-illuminated signs, located in residential and agricultural districts, not to exceed four square feet in sign area, pertaining to agricultural products raised on the premises. (Snipe signs shall not be allowed.)
18. Temporary, non-illuminated real estate signs which are used to offer the sale, lease or rent of property upon which such signs are located. (Snipe signs shall not be allowed).

§ 2.00. BILLBOARD REGULATIONS.

2.01. Location.

A. Billboards shall be permitted only on property zoned I-1 or I-2 along Interstate Highway 20, subject to the location, spacing, and other applicable requirements of this Section.

B. No billboard shall be located closer than one thousand (1,000) feet to any residential zoning district. The required separation shall be measured in a straight line from the nearest point of the billboard structure to the nearest boundary of the residential zoning district.

C. No billboard shall be located more than six hundred (600) feet from the nearest edge of the right-of-way of Interstate Highway 20. The distance shall be measured horizontally along a line perpendicular to the centerline of Interstate Highway 20.

D. No billboard shall be located closer than one hundred (100) feet to any side or rear property line.

E. No portion of any billboard shall project over or be located within any public property or public right-of-way.

F. No billboard shall be located on the roof of, mounted upon, or supported by any building or other principal structure.

2.02. Spacing and Permitted Roadways.

A. Billboards shall maintain a minimum separation of one thousand (1,000) feet from another billboard located on the same side of Interstate Highway 20. The required separation shall be measured along the nearest edge of the highway pavement between points directly opposite the sign structures.

B. Billboards shall be prohibited along U.S. Highway 411 and all other roadways except Interstate Highway 20.

2.03. Height and Sign Area.

A. No billboard shall extend more than twenty (20) feet above the elevation of the nearest point of the main traveled way of Interstate Highway 20, measured vertically to the highest point of the billboard.

B. Billboards may be single-faced or double-faced. No billboard shall contain more than two (2) sign faces or panels, and no individual sign face shall exceed six hundred seventy-two (672) square feet in area.

C. Billboard sign faces shall not be stacked or erected side-by-side on the same support structure.

D. Where the two sign faces of a double-faced billboard are arranged in a V-shaped configuration, the interior angle between the sign faces shall not exceed twenty-five (25) degrees.

2.04. Illumination.

A. Any illumination of a billboard shall be indirect, and the beam of light shall be directed toward the face of the billboard and away from adjacent properties and public rights-of-way.

B. Flashing, traveling, animated, or intermittent illumination of billboards shall be prohibited.

C. Electronic or digital message displays, including light-emitting diode (LED), liquid crystal display (LCD), or similar changeable electronic displays, shall be prohibited on billboards.

2.05. Design and Maintenance.

A. The back of a single-faced billboard, when visible from a public right-of-way, shall be covered or screened with a suitable permanent material and maintained so as to present a finished and uniform appearance.

B. All structural supports, sign faces, lighting equipment, and other components of a billboard shall be maintained in a safe, structurally sound, neat, and clean condition.

C. All billboards shall be maintained in accordance with § 9.05, Unlawful Signs, of this Article.

2.06. Removal and Nonconforming Billboards.

A. The Building Official shall order the correction or removal of any billboard erected or maintained in violation of this Ordinance. Notice, correction, removal, and any appeal of such determination shall be conducted in accordance with § 9.09, Notification, and § 9.10, Removal of Signs, of this Article.

B. Any billboard lawfully existing on the effective date of this Ordinance that does not conform to the requirements of this Section shall be considered a nonconforming sign and may continue subject to the applicable nonconforming sign provisions of this Article.

C. A nonconforming billboard shall not be relocated, enlarged, replaced, or structurally altered except in full compliance with the applicable requirements of this Ordinance. Ordinary maintenance and repair necessary to maintain the billboard in a safe condition shall not, by itself, require the billboard to be brought into conformity, provided such work does not increase the height, sign area, or degree of nonconformity.

D. A change in the advertising copy or message displayed on a lawfully existing nonconforming billboard shall not, by itself, constitute an alteration, expansion, or loss of the billboard's lawful

nonconforming status, provided no structural alteration, enlargement, relocation, or conversion to an electronic or digital display occurs.

2.07. State and Federal Requirements.

A. Billboards located along Interstate Highway 20 shall comply with all applicable state and federal requirements, including applicable permitting requirements of the Alabama Department of Transportation.

§ 3.00. PORTABLE SIGN REGULATIONS.

3.01. Where permitted, portable signs shall conform with the following requirements and regulations.

A. No portable sign shall contain flashing or traveling lights.

B. No portable sign shall contain lights using colors associated with fire department vehicles, law enforcement vehicles, emergency medical vehicles, or other official vehicles. This shall include the following colors: red, blue, orange, and yellow.

C. All portable signs shall be set back at least 20 feet (20') from the pavement edge of public road or highway and in no case closer than ten feet (10') from the property line. No portable sign shall be permitted within 35 feet (35') of the intersection of the pavement edge lines of two roads or streets or railroad rights-of-way. Under no circumstances shall these signs be placed on public rights-of-way.

D. The location of portable signs shall not interfere with or impede motorists' vision at points of ingress and egress.

E. No portable sign shall exceed 50 square feet in area.

F. All portable signs shall be UL listed, when illuminated.

G. No portable sign shall be permanently or temporarily mounted on any roof, pole, tree or suspended structure.

H. Portable signs shall be considered temporary.

I. A permit is required for all portable/temporary signs. A permit will be issued for a period of 30 days. The responsible party/parties may obtain only four such permits per year with 60 days between any two permits.

J. A permit may be issued to property owners in the City for use of feather signs and air dancers pursuant to this paragraph. This permit may only be issued for grand openings or special events. Once issued, this permit shall not be issued again to any property owner during the twelve-month period following the end of the permitted use. A permit issued pursuant to this paragraph shall be valid for only two weeks measured from and including the date of issuance. Use of the permitted signs shall be limited to the property on which the special event or grand opening occurs and there shall be no more than four of such signs permitted.

§ 4.00. SIGNS PERMITTED IN RESIDENTIAL AREAS.

4.01. The following types of signs are permitted in residential zone districts of the City of Moody, subject to specified requirements, unless otherwise provided for elsewhere in this Ordinance. (See Article X, § 1.00, Article X, § 1.02 and § 1.03.)

A. For detached or attached single-family, two-family and Multifamily dwelling districts, nameplates, not to exceed three square feet in area shall be permitted for each dwelling unit. Such nameplates shall indicate the name and address of the premises, the occupants thereof and announcements only. (The indirect illumination of nameplates is permissible.)

B. Professional signs for home occupation, where permitted, shall not exceed three square feet in area. They may be mounted on walls or placed upon the ground; such shall not be illuminated in any manner. Such signs shall be neutral colors or earth tones. Ground mounted signs shall not be located closer than 20 feet from any street right-of-way.

C. Temporary, non-illuminated ground signs advertising yard sales, garage sales, or the sale of personal property, shall not exceed four square feet in area and shall not be located closer than 20 feet from any street right-of-way. The responsible party/parties shall remove such signs within 24 hours of sale.

D. Permanent subdivision identification signs shall be ground mounted, with an area not to exceed 48 square feet. These may include a masonry wall, landscaping and other similar material or features, designed and intended to form a display for neighborhood or subdivision identification. If illuminated, such signs shall utilize direct illumination only. The principal entrance to the subdivision and the main street leading to the subdivision shall each adorn one such sign. These shall not be located closer than 15 feet from the pavement edge of the street or thoroughfare and shall not create any traffic hazard.

E. Temporary subdivision identification signs shall be ground mounted with an area not to exceed 32 square feet. If illuminated, such signs shall utilize direct illumination only. The principal entrance to the subdivision and the main street leading to the subdivision shall each adorn one such sign. Temporary signs shall be permitted only when property remains unsold. Such signs shall be located no closer than 15 feet from the property line of the street to which it is directed and shall not be used concurrently with the permanent subdivision sign referred to in D above.

F. For multifamily and group dwellings, identification signs shall not exceed nine square feet in the sign area. Such signs shall indicate the name and address of the premises and the name of the management only. No sign shall be flushed with the principal building. Any lighted sign shall have indirect illumination only.

G. Permanent church, school or other public building bulletin boards or identification signs, including manually-operated, changeable-copy signs shall not exceed 32 square feet in area. These may be illuminated or non-illuminated and shall be located no closer than 15 feet from the property line of the street to which the sign is directed.

H. Signs permitted in planned residential districts shall be determined during the site plan review process.

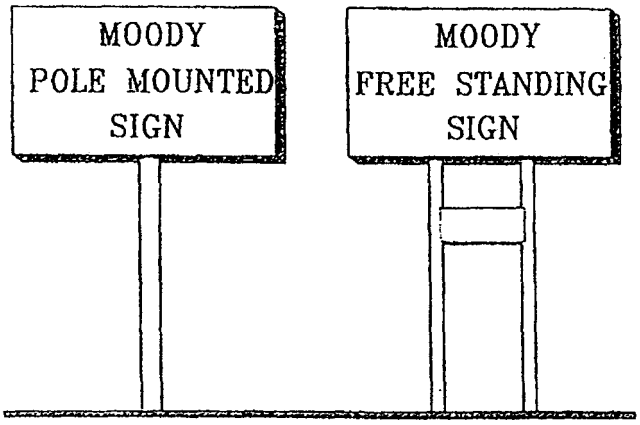
Note: Billboards, portable signs and signs containing animated, traveling or flashing lights, are prohibited in all residential zone districts of the City of Moody.



§ 5.00. SIGNS PERMITTED IN THE B-3 GENERAL BUSINESS DISTRICT.

5.01. Permanent freestanding, on-premises, pole-mounted or ground mounted signs shall be permitted, limited to one such sign per street frontage of a street of a lot, regardless of the number of businesses located on the lot. The following may be included:

A. A permanent, on-premises, freestanding, pole-mounted sign, illuminated or non-illuminated, shall not exceed 150 square feet in area. Such sign shall not exceed a height of 40 feet from the ground level to the highest point on the sign. It shall have a minimum clearance of ten feet from the ground level to the lowest point on the sign. No sign shall be located on, nor project into, any public right-of-way nor be located under any overhead utility lines.

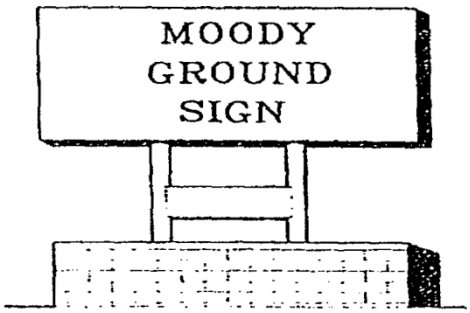


Permanent free-standing/pole-mounted sign

Permanent Freestanding/Pole Mounted Sign

B. A permanent, on-premises, ground sign, either illuminated or non-illuminated, may include a masonry wall, landscaping and similar features or materials. Such sign shall not exceed 48 square feet in area and 15 feet in height measured from the ground level to the highest point on the sign. No

sign shall be located on, nor project into, any public right-of-way nor be located under any utility lines.

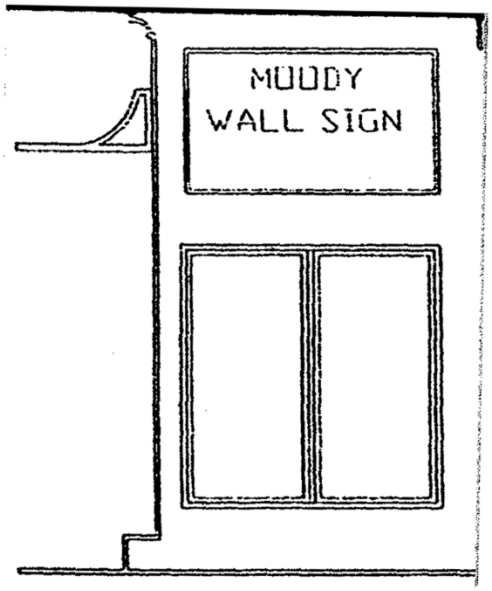


Ground Sign

C. A permanent, on premises, freestanding, pole-mounted sign, illuminated, or nonilluminated, and located within 1,900 feet of the I-20 right-of-way, shall not exceed 150 square feet in area. Such sign shall not exceed a height of 75 feet from the ground level to the highest point on the sign. It shall have a minimum clearance of ten feet from the ground level to the lowest point on the sign. It shall have a minimum clearance of ten feet (from the ground level to the lowest point on the sign. No sign shall be located on, nor project into, any public right-of-way, not be located under any utility lines.

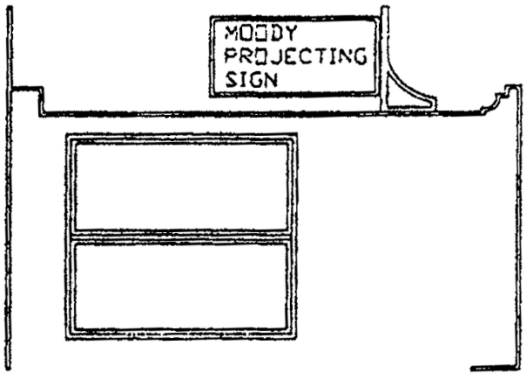
B. In addition to either A, B or C above, attached, permanent, on-premises signs, illuminated or non-illuminated, shall be limited to one per business, per street frontage; and, the following may be included:

1. A wall or fascia sign, either illuminated or non-illuminated, shall be limited to one per street frontage, provided no other signs for such establishment are located on the same building wall. Such signs shall not extend above the roof line of—or project more than 12 inches outward from the building upon which it is mounted. Wall signs, which identify the rear entrance of the principal buildings, may be permitted, provided it is non-illuminated and does not exceed ten square feet in sign area.



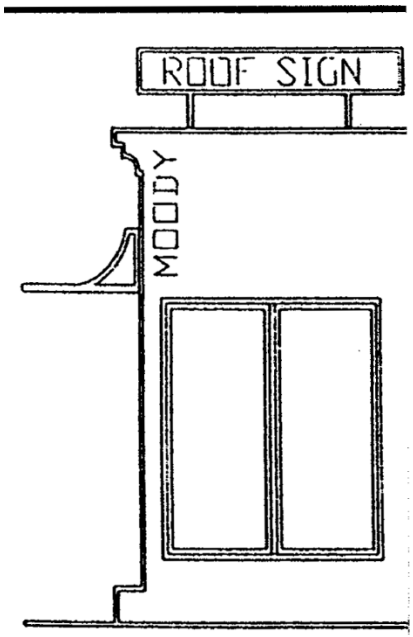
Wall or Fascia Sign

2. A projecting sign either illuminated or non-illuminated, shall be attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall; and, it shall not project outward more than 36 inches from the face of the building upon which it is mounted. It shall not exceed 16 square feet in area and shall have a minimum clearance of ten feet from the lowest point of the sign to the ground level or sidewalk on which it stands. Such signs shall not project into any public right-of-way.



Projecting Sign

3. A roof sign, illuminated or non-illuminated, limited to one per street frontage, per beyond the dimensions of a mansard roof, penthouse or an architectural roof element on which it is located. See definition of *Signable area*. The vertical dimensions of a signable wall area shall not exceed six feet. The size of such signs shall not exceed 40 percent of the signable wall area.



Roof Sign

C. Signs located in unified business centers (shopping centers and office parks).

1. There shall be an architectural harmony and unity of signs within a shopping center or unified business center on a property. Sign type, color scheme, size, and illumination within the site shall be coordinated and compatible with the architecture of the center.
2. Either a permanent, freestanding, pole-mounted, or ground sign, illuminated or non-illuminated, shall be permitted to identify a shopping center or unified business center. In addition a wall or fascia signs for each establishment within the center shall be permitted, with all signs subject to the height, dimensional requirements and restriction of § 5.00 for permanent, freestanding, pole-mounted, or ground signs.
3. Billboards shall be permitted in the B-3 General Business District, subject to the provisions of Article X, § 2.00.
4. Portable signs shall be permitted in the B-3 General Business District subject to the provisions of Article X, § 3.00.
5. Marquees, canopies or fixed awnings shall be permitted, subject to the provisions of the Standard Building Code, chapter 22, §§ 2201.2—2201.6, or as may be amended.

§ 6.00. SIGNS PERMITTED IN THE I-1 LIGHT INDUSTRIAL DISTRICT AND THE I-2 HEAVY INDUSTRIAL DISTRICT.

6.01. Permanent, freestanding, on-premises, pole-mounted or ground mounted signs shall be permitted, limited to one such sign per street frontage of a street frontage of a street of a lot, regardless of the number of businesses located on the lot. The following may be included:

A. A permanent, on-premises, freestanding, pole-mounted sign, illuminated or non-illuminated, shall not exceed 150 square feet in area. Such sign shall not exceed a height of 40 feet from the ground level to the highest point of the sign. It shall have a minimum clearance of ten feet from the ground level to the lowest point on the sign. It shall not be located closer than the edge of the property line. No sign shall be located on, nor project into, any public right-of-way. (See illustration in Article X, § 5.00.)

B. A permanent, on-premises, ground sign, either illuminated or non-illuminated, may include a masonry wall, landscaping and similar features or materials. Such sign shall not exceed 60 square feet in area and 15 feet in height measured from the ground level to the highest point of the sign. It shall not be located closer than the edge of the property line. No sign shall be located on, nor project into, any public right-of-way. (See illustration in Article X § 5.00)

C. In addition to either A or B above, attached, permanent, on-premises signs, illuminated or non-illuminated, shall be limited to one per business, per street frontage; and, the following may be included:

1. A wall or fascia sign, either illuminated or non-illuminated, shall be limited to one per street frontage, provided no other signs for such establishment are located on the same building wall. Such signs shall not extend above the roof line of—or project more than 12 inches outward from the building upon which it is mounted. Wall signs, which identify the rear entrance of the principle building, may be permitted, provided it is non-illuminated and does not exceed ten square feet in sign area. (See illustration in Article X § 5.00)

2. A projecting sign either illuminated or non-illuminated, shall be attached to the wall of the establishment it serves, provided no other signs for such establishment are located on the same building wall; and, it shall not project outward more than 36 inches from the face of the building upon which it is mounted. It shall not exceed 16 square feet in area and shall have a minimum clearance of ten feet from the lowest point of the sign to the ground level or sidewalk on which it stands. Such signs shall not project into any public right-of-way. (See illustration of § 5.00)

D. Portable signs shall be permitted in the I-1 and I-2 Industrial Districts, subject to the provisions of Article X , § 3.00.

§ 7.00. SIGNS PERMITTED IN THE AG-1 AGRICULTURAL DISTRICT.

7.01. The following signs shall be permitted in the AG-1 Agricultural District:

A. Those signs permitted in the residential areas listed in Article X, § 4.00.

B. Signs customarily incidental to uses permitted in the agricultural district.

Note(s)— (See Article X, §1.00, Article X, §1.02 and § 1.03.)

§ 8.00. CONSTRUCTION AND MAINTENANCE OF SIGNS.

8.01. All signs shall comply with the following construction and maintenance requirements and regulations:

A. All signs shall conform with the City of Moody building and other construction codes. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials and electrical wiring and components.

B. All signs and all components thereof, including structural supports, shall be kept in a state of good repair.

C. The area surrounding the base of any freestanding sign shall be kept clean of all trash, debris and undergrowth.

D. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy or remove any trees, shrubs, or other vegetation within any right-of-way or on any area where landscaping is required under City regulations, unless express written authorization is obtained from the agency having jurisdiction over the said right(s)-of-way.

§ 9.00. REQUIRED PERMITS, FEES AND INSPECTIONS.

9.01. Permits Required.

A. Except where this Article explicitly exempts a sign, all signs erected shall require a sign permit issued by the Building Official.

B. Whether a sign is exempt or not, an electrical permit shall be required for all illuminated signs.

C. All outdoor advertising signs to be located within 660 feet of the nearest edge of the right-of-way of a highway on Interstate or National Highway System-urban and rural routes, shall file an

application for a permit with the State of Alabama Highway Department as required by the Highway Beautification Act-Outdoor Advertising.

9.02. Application Forms.

A. Each application for a sign permit shall include the following:

1. The name, signature and address of property owner or the authorized agent of the property owner and that of the sign contractor.
2. The address of the property owner where the sign is to be erected.
3. The lot area, sign district, zoning district, and principal land use(s) on the lot where the sign is to be erected.
4. A complete description of the sign(s) to be erected, including, but not limited to, the number, type, method of illumination, size, height, etc.
5. A scaled drawing of the sign and a plot plan showing the location of each sign on the lot.
6. All other details, sufficient for the Building Official to determine compliance with the requirements of this Article, which may include a building elevation, survey or other drawings, or any documentation deemed satisfactory by the City of Moody to assess a permit for the sign.
7. All applicable fees.

9.01. Issuance Denial.

When a permit is denied by the Building Official, the Building Official shall serve a written notice to the concerned applicant explaining the reason or reasons behind such a denial. A copy of the said statement shall be made as an attachment to the permit application.

9.02. Appeals of Permit Denial.

An appeal, concerning the denial of a permit, may be taken to the Zoning Board of Adjustments by the concerned applicant.

9.03. Permit Fees.

Applications for permits shall be filed with the Building Official, together with a permit fee, as specified by the Building Official, for each sign, in accordance with this Ordinance. The building permit fees for signs shall be determined by the City in the same manner as the fees for other building permits.

9.04. Inspection of Signs.

The person erecting, altering, relocating, enlarging, or converting any sign shall notify the Building Official of the completion of such work for which permits were required and issued. See Article X, §1.00, Article X, § 1.03.

9.05. Unlawful Signs.

Every sign in the City of Moody shall be maintained in good repair and structurally safe condition at all times. The Building Official may inspect signs and shall have the authority to order the repair, maintenance, or removal of any sign that is dilapidated, abandoned, structurally or electrically defective, unlawfully erected or maintained, or that constitutes a physical hazard to public safety. Any required repair, maintenance, or removal shall be at the sign owner's expense. Removal of signs shall be conducted in accordance with § 9.10 of this Article.

9.06. Confiscation of Signs Located in Public Right-Of-Way.

Any sign installed or placed on a right-of-way, except in conformance with the requirements of this Ordinance, shall be forfeited to the public and subject to confiscation. In addition to other remedies provided for under this Article, the City shall have the right to recover, from the owner or person placing the sign, the full cost of removal and disposal.

9.07. Abandoned Signs.

Except as may otherwise be provided for in this Article, any sign that is located on property which becomes vacant and is unoccupied for a time period of four months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have abandoned. Permanent signs applicable to a business, temporarily suspended because of change in ownership or management, shall not be deemed abandoned unless the property remains vacant for a period of nine months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.

9.08. Misleading Signs.

All signs, for businesses and other commercial or industrial establishments that are no longer in operation, shall be removed within 90 days of the disuse of such an establishment. The removal of such misleading signs shall be the responsibility of the owner of that sign.

9.09. Notification.

All notices mailed by the Building Official shall be sent by certified mail. Any time period, provided in this section, shall be deemed to commence on the date of the receipt of the certified mail. The notice shall be mailed to the owner of the property, on which the sign is located, as shown on the latest available tax records and maps, as well as the occupant which the sign serves. Any person or persons with an interest in the sign or the property may appeal the determination of the Building Official. The Building Official's order of the removal of the sign or the measures necessary to bring the sign into compliance with the provisions of this Ordinance may be appealed with the City of Moody Zoning Board of Adjustments in writing. This appeal must be filed within 30 days of the date the Building Official's notice for the removal of a sign/signs was mailed.

9.10. Removal of Signs.

The Building Official shall order the repair or removal of any sign that is abandoned, dilapidated, structurally or electrically defective, unlawfully erected or maintained, or otherwise constitutes a physical hazard to public safety. Except where immediate action is necessary to address an imminent threat to public safety, the Building Official shall provide notice of the violation in accordance with § 9.09 of this Article, identifying the violation and the corrective action required. The responsible party shall have thirty (30) days from receipt of

such notice to correct the violation or remove the sign. Where the Building Official determines that additional time is reasonably necessary due to the nature or extent of the required corrective action, the Building Official may grant an extension of the compliance period, provided the total compliance period shall not exceed one hundred eighty (180) days from receipt of the original notice. No extension shall be granted for a condition determined to constitute an imminent threat to public safety. Failure to correct the violation or remove the sign within the required time or any approved extension may result in removal by the City in accordance with this Ordinance.

Any sign installed or placed within a public right-of-way in violation of this Ordinance shall be subject to removal and confiscation by the City without prior notice. The City may recover from the sign owner, property owner, or person responsible for placing the sign the reasonable costs of removal and disposal, as applicable.

APPENDICES

APPLICATION FOR SPECIAL EXCEPTION USE
CITY OF MOODY, ALABAMA

PART I. Applicant Information:

Name: _____

Address: _____

Telephone: _____

Signature: _____

PART II. Parcel Data:

Owner of Record: _____

Mailing Address: _____

Tax Map ID #: _____

Existing Land Use: _____

PART III. Request:

Type of Special Exception Use Required: _____

_____

PART IV. Enclosures (All required enclosures should be appended to this Application):

___ A vicinity Map showing location of property

___ A Site Plan, Scaled with Dimensions, showing the property boundaries and proposed layout.

___ A $75.00 Administrative Fee plus cost of notification by registered mail to adjacent property owners at $5.54 each

NOTICE: The completed application and the required attachments must be filed at least thirty days (30) prior to the Public Hearing held by the Zoning Board of Adjustment. The applicant must be present at the hearing.

Scheduled Public Hearing date: _____

Date Received: _____

APPLICATION FOR VARIANCE
CITY OF MOODY, ALABAMA

PART I. Applicant Information:

Name: _____

Address: _____

Telephone: _____

Signature: _____

PART II. Parcel Data:

Owner of Record: _____

Mailing Address: _____

Property address for which variance sought: _____

Tax Map ID # _____

Current Land use/Zoning: _____

PART III. Request:

Ordinance section on which Variance sought:

_____

PART IV. Enclosures (All required enclosures should be appended to this Application):

___ A written justification for a variance

___ A vicinity Map showing location of property

___ A Site Plan, Scaled with Dimensions, showing the property boundaries and proposed layout.

___ A $75.00 Administrative Fee plus cost of notification by registered mail to adjacent property owners at $5.54 each.

NOTICE: The completed application and the required attachments must be filed at least thirty-days (30) prior to the Public Hearing held by the Zoning Board of Adjustment. The applicant must be present at the hearing.

Scheduled Public Hearing date: _____

Received By: _____

APPLICATION FOR REZONING
CITY OF MOODY, ALABAMA

$150.00 Administrative plus certified mail fee @ $5.54 per adjacent property owner.

1. Date Application filed: _____

2. Applicant's Name: _____

   Address: _____

   Telephone: _____

3. Owner's Name: _____

   Mailing Address: _____

   Address: _____

4. Location of the Property _____

   Tax Map ID #(s) _____

   _____

5. Acreage: _____

6. Existing Zoning: _____ Existing Land Use: _____
   Proposed Zoning: _____ Proposed Land Use: _____

7. Check all required submissions with this application

   ___ An Application Fee

   ___ The reason for the request

   ___ The legal description of the subject property

   ___ A vicinity Map

   ___ The availability of all required utilities

   ___ A site Plan

   ___ The Proffer of rezoning conditions (If Any)

Signature of Applicant: _____

Signature of Authorization By Owner: _____

SCHEDULED HEARING DATE: _____

Table 5.1 Use Table

Use Category	Use Name	Reference	AG-1	MF	E-1	R-1	R-2	R-3	RT	RG	PRD[1]	PUD[2]	RMHP	B3	B4	B5	I1	I2	L1	MR[3]
Residential	Accessory Dwelling Unit	Art. VII, § 2.00	P	P	P	P	P	P	—	P	P	P	—	—	—	—	—	—	—	—
Accessory	Accessory Recreational Facilities	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	—	P	P	—	—	—
Accessory	Accessory Retail Sales	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	—	—	—	—	—	—	P	P	P	P	P	P	P	P	—	—
Accessory	Accessory Structure	Art. IV, § 4.00 Accessory Buildings and Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Commercial	Adult-Oriented Businesses	Art. VII, § 3.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—
Utility/Infrastructure	Airport	Art. VII, § 4.00	SE	—	—	—	—	—	—	—	SE	—	—	—	—	—	—	SE	—	—
Commercial	Alternative Financial Services	Art. VII, § 5.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Institutional	Animal Shelter	Art. VII, § 6.00	C	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Industrial	Artisan Manufacturing	Art. VII, § 7.00	C	C	—	—	—	—	—	—	—	P	—	P	P	P	P	P	—	—
Institutional	Assembly and Community Facility	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—
Residential	Assisted Living Facility	Art. VII, § 8.00	—	—	C	C	C	C	C	C	P	P	—	P	—	—	—	—	—	—
Commercial	Automobile Repair, Major	Art. VII, § 9.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—	—
Commercial	Automobile Repair, Minor	Art. VII, § 9.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	P	P	—	—
Commercial	Bank or Financial Institution	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	C	P	—	P	P	P	—	—	—	—
Commercial	Bed and Breakfast	Art. VII, § 10.00	P	P	—	—	—	—	—	—	P	P	—	C	—	—	—	—	—	—
Residential	Boarding House (Shared Housing)	Art. VII, § 11.00	—	C	—	—	—	C	—	C	C	C	—	C	—	—	—	—	—	—
Commercial	Building Material Sales	Art. VII, § 12.00	—	—	—	—	—	—	—	—	—	—	—	P	C	—	P	P	—	—
Commercial	Business and Professional Office	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	P	P	—	P	P	P	P	P	—	—
Commercial	Campground	Art. VII, § 13.00	SE	SE	—	—	—	—	—	—	—	SE	—	—	—	—	—	—	—	—
Commercial	Car Wash	Art. VII, § 14.00	—	—	—	—	—	—	—	—	—	C	—	C	—	—	P	—	—	—
Institutional	Cemetery	Art. VII, § 15.00	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Institutional	Child Care Center	Art. VII, § 16.00	C	—	—	—	—	C	—	C	C	P	C	P	P	P	—	—	—	—
Commercial	Commercial School	Art. VII, § 19.00	C	—	—	—	—	—	—	—	—	P	—	P	P	P	C	—	—	—
Industrial	Construction Services	Art. VII, § 18.00	C	—	—	—	—	—	—	—	—	—	—	C	—	—	P	P	—	—
Industrial	Contractor Storage Yard	Art. VII, § 17.00	C	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—
Commercial	Coworking and Business Incubator	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—
Residential	Duplex	Art. VII, §§ 20.00, 61.00	—	—	—	—	—	P	—	—	P	P	—	—	—	—	—	—	—	—
Accessory	Electric Vehicle Charging Station [4]	Art. VII, § 22.00	P	—	—	—	—	P	—	—	P	P	—	P	P	P	P	P	—	—
Agricultural	Equestrian Facility	Art. VII, § 23.00	C	C	—	—	—	—	—	—	C	C	—	—	—	—	—	—	—	—
Commercial	Event Centers	Art. VII, § 24.00	C	—	—	—	—	—	—	—	C	C	—	C	C	C	—	—	—	—
Residential	Family Child Care Home	Art. VII, § 25.00	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—	—	—	—
Agricultural	Farm	Art. VII, § 27.00	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Agricultural	Farm Support Business	Art. VII, § 29.00	C	C	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—
Commercial	Drive-Through Service	Art. VII, §§ 21.00, 26.00	—	—	—	—	—	—	—	—	—	C	—	P	C	P	C	C	—	—
Commercial	Food and Beverage Establishment (without Drive-Through)	Art. VII, § 26.00	C	—	—	—	—	—	—	—	P	P	—	P	P	P	C	C	—	—
Commercial	Funeral Home	Art. VII, § 28.00	—	—	—	—	—	—	—	—	—	—	—	P	—	—	C	—	—	—
Temporary	Garage/Yard Sale	Art. V, § 5.00	P	P	P	P	P	P	P	P	P	P	P	C	—	—	—	—	—	—
Commercial	Garden Center/Nursery	Art. VII, § 30.00	P	P	—	—	—	—	—	—	—	P	—	P	C	—	—	—	—	—
Commercial	Gasoline Service Stations	Art. VII, § 31.00	—	—	—	—	—	—	—	—	—	C	—	C	—	—	P	C	—	—
Commercial	General Retail, Enclosed	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	P	P	—	P	P	C	C	—	—	—
Commercial	General Retail, Unenclosed	Art. VII, § 51.00	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	—	—
Commercial	Grocery Store/Supermarket	Art. VII, § 32.00	—	—	—	—	—	—	—	—	C	P	—	P	—	—	—	—	—	—
Industrial	Heavy Industry	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—
Utility/Infrastructure	Heliport/Helipad	Art. VII, § 4.00	SE	—	—	—	—	—	—	—	C	—	—	C	C	C	C	C	—	—
Agricultural	Hobby Farm	Art. VII, § 33.00	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Commercial	Home Improvement Center	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	—	—	P	C	—	P	—	—	—
Accessory	Home Occupations	Art. VII, § 34.00	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—	—	—
Institutional	Hospitals	Art. VII, § 35.00	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	—	—
Commercial	Hotel and Motel	Art. VII, § 36.00	C	—	—	—	—	—	—	—	—	P	—	P	C	—	—	—	—	—

Use Category	Use Name	Reference	AG-1	MF	E-1	R-1	R-2	R-3	RT	RG	PRD[1]	PUD[2]	RMHP	B3	B4	B5	I1	I2	L1	MR[3]
Residential	Independent Living Facility	Art. VII, § 37.00	—	—	C	C	C	C	C	C	P	P	—	P	—	—	—	—	—	—
Commercial	Indoor Recreation and Fitness	Art. VII, § 38.00	—	—	—	—	—	—	—	—	P	P	—	P	P	P	C	—	—	—
Industrial	Industrial Park	Art. VII, § 39.00	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	—	—
Commercial	Kennel	Art. VII, § 40.00	C	C	C	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Utility/Infrastructure	Landfill	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	SE	P	—
Industrial	Light Industry	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—
Agricultural	Livestock Sales	Art. VII, § 41.00	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Industrial	Maintenance Services	Art. IV, § 11.00 Performance Standards, General Development Standards	C	—	—	—	—	—	—	—	—	—	—	C	—	—	P	P	—	—
Residential	Manufactured Homes	Art. VII, § 42.00	P	P	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Residential	Manufactured Home Park	Art. VII, § 43.00	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Commercial	Manufactured Home Sales	Art. VII, § 44.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Commercial	Manufactured Home Sales	Art. VII, § 50.00	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	—	—
Industrial	Manufacturing, General	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—
Commercial	Medical Office and Clinic	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—
Institutional	Military Installation	Art. VII, § 46.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	—
Mixed-use	Mixed-Use Development	Art. VII, § 47.00	—	—	—	—	—	—	—	—	C	P	—	C	C	—	P	—	—	—
Residential	Multifamily Dwelling	Art. VII, §§ 45.00, 61.00	—	—	—	—	—	P	—	—	P	P	—	—	—	—	—	—	—	—
Institutional	Nursing Care Facility	Art. VII, § 48.00	—	—	—	—	—	—	—	—	C	C	—	C	—	—	—	—	—	—
Commercial	Open Air Market	Art. VII, § 49.00	P	P	—	—	—	—	—	—	—	P	—	P	C	—	—	—	—	—
Commercial	Outdoor Recreation and Entertainment	Art. VII, § 50.00	C	—	—	—	—	—	—	—	—	P	—	C	C	C	C	—	—	—
Institutional	Park	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	—	P	P	P	P	—	—
Commercial	Personal Service	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	P	P	—	P	P	P	C	—	—	—
Institutional	Place of Worship	Art. VII, § 53.00	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—
Industrial	Printing Establishment	Art. IV, § 11.00 Performance Standards, General Development Standards	—	—	—	—	—	—	—	—	—	P	—	P	P	P	P	P	—	—
Agricultural	Private Stable	Art. VII, § 55.00	P	P	C	—	—	—	—	—	C	C	—	—	—	—	—	—	—	—
Accessory	Private Swimming Pools	Art. VII, § 54.00	P	P	P	P	P	P	P	P	P	P	P	C	—	—	—	—	—	—
Accessory	Private Tennis Courts	Art. VII, § 56.00	P	P	P	P	P	P	P	P	P	P	P	C	—	—	—	—	—	—
Institutional	Public Building and Government Office	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—	—
Utility/Infrastructure	Public Utility Facility	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Utility/Infrastructure	Public Utility Services	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Industrial	Recycling Center	Art. VII, § 58.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—
Utility/Infrastructure	Refuse Collection Facility	Art. VII, § 59.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—
Industrial	Research and Development Campus	Art. VII, § 60.00	—	—	—	—	—	—	—	—	—	P	—	P	P	P	P	P	—	—
Industrial	Resource Extraction	Art. VII, § 62.00	SE	—	—	—	—	—	—	—	—	—	—	—	—	—	—	SE	—	—
Industrial	Salvage Yard or Junk Yard	Art. VII, § 65.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—
Accessory	Satellite Dish Antenna	Art. VII, § 66.00	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Institutional	School	Art. VII, § 63.00	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	—	—	—
Temporary	Seasonal Sales	Art. V, § 5.00	P	P	—	—	—	—	—	—	P	P	—	P	—	—	—	—	—	—
Commercial	Second-Hand Retail and Thrift Shops	Art. VII, § 67.00	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—
Industrial	Self-Storage Facility	Art. VII, § 68.00	—	—	—	—	—	—	—	—	—	—	—	—	C	—	P	C	—	—
Commercial	Shared Commercial Kitchen	Art. VII, § 64.00	C	C	—	—	—	—	—	—	—	P	—	P	P	P	C	—	—	—
Residential	Single-Family Dwelling	Art. VII, §§ 61.00	P	P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—	—
Commercial	Studio	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	—	—	—	—	—	P	P	—	P	P	—	—	—	—	—
Commercial	Tobacco, Vape, and Smoke Shop	Art. VII, § 69.00	—	—	—	—	—	—	—	—	—	—	—	P	—	—	C	—	—	—
Residential	Townhouse	Art. VII, §§ 61.00, 70.00	—	—	—	—	—	C	P	—	P	P	—	—	—	—	—	—	—	—

Use Category	Use Name	Reference	AG-1	MF	E-1	R-1	R-2	R-3	RT	RG	PRD[1]	PUD[2]	RMHP	B3	B4	B5	I1	I2	L1	MR[3]
Utility/Infrastructure	Transmission Tower, (Commercial)	Art. VII, § 71.00	SE	—	—	—	—	—	—	—	—	—	—	SE	SE	SE	SE	SE	SE	—
Utility/Infrastructure	Transmission Tower, Non-Commercial	Art. IV, § 11.00 Performance Standards, General Development Standards	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Commercial	Truck Stop Travel Center	Art. VII, § 72.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	C	—	—
Residential	Upper-Story Residential	Art. VII, § 74.00	—	—	—	—	—	—	—	—	P	P	—	P	—	—	—	—	—	—
Commercial	Vehicle and Equipment Sales, Major	Art. VII, § 73.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	P	P	—	—
Commercial	Vehicle and Equipment Sales, Minor	Art. VII, § 73.00	—	—	—	—	—	—	—	—	—	—	—	C	—	—	P	—	—	—
Commercial	Veterinary Clinic	Art. VII, § 75.00	C	C	—	—	—	—	—	—	—	—	—	P	C	—	—	—	—	—
Industrial	Warehouse and Distribution Facility	Art. VII, § 76.00	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	—	—

Key:

P	Permitted by Right: Permitted subject to all applicable provisions of this Ordinance.
—	Not Permitted.
C	Conditional Use: Requires approval by the Planning Commission in accordance with the Conditional Use procedures and standards of this Ordinance and compliance with all applicable Detailed Use Regulations.
SE	Special Exception: Requires approval by the Zoning Board of Adjustment in accordance with the Special Exception procedures and standards of this Ordinance and compliance with all applicable Supplemental Use Regulations.

[1]PRD Note: Uses permitted within the PRD District shall be developed as part of an approved Planned Residential Development and in substantial accordance with an approved Master Development Plan. The listing of a use in the Use Table shall not be interpreted as authorizing standalone development of that use outside of an approved PRD. The City Council may approve a PRD containing all or only a portion of the uses listed in the Use Table where such development is consistent with the purpose and intent of the district.

[2]PUD Note: Uses permitted within the PUD District shall be developed as part of an approved Planned Unit Development and in substantial accordance with an approved Master Development Plan. The listing of a use in the Use Table does not guarantee approval of any specific use or development intensity. The location, arrangement, and mix of uses shall be determined through the Master Development Plan approval process. The City Council may approve a PUD containing all or only a portion of the uses listed in the Use Table where such development is consistent with the purpose and intent of the district.

[3]MR District Note: The Municipal Reserve District is intended to function as a temporary holding district for newly annexed property. Only agricultural uses, public and utility uses, and existing lawful uses shall be permitted unless otherwise approved by the City. Property is expected to be rezoned to an appropriate permanent zoning district prior to development.

[4]Applies to EV charging as a principal use. EV charging equipment accessory to an otherwise permitted principal use is permitted in all zoning districts.