

**AGENDA**  
**CITY OF MONTEVALLO**  
**PLANNING AND ZONING COMMISSION**

**SPECIAL MEETING**

**June 20, 2019 – 6:00 P. M.**

**City of Montevallo  
City Hall  
545 Main Street  
Montevallo, AL 35115**

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**PUBLIC HEARING**

**1. Verification of Quorum.**

**2. Call to Order.**

**3. Case No. SN17-009 Colonial Oaks Subdivision Phase 2, 3 & 4**

This is a request from Ricky Pickett, Picket Construction LLC, property owner, for approval of a preliminary plat to divide 109.73 acres into 73 lots for residential use to be known as Colonial Oaks Subdivision Phase 2, 3 & 4.

The subject property is located at the northeast corner of Highway 119 and Highway 24, and situated in Section 35, Township 21 South, Range 3 West; Parcel Identification Nos. 58-23-7-35-1-001-005.000, 58-23-7-35-1-001-006.000, 58-23-7-35-1-001-007.000, 58-23-7-35-1-001-008.000, 58-23-7-35-1-001-009.000, 58-23-7-35-1-001-010.000, 58-23-7-35-1-001-011.000, 58-23-7-35-1-001-012.000, 58-23-7-35-1-001-013.000, 58-23-7-35-1-001-014.000.

**4. Case No. MZAM19-001 The Amendment of Article 22, Off-Street Parking and Loading Requirements**

This amendment is intended to clarify language concerning parking requirements throughout Montevallo, provide the opportunity to implement low-impact development techniques for newly constructed parking areas, and modify the parking requirements for residential properties within the Urban Core District.

**5. Case No. MZAM 19-002 The Amendment of Article 18, SD, Special District**

This amendment is intended to require professional traffic or market studies within special districts or overlay districts if deemed necessary by the zoning administrator.

**6. Case No. MZAM 19-003 The Amendment to Article 11, R-2, Single Family Dwelling District**

This amendment is intended to add manufactured homes on lots of 10,000 square feet (.23 acres) or greater as a conditional use within the R-2, Single Family Dwelling District.

**7. Case No. MZAM 19-004 The Amendment of Article 21, Sign Regulations**

This amendment is intended to remove the prohibition of pole signs on AL Highway 25.

**8. Case No. MZAM 19-005 The Amendment of Appendix D, Urban Core District Standards & Guidelines**

This amendment is intended to eliminate the requirement of review by the Design Review Committee for signs erected within the Urban Core District.

**9. Other Business.**

**10. Adjourn.**

# REPORT TO THE CITY OF MONTEVALLO

## PLANNING & ZONING BOARD

### Department of Development Services

June 20, 2019

#### Case No. SN17-019 Colonial Oaks Phase 2, 3 and 4

This is a request from Ricky Pickett, Picket Construction LLC, property owner, for approval of a preliminary plat to divide 33.22 acres into 68 lots for residential use to be known as Colonial Oaks Subdivision Phase 2, 3 & 4.

The subject properties are located at the northeast corner of Alabama Highway 119 and County Road 24, and situated in Section 35, Township 21 South, Range 3 West; Parcel Identification Nos. 58-23-7-35-1-001-005.000, 58-23-7-35-1-001-006.000, 58-23-7-35-1-001-007.000, 58-23-7-35-1-001-008.000, 58-23-7-35-1-001-009.000, 58-23-7-35-1-001-010.000, 58-23-7-35-1-001-011.000, 58-23-7-35-1-001-012.000, 58-23-7-35-1-001-013.000, 58-23-7-35-1-001-014.000.

## DISCUSSION

### Site Description

The subject properties are located at the northeast corner of Alabama Highway 119 and County Road 24. To the north is the Evangel Sports complex and to the west, across Alabama Highway 119, is the Hidden Forest neighborhood. The subject properties span 10 parcels and totals 36.4 acres. The subject properties are mostly undeveloped save for a small barn near the intersection of Alabama Highway 119 and County Road 24. The surrounding area is predominantly rural and residential.

Colonial Oaks is a residential subdivision with a master plan dating back to 2003. The Colonial Oaks subdivision is zoned R-2 SD, Residential Special District. Phase 1 of this development was recorded in 2007 (MB 39, PG 115) and is accessed via Revolutionary Way which connects to County Road 24. A detention pond was constructed along with Phase 1. Additionally, Union Drive was constructed sometime after 2007.



### Proposed Site Development

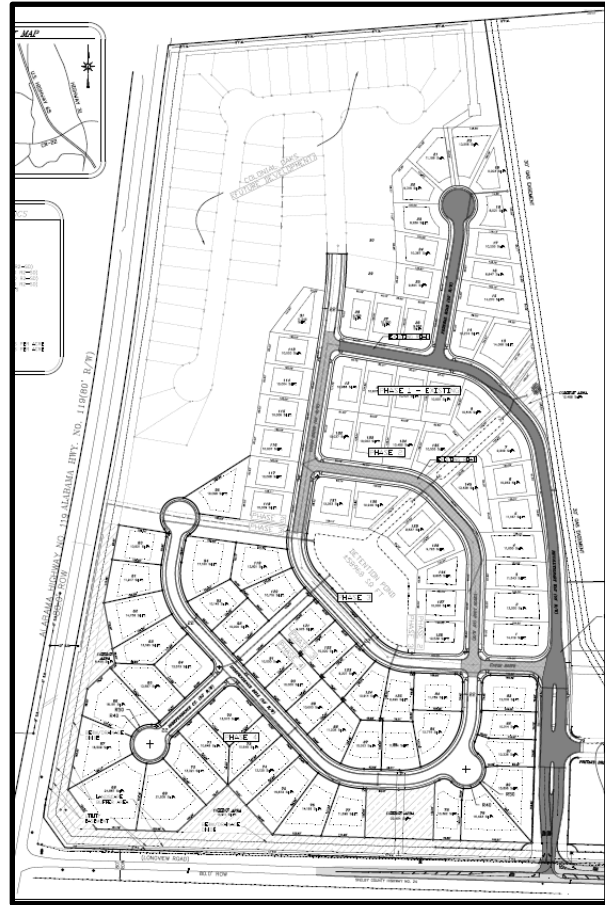
The applicant proposes to divide 33.22 acres into 68 lots. The master plan from 2003 shows a total of 109.73 acres for the entirety of the Colonial Oaks development. The preliminary plat is divided up into three phases: Phase 2, Phase 3, and Phase 4. Phase 2 contains 25 lots, Phase 3 contains 7 lots, and Phase 4 contains 36 lots. This is a reduction from the roughly 80 lots shown on the master plan from 2003. Lots in all phases range from 9,000 square feet (0.2 acres) to 24,000 square feet (0.6 acres). Lot sizes in the proposed phases are similar in size to lots in the existing Phase 1.

Lots in Phase 2, 3, and 4 have setbacks consistent with the overall Colonial Oaks Development:

- 30 foot front yard setback
- 30 foot rear yard setback
- 9 foot side yard setback

The preliminary plat shows three new roads to be constructed to access the proposed lots. A berm and 30 foot landscape buffer area are proposed along both Alabama Highway 119 and County Road 24. The proposed subdivision will be accessed from County Road 24, a Shelby County maintained road. To accommodate the amount of traffic from the proposed subdivision the Shelby County Highway department has required the applicant install a right-turn lane at the entrance of the subdivision. The design for the proposed turn lane has been approved by Shelby County.

The Montevallo Water Works and Sewer board has approved the preliminary plat on the condition that the developer correct some minor typographical issues and add additional notations to the plans. These comments have been forwarded to the developer and the project engineer. The Montevallo Fire Department has no comment on the proposed plans. Children in the Colonial Oaks subdivision are located within the Montevallo Attendance Zone.



Phase	Lots	Area	Density	Status
Phase 1	22	8.86 acres	2.5 units/acre	Complete
<b>Phase 2</b>	<b>25</b>	<b>8.65 Acres</b>	<b>2.9 units/acre</b>	<b>Proposed</b>
<b>Phase 3</b>	<b>7</b>	<b>2.52 Acres</b>	<b>2.8 units/acre</b>	<b>Proposed</b>
<b>Phase 4</b>	<b>36</b>	<b>13.45 Acres</b>	<b>2.7 units/acre</b>	<b>Proposed</b>
<b>Total</b>	<b>90</b> (Master Plan Lots: 228)	<b>33.22 Acres</b> ( Master Plan Net Area: 109.73 Acres)	<b>2.1 units/acre</b> (Master Plan Net Density: 2.07 unti/acre)	--

**Summary**

The preliminary plat for Colonial Oaks Phase 2, 3 and 4 is consistent with the Montevallo Subdivision Regulations and Zoning Ordinance. *Approval* of the subdivision should be subject to:

- Addressing all departmental comments prior to submitting the final plat;
- Applicant submitting a final plat for recording; and
- Compliance with the regulations, policies and guidelines of the City of Montevallo.



Aerial Overview

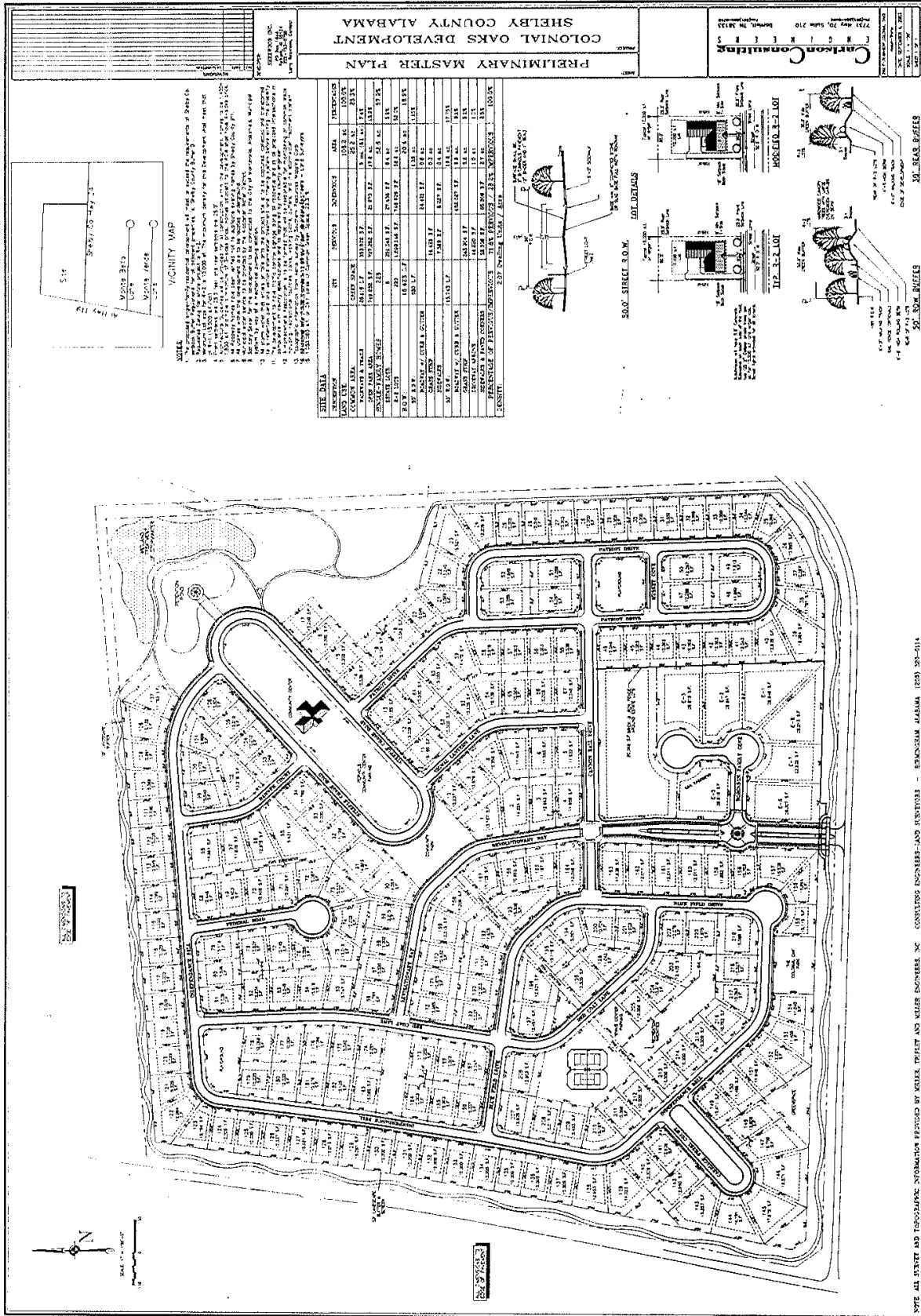












**REPORT TO THE CITY OF MONTEVALLO  
PLANNING & ZONING BOARD  
Department of Development Services**

**June 20, 2019**

**Case No. MZAM-001**

**The Amendment of Article 22, Off-Street Parking and Loading Requirements**

**Zoning Amendment Summary**

This amendment is intended to clarify language concerning parking requirements throughout Montevallo, provide the opportunity to implement low-impact development techniques for newly constructed parking areas, and modify the parking requirements for residential properties within the Urban Core District.

**DRAFT PROPOSED AMENDMENT 06/04/19**  
**(UC residential parking addressed)**

**ARTICLE 22. OFF-STREET PARKING AND LOADING REQUIREMENTS**

**Section 22.01. Parking Requirements.**

The off-street parking standards for the City of Montevillo are identified on the following table.

Uses	Off Street Parking Requirement
<b>RESIDENTIAL</b>	
Single-Family Dwelling	2 per dwelling unit
Duplex	2 per dwelling unit
Townhouse	2 per dwelling unit
Apartments	2 per dwelling unit plus one for each bedroom over 2
Domestic Violence Shelter	1 for each employee plus 1 for every 2 adult residents
Group Care Home	1 for each employee plus 1 for every 2 adult residents
Manufactured Home	2 per dwelling unit
Garage Apartment	1 per bedroom
<b>INSTITUTIONAL</b>	
Community Center	1 per 300 square feet of floor area
Community Service Club	1 per 100 square feet of non-storage and non-service floor area
Day Care Center	1 per each employee plus one for every eight children
Day Care Home	1 in addition to the two required for the dwelling
Medical Clinic	3 plus 1 per each 200 square feet of floor area over 1,000
Nursing Home	1 per six beds
Place of Worship	1 per eight seats in the main auditorium
Public Facility	1 per 300 square feet of floor area
Public Utility Facility	1 per each employee on the largest shift

Uses	Off Street Parking Requirement
Elementary/Middle School	One parking space for each employee plus one space for each twenty students of design capacity
High School/College/Voc.	One parking space for each employee plus five spaces for each classroom
<b>COMMERCIAL</b>	
Bank or Financial Service	1 per 150 sq/ft. of floor area plus 4 stacking spaces per drive-through lane
Business/Professional Office	3 plus 1 per 300 square feet of floor area over 1,000
Car Wash	1 for every employee and 4 stacking spaces per bay
Convenience Store	1 per 150 square feet of floor area
Theatre	1 per 6 seats in the main auditorium
Garden Center or Nursery (Indoor)	1 per 500 square feet of display/storage area
Garden Center or Nursery (Outdoor)	1 per 2,000 square feet of display/storage area
General Retail, Enclosed	1 per 250 square feet of floor area
Funeral Home	1 per 50 square feet of floor space plus spaces for all service vehicles
Home Improvement Center	1 per 400 square feet of floor area
Hotel	1 per sleeping room plus 1 per employee
Laundry Service	1 per employee on the largest work shift
Mini-Storage	1 per employee plus two parking spaces
Restaurant, Standard	1 per 100 square feet of floor space
Restaurant, Fast Food	1 per 100 square feet plus 4 sufficient stacking spaces per drive through
Shopping Center	1 per 250 square feet of floor area
Bed & Breakfast Inn	1 per bedroom, in addition to the two required for the dwelling
Vehicle Repair Service	1 per employee plus 3 per service bay



Uses	Off Street Parking Requirement
Vehicle Sales or Rental	1 per employee plus 1 per 1,500 square feet of display area
Vehicle Service Station	1 per employee plus 2 per service bay
<b>INDUSTRIAL</b>	
Manufacturing	2 plus 1 per employee on the largest shift
Warehousing, Distribution	1 per company vehicle plus 1 per employee
<b>AGRICULTURAL</b>	
Kennel	1 per employee plus 2
Farm Support Business	5 plus 1 for every 500 square feet of floor area

**Section 22.02. Rules in Applying Parking Standards.**

In applying the standards of §22.01 of this Article, the following standards shall apply:

- A. "Floor area" shall mean the gross floor area of the specified use.
- B. Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- C. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
- D. In the case of mixed or joint uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- E. These standards shall apply fully to all uses and buildings established after the effective date of this Ordinance, **except as otherwise provided in this Ordinance**.
- F. These standards shall apply fully to all additions, expansions, enlargements or reconstructions of all buildings.

**Section 22.03. Location of Required Off-Street Parking Spaces.**

All parking spaces required herein shall be located on the same lot with the building or use served. However, when an increase in the number of spaces is required by a change of use or enlargement of the building, or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located and maintained not to exceed three hundred (300) feet from an institutional building served and not to exceed five hundred (500) feet from any other non-residential building served.

- A. Up to fifty percent of the parking spaces required for (a) theatres, public auditoriums, bowling alleys, dance halls, night clubs or cafes, and up to one hundred per cent of the parking spaces required for a church auditorium may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a) provided, however, that written agreement thereto is properly executed and filed as specified below.

- B. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and use, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be filed with the application for a permit, recorded at the applicant's expense in the office of Judge of Probate, and shall be in full force and effect until released by resolution of the Planning Commission.
- C. No off-street parking shall be permitted in the required front yard of any residential district except upon a driveway providing access to a garage, carport or parking area for a dwelling.
- D. All parking spaces **required** herein, including adequate driveways and maneuvering areas, shall be improved with a suitable hard surface permanent type of pavement, except as may otherwise be permitted within these regulations.

**E. Ancillary parking spaces may be designed utilizing Low Impact Development techniques (including grass over compacted gravel).**

Section 22.04. Loading Requirements--Specified Uses.

- A. A building whose dominant use is handling and selling goods at retail shall provide spaces in relation to the total floor area used for retail purposes as follows:

<u>Area</u>	<u>Spaces Required</u>
5,000 - 10,000 square feet	One
10,000 - 20,000 square feet	Two
20,000 - 30,000 square feet	Three
Over - 30,000 square feet	Four

- B. Manufacturing, repair, wholesale or warehouse uses shall provide spaces in relation to total floor area as follows:

<u>Area</u>	<u>Spaces Required</u>
5,000 - 40,000 square feet	One
40,000 - 100,000 square feet	Two
Each 75,000 square feet over 100,000	One Additional

- C. Other buildings not listed above shall provide spaces in relation to total floor area as follows:

<u>Area</u>	<u>Spaces Required</u>
5,000 - 50,000 square feet	One
50,000 - 100,000 square feet	Two
100,000 - 200,000 square feet	Three
Over - 200,000 square feet	Four

Section 22.05. Rules in applying loading standards.

In applying the requirements of §22.04 of this Article, the following rules shall apply.

- A. These requirements shall apply fully to all buildings erected after the effective date of this Ordinance.
- B. These requirements shall apply fully to all enlargements, expansions, or reconstructions of all buildings.
- C. In all cases, off street loading and unloading facilities shall be of sufficient sizes so that no part of any motor vehicle, loading or unloading, shall protrude onto a public street.

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**Section 22.06. Rules for Specific Districts.**

- A. ~~Non Residential uses in the Urban Core Overlay District may reduce their required parking by the amount of on street parking along their frontage plus two.~~ Existing on-street parking within the Urban Core Overlay District satisfies parking requirements established herein.
- a. Residential parking within the Urban Core Overlay District shall be established according to the requirements above.
  - b. Main Street loft apartment parking may be accomplished by reserved parking spaces located within the alley to the rear of the building.
- B. Uses permitted in the University Overlay District may reduce their required off-street parking requirements by the amount of on street parking along the street frontage of the subject use.
- C. Uses permitted by right in the A-R, Agricultural-Residential District may use unpaved parking spaces to meet their parking requirements.

**REPORT TO THE CITY OF MONTEVALLO  
PLANNING & ZONING BOARD  
Department of Development Services**

**June 20, 2019**

**Case No. MZAM-002**

**The Amendment of Article 18, SD, Special District**

**Zoning Amendment Summary**

This amendment is intended to require professional traffic or market studies within special districts or overlay districts if deemed necessary by the zoning administrator.



**DRAFT Proposed Amendment**

**06/04/19**

ARTICLE 18. SD, SPECIAL DISTRICT

Section 18.01. Generally.

A. Special Districts are hereby authorized for the purpose of providing optional methods of land development that encourage imaginative solutions to environmental design problems. Areas so established shall be characterized by a unified building and site development program providing for coordinated open space and architectural treatment. The special districts authorized by this Article are also intended to provide means for the establishment of uses that may generally be considered to be incompatible with most other land usage.

B. The procedure to be followed in the creation of Special Districts shall conform to the regulations for any other zoning change according to the procedures identified in Article 26 with the following exceptions.

1. Any petition for the establishment of a Special District shall be submitted to the Planning Commission for its review and recommendation to the City Council. Approval of the request by the City Council shall be based upon the Planning Commission's advisory opinion and consideration of the following:
  - a. That the value and character of the property or properties adjacent to the property under consideration will not be adversely affected.
  - b. That the proposed development is consistent with the intent and purpose of this Ordinance to promote public health, safety, morals and the general welfare.
  - c. That the final plan for the proposed development meets the requirements of this Ordinance as well as the requirements of all other regulating bodies.
  - d. That the proposed Special District is consistent with the Comprehensive Plan of the City of Montevillo.
  - e. That an approved method of sewage disposal is readily available to the tract under consideration.
2. The establishment of a Special District will be for the express purpose of improving the subject property in accordance with the approved plan of development for the particular property and for the uses set forth in the development plan.
3. If within one (1) year from the effective date of the zoning amendment construction has not commenced, the Planning Commission may recommend that the City Council, by appropriate action, repeal the amendment establishing the Special District. Once construction is started the improvements set forth in the plan of development must be completed within two (2) years from date of issuance, unless otherwise approved by the City Council. Otherwise, the Planning Commission may recommend that the City Council repeal the amendment establishing the Special District. Extension of time may be granted as long as satisfactory progress is being made.
4. Unless specific variations are noted on the development plan and approved by the City Council, the most restrictive requirements for signs, lighting, parking, loading, yards, and

dimensional regulations for the proposed use shall be applicable to the Special District.

Section 18.02. Planned Residential District.

A. The regulations established in this section are intended to provide optional methods of land development with provisions for commercial, religious, educational and cultural facilities integrated with the total project by unified architectural and open space treatment.

B. A planned residential development shall be permitted in any district except commercial or industrial districts.

C. The following uses are permitted:

1. Single family attached and detached dwellings.
2. Two-family dwellings.
3. Multiple family dwelling including condominiums and town houses.
4. Commercial uses.

For each one hundred (100) dwelling units to be established, four (4) acres may be set aside for commercial use provided that adequate protection of adjacent properties is afforded by the plan.

5. Recreation uses.

Recreation uses may include a community center, golf course, swimming pool, or parks, playground or other recreational uses. Any structure involved in such use shall have a thirty-five (35) foot setback from all property lines. The amount of land set aside for permanent open space shall be a minimum of ten (10) percent of the gross development area.

6. Educational uses.
7. Community facilities such as churches and other religious institutions and non-profit clubs such as country clubs, swim and/or tennis area.

D. The owner or owners of property shall submit a plan for the development and use of such tract that meets the requirements set forth in this Article. Said plan shall comply with all requirements of this Article and shall be accompanied by evidence concerning the feasibility of the project and the effect of the proposed development on surrounding property and other physical conditions. Said plan and supporting evidence shall include each of the following:

1. A site plan including, but not limited to defining the areas wherein buildings may be constructed, the areas which will be developed for parking and the proportionate amount thereof, the location of roads, driveways and walks and the points of ingress and egress, including access streets where required, the location and height of walls, the spaces for loading, the location, size, character and number of signs, the location and character of exterior lighting, and the character and extent of landscaping, planting and other treatment for the protection of adjoining property.
2. A drainage plan approved by the City Engineer.
3. A copy of any deed restrictions intended to be recorded.

4. A professional report on the needs and extent of the market to be served, and general economic justification. **As required by the Administrator.**
  5. A professional traffic analysis that indicates the effect of the proposed development on the adjacent streets and roadways and also indicating the direction and volume of traffic flow to and from the proposed development. **As required by the Administrator.**
- E. The following requirements are minimums and are intended to serve as a guide in plan formulation. The City Council retains the authority to waive the provisions of this section or to impose greater requirements than herein stated. All buildings shall be set back from street right-of-way lines and from the periphery of the project to comply with the following requirements:
1. There shall be a front yard for all detached single-family dwellings of not less than twenty-five (25) feet. The front yard setback for all other structures shall be as determined by the City Council.
  2. Unless indicated elsewhere, all buildings shall have a setback of not less than twenty-five (25) feet.
  3. In no case shall a lot for a single family detached structure be created with an area of less than 5,000 square feet or a minimum lot width of less than sixty (60) feet at the building line.
- F. In addition to all applicable regulations of this Ordinance, the following guidelines shall be observed.
1. The Planning Commission shall review the application including all maps and documentation for the proposed development. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and submit their report and recommendations to the City Council for their consideration.
  2. The City Council shall review the application for the proposed development including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose additional conditions regarding layout, circulation or other physical improvements that they feel are necessary.
  3. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.

#### Section 18.03. Manufactured Home Community.

- A. A special district for the purpose of establishing a Manufactured Home Community may be permitted only in the A-R, Agricultural-Residential District.
- B. The location of manufactured home communities shall be reviewed by the Planning Commission and approved by the City Council.
- C. Special Districts intended for use as manufactured home communities shall be subject to the following standards:
  1. No parcel of land containing less than six (6) acres and having less than ten (10)

manufactured home spaces, available at the time of first occupancy, shall be used for a manufactured home community.

2. The manufactured home community shall be constructed so as to provide adequate light and air and to avoid undue congestion; provided, however, there be a minimum of 5,000 square feet of site area for each space provided. This space ratio shall include access roads, automobile parking, accessory building space, and recreation area.
3. The manufactured home community shall be located on a well-drained site; it shall be so located that its drainage will not endanger any water supply, and shall be in conformity with all applicable health and sanitation regulations in force by the County Health Officer/Health Department.

#### D. Manufactured Home Community Standards.

The following development standards shall apply to all Manufactured Home Communities hereinafter established or altered.

1. There shall be established and maintained within each manufactured home community an automobile parking area for the use of guests. The number of parking spaces within the area shall be equal to one (1) for every four (4) manufactured home spaces.
2. The entrance and exit street or streets shall be designed to provide safe and convenient access between the public street and the community interior street system.
3. Community street systems shall meet the following standards:
  - a. Community streets shall be a minimum of thirty (30) feet wide to accommodate streets, drainage structures and utilities, etc.
  - b. Community streets that serve more than two hundred (200) vehicles per day shall be paved with plantmix asphalt or a more durable material to a minimum width of twenty-two (22) feet. Community streets that serve less than two hundred (200) vehicles per day for residential access only shall be paved to a minimum width of eighteen (18) feet and may be paved with double bituminous surface treatment. Vehicles per day shall be as determined in the most current publication of the Institute of Traffic Engineers concerning traffic generation.
  - c. Each manufactured home site shall be accessible from abutting streets for all essential and emergency uses by vehicular equipment, including equipment used by public protective agencies (fire, police and ambulance services).
  - d. The street layout shall be designed to provide for the continuous flow of traffic, with cul-de-sacs (minimum radius of 50 feet) being permissible. Streets shall be designed with a horizontal and vertical alignment which meets at least a 20 mile-per-hour design speed.
  - e. Traffic control signs (stop, yield, and speed) shall be placed and maintained in good condition throughout the community where necessary.
  - f. Each street shall have a permanent sign installed with a designated name identifying each street.
  - g. Paving of community streets shall be completed within two (2) years of approval of



the final plat. Streets and parking areas shall be maintained by the owner, operator, and/or manager of the manufactured home community at all times.

4. Each manufactured home space shall be provided with a connection to a sanitary sewer line or to a sewer system approved by the Health Department.
5. Yards.
  - a. Each manufactured home community shall have a Type “C” buffer along the full width of the frontage of the parcel devoted to said use.
  - a. Each manufactured home community shall have a Type “B” buffer on rear and side yards.
  - b. Where a side or rear yard abuts a street, the yard shall be a minimum of twenty-five (25) feet in depth and all yards shall be landscaped and maintained.
6. An accessible, adequate, safe, and potable supply of water approved by the Health Officer/Department shall be provided in each manufactured home community.
7. Refuse storage, collection and disposal shall be in conformity with the laws and regulations prescribed by the Health Department.
8. There shall be provided a park and recreation area having a minimum of one hundred and fifty (150) square feet for each manufactured home space. Areas shall be consolidated into usable areas of not less than thirty (30) feet in width.
9. Only factory prefabricated portable attachments or awnings may be attached to or become a part of any mobile home. No permanent addition of any kind shall be built onto, nor become a part of any manufactured home except that porches and decks shall be built according to minimum building code requirements.
10. Manufactured homes shall not be used for commercial, industrial, or other non-residential uses within the manufactured home community.
11. No manufactured home, building or accessory structure shall be erected or stationed in the park having a height greater than 1½ stories or twenty (20) feet.
12. Each manufactured home community shall be permitted to display one identifying sign of a maximum size of twelve (12) square feet on each street frontage. Said sign shall contain thereon only the name and address of the manufactured home community and may be lighted by indirect lighting only.
13. All manufactured home spaces shall meet, the following area and dimensional requirements:
  - a. Each manufactured home space shall be at least fifty (50) feet wide and one hundred (100) feet deep, and such space shall be clearly defined by permanent markers.
  - c. There shall be a front yard setback of at least ten (10) feet from all access roads within the manufactured home community.
  - d. Unless indicated elsewhere, all manufactured homes shall maintain a minimum setback of twenty-five (25) feet from all property lines.
14. All manufactured homes shall be situated to provide a minimum of twenty (20) feet of

separation between any other manufactured home or any attachments thereto; provided, however, that with respect to manufactured homes situated end-to-end, the end-to-end separation shall be a minimum of fifteen (15) feet. No manufactured home shall be located closer than twenty (20) feet from any building within the park.

15. There shall be at least two (2) off-street parking spaces for each manufactured home space which shall be on the same site. Additional parking areas specifically designed for such purpose may be provided.
16. Each manufactured home space shall be provided with an improved patio of at least two hundred (200) square feet.
17. Each manufactured home shall have tie-downs or other devices securing the stability of the manufactured home based on the requirements of the manufacturer or the installation standards of the Alabama Manufactured Housing Commission.
18. Foundations shall be installed in accordance with the standards set forth in the manufacturer's set-up requirements and meet the minimum installation standards of the Alabama Manufactured Housing Commission.
19. Installation of skirting on all manufactured homes shall be required. Installation shall be in accordance with the manufacturer's installation instructions. Acceptable materials may include masonry, stone, metal, vinyl, or other materials manufactured for the purpose of skirting.

#### E. Application.

Application for the approval of a site development plan shall be made on a form made available from the Administrator. To ensure an adequate and comprehensive review a completed application shall be filed with the Administrator at least 30 days prior to the Planning Commission hearing. Said application shall include the following:

1. The location and the legal description of the proposed manufactured home community.
2. Plans and specifications of all buildings, facilities and any other improvements constructed or to be constructed within the proposed manufactured home community.
3. The proposed use of all buildings and structures shown on the site.
4. The location and size of all manufactured home spaces.
5. The location of all points of entry and exit for vehicles and internal circulation pattern.
6. The proposed landscaping plan, pursuant to Article 22.
7. The location of all lighting to be provided.
8. The location of walls and fences, dimensions and materials of construction.
9. The location of all off-street parking.
10. Any other information that may be considered necessary for full and proper consideration of the proposed manufactured home community.
11. A time schedule for development shall be prepared to demonstrate the applicant's readiness and ability to provide the proposed services. Said time shall be for a period of not more than one (1) year.

F. General Regulations.

1. Any additions or alterations to existing manufactured home communities or parks hereinafter established shall be in conformity with the provisions of this Ordinance.
2. Every manufactured home community in existence upon the effective date of this Ordinance may be maintained and operated without being subject to the provisions of this Ordinance. No manufactured home community may be enlarged, extended, reconstructed or otherwise altered unless such alterations bring said manufactured home community into full compliance with the terms of this Ordinance. All manufactured home communities created or established after the effective date of this Ordinance shall conform to the specifications and requirements as set forth herein.
3. The owner or permittee, or a duly authorized attendant or caretaker shall be in charge at all times to keep the manufactured home community, its facilities and equipment in a clean, orderly, sanitary condition. The attendant or caretaker shall be answerable, with the licensee or permittee, for the violation of any provision of this Ordinance to which the license or permittee is subject.
4. Every manufactured home community owner or operator shall maintain a register containing a record of all mobile homes and occupants using the manufactured home community. Such register shall be available to any authorized person inspecting the court and shall be preserved for the period required by the Planning Commission. Such register shall contain (1) the names and addresses of all mobile home occupants stopping in the park, (2) the make, model, and license number of each motor vehicle and mobile home, (3) the state, territory, or county issuing the licenses, and (4) the dates of arrival and departure of each manufactured home.
5. The Planning Commission or Health Department may revoke any permit to maintain and operate a manufactured home community if the permittee fails to comply with the regulations of this Ordinance. The permit may be reissued if the circumstances leading to revocation have been remedied and the park is being maintained in full compliance with the law.

G. In addition to all applicable regulations of this Ordinance, the following guidelines shall be observed.

1. The Planning Commission shall review the application including all maps and documentation for the proposed manufactured home community. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and submit their report and recommendations to the City Council for their consideration.
2. The City Council shall review the application for the application, including all maps and documentation for the proposed manufactured home community including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose additional conditions regarding layout, circulation or other physical improvements that they feel are necessary.
3. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.

## Section 18.04. Special Mining and Resource Extraction and Reclamation District.

### A. Generally.

A Special Mining and Resource Extraction and Reclamation District may be established for the following uses:

1. Any use permitted in the A-R, Agricultural-Residential District except residential.
2. Mining, quarrying, extracting, or other removal by open pit, strip, shaft, slope, drift, or any other method of removal of all mineral or other earth products of every kind, as hereinbelow restricted.
3. Timbering, logging, saw milling, extraction of timber products; and processing, distilling, manufacturing and treating of all such products. Reforestation shall require no permit.
4. The right to erect, maintain, alter, enlarge, use and operate structures, building, machinery, housing, roads, railroads, transmission lines, right-of-way, and all other facilities of every kind accessory or appropriate to the conduct of such above permitted uses.
5. The right to dump soil, tailings and other waste and to use so much of said district as may be required for such purposes, and such other rights as may be incidental or accessory to such permitted uses, provided such spoil, tailings and other waste is disposed of in a manner that pollution of streams or lakes are controlled in conformance of the Environmental Protection Agency, the Alabama Department of Environmental Management and the City of Montevallo Land Disturbance Ordinance.

### B. Procedures.

The owner or owners of property in any acceptable zone district shall submit a plan for the development and use of such tract meeting the requirements set forth in this Section and shall be accompanied by evidence concerning the number of persons expected to be employed, the effect of the proposed development on surrounding property, and other physical conditions. Said plan and supporting evidence shall include each of the following:

1. A site plan including, but not limited to defining the areas wherein buildings may be constructed, the areas which will be developed for parking and the proportionate amount thereof, the location of roads, driveways and walks, and the points of ingress and egress including access streets where required, the location and height of walls, the spaces for loading, the location, size, character and number of signs, the location and character of exterior lighting, and the character and extent of landscaping, planting and other treatment for protection of adjoining property.
2. A professional traffic analysis that indicates the effect of the proposed development on the adjacent streets and roadways and also indicating the direction and volume of traffic flow to and from the proposed development.
3. A copy of any deed restrictions intended to be recorded.

### C. In addition to all applicable regulations of this Ordinance, the following guidelines shall be observed.

1. The Planning Commission shall review the application including all maps and



documentation for the proposed Special Mining and Resource Extraction and Reclamation District. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and submit their report and recommendations to the City Council for their consideration.

2. The City Council shall review the application, including all maps and documentation for the proposed Special Mining and Resource Extraction and Reclamation District including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose reasonable additional requirements to ensure the protection of adjoining residential property.
3. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.
4. Prior to any clearing or land disturbance activities, application for a Land Disturbance Permit shall be submitted, accompanied by all applicable requirements of the Land Disturbance Ordinance including all necessary insurance, bonds, and fees.

#### Section 18.05. Plan Implementation District

##### A. Generally.

The Plan Implementation District is designed to provide flexible development options with the goal of implementing the place-making and conservation concepts of the Comprehensive Plan of the City of Montevallo. Following the City of Montevallo's traditional community patterns, the Plan Implementation District will result in community energy concentrated in a central core, supported by a less intense focus area, with gradual transition to the rural landscape. This district applies to Conservation Subdivisions and Form Based Subdivisions implemented pursuant to the Subdivision Regulations of the City of Montevallo, Alabama.

- B. In addition to all other applicable regulations of this Ordinance the following rules shall be observed:
  1. The Planning Commission shall review the application including all maps and documentation for the proposed development. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and submit their report and recommendations to the City Council for their consideration.
  2. The City Council shall review the application, including all maps and documentation for the proposed development including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose reasonable additional requirements to ensure the protection of adjoining residential property.
  3. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.

## Section 18.06. Overlay Districts.

- A. A Special District created by Ordinance to be placed on a defined geographic area as an overlay to one or more use districts which modifies or supplements the regulations of the underlying district(s) in recognition of certain critical features or resources. The purpose of an Overlay District is to ensure that property is developed in a manner consistent with the Comprehensive Plan of the City of Montevallo and that the proposed development of the land and physical elements are designed and arranged to protect the priority resource protection areas both on the site and in the vicinity of the site as identified by the Plan. The Overlay Districts are established to achieve the mutually compatible objectives of the reasonable use of land and the protection of vital natural resources.
- B. The development of any property within an Overlay District shall require that prior to any construction or other improvements, the applicants shall submit a plan for the development and use of the property within said established overlay district that meets the requirements set forth in the development standards of the district. Said plan shall comply with all requirements of this Ordinance and shall be accompanied by evidence concerning the feasibility of the project and the effect of the proposed development on surrounding property and other physical conditions. Said plan and supporting evidence shall include each of the following:
1. A site plan including, but not limited to defining the areas wherein buildings may be constructed, the areas which will be developed for parking and the proportionate amount thereof, the location of roads, driveways and walks and the points of ingress and egress, including access streets where required, the location and height of walls, the spaces for loading, the location, size, character and number of signs, the location and character of exterior lighting, and the character and extent of landscaping, planting and other treatment for the protection of adjoining property.
  2. A drainage plan that has been approved by the City Engineer.
  3. A copy of any deed restrictions intended to be recorded.
  4. A professional report on the needs and extent of the market to be served and general economic justifications. **As required by the Administrator.**
  5. A professional traffic analysis that indicates the effect of the proposed development on the adjacent streets and roadways and also indicating the direction and volume of traffic flow to and from the proposed development. **As required by the Administrator.**
- C. In addition to all other applicable regulations of this Ordinance the following rules shall be observed:
1. The Design Review Committee shall review the design and aesthetic features of the proposed facilities and the relationship to the surrounding properties. The Design Review Committee may suggest modifications, additions or other amendments to the proposed development. The Design Review Committee shall prepare a brief report on the proposed development for the Planning Commission and City Council.
  2. The Planning Commission shall review the application including all maps and documents for the proposed development. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and submit their report and recommendations to

the City Council for their consideration.

3. The City Council shall review the application for the proposed development including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose reasonable additional requirements to ensure the protection of adjoining residential property.
4. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.

#### D. Districts Implemented.

The following Overlay Districts were established prior to the implementation of this Ordinance:

##### 1. American Village and Veterans' Memorial District:

###### a. Generally.

The American Village District is intended and established to provide a zone in which the American Village Citizenship Trust, created 16-44A-30 et seq., Code of Alabama, as amended, is permitted to recreate or establish historically-inspired structures, streets, and supporting improvements for educational, historical, cultural, related support services, special events and tourism purposes. The Citizenship Trust has been charged by the Alabama Veterans Living Legacy Act of 2008 with the responsibility to develop a nationally-significant veterans' shrine to tell the stories of as many Alabama veterans as possible who have served in the United States Armed Forces.

###### b. Boundaries.

The boundaries of the district are delineated as an overlay district on the official zoning map and shall include all properties currently owned or as may be acquired in the future by the American Village Public Educational Building Authority, The Citizenship Trust and the United States of America National Cemetery Administration.

###### c. Land Use.

The use of each building or premises shall be in accordance with the Master Plans for the American Village and the Alabama National Cemetery, as approved by the Joint Legislative Oversight Committee pursuant to the Alabama Veterans Living Legacy Act of 2008.

###### d. Architectural and Design Standards.

Architectural and Design Standards shall be in accordance with the Master Plans for the American Village and the Alabama National Cemetery, as approved by the Joint Legislative Oversight Committee pursuant to the Alabama Veterans Living Legacy Act of 2008.

##### 2. University District.

###### a. Generally.

This district is designed to include the University of Montevallo and the various

support uses that surround its boundaries. The University's central campus is noted for its columned brick buildings, brick streets, lawns, flowerbeds and trees that surround students with academic tradition. The core of the campus, designed by the world-renowned Olmsted Brothers, has been designated as a National Historic District. Twenty-eight campus structures or sites are listed on the National Register of Historic Places.

b. Boundaries.

The boundaries of the district are delineated as an overlay district on the official zoning map and shall include all properties currently owned or as may be acquired in the future by the University of Montevallo.

c. Architectural and Design Standards.

Architectural and Design Standards shall be in accordance with the Master Plan for the University of Montevallo.

3. Urban Core District.

a. Generally.

The Urban Core District is established to preserve, protect, enhance, and maintain the aesthetic, cultural, historic architectural and other significant elements of the Main Street, downtown area. The downtown, urban core is where a dense core of development is desired. To ensure the preservation of the character of the downtown Urban Core District, uses shall be limited to include combinations of dwellings, commercial and office uses, personal and household service establishments, institutional uses, public facilities, parks, playgrounds, pedestrian pathways and other similar uses to meet the needs of downtown workers, students and residents of adjoining neighborhoods and the City of Montevallo. The area between the University and Main Street is intended to be of a mixed use nature and a transition zone from the quads, classrooms and dormitories of the University to the Main Street of the City.

b. Boundaries.

The boundaries of the district are delineated as an overlay district on the official zoning map and cover areas near and adjacent to the downtown core of the City along State Highway 119 (Main Street), to wit:

Beginning at the intersection of Shoal Creek and Main Street (State Route 119), thence proceed along the northeasterly bank of Shoal Creek southeast to its intersection with Island Street; thence proceed northeast along Island Street to its intersection with the west line of the East ½ of Section 21, Township 22 South, Range 3 West; thence proceed north along the west line of the East ½ of Section 21, Township 22 South, Range 3 West to the intersection with Oak Street; thence proceed southwesterly along Oak Street to its intersection with Shelby Street; thence proceed southeasterly along Shelby Street to its intersection with Valley Street; thence proceed southwesterly along Valley Street to its intersection with Shoal Creek; thence proceed generally southeasterly along the northeasterly bank of Shoal Creek to the Point of Beginning.

- Supplementary Area

The following described property shall be considered as supplementary to the Urban Core: that area bounded on the north by Island Street; on the east by Vine Street (Orr Park); on the south by Alabama Street; and on the east by Middle Street.

c. Setbacks and Height Requirements.

As future development and redevelopment occurs on Main Street, it is important that new buildings be located immediately adjacent to the right-of-way. This is in keeping with the traditional style found in the historical buildings along the south end of Main Street. Consistent setbacks provide unity to an area while bringing shop fronts close to the sidewalk and street where they are easily seen by those traveling through the City both in cars and on foot. Also, a minimum and maximum height requirement will be set within the downtown area to ensure that all future buildings in the Urban Core District are visually compatible with the historic nature of downtown.

d. Architectural and Design Standards.

The character and configuration of the proposed development shall be consistent with the Design Standards identified in Appendix D. The City Council retains the authority to waive the provisions and requirements of this section or to impose greater requirements than herein required.

## Section 18.07. Urban Residential District.

The regulations established in this section are intended to encourage higher density residential land development within the Urban Core of the City of Montevallo. The establishment of a residential population in the Urban Core will enhance the economic, cultural and social focus of the community. The Urban Residential development will be a vital component in the creation of a vibrant, walkable and liveable Urban Core.

- A. An Urban Residential development shall be permitted in any zoning district located within the Urban Core of the City of Montevallo.
- B. An Urban Residential development may include detached dwellings, such as row houses, and attached multi-family dwellings as well as other uses permitted within the underlying zone district.
- C. The boundaries of the Urban Core are delineated as an overlay district on the official zoning map and cover areas near and adjacent to the downtown core of the City (§ 18.06).
- D. An essential theme of the Urban Core and an Urban Residential development is the walkable nature of the area and connections with other pedestrian circulation facilities of the community. Pedestrian scale amenities, pathways and circulation plans including bikelanes and sidewalks shall be included in a proposed Urban Residential development.
- E. The owner or owners of property shall submit a plan for the development and use of such tract for the purpose of and meeting the requirements set forth in this Ordinance. Said plan shall comply with the requirements of this Ordinance and shall be accompanied by evidence concerning the feasibility of the project as well as the effect of the proposed development on the surrounding property and other physical conditions. Said plan and supporting evidence shall include each of the following:
  1. A site plan including, but not limited to defining the areas wherein buildings may be constructed, the areas which will be developed for parking and the proportionate amount thereof, the location of roads, driveways and walks, and the points of ingress and egress including access streets where required, the location and height of walls, the spaces for loading, the location, size, character and number of signs, the location and character of exterior lighting, and the character and extent of landscaping, planting and other treatment for protection of adjoining property.
  2. A drainage plan that has been approved by the City Engineer.
  3. A copy of any deed restrictions intended to be recorded as a part of the development.
  4. A professional report on the needs and extent of the market to be served and the general economic justifications of the project. As required by the Administrator.
  5. A professional traffic analysis that indicates the effect of the proposed development on the adjacent streets and roadways and also indicating the direction and volume of traffic flow to and from the proposed development. As required by the Administrator.
- F. The character and configuration of the proposed urban residential development shall be consistent with the Design Standards identified in Appendix D. The City Council retains the authority to waive the provisions and requirements of this section or to impose greater requirements than herein required.

1. All buildings shall be situated immediately adjacent to the right-of-way, unless otherwise approved pursuant to the Design Standards.
  2. Detached single-family and attached multi-family structures shall have a minimum of 2,175 square feet of property per unit (20 units per acre).
- G. In addition to other applicable regulations of this Ordinance, the following guidelines shall be observed.
1. The Design Review Committee shall review the design and aesthetic features of the proposed facilities and the relationship to the surrounding properties. The Design Review Committee may suggest modifications, additions or other amendments to the proposed development. The Design Review Committee shall prepare a brief report on the proposed development for the Planning Commission and City Council.
  2. The Planning Commission shall review the application including all maps and documentation for the proposed Urban Residential development. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and shall submit recommendations to the City Council for their consideration.
  3. The City Council shall review the application, including all maps and documentation for the proposed Urban Residential development including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose additional conditions regarding layout, circulation, or other physical improvements that they feel are necessary.
  4. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.



Section 18.08. Other Planned Districts.

- A. Special Districts for uses not covered elsewhere in this ordinance and which are generally of a nature so as to be incompatible with most permitted uses may be allowed in any district except residential zone districts. The location shall be reviewed by the Planning Commission and approved by the City Council. In addition, a complete development plan and any other information pertinent to the development or use shall be included at the discretion of the Planning Commission or the City Council. Such uses may include but are not limited to the following:
1. Airport;
  2. Cemetery or mausoleum;
  3. Sanitary landfill operation.
- B. In addition to other applicable regulations of this Ordinance, the following guidelines shall be observed.
1. The Planning Commission shall review the application, including all maps and documentation for the proposed development. The Commission shall hold a Public Hearing, according to the procedures identified in Article 25, and shall submit recommendations to the City Council for their consideration.
  2. The City Council shall review the application, including all maps and documentation for the proposed development including the recommendations of the Planning Commission. The City Council shall hold a Public Hearing, according to the procedures identified in Article 25. The Council may impose additional conditions regarding layout, circulation, or other physical improvements that they feel are necessary.
  3. All developments shall conform to the Subdivision Regulations of the City of Montevallo and the record map shall be recorded in the Office of the Judge of Probate.

**REPORT TO THE CITY OF MONTEVALLO  
PLANNING & ZONING BOARD  
Department of Development Services**

**June 20, 2019**

**Case No. MZAM-003**

**The Amendment to Article 11, R-2, Single Family Dwelling District**

**Zoning Amendment Summary**

This amendment is intended to add manufactured homes on lots of 10,000 square feet (.23 acres) or greater as a conditional use within the R-2, Single Family Dwelling District.

## **ARTICLE 11. R-2, SINGLE FAMILY DWELLING DISTRICT**

### **Section 11.01. Generally.**

The regulations set forth in this Article or set forth elsewhere in this Ordinance, when referred to in this Article, are the regulations in the R-2, Single Family District. This district is intended to provide a zoning classification for medium low-density development of single-family homes and duplexes.

### **Section 11.02. Use regulations.**

#### **A. Permitted uses.**

Within the R-2, Multiple Dwelling District, only the following uses and structures designed for such uses shall be permitted:

1. Any use permitted in the R-1, Single Family District.
2. Duplex.
3. Garage Apartment.

#### **B. Conditional uses.**

Within the R-2, Multiple Dwelling District, the following uses may be allowed as conditional uses:

1. Church or other place of worship provided, that any building shall be located not less than fifty (50) feet from any side lot line.
2. Public school, elementary or high, or a parochial or private school having a curriculum including the same courses as ordinarily given in a public school, but not providing residential accommodations for students; provided, that any such building shall be located not less than fifty (50) feet from any side lot line.
3. Parks.
4. Group Care Home.
5. Bed & Breakfast Inn.
6. Public Facility.
7. Public Utility Facility.
8. Manufactured Home located on a minimum of 10,000 square feet, provided that the manufactured home shall be mounted on a permanent foundation, in accordance with the standards set forth in the manufacturer's requirements and meeting the minimum installation standards of the Alabama Manufactured Housing Commission.

**Section 11.03. Area and Dimensional Regulations.**

Except as provided in Articles 7, 20, and 26, the area and dimensional regulations set forth in the following table shall be observed.

<b>Maximum Height of Structures</b>		<b>Minimum Yards</b>				<b>Minimum Lot Area Per Family</b>	<b>Minimum Lot Width</b>
<b>Stories</b>	<b>Feet</b>	<b>Front</b>	<b>Rear</b>	<b>One Side</b>	<b>Total Both Sides</b>		
<b>2½</b>	<b>35</b>	<b>30 Feet</b>	<b>30 Feet</b>	<b>8 Feet</b>	<b>18 Feet</b>	<b>10,000 sq. ft. for single family dwellings</b> <b>6,000 sq. ft. for two family dwellings</b>	<b>70 feet for single family dwellings</b> <b>50 feet for two family</b>

**REPORT TO THE CITY OF MONTEVALLO  
PLANNING & ZONING BOARD  
Department of Development Services**

**June 20, 2019**

**Case No. MZAM-004**

**The Amendment of Article 21, Sign Regulations**

**Zoning Amendment Summary**

This amendment is intended to remove the prohibition of pole signs on AL Highway 25.

**DRAFT PROPOSED AMENDMENT**

**10/19/17**

**ARTICLE 21. SIGN REGULATIONS**

**Section 21.01. General Provisions**

The purpose of this Article is to provide the minimum control of signs that ensures the protection of the public safety and general welfare. These provisions are intended to lessen the hazards to pedestrian and vehicular traffic, prevent unsightly and detrimental development which has a blighting influence upon the community, prevent signs from reaching such excessive size or numbers that they obscure one another to the detriment of all concerned, preserve the general character and aesthetic quality of the various areas within the City of Montevillo and promote a positive City image reflecting order, harmony and pride.

**Section 21.02. Definitions.**

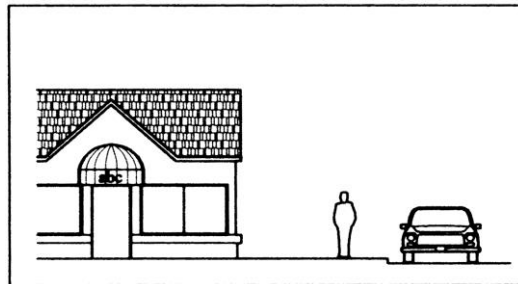
Words and phrases used in this Article shall have the meanings as set forth in this section. Words and phrases not defined in this section but defined elsewhere in the zoning regulations shall be given the meanings as set forth in such regulations. All other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise.

*Administrator.* The person or his/her duly authorized representative designated by the City Council to administer this Ordinance.

*Advertising.* Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

*Animated Sign.* Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

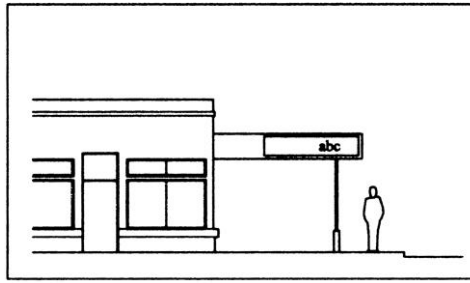
*Awning Sign.* A sign directly painted or otherwise directly affixed to an awning.



*Banner.* Any sign of lightweight fabric or similar material that is permanently mounted to a pole or building by a permanent frame at one or more edges. National flags, state or municipal flags or the official flag of any institution or business shall not be considered banners.

*Building Marker.* Any sign indicating the name of a building, date of construction and incidental information, which is cut into a masonry surface or made of bronze or other permanent material.

*Canopy Sign.* A sign directly painted or otherwise directly affixed upon a building canopy.



*Changeable Copy Sign.* A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign on which the message changes more than eight (8) times a day shall be considered an animated sign and not a changeable copy sign. A sign on which the only copy that changes is an electronic or mechanical indication of the time and temperature shall be considered a "time and temperature" portion of the sign and not a changeable copy sign.

*Commercially Developed Parcel.* A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

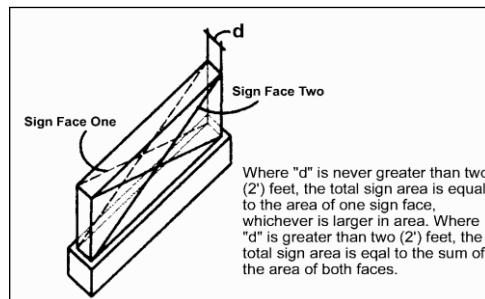
*Commercial Occupant.* A commercial use, i.e., any use other than residential or agricultural.

*Construction Sign.* A temporary sign indicating the names of architects, engineers, landscape architects, contractors, and similar artisans involved in the design and construction of a structure or project only during the construction period and only on the premises on which the construction is taking place.



*Copy.* The linguistic or graphic content of a sign.

*Double-faced Sign.* A sign, both sides of which are visible and used as signs. The sign area of a double-faced sign, where the two sign faces are never greater than twenty-four (24) inches apart, shall be computed as the area of one sign face, whichever is greater. When the two sign faces are greater than twenty-four (24) inches apart, the sign area shall be computed as the sum of both faces.

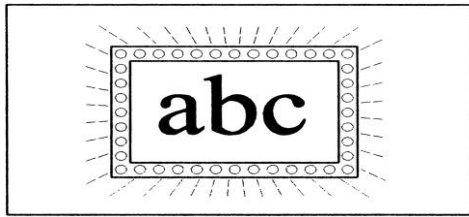


*Electric Sign.* Any sign containing electric wiring.



*Erect a Sign.* To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish a sign. It shall not include any of the foregoing activities when performed as an incident to the change of message, or routine maintenance.

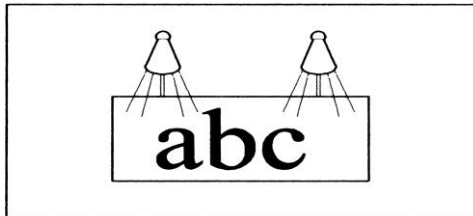
*Flashing Sign.* A sign with an intermittent, repetitive, or flashing light source.



*Frontage.* The length of the property line of any one parcel along a street on which it borders.

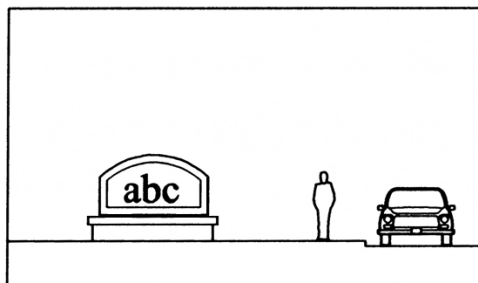
*Illuminated Sign.* A sign which contains a source of light or which is designed to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

*Illuminated Sign.* A sign which contains a source of light or which is designed to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.



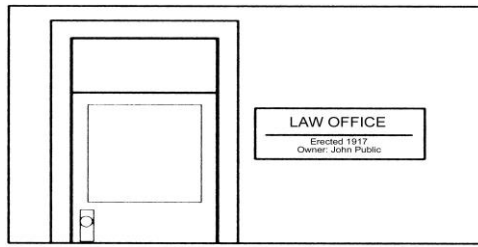
*Marquee.* A structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

*Monument sign.* A monument sign is a freestanding sign, a wall with a sign permanently attached, or a decorative wall that incorporates a sign. Monument signs are typically constructed low to the ground from natural materials such as stone, brick or wood and surrounded with additional landscape plantings. The sign copy area is attached directly to the base of the sign or otherwise located close to the ground and may be indirectly illuminated. A monument sign shall be no more than ten (10) feet in height except where further restricted and shall have the lowest portion of its sign face no more than three (3) feet above the ground. This is also commonly referred to as a Ground Sign.



*Multiple Occupancy Complex.* A parcel of property or parcels of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

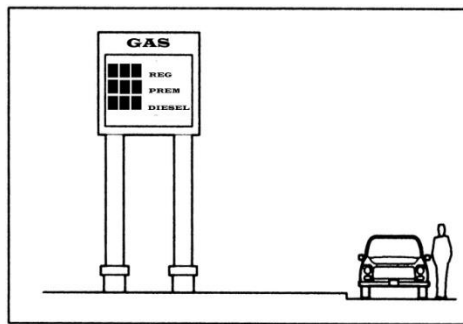
*Nameplate Sign.* A wall sign indicating the name and/or address of a business.



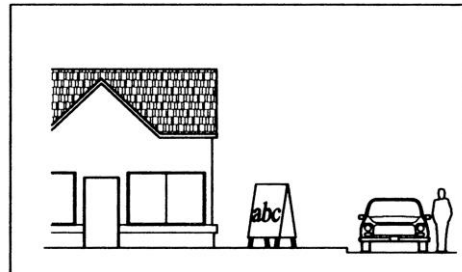
*Parcel.* A unit of land within legally established property lines. If, however, the property lines are such as to defeat the purposes of these sign regulations or lead to absurd results, a "parcel" may be as designated for a particular site by the Administrator.

*Pennant.* Any lightweight plastic, fabric, or other material, whether containing a message or not, suspended from a rope, wire, string, or other similar device, designed to move in the wind.

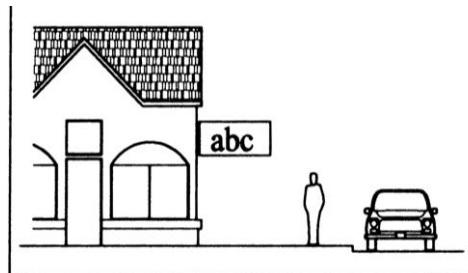
*Pole Sign.* A freestanding sign mounted above one or more vertical structural members (Also referred to as a *Pylon Sign*).



*Portable Sign.* Any sign not permanently attached 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-frames or T-frames; menu or sandwich board signs; balloons or other inflatable devices 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 such vehicle is used in the normal day to day operations of the business.

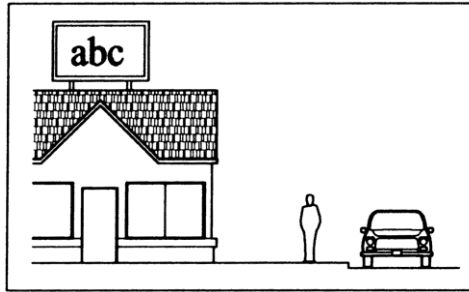


*Projecting Sign.* A sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of the building or wall.



*Roof Line.* A horizontal line intersecting the highest point or points of a roof.

*Roof Sign.* A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the highest point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.



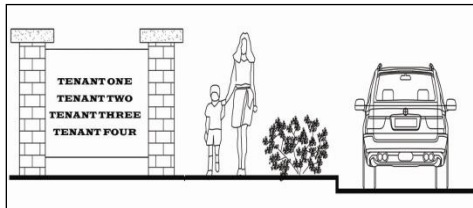
*Sign.* Any writing, pictorial presentation, number, illustration, decoration, flag, banner, pennant, or other device which is used to announce, direct attention to, identify, advertise or otherwise make anything known. The term sign shall not be deemed to include the terms "building" or "landscaping" or any architectural embellishment of a building not intended to communicate information.

*Sign Face Area.* The area of any regular geometric shape, which contains the entire surface area of a sign upon which copy may be placed.

*Sign Structure.* Any construction used or designed to support a sign.

*Street.* A public or private right of way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

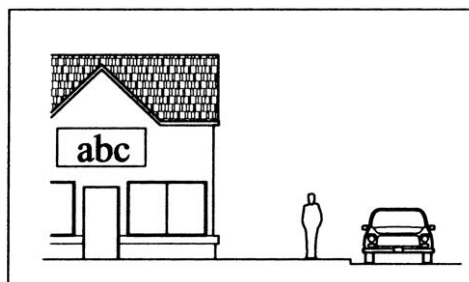
*Tenant Sign.* A ground sign containing the name of a multi-tenant business center and typically containing the names of the tenants within the development.



*Unit.* That part of a multiple occupancy complex housing one occupant.

*Vehicle Sign.* Any sign affixed to a vehicle.

*Wall Sign.* A sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of forty-five (45) degrees or steeper.



*Window Sign.* Any sign, picture, symbol, or combination thereof designed to communicate information about a business, commodity, event, sale, or service that is placed inside or upon a window and is visible from the exterior of the window.

### **Section 21.03. Measurement Determinations.**

#### **A. Number of Signs.**

In general, the number of signs shall be the number of non-contiguous sign faces. Multiple non-contiguous sign faces may be counted as a single sign if all the sign faces are included in the geometric figure used for determining the sign area.

#### **B. Sign Face Area.**

##### **1. Individual Signs.**

The sign face area of individual signs shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. This does not include the supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets applicable regulations and is clearly incidental to the display itself.

##### **a. Multi-faced Signs.**

The sign face area of a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and when the sign faces are part of the same sign structure and are no more than thirty-six (36) inches apart, the sign face area shall be computed by the measurement of one of the faces.

#### **C. Sign Height.**

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of existing grade prior to construction or the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined or where the elevation of the normal grade is below the main traveled way of the adjoining street or highway along which the sign is constructed, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the adjoining street or highway along which the sign is constructed or the grade of the land at the principal entrance to the principal structure on the parcel, whichever is lower.

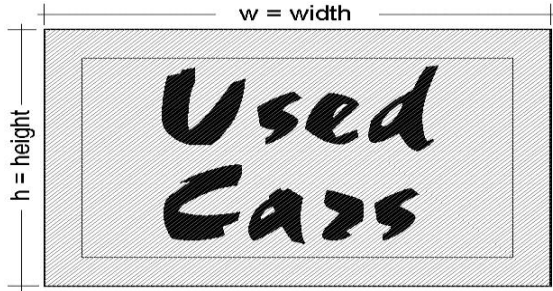
#### **D. Distance Between Signs.**

The minimum required distance between signs shall be measured along street rights-of-way from the closest parts of any two signs.

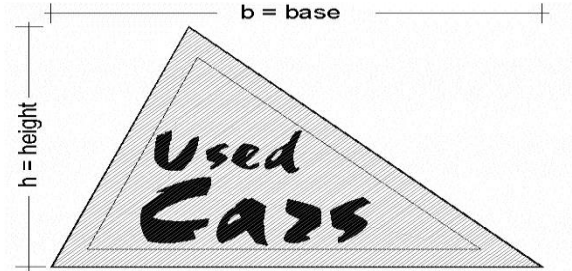
#### **E. Facade Area.**

The facade area shall be measured by determining the area within a two-dimensional geometric figure coinciding with the edges of the walls, windows, doors, parapets, marquees, and roof slopes of greater than forty-five (45) degrees that form a side of a building or unit.

Measurement Determination Examples.



Calculating Area of a Rectangular Sign =  $h \times w$



Calculating Area of a Triangular Sign =  $1/2 (h \times b)$

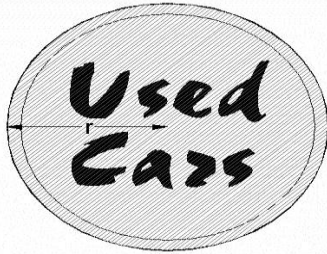
$\pi = 3.14159$

EXAMPLE

r (radius) = 4 feet

Area =  $3.14159 \times 4 \text{ ft}^2$

Area = 50.265 sq ft



Calculating Area of a Circular Sign =  $\pi \times \text{radius}^2$

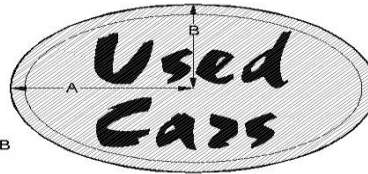
$\pi = 3.14159$

EXAMPLE

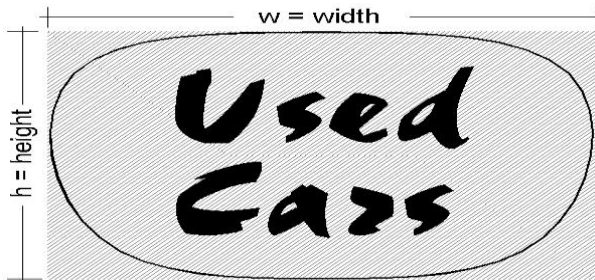
A = 3 ft B = 4 ft

Area =  $3.14159 \times A \times B$

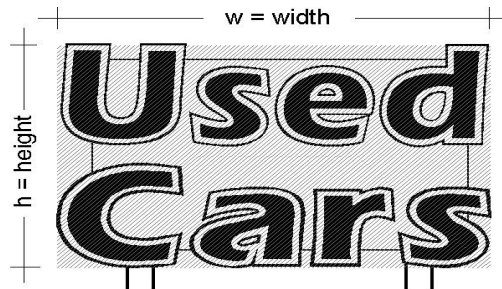
Area = 37.699 sq ft



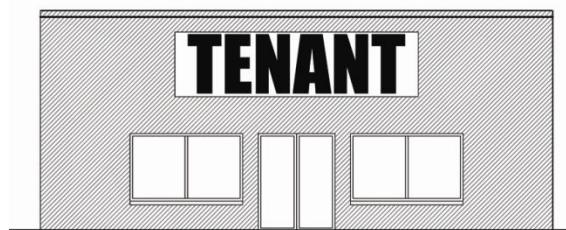
Calculating Area of an Elliptical Sign =  $\pi \times A \times B$



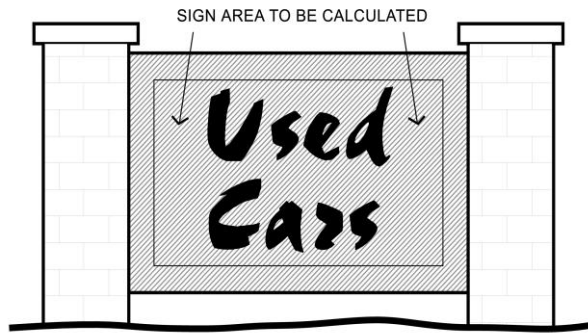
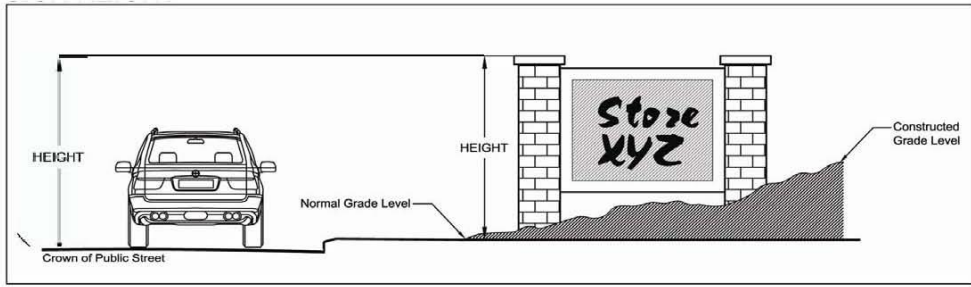
Calculating Area of an Irregular Sign =  $h \times w$



Calculating Area of a Sign where Copy Exceeds Sign Area = (height of copy) x (width of copy)



*Facade Area*



#### **Section 21.04. Exempt Signs.**

- A. The following signs are exempt from the requirement that a permit be obtained and shall not be counted toward any restriction regarding the number or area of signs permitted on a parcel provided they conform to the standards enumerated in this section and provided they are not placed or constructed so as to create a hazard of any kind:
1. Signs that are not designed or located so as to be legible from any street or adjoining property.
  2. Signs of two (2) square feet or less and signs that include no letters, symbols, logos or designs in excess of two (2) inches in vertical or horizontal dimension, provided that such sign, or combination of such signs, does not constitute a sign prohibited by these regulations.
  3. Signs necessary to promote health, safety and welfare, and other regulatory, statutory, traffic control or directional signs erected on public property with permission as appropriate from the City of Montevallo, the State of Alabama, or the United States.
  4. Legal notices and official instruments.
  5. Decorative flags and bunting for a celebration, convention, or commemoration of significance to the entire community when authorized by the City of Montevallo for a prescribed period of time.
  6. Holiday lights and decorations.
  7. Merchandise displayed behind storefront windows so long as no part of the display moves or contains flashing lights.
  8. Memorial signs or tablets, historical markers, name of a building and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.
  9. Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths and gasoline pumps.
  10. Advertising and identifying signs located on taxicabs, buses, trailers, trucks or vehicle bumpers.
  11. Public warning signs to indicate the dangers of trespassing, swimming, animals or similar hazards.
  12. Works of art that do not constitute advertising.
  13. Signs carried by a person.

#### **Section 21.05. Prohibited Signs**

- A. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, these regulations. The following signs are expressly prohibited unless otherwise exempted or expressly authorized by this Article:
1. Any sign with a sign face area greater than two hundred (200) square feet.
  2. Signs that are in violation of the building code or electrical code adopted by the City of Montevallo.
  3. Any sign that, in the opinion of the Administrator, does or will constitute a safety hazard.
  4. Portable signs or trailer signs.
  5. Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic, or mechanical means, except for traditional barber poles.
  6. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker or vary in intensity or color except for "time and temperature" signs or signs that identify the price of fuel at a service station or convenience store.
  7. Strings of light bulbs used on commercially developed parcels for commercial purposes, other than traditional holiday decorations.



8. Wind signs consisting of one or more banners, flags, pennants, ribbons, spinners, streamers or captive balloons, or other objects or material fastened in such a manner as to move freely upon being subjected to pressure by wind.
9. Signs that incorporate projected images, emit any sound that is intended to attract attention, or involve the use of live animals.
10. Signs that emit audible sound, odor, or visible matter such as smoke or steam.
11. Signs or sign structures that interfere in any way with free use of any fire escape, emergency exit, or standpipe, or that obstruct any window to such an extent that light or ventilation is reduced to a point below that required by any provision of these regulations or any other regulation of the City of Montevallo.
12. Signs that resemble any official sign or marker erected by any governmental agency, or that by reason of position, shape or color, would conflict with the proper functioning of any traffic sign or signal, or be of a size, location, movement, content, color or illumination that may be reasonably confused with or construed as, or conceal, a traffic-control device.
13. Signs that obstruct the vision of pedestrians, cyclists, or motorist traveling on or entering public streets.
14. Non-governmental signs that use the words "stop," "look," "danger" or any similar word, phrase or symbol.
15. Signs, within ten (10) feet of public right of way or one hundred (100) feet of traffic-control lights, that contain red or green lights that might be confused with traffic control lights.
16. Signs that are of such intensity or brilliance as to cause glare or impair the vision of any motorist, cyclist or pedestrian using or entering a public way, or that are a hazard or a nuisance to occupants of any property because of glare or other characteristics.
17. Signs that contain any lighting or control mechanism that causes unreasonable interference with radio, television or other communication signals.
18. Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, except house numbers and traffic control signs.
19. Signs placed upon benches, bus shelters or waste receptacles, except as may be authorized in writing.
20. Signs erected on public property or on private property located on public property (such as private utility poles) other than signs erected by a public authority for public purposes or as otherwise permitted by these regulations.
21. Signs erected over or across any public street except as may otherwise be expressly authorized by these regulations and except governmental signs erected by or on the order of a public officer.
22. Roof signs placed above the roofline of a building or on or against a roof slope of less than forty-five (45) degrees.
23. Vehicle signs with a total sign area in excess of ten (10) square feet when the vehicle is parked for more than sixty consecutive minutes within one hundred (100) feet of any street right-of-way; is visible from the street right-of-way that the vehicle is within one hundred (100) feet of; and is not regularly used in the conduct of the business advertised on the vehicle. A vehicle used primarily for advertising shall not be considered a vehicle used in the conduct of the business.
24. Pylon or pole signs are prohibited **except on properties located on AL Highway 25.**

## **Section 21.06. Permitted Signs**

### **A. Generally**

The signs enumerated in this section shall be subject to all the terms of this Article including the requirement that a sign permit be obtained prior to erection of any sign. Exemption from the requirement to obtain a sign permit does not necessarily indicate exemption from any other requirement or permit that may be required by this or any other agency.

### **B. All Parcels**

1. **Directional Signs.** Directional signs limited in area to four (4) square feet, giving directions to motorists regarding the location of parking areas and access drives shall be permitted on all parcels and shall not be counted as part of an occupant's allowable sign area.
2. **Flags.** Not more than three flags or insignias of governmental, religious, charitable, fraternal or other organizations or institution may be displayed on any one parcel of land. Such flags shall not exceed sixty (60) square feet in area and shall not be flown from a pole the top of which is more than forty (40) feet in height. All flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting the above requirements shall be considered a banner and shall be subject to the appropriate regulations.
3. **Utility Signs.** Public utility signs that identify the location of underground utility lines and facilities, high voltage lines and facilities, and other utility facilities and appurtenances are permitted so long as they do not exceed three (3) feet in height, and so long as the sign face does not exceed two (2) square feet.

### **C. Undeveloped Parcels**

Undeveloped parcels may display one (1) square foot of signage per ten (10) feet of frontage up to a maximum of ninety-six (96) square feet. No individual sign shall exceed sixty-four (64) square feet nor exceed ten (10) feet in height. Signs must be spaced at least one hundred (100) feet apart.

### **D. One-Family and Two-Family Residences**

A parcel on which is located a single one-family or two-family residence may display not more than two (2) signs with an aggregate sign area of not more than ten (10) square feet. No individual sign shall exceed six (6) square feet nor exceed four (4) feet in height.

### **E. Three-Family and Four-Family Residences**

A parcel on which is located a single three-family or four-family residence may display not more than four (4) signs with an aggregate sign area of not more than sixteen (16) square feet. No individual sign shall exceed six (6) square feet nor exceed four (4) feet in height.

### **F. Residential Developments, Farms and Ranches**

1. A sign may be displayed at the entrance to a residential development, farm or ranch subject to the following restrictions. One (1) sign is permitted at only one entrance from each abutting street. The sign may be a single sign with two (2) faces of equal size or may be two (2) single-faced structures of equal size located on each side of the entrance. No face of the sign shall exceed thirty-two (32) square feet in size, and may be illuminated in a steady light only.
2. All such signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent homeowners association or some other person who is legally accountable. Such accountability is required before a permit shall be issued. If, following the issuance of a permit and subsequent erection of such signs, no accountable person accepts legal responsibility to maintain the signs and no other provision has been made for maintenance, the signs shall be removed by the developer or owner.

G. Commercially Developed Parcels

1. Freestanding Signs.

Signs may be placed in a freestanding location on a commercially developed parcel subject to the following limitations:

- a. The permissible number, area, spacing and height of freestanding signs for each multiple occupancy complex and each commercial occupant not located in a multiple occupancy complex shall be determined according to Table 21.4.

	If the frontage on a public right-of-way is:					
	<=50'	>50' & <=100'	>100' & <=200'	>200' & <=300'	>300' & <=400'	>400'
Maximum number of signs	1	1	1	1	2	3
Maximum total sign area	16	32	48	64	80	96
Maximum sign area for individual sign	16	32	48	64	80	96
Minimum setback from side property line	10	15	20	50	50	50
Minimum distance from any other freestanding sign on the same site	n/a	n/a	n/a	n/a	100	100
Maximum height	10	10	10	10	10	10
<b>Maximum height AL Hwy 25 (Pole or Pylon Sign)</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>	<b>20</b>

**Table 21.4.**

- b. Multiple Frontages. For a parcel having frontage on two (2) or more public streets, each frontage shall be considered separately for the purposes of determining compliance with the above provisions for freestanding signs, but the permitted sign area for one (1) frontage may not be combined with that permitted on another frontage to increase the permitted sign area on one frontage. However, no freestanding sign on one right-of-way may be closer than one hundred (100) feet to a sign on another right-of-way.

2. Building Signs.

Signs not expressly prohibited by this Article may be attached to the wall of a building on a commercially developed parcel subject to the following limitations:

- a. Building signs shall be limited to a maximum height of thirty (30) feet above grade, except that on a building of more than thirty (30) feet in height, a single sign is allowed above thirty (30) feet on each side of the building.
- b. Each multiple occupancy complex may display one (1) building sign on each side of the principal building or buildings in the complex, not to exceed a sign face area of two hundred (200) square feet or five (5) percent of the facade area of the building side, whichever is smaller.
- c. Each occupant of a multiple occupancy complex may display three (3) building signs on any exterior portion of the complex that is part of the occupant's unit, not including common or jointly owned portions, not to exceed a sign face area of two hundred (200) square feet each

or a total combined sign face area of ten (10) percent of the facade area of such exterior portion, whichever is smaller.

- d. Each occupant not located in a multiple occupancy complex may display three (3) building signs on each side of the building in which the occupant is located, not to exceed a sign face area of two hundred (200) square feet each or a total combined sign face area of ten (10) percent of the facade area of the building side, whichever is smaller.
- e. Time and Temperature Signs. Time and temperature signs are permitted on commercially developed parcels notwithstanding a general prohibition on changing or animated signs. These signs may only display numerical information and must be kept accurate. They may be freestanding or attached to a building and are subject to the regulations applicable to such signs. They shall be counted as part of the occupant's allowable sign area.

### **Section 21.07. Design, Construction, Location and Maintenance Standards**

#### **A. Compliance with Building and Electrical Codes Required**

All permanent signs, and the illumination thereof, shall be designed, constructed and maintained in conformity with applicable provisions of the building and electrical codes adopted by the City of Montevillo. Wherever there is inconsistency between these sign regulations and the building or electrical code, the more stringent requirement shall apply.

#### **B. Illumination Standards**

1. Sign lighting may not be designed or located to cause confusion with traffic lights.
2. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.
3. Illuminated signs shall not have lighting mechanisms that project more than eighteen (18) inches perpendicularly from any surface of the sign over public space.

#### **C. Placement and Clearance Standards**

Signs shall be located such that there is at every intersection or driveway, a clear view between heights of three (3) and ten (10) feet in a triangle formed by the corner and points on the curb seventy (70) feet from the intersection or entranceway.

1. Supports for signs or sign structures shall not be placed in or upon a public right of way or public easement, except under the terms of a lease between the owner of the easement or right of way and the owner of the sign.
2. No freestanding sign shall project over a public right of way.
3. No sign or sign structure shall be erected that impedes use of any fire escape, emergency exit, or standpipe.
4. All signs over pedestrian ways shall provide a minimum of seven (7) feet six (6) inches of clearance.
5. All signs over vehicular ways shall provide a minimum of thirteen (13) feet six (6) inches of clearance.
6. No sign or sign structure shall be erected that impedes an unobstructed visibility at a level three (3) feet above the road, measured from the street grade at the center of the closest traffic lane.

#### **D. Relationship to Building Features**

1. A building sign shall not extend beyond any edge of the surface to which it is attached, nor disrupt a major architectural feature of the building.
2. A building sign may project no more than four (4) feet perpendicularly from the surface to which it is attached.
3. The combined area of permanent and temporary signs placed on or behind windows shall not exceed twenty-five (25) percent of the total window area at the same floor level on the side of the building or unit upon which the signs are displayed.

## E. Maintenance

All signs, including their supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in accordance with the building and electrical codes adopted by City of Montevillo, and shall present a neat and clean appearance. The vegetation around, in front of, behind, and underneath the base of freestanding signs for a distance of ten (10) feet shall be neatly trimmed and free of unsightly weeds, and no rubbish or debris that would constitute a fire or health hazard shall be permitted under or near the sign.

## **Section 21.08. Administration.**

### A. Permits

#### 1. Applicability.

No person shall erect a sign without first obtaining a sign permit therefore, except for the following actions which shall not require a permit:

- a. Changing the copy, announcement or message on a sign;
- b. Cleaning, painting, electrical or comparable maintenance or repair of a sign that does not alter any regulated feature of such sign;
- c. Erecting a sign for which a permit is not required in accordance with §21.04 Exempt Signs or §21.06 (A) Permitted Signs - Generally.

#### 2. Procedure.

All sign permits shall be procured in accordance with the following procedure:

- a. A written application shall be submitted to the Administrator for review and processing. The application will be accepted by the Administrator only upon determination that all requisite documentation and fees accompany the application form. The application shall include such supplementary information as may be specifically requested by the Administrator to determine compliance with these regulations.
- b. The Administrator shall review the application and plans and specifications to determine whether the proposed sign conforms to all applicable requirements of these regulations.
- c. Following review and determination as to conformance with these regulations, the Administrator shall, in a reasonably expeditious manner, either approve or deny the application for the sign permit. In case of denial, the Administrator shall specify the section or sections of these regulations with which the proposed sign is not in conformance.
- d. If an approved sign requires a building permit, the Administrator shall forward a copy of the completed application form and associated plans and specifications to the building official who shall determine whether the proposed sign conforms to all applicable requirements of the building regulations and who shall, in a reasonably expeditious manner, either approve or deny an application for a permit to construct the sign.

#### 3. Submission Requirements.

No request for a sign permit shall be considered complete until all of the following has been submitted to the Administrator:

##### a. Application Form.

The application shall be submitted to the Administrator in duplicate on forms made available by the City.

##### b. Statement of Authorization.

Any application form which is signed by an individual other than the property owner shall be accompanied by a notarized statement of authorization consenting to the sign placement or, if the property or building upon which the sign is to be located is leased, evidence of the executed lease shall accompany the application form. In the event the building or property is leased and the application form is signed by an individual other than the lessor, the application shall be accompanied by a notarized statement of authorization signed by the

lessor consenting to the sign placement and evidence of the executed lease.

c. Plans and Specifications.

Plans and specifications for any proposed sign shall be submitted in duplicate, drawn to scale and include the following:

- 1) lot frontage on all street rights-of-way;
- 2) facade area of any wall on which a sign is proposed to be placed;
- 3) dimensions and elevations (including the message) of the sign;
- 4) dimensions of the sign's supporting members;
- 5) maximum and minimum height of sign, as measured from finished grade;
- 6) location of the sign in relation to property lines, public rights-of-way, easements, buildings, and other signs on the property;
- 7) for illuminated signs, the type, placement, intensity and hours of illumination;
- 8) construction and electrical specifications, for the purpose of enabling determination that the sign meets all applicable structural and electrical requirements of the building code;
- 9) value of the proposed sign;
- 10) number, type, location and surface area of all existing signs on the same property and/or building on which the sign is to be located.

d. Application Fee.

The applicant shall be required to pay an application fee according to the current schedule of fees established by the City Council for the particular category of the application. This fee shall be nonrefundable irrespective of the final disposition of the application.

e. Permit Expiration.

Sign permit shall be valid for a maximum of sixty (60) days after issuance. Failure to place the sign within the allotted time period shall void the permit and necessitate reapplication.

**Section 21.09. Variance.**

Any request for a variance from the standards set forth in this Article shall be processed according to the procedures and criteria set forth in Article 26 of this Ordinance.

**Section 21.10. Inspections.**

The Administrator shall, as each may determine necessary, inspect the property to ascertain that the sign is in accord with all provisions of these regulations and the building regulations, respectively, and in accord with all terms upon which the sign permit may have been conditioned.

**Section 21.11. Nonconforming Signs.**

- A. A nonconforming sign is any sign within the jurisdiction of the City of Montevallo on the effective date of this Article or any sign existing within any area added to such jurisdiction after the effective date of this Article which is prohibited by or does not conform to the requirements of these regulations.
- B. Subject to the limitations imposed by § 21.13 below, a nonconforming sign may be continued and shall be maintained in good condition as required by these regulations, but it shall not be:
  1. Structurally changed to another nonconforming sign, but its pictorial content may be changed.
  2. Structurally altered to prolong the life of the sign, except to meet safety requirements.
  3. Expanded or altered in any manner that increases the degree of nonconformity.
  4. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50) percent of the appraised replacement cost as determined by the Administrator.

5. Continued in use when a conforming sign or sign structure shall be erected on the same parcel or unit.
6. Continued in use when the structure housing the occupancy is demolished or requires renovations the cost of which exceeds fifty (50) percent of the assessed value of the structure.

**Section 21.12. Abandoned Signs.**

- A. Except as otherwise provided in this Article, any sign that is located on property which becomes vacant and unoccupied, or pertains to a business which does not maintain a current business license, or pertains to a time, event or purpose which is no longer applicable shall be deemed to have been abandoned. Any abandoned sign shall be prohibited and shall be removed by the owner of the sign or the owner of the property. The frame of an abandoned sign shall not be required to be removed if it conforms to all applicable terms contained in these regulations (including the sign face area for sign replacement yielded by such frame).
- B. Any sign structure which supported an abandoned sign and which structure conforms to all applicable terms contained in these regulations shall be allowed to remain in place. However, in the event a sign structure which supported or supports an abandoned sign is inconsistent with any of the terms contained in these regulations (including the sign face area for sign replacement yielded by the frame) then the sign structure and frame shall be either altered to comply with the terms contained herein or removed by the owner of such structure or the owner of the property.

**Section 21.13. Illegal Signs.**

- A. The following signs shall be considered to be illegal and a violation of the terms of this Article:
  1. A sign erected or maintained after the effective date of this Article that is inconsistent with the terms contained herein;
  2. A nonconforming sign which was erected inconsistent with the terms governing location, height, surface area or other regulatory measures applicable at the time of its erection;
  3. An abandoned sign.
- B. Upon determination by the Administrator that a certain sign is illegal, the Administrator shall act to remedy the violation, which may include:
  1. The issuance of a notice of violation to the individual who owns, is responsible for, or benefits from the display of such sign prescribing the action necessary to make the sign legal and conforming to the terms contained herein or ordering the removal of the illegal sign and also prescribing the time which the individual is afforded to accomplish such action;
  2. The City shall have the right to recover from the individual responsible for any such illegal sign the full costs of removal and disposal for any such illegal sign located on public property or on private property including any such illegal sign located within a street right-of-way.
- C. Failure to bring any illegal sign into conformance with the terms contained in this Article or any other violation of the terms contained in this Article shall be considered a violation of the Zoning Ordinance of the City of Montevillo and shall be subject to the remedies and penalties provided by such Ordinance and by State Law.



**REPORT TO THE CITY OF MONTEVALLO  
PLANNING & ZONING BOARD  
Department of Development Services  
June 20, 2019**

**Case No. MZAM-005**

**The Amendment of Appendix D, Urban Core District Standards & Guidelines**

**Zoning Amendment Summary**

This amendment is intended to eliminate the requirement of review by the Design Review Committee for signs erected within the Urban Core District.

**DRAFT Proposed Amendment**

**06/04/19**

**APPENDIX D – URBAN CORE DISTRICT STANDARDS & GUIDELINES.**

**Section 9. Signs**

Sign standards are established for the Downtown District to ensure that signs are integrated into the architectural design of the building. Signs shall not dominate the façade of the building or interfere with adjacent buildings. All signage shall conform to the provisions of Article 21, Sign Regulations. The following sign standards shall also apply in the Urban Core District.

- A. Billboards – Billboards are not permitted within the Urban Core District.
- B. Free standing – Free standing signs shall be limited to movable sandwich boards or building identification signs, subject to the permitting requirements established by the Director of Public Works. Freestanding signs shall only be permitted within the storefront zone of the sidewalk or as part of a plaza, park, or other open space designed in conjunction with the structure(s).
- C. Window Displays – Retail store window displays of merchandise, freestanding three-dimensional promotional items and/or display fixtures or backdrops not affixed to windowpanes or glass are permitted.
- D. Commemorative Art – Monumental commemorative sculpture and/or graphic art in any medium and including images depicting the persons, themes, and/or events to be commemorated and inscribed dedications or quotations, attached to and incorporated into the overall design of all or part of one or more facades of public, private, not-for-profit, institutional or civic structures is allowed.
- E. Preservation Districts – All new sign construction within designated Preservation Districts shall conform to the City of Montevillo Design Standards & Guidelines, and have the approval of the Historical Commission.

~~F. All signs within the Urban Core District, including window displays, must be approved by the Design Review Committee.~~

