

Triangle Overlay District

3.05 Purpose

The purposes of this District are to:

- A. Develop a fully integrated, mixed-use, pedestrian-oriented environment with buildings containing commercial, residential and office uses, similar to the downtown character west of Woodward Avenue.
- B. Create a synergy of uses within the Triangle District to support economic development and redevelopment in accordance with the recommendations of the Triangle District Urban Design Plan.
- C. Minimize traffic congestion, inefficient surface parking lots, infrastructure costs and environmental impacts by promoting a compact, mixed-use, pedestrian-friendly district.
- D. Regulate building height to achieve appropriate scale along streetscapes to ensure proper transition to nearby residential neighborhoods.
- E. Create a definable sense of place for the Triangle District with a pedestrian oriented, traditional urban form with bold innovations in architecture.

3.06 Applicability

- A. The Triangle Overlay District shall be an overlay district that applies over the existing zoning districts. Use and development of land within the overlay district shall be regulated as follows:
 1. Any existing use shall be permitted to continue and the use shall be subject to the underlying zoning requirements and not the Triangle Overlay District.
 2. Where a new use is established within an existing building, the use shall be subject to the requirements of the Triangle Overlay District and the site shall be brought into compliance with the requirements of the overlay district to the maximum extent practical, as determined by the Building Official at the time of reviewing the application for a Zoning Ordinance Compliance Permit.
 3. Any expansion to an existing use or building that requires site plan approval from the Planning Board shall be subject to the requirements of the Triangle Overlay District and shall be brought into compliance with the requirements of the overlay district.
 4. Where a new building is proposed, the use and site shall be subject to the requirements of the Triangle Overlay District.
- B. Development applications within the Triangle Overlay District shall be required to follow the Site Plan and Design Review standards contained in Article 07.
- C. The provisions of the Triangle Overlay District, when in conflict with other articles of the Zoning Ordinance, shall take precedence.
- D. The provisions of this Triangle Overlay District shall specifically supersede the floor-area-ratio, maximum height, and setback regulations contained in each two-page layout in Article 02 of the Zoning Ordinance.
- E. A Triangle Overlay District Regulating Plan has been adopted that divides the District into four zones. Each zone designated on the Regulating Plan prescribes requirements for building form, height and use as follows:
 - ASF-3: Attached Single Family 3
 - MU-3: Mixed Use 3
 - MU-5: Mixed Use 5
 - MU-7: Mixed Use 7

Triangle Overlay District

3.07 Permitted Uses, and Special Uses

Use and development of land and buildings shall only be for the following specified uses, unless otherwise provided for in this Ordinance.

Table 3.07
Land Use Matrix

Use	Zones on Regulating Plan			
	ASF-3	MU-3	MU-5	MU-7
Commercial Uses				
Alcoholic beverage sales	-	A*	A*	A*
Alcoholic beverage sales (off-premise consumption)	-	A*	A*	A*
Any use incidental to principal use	A	A	A	A
Art gallery	-	P	P	P
Artisan use	-	P	P	P
Auto sales agency	-	-	S	S
Auto show room	-	-	S	S
Bakery	-	P	P	P
Bank (with drive- through facilities)	-	S	S	S
Bank (without drive-through facilities)	-	P	P	P
Barbershop/beauty salon	-	P	P	P
Bistros	-	P	P	P
Boutique	-	P	P	P
Catering	-	P	P	P
Child care center	P	P	P	P
Clinic	-	P	P	P
Clothing store	-	P	P	P
Coffee	-	P	P	P
Dance hall	-	R*	R*	R*
Delicatessen	-	P	P	P
Department store	-	P	P	P
Drive-in facility accessory to a permitted retail business, excluding restaurants	-	S	S	S
Drugstore/pharmacy	-	P	P	P
Dry cleaning	-	P	P	P
Fence	-	P	P	P
Food or drink establishment	-	P	P	P
Funeral home	-	S	S	S
Furniture	-	P	P	P
Gasoline full service station	-	-	S	S
Gasoline service station	-	-	S	S
Gift shop/flower shop	-	P	P	P
Grocery store	-	P	P	P
Hardware store	-	P	P	P
Health club/studio	-	P	P	P
Home occupation	P	P	P	P
Hotel	-	P	P	P
Interior design shop	-	P	P	P
Jewelry store	-	P	P	P
Laundry	-	P*	P*	P*
Leather and luggage goods shop	-	P	P	P
Medical/dental office	-	P	P	P
Motel	-	P	P	P
Neighborhood convenience store	-	P	P	P
Office	-	P	P	P

Triangle Overlay District

Use	Zones on Regulating Plan			
	ASF-3	MU-3	MU-5	MU-7
Outdoor cafe	-	P	P	P
Paint	-	P	P	P
Party store	-	P	P	P
Photography studio	-	P	P	P
Pool or billiard hall	-	R*	R*	R*
Restaurant	-	P	P	P
Retail fur sales cold storage facility	-	A	A	A
Retail photocopying	-	P	P	P
School - business	-	P	P	P
Shoe repair	-	P	P	P
Sign	A	A	A	A
Specialty food store	-	P	P	P
Specialty home furnishing shop	-	P	P	P
Tailor	-	P	P	P
Theater	-	P	P	P
Tobacconist	-	P	P	P
Institutional Uses				
Churches and religious institution	S	S	S	S
College	-	P	P	P
Government office / use	P	P	P	P
Essential services	P	P	P	P
Parking - off-street	A	A	A	A
Parking structure	A	S	P	P
School – private and public	P	P	P	P
Social club	-	S	P	P
Recreational Uses				
Indoor recreational facility	-	P	P	P
Park / plaza	P	P	P	P
Recreation clubs	-	P	P	P
Residential Uses				
Dwelling - attached single family	P	P	P	-
Dwelling - multiple family	-	P	P	P
Live/work unit	P	P	P	-
Dwellings above the first floor in commercial buildings	-	P	P	P

P = Permitted Use

A = Accessory Use

S = Special Land Use Permit

R = Regulated Use

* = Use Specific Standards Apply

- = Not Permitted

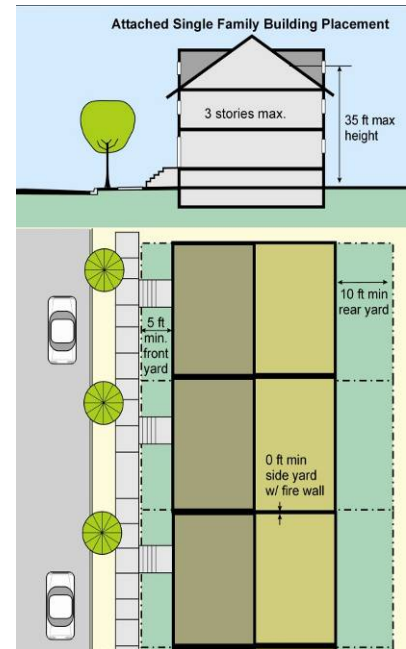
Triangle Overlay District

3.08 Height and Placement Requirements

The following tables delineate the height, bulk, and setback requirements pertaining to the districts regulated by the Triangle Overlay District.

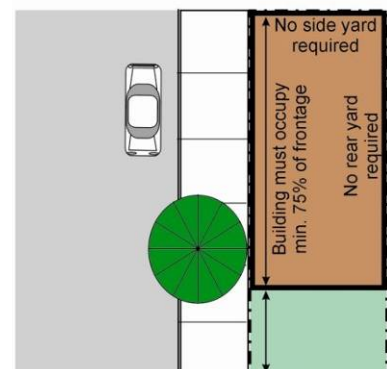
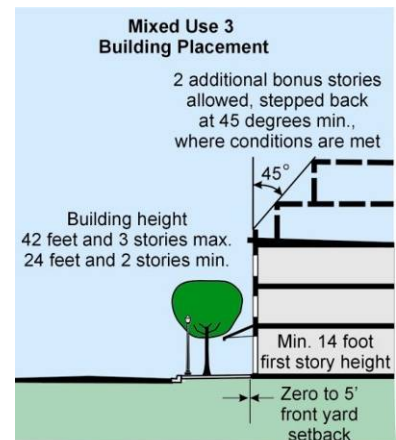
A. ASF-3 District Development Standards

Minimum Lot Area Per Unit	<ul style="list-style-type: none"> 1,280 square feet
Minimum Lot Width	<ul style="list-style-type: none"> NA
Minimum Front Yard Setback	<ul style="list-style-type: none"> 5 feet for single family attached Zero for live-work units
Minimum Side Yard Setback	<ul style="list-style-type: none"> No side yard between units 10 feet from side street on corner lot 9 feet from single-family lot
Minimum Rear Yard Setback	<ul style="list-style-type: none"> 10 feet for principal buildings
Building Height	<ul style="list-style-type: none"> 2 stories minimum 3 stories maximum 35-foot maximum building height



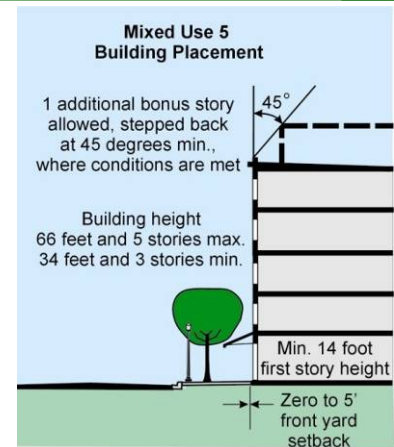
B. MU3 District Development Standards

Minimum Lot Area	<ul style="list-style-type: none"> NA
Minimum Lot Width	<ul style="list-style-type: none"> NA
Front Yard and Building Frontage Requirements	<ul style="list-style-type: none"> Zero minimum front yard setback 5-foot maximum front yard The building façade shall be built-to within 5 feet of the front lot line for a minimum of 75% of the street frontage length See subsection F
Minimum Side Yard	<ul style="list-style-type: none"> A zero side setback with walls facing side lot line that do not contain windows 10 feet for walls that contain windows 20 feet adjacent to single family residential zoning district
Minimum Rear Yard	<ul style="list-style-type: none"> 10 feet 20 feet adjacent to single family residential zoning district
Building Height	<ul style="list-style-type: none"> 24-foot and 2 stories minimum building height 42-foot and 3 stories maximum building height For sloped roofs, the eave line shall be no more than 34 feet and the roof peak shall be no more than 46 feet Additional 24 feet and/or 2 stories of building height allowed if requirements of subsection E below are met The first story shall be a minimum of 14 feet in height, floor to floor



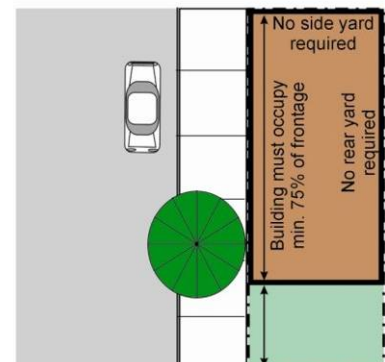
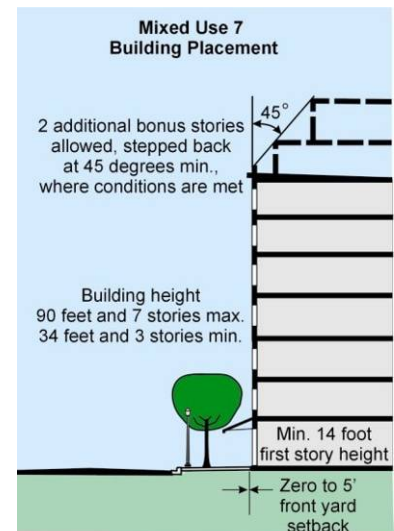
C. MU5 District Development Standards

Minimum Lot Area	▪ NA
Minimum Lot Width	▪ NA
Front Yard and Building Frontage Requirements	<ul style="list-style-type: none"> ▪ Zero minimum front yard setback ▪ 5-foot maximum front yard ▪ The building façade shall be built-to within 5 feet of the front lot line for a minimum of 75% of the street frontage length ▪ See subsection F
Minimum Side Yard	<ul style="list-style-type: none"> ▪ A zero side setback with walls facing side lot line that do not contain windows ▪ 10 feet for walls that contain windows
Minimum Rear Yard	▪ NA
Building Height	<ul style="list-style-type: none"> ▪ 34-foot and 3 stories minimum building height ▪ 66-foot and 5 stories maximum building height ▪ For sloped roofs, the eave line shall be no more than 58 feet and the roof peak shall be no more than 70 feet ▪ Additional 12 feet and/or 1 story of building height allowed if requirements of subsection E below are met ▪ The first story shall be a minimum of 14 feet in height, floor to floor



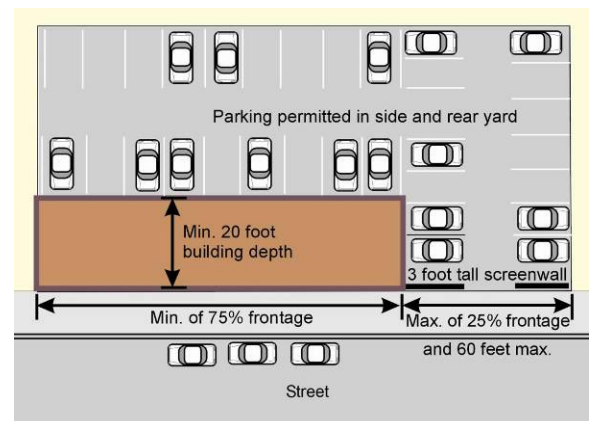
D. MU7 District Development Standards

Minimum Lot Area	▪ NA
Minimum Lot Width	▪ NA
Front Yard and Building Frontage Requirements	<ul style="list-style-type: none"> ▪ Zero minimum front yard setback ▪ 5-foot maximum front yard ▪ The building façade shall be built-to within 5 feet of the front lot line for a minimum of 75% of the street frontage length ▪ See subsection F
Minimum Side Yard	<ul style="list-style-type: none"> ▪ A zero side setback with walls facing side lot line that do not contain windows ▪ 10 feet for walls that contain windows
Minimum Rear Yard	▪ NA
Building Height	<ul style="list-style-type: none"> ▪ 34-foot and 3 stories minimum building height and minimum eave height ▪ 90-foot and 7 stories maximum building height ▪ For sloped roofs, the eave line shall be no more than 82 feet and the roof peak shall be no more than 94 feet ▪ Additional 24 feet and/or 2 stories of building height allowed if requirements of subsection E below are met ▪ The first story shall be a minimum of 14 feet in height, floor to floor



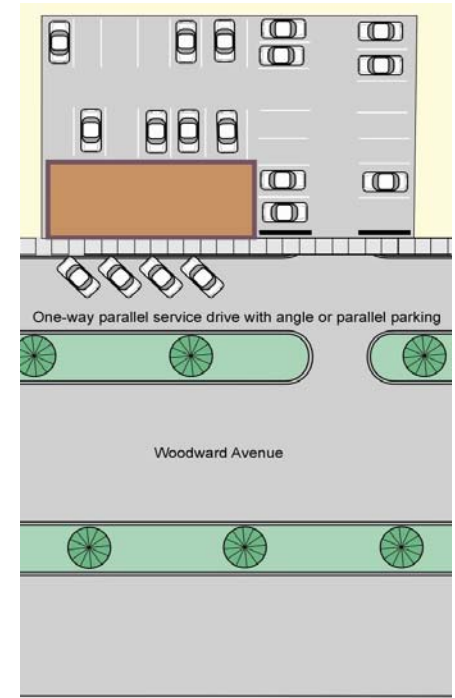
Triangle Overlay District

- E. Additional Building Height.** Buildings or portions of buildings that are 100 feet or more from a single family residential zoning district may have the additional building height (in number of stories and/or feet of height) noted in subsections B through D above where 2 or more of the following are provided as part of the development. Additional stories shall be stepped back at a 45-degree angle from the top story allowed by right without the height bonus.
1. A multi-level parking structure that offers parking available to the public at the rate of one parking space available to the public for every 300 square feet of building floor area allowed in the additional stories. Where additional building height is proposed without additional stories, then the parking shall be based upon the building floor area in the top floor. The applicant may provide payment-in-lieu to the City for construction of parking in a public parking deck at an offsite location at the rate of \$15,000 per parking space.
 2. Dedication of an improved public plaza with an area that is at least equal to 25% of the additional floor area of building area allowed in the additional stories. Where additional building height is proposed without additional stories, then public plaza space shall be based upon 25% of the building floor area on the top floor. The location and design of the plaza shall be approved by the Planning Board and shall be in accordance with the Triangle District Urban Design Plan.
 3. A mixed use building that provides residential dwelling units above first-floor commercial where a minimum of 50% of the buildings floor area is residential.
 4. Leadership in Energy and Environmental Design (LEED) building design, accredited based upon the rating system of the United States Green Building Council.
 5. Transfer of development rights for additional floor area that zoning would permit on a site containing an historic building or resource designated under Section 127 of the Birmingham Code. The development rights shall be dedicated through recording a conservation easement on the designated historic resource, which shall be reviewed and approved by the Historic District Commission.
- F. MU3, MU5 and MU7 Front Yard Building Setback Exceptions.** In the MU3, MU5 and MU7 Districts, 75% of the length of the ground level street-facing façade of the building must be built within 5 feet of the front lot line. The precise setback between 0 and 5 feet shall be consistent with the front building line along the block, or as determined by the Planning Board where a clear setback doesn't exist. The Planning Board may grant exceptions to allow a greater amount of the building to be setback when the front yard area, or forecourt, is used for one or more purposes listed below.
1. Widening the sidewalk along the frontage of the building.
 2. Providing a public gathering area or plaza that offers seating, landscape enhancements, public information and displays, fountains, or other pedestrian amenities.
 3. Providing outdoor seating for the proposed use.
- G. Parking.** Parking lots shall meet the following requirements:
1. Parking lots (not located in the road right-of-way) are permitted only in side and rear yards as follows:
 - a. When parking is located in a side yard (behind the front building line) and has frontage on a public right-of-way, no more than 25% of the total site's frontage or 60 feet, whichever is less, shall be occupied by parking lot.
 - b. For a corner lot, the cumulative total of both frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less, and the building shall be located at the corner of the lot adjacent to the intersection.
 - c. For a double frontage lot or a lot that has frontage on 3 streets, the cumulative total of all frontages occupied by parking shall be no more than 35% of the total site's frontage or 60 feet, whichever is less.



Triangle Overlay District

2. Where an off-street parking lot is visible from a street, it shall be screened by a 3 foot tall screen wall located between the parking lot and the sidewalk, meeting the requirements of Section 4.50. Where a parking lot is adjacent to a single family residential district, a 6 foot tall brick screen wall meeting the requirements of Section 4.50 shall be provided between the parking lot and the residential use.
3. Along Woodward Avenue, a single row of parking shall be permitted along the entire front of the building, which may be located within the road right-of-way. The parking may be angled or parallel with a one-way circulation aisle only. There shall be a minimum 7-foot wide sidewalk between the parking and the building.
4. Parking structures shall only be permitted where there is usable building space for a portion of the ground level along the street frontage. Where a parking structure is provided or parking is located on the ground level below the building, usable building space to a depth of at least 20 feet shall be provided in front of the parking for the minimum required building length. For a multi-level parking structure, the Planning Board may allow the parking structure above the first floor of the building to occupy the frontage; provided the façade of the parking structure is integrally designed with the architecture of the overall building, utilizes the same building materials and has wall openings that provide proportions, and rhythm that are compatible with building upper story fenestration.
5. Each use shall provide the parking required by the off street parking space requirements, except as provided for in this Section. Off street parking shall be provided for within 300 feet of the building being served.
6. On-street parking shall be allowed on all street frontages, where permitted by the Traffic and Safety Board. On-street parking located along a lot's frontage may be credited towards meeting the parking requirements for that use, provided the streetscape is improved to meet the requirements of Section 3.12.
7. Because this Overlay District is intended to encourage pedestrian/transit friendly design and compact mixed-use development that requires less reliance on automobiles, the parking required by Section 4.43 may be reduced or waived by the Planning Board as follows:
 - a. Providing shared parking whereby the Planning Board may reduce the total parking required by multiple uses by up to 50% under Section 4.42.G.4.
 - b. By payment of a special assessment levied against the entire building site where the special assessment district has been created for purposes of constructing a municipal parking facility under Section 4.42.G.5.
8. Driveway access to off-street parking lots shall be located to provide safe separation from street intersections. Driveways shall be aligned with driveways on the opposite side of the street or offset to avoid turning movement conflicts.



3.09 Commercial/Mixed Use Architectural Requirements

Mixed-use buildings that contain non-residential uses on the ground floor and residential in upper floors and all non-residential buildings shall meet the following architectural design requirements. It is not the intent of this section to regulate architectural style of buildings or limit creativity, but to ensure that the necessary functional and design elements to create and foster a mixed-use, pedestrian-oriented environment are incorporated into all building designs. Buildings should respect the existing architectural style of the area while evolving a more “bold” approach towards contemporary design.

- A. **Front Façade Requirements.** Walls that face a public street, plaza, green or park shall include windows and architectural features customarily found on the front of a building, such as awnings, cornice work, edge detailing or decorative finish materials.
 1. Blank walls longer than 20 feet shall not face a public street.

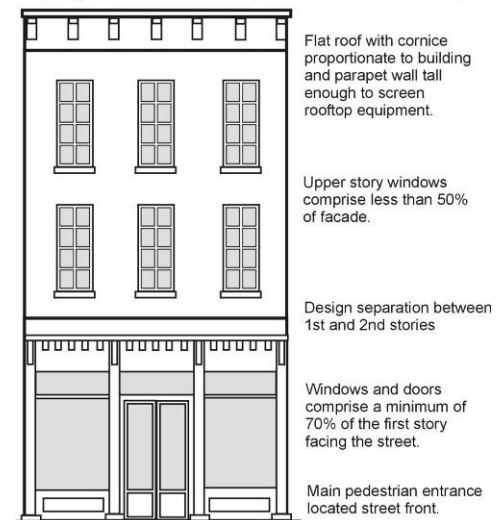
Triangle Overlay District

- All buildings shall have a main entrance that is located on at least one (1) street front. Main entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas.
- For buildings longer than 100 feet, there shall be a minimum of one (1) usable entrance every full 50 feet of frontage along the front public sidewalk and shall provide architectural variation to visually break the building up.
- Garage doors shall not be permitted on a front façade.

B. Windows and Doors

- Storefront/Ground Floor.** Ground floors shall be designed with storefronts that have windows, doorways and signage, which are integrally designed and painted. No less than 70% of the storefront/ground floor façade shall be clear glass panels and doorway. Glass areas on storefronts shall be clear, or lightly tinted. Mirrored glass is prohibited. Required window areas shall be either windows that allow views into retail space, working areas or lobbies, pedestrian entrances, or display windows set into the wall. Windows shall not be blocked with opaque materials or the back of shelving units or signs. The bottom of the window must be no more than 3 feet above the adjacent exterior grade.
- Entranceway.** The front entranceway shall be inset 3 feet from the front building wall.
- Upper Stories.** Openings above the first story shall be a maximum of 50% of the total façade area. Windows shall be vertical in proportion.

The following example is intended to illustrate the application of the design standards in this ordinance. It shall not be interpreted as requiring a specific architectural style or limit innovations in design.



C. Roof Design

- Unless otherwise approved by the Planning Board, buildings should have flat roof appearance from the street with a decorative cornice that is designed proportionate to the size of the building and length of the wall.
- The Planning Board may permit a pitched roof; however, mansard roofs shall not be permitted on single story buildings. Pitched and mansard roofs shall not be permitted with eaves below a height of 20 feet. All roof edges shall be accentuated in a manner proportionate to the size of the building and length of the wall.
- Flat roofs shall be enclosed by parapets.
- All rooftop mounted equipment shall be screened from view on all sides of the building.
- Parapets and other screening treatment shall use high quality building materials and shall blend with the design of the building in terms of color, materials, scale and height.

D. Building Materials.

The following exterior finish materials are required on the front façade and any façade facing a street, plaza, park or parking area. These requirements do not include areas devoted to windows and doors.

- All walls exposed to public view from the street, or parking area shall be constructed of not less than 60% brick, stone or glass. Panel brick and tilt-up brick textured paneling shall not be permitted.
- The remaining façade may include wood siding or fiber cement siding. Exterior insulation finish systems (EFIS) may be used for architectural detailing above the first floor.
- Buildings that have upper stories shall be designed to create a distinct and separated ground floor area through the use of accent such as a string course, change in material or textures, or an awning or canopy between the first and second stories.

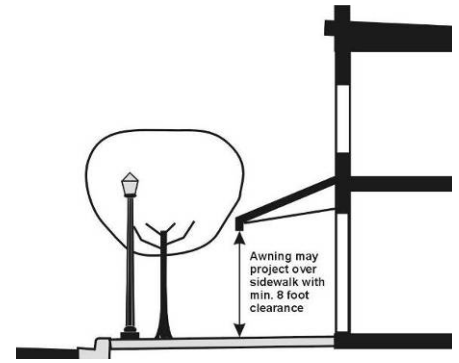
E. Awnings.

Storefronts may be supplemented by awnings, which give shade and shelter or add color and visual interest to the entry or display window of the storefront, provided that the following conditions are met:

- Awnings may project over the public sidewalk with a minimum 8 foot clearance provided from the sidewalk, but must be a minimum of 5 feet from the street curb.

Triangle Overlay District

2. Awnings shall be positioned immediately above the ground floor window area of the façade and have a straight shed that projects from the building at a straight angle with open sides.
3. Awnings shall be constructed of a durable, material such as canvas or steel that will not fade or tear easily. Plasticized, rigid, cubed or curved awnings or mansard style canopies are prohibited.
4. Awnings shall not be internally illuminated and any signs shall be illuminated by fixtures located above the awning and directed downward.



- F. **Corner Buildings.** Buildings situated at a corner shall possess a level of architectural design that incorporates accents and details that accentuate its prominent location, particularly at intersections created by the angle of Woodward Avenue and the grid street network. This can be accomplished through height projections incorporated into a design feature such as a building peak, tower, or similar accent with the highest point located at the intersecting corner, which may be up to an additional 10 feet above the height limit. The building architecture can be designed to focus on accentuating the geometry of the corner location. Alternatively, a pedestrian plaza may be provided at the corner of the intersecting streets. A main entrance must be on a street-facing wall and either at the corner or within 25 feet of the corner.

3.10 Attached Single Family Residential Architectural Requirements

Attached single family residential dwellings and live/work dwellings shall meet the following architectural design requirements:

A. Front Façade.

1. All residential units shall provide a pedestrian door facing the front lot line.
2. All dwellings shall include a front porch with steps. The porch shall have a minimum depth of 4 feet and a minimum area of 24 square feet.
3. The first floor elevation shall be between 2 feet and 6 feet above the exterior sidewalk elevation in front of the building.
4. The front façade of all residential units shall be at least 25% windows or doors.
5. The requirement for a front porch and elevated first floor in 2 and 3 above shall not apply to live/work units where the first floor façade is designed as a storefront meeting the requirements of section 3.09.B.1 above.



- B. **Building Materials.** All buildings shall utilize high-quality building materials that are in keeping with traditional architectural styles. Permitted wall materials include, brick, stone, wood, and fiber cement siding. Vinyl siding is prohibited.
- C. **Attached Garages.** Garages shall be located in the rear yard and may be accessed by a rear alley or from a side street. The Planning Board may permit garage doors on the front façade where the lot depth will not permit a rear alley; provided the front of the garage does not project closer to the street than the wall of the livable portion of the dwelling and the garage does not occupy more than 50% of the total length of the street-facing building façade and the door is a maximum of 8 feet wide with a minimum 8 inch column between doors.
- D. **Detached Accessory Buildings.** Detached garages and other accessory buildings located in the rear yard shall be setback a minimum of 3 feet from the rear and side lot lines and shall have a maximum height of 15 feet to the midpoint of the peak and eave.

3.11 Modifications to Architectural Requirements

The Planning Board may approve deviations to the architectural requirements of Sections 3.09 and 3.10 in order to allow for creativity and flexibility in design. A front elevation drawing of the proposed building shall be provided superimposed on a color drawing or photograph of the entire block showing the relation of the proposed building design to other

Triangle Overlay District

buildings along the block, which shall be utilized to evaluate the proposed building design based upon all of the following criteria:

- A. Demonstrates innovation in architectural design, provided the building design shall be in keeping with the desired character of the Triangle District, as articulated in the Triangle District Urban Design Plan.
- B. The building is oriented towards the front sidewalk with a functioning entrance and enhances the continuity of the pedestrian oriented environment. A modification shall not result in an increased dominance of vehicular parking or garage doors along the front of the building.
- C. The roof design shall not be out of character with other buildings along the block and shall be within the minimum and maximum height requirements of the district.
- D. The exterior finish materials shall be of equal or better quality and durability as those permitted herein, with the intent to allow for new technologies in building material while maintaining the desired character of the Triangle District.
- E. Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian orientation of the streetscape and upper story windows shall not be incompatible with the rhythm and proportions of windows on other buildings along the block.

3.12 Streetscape Design Requirements

- A. **Street Design Standards.** All streets shall be constructed to meet the requirements of the City Birmingham.
- B. **Sidewalks.** Sidewalks in the Triangle Overlay District shall be a minimum of 12 feet wide. Sidewalks along Woodward Avenue shall be a minimum of 7 feet wide. The Planning Board may allow the sidewalk along blocks that are occupied by only residential uses to be a minimum of 5 feet wide.
- C. **Street Trees** One (1) canopy tree shall be provided for every 40 feet of frontage planted within tree grates in the sidewalk.
- D. **Street Lights.** Pedestrian level street lighting of a decorative nature shall be installed along all sidewalks and shall be designed to promote the traditional neighborhood character of the area. Light fixtures shall meet the specification in the City of Birmingham. Hanging planters must be installed on all light fixtures as directed by the Planning Board.
- E. **Alleys.** Alleys shall be permitted in the Triangle Overlay District and shall be required where necessary to provide access to parking lots, loading areas and garages at the property.
 - 1. Alleys serving as access to residential garages shall be located within an easement with a minimum pavement necessary for circulation and emergency vehicle access.
 - 2. Alleys accessing commercial parking lots and loading areas in the rear of a site may be used as drive aisles in interior block parking lots with parking spaces along the alleys.
- F. **Street Furniture.** Benches and trash receptacles shall be provided by the developer in park and plaza areas and along adjoining sidewalks where the Planning Board determines that pedestrian activity will benefit from these facilities.
- G. **Bicycle Facilities.** All developments shall be designed to accommodate bicycle travel, including the provision of bike racks. All parking structures and parking lots for commercial, recreational and institutional uses shall include sufficient bike racks to allow the parking of a minimum of one bike for every 10 automobiles or one bike for every 3,000 square feet of building floor area, whichever is greater.

Triangle Overlay District

