

The City of Birmingham

Zoning Ordinance



Ordinance No. 90-130	05/15/90
Ordinance No. 90-137	05/29/90
Ordinance No. 90-207	08/07/90
Ordinance No. 91-214	09/10/91
Ordinance No. 94-66	04/05/94
Ordinance No. 94-255	11/29/94
Ordinance No. 95-56	03/21/95
Ordinance No. 97-16	01/28/97
Ordinance No. 97-20	02/18/97
Ordinance No. 97-21	02/18/97
Ordinance No. 97-77	06/24/97
Ordinance No. 00-142	09/05/00
Ordinance No. 01-25	03/06/01
Ordinance No. 02-44	04/23/02
Ordinance No. 02-159	11/05/02
Ordinance No. 06-2	01/09/06
Ordinance No. 06-86	06/09/06
Ordinance No. 07-33	03/21/07
Ordinance No. 08-71	07/01/08
Ordinance No. 08-82	11/25/08
Ordinance No. 09-148	05/11/2010
Ordinance No. 09-149	05/11/2010
Ordinance No. 09-157	03/02/2010
Ordinance No. 10-81	08/24/2010

Zoning Districts and Boundaries.

Section 1. Establishment of districts

In order to carry out the intent and purpose of this Ordinance, the City of Birmingham is hereby divided into the following districts; the location, boundaries, and area of which are and shall be as shown and depicted upon the zone map.

E-1	Estate District
R-1	Single-Family District
R-2	Single-Family District
R-3	Single-Family District
R-4	Two-Family and Semi-attached Dwelling District
R-4A	Medium Density Residential District
R-5	Multiple Dwelling District
R-6	Multiple Dwelling District
R-7	Multiple Dwelling District
R-8	Planned Residential District
B-1	Neighborhood Business District
B-2	General Business District
B-3	Community Business District
B-4	Central Business District
B-5	Mixed Business District
B-6	Health and Institutional District
O & I	Office and Institutional District
PRD	Planned Recreational District
M-1	Light Industrial District
M-1A	General Industrial District
M-2	Heavy Industrial District
M-3	Planned Industrial District
M-4	Special Mining and Lumbering District
A-1	Agricultural District
A-2	Agricultural District
MXD	Mixed Used District

Section 2. Zone Map.

The map hereto attached which is identified by the title "Zoning District Map, Birmingham, Alabama," and which, together with the legends, words, figures, symbols and explanatory matter thereon, is hereby declared to be a part of this Ordinance, and shall be known as the "zone map" throughout this Ordinance.

Note*-- The zone map is not set out herein, but is on file, together with all amendments thereto, in the office of the city clerk and the zoning office of the Department of Planning, Engineering and Permits.

Section 3. District boundaries.

The district boundary lines on said map are intended to follow either streets or alleys or lot lines, and where the districts designated on said map are bounded approximately by such streets, alleys or lot lines, the center line of the street or alley or the lot lines shall be the boundary of the district unless such boundary is otherwise indicated on the map. In all other cases, the district boundary lines shall be determined by use of the scale appearing on the zone map.

Section 20. Highland Park Neighborhood Form-Based Overlay District Regulations

Subsection 1. Intent and Purpose

A. Intent

The intent of this Section is to establish minimum standards and regulations for building development, building and frontage category and orientation, site development, signage and landscaping for the Highland Park Neighborhood. Such standards and regulations will help ensure that development is aesthetically pleasing and compatible with surrounding streetscape and land uses.

This Overlay District is designed to encourage new development that will complement the existing historic character of the neighborhood as well as help to create and sustain a pedestrian friendly environment. It is intended that this Overlay District will only apply to properties that are bordered by a sidewalk. As its principle focus is on new development, it will not be applied retroactively to existing projects.

A unique feature that distinguishes this Overlay District from the existing zoning ordinance is that setback requirements are correlated to the buildings frontage category. The frontage category determines the minimum and maximum setback.

B. Purpose

This Overlay District is a regulatory tool that can be used to guide the future growth and character of Highland Park by means of a specific Regulating Plan. The Regulating Plan's purpose is to implement a community's vision as a traditional neighborhood that emphasizes the street and pedestrian travel and access. The result of the plan is the placement of the Overlay District "over" the underlying zoning, thereby modifying the underlying zoning's area dimensional and parking regulations.

The standards of the Overlay District address the buildings in relation to their placement on a lot, the size and height of buildings, and, perhaps most importantly, how they relate to the street and adjacent buildings. The form-based overlay also addresses parking, pedestrian and vehicular access, landscaping and signage.

The Highland Park Neighborhood Form-Based Overlay includes the following key components:

- A Regulating Plan: The maps and text delineating the regulated area where the overlay standards apply.
- Building Category Standards: Regulations that specify the placement, size and massing of buildings and frontages.

- **Landscape Standards:** Regulations governing landscape design and planting on private property, most commonly parking areas, and the way in which they affect the public realm.
- **Sign Standards:** Regulations describing allowable sign sizes, materials, placement, and type of illumination.

Subsection 2. Definitions

The following terms shall have the meaning provided herein. Terms not defined herein shall have the meaning provided in the City of Birmingham Zoning Ordinance and/or City Subdivision Regulations.

Building Form: The placement, shape, size and massing (height, width and depth) of frontage categories.

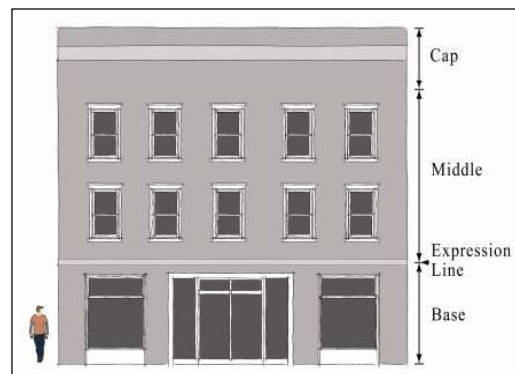
Building Height: The is the measurement of the vertical distance in feet from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height between eaves and ridge for gable, hip and gambrel roofs.

Façade: The face or exterior wall of a building that is also the Primary Frontage, almost always containing one or more entrances and characterized by an elaboration of stylistic details. Facades have three divisions that include the base, middle, and cap.

Base: The lowest of the three divisions of a building's façade. In multi-story buildings the base is generally the ground floor, articulated by entries, porches or stoops.

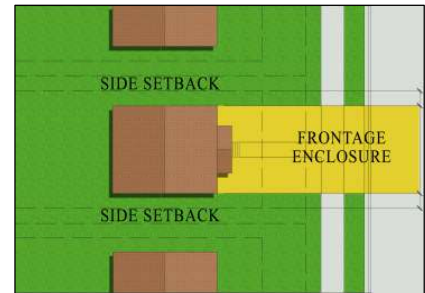
Middle: The division of the façade that is between the base and the cap. This division is generally the largest.

Cap: The uppermost division of a building's façade. For non-residential buildings, a cornice is often the cap, or is suggested by some other articulation at the top of the wall.



Expression Line: A horizontal architectural or decorative feature of the façade that differentiates the building's base from middle and cap elements above.

Frontage Enclosure: The percentage of the lot width that has buildings and/or street walls within the required (minimum and maximum) setback area. If a property has an established front yard setback (as detailed in Subsection 4, B) the frontage enclosure area begins at the established front yard setback.



Frontage Categories: The collection of building typologies listed in the Highland Park Neighborhood Form-Based Overlay District. These categories include the configurations of building elements within the primary frontage. There are eight frontage categories listed for the Neighborhood Form-Based Overlay District: Civic, Common Yard, Forecourt, Gallery, Porch with Short Lawn, Shopfront, Stoop, Terrace or Lightwell.

Glazing: Clear or translucent material through which light is transmitted into a building, usually glass, but also including acrylic and other materials.

Landing: The horizontal platform at the end of a stair flight or between two flights of stairs or at an entrance to a building. An entry landing may be covered.

Mixed Use Developments: Sites developed within the Highland Park Neighborhood Form-Based Overlay District having multiple land uses all on the same legal lot.

Overlay District: A set of regulations that imposes additional area, dimensional and other development standards onto an underlying zoning district.

Porch: An entrance area to a building, covered by a roof and having structural supports that goes to the ground.

Primary Frontage: The street or public frontage providing the primary or most important approach to the main entrance of the building.

Public Realm: Publicly owned and accessible property such as public rights-of-way, parks and plazas.

Regulating Plan: Maps and supporting documentation that delineate the area where the Highland Park Neighborhood Form-Based Overlay development standards apply.

Secondary Frontage: The street frontage of a lot other than the primary frontage. Secondary frontages may or may not include an entrance to a building.

Street Frontage: All of the property on one side of a street between two intersecting streets; or, if the street is dead-ended, the property abutting on one side between the street's intersection and its dead-end.

Street Wall: A masonry wall that extends from the building's side or rear; possibly part of the frontage enclosure requirement. Street walls are often used as a visual screen and help establish an edge that defines the streets. Street walls may not extend forward from the face of the building.

Subsection 3. Administration

A. Uses Permitted in the Highland Park Neighborhood Form-Based Overlay District

The Overlay District does not determine or govern the use of the property. Use is governed by the underlying base zoning.

B. Procedures for Amending the Highland Park Neighborhood Form-Based Overlay District

A Proposed change or amendment to the regulating plan of the Overlay District may be initiated by the City Council, the full Birmingham Planning Commission or the Commission's Zoning Advisory Committee, or by petition of one or more property owners or authorized agents of such owners of property within the Overlay District. The petition for change of the Overlay District by a property owner shall only apply to that individual owner's property. Any petition for change shall be in accordance with the procedures set up in Article VII, Section 3, of this Ordinance.

Procedure for Preparation of Documentation to amend the Overlay District:

1. Review and provide maps and text describing the existing land use plan, zoning and development regulations that apply to the affected properties.
2. Review and provide maps reflecting existing lot lines and building footprints.
3. Provide text describing the change in conditions since the Overlay District was established that justifies a change or amendment to the District.
4. Provide maps of the base zoning and zoning overlays.

C. Compliance

All building and grading permits will be reviewed to ensure consistency with these regulations. The City of Birmingham's Department of Planning, Engineering and Permits (PEP) will review all proposed projects in the Overlay District that require building, grading, sign and other permits that make modifications to existing landscaping and parking.

D. Construction Permit Review

The applicant has the discretion to submit construction documents directly for permits without first getting PEP Planning Division review comments. The permit's documentation must include the information listed below in Subsection F; Development Plans Submittal Requirements. An incomplete permit application will be returned for the additional required information. An application not compliant with these regulations will be denied.

It is recommended that applicants first contact the City of Birmingham's Department of Planning, Engineering and Permits (PEP). The Planning Division

staff of PEP will provide the published regulations for projects within the various sub-districts (see Subsection 4 of this Section) of the Overlay District. It is recommended that the applicant become familiar with the pertinent regulations prior to planning the project and before the development of any working drawings.

In consideration of an application for a permit for property located in the Overlay District, the property owner or his or her agent may submit documents addressing the submittal information listed in the Development Plan Submittal Requirements below (in Subsection F) to the Planning Division of PEP for review. These documents will be reviewed for compliance with this Section and all sections of the Zoning Ordinance. After the review, comments pertaining to zoning compliance will be shared with the applicant.

E. Development Plans Submittal Requirements

This requirement of the Highland Park Neighborhood Form-Based Overlay District only applies to construction of new buildings, the expansion of an existing building that is within the minimum and maximum front yard setback area, new parking lots or alterations of parking lots over 4,000 square feet. Additionally, the Overlay District requirements will only apply to properties that are bordered by a sidewalk. The following requirements replace the existing Site or Development Plan requirements of the underlying (base) zoning.

Submitted plans shall be drawn to a scale no smaller than 1" = 30' and shall include (1) the title of the development, (2) name and address of the owner or developer or agent of either, (3) name and address of the person or firm preparing each of the plans, (4) a North arrow, (5) date of preparation, and (6), if applicable, dates of any submitted revisions. Plans shall also include the following applicable information:

1. All dimensions and distances, property lines, easements, and public and private rights-of-way;
2. Existing and proposed building or structure footprints, including location of any trash containers and the method of screening them;
3. Building or structure elevation drawings;
4. Fences, walls, light poles, overhead utility lines, outdoor utility equipment and structures. This includes the location of all roof- and ground-mounted HVAC units or other mechanical appurtenances;
5. Bodies of water, water detention areas and drainage structures;
6. Location and dimensions of driveways and the number, location, and

dimensions of parking spaces; dimensions of access aisles, curbs, vehicle maneuvering areas and pedestrian walkways. Bicycle racks or storage facilities must be provided other than for houses, duplexes and townhouses.

7. With the exception of houses and duplexes, a landscape plan showing compliance with the Landscape Standards (Subsection 8) of this Section;
8. When signage is proposed, a plan showing compliance with the Signage Standards (Subsection 7) of this Section;
9. Any other plans or specifications necessary to show compliance with this Section.

F. If the property is within a hazard area:

- FEMA flood hazard- All development must comply with requirements of the Flood Plain Zone Districts.
- Slide Zone- Development is regulated by the Engineering Division of PEP; projects require affidavits from geotechnical engineers to ensure stability.

G. Interpretation

The interpretation and application of this Section shall be consistent with Article VII; Section 2; Subsection 1.

Subsection 4. Highland Park Neighborhood Form Based Districts

The regulating plan may consist of five sub-districts (FSD), which are as follows:

- (FSD-1) Reserved Urban Residential: This is the most restrictive of the sub-districts a sub-district with Common Yard and Civic frontage categories.
- (FSD-2) Limited Urban Residential: a sub-district with Common Yard, Porch with Short Lawn, Terrace or Lightwell, Stoop Forecourt and Civic frontage categories.
- (FSD-3) General Urban Residential: a sub-district with Common Yard, Porch with Short Lawn, Terrace or Lightwell, Stoop, Forecourt Shopfront and Civic frontage categories.
- (FSD-4) Limited Urban: a sub-district with Common Yard, Porch with Short Lawn, Terrace or Lightwell, Stoop, Forecourt, Shopfront and Civic frontage categories.
- (FSD-5) General Urban: a sub-district with Common Yard, Porch with Short Lawn, Terrace or Lightwell, Stoop, Forecourt, Shopfront, Gallery and Civic frontage categories.

Subsection 5. Frontage Categories

All proposed projects are routed into one of the eight categories based on criteria set forth in each frontage category. A frontage category is not intended to regulate style but does dictate where on the site a structure may be placed. The frontage categories are:

Civic: This frontage category is developed typically for government, public or semi-public agencies. The frontage's design follows the building's function. Public parks are exempt from this overlay.

Common Yard: This frontage category will have a planted deep front yard with the building facade set back substantially from the front lot line. The front yard is visually continuous with adjacent yards. This frontage Category will normally be for a single- or two-family dwelling and have a landing attached to the front of the house at the entrance.

Forecourt: A frontage category, usually a larger building, with the central portion or block of the building set back between two flanking sections that are closer to the front property line, creating an open recessed court. This space can be either landscaped or used for vehicle drop-offs.

Gallery: A frontage category wherein the facade is aligned close to the front property line with an attached cantilevered shed or colonnade overlapping the sidewalk. This category conventionally has ground retail and mixed uses above.

Porch with Short Lawn: This frontage category has a façade that is set back a short distance from the front property line and has a large attached porch across a majority of the front elevation and small planted front yard. This frontage category will normally be used for single and two-family dwellings.

Shopfront: A frontage category wherein the facade is aligned close to the front property line with the building entrance at sidewalk grade. The frontage has substantial glazing on the sidewalk level; typically with an awning extend over the sidewalk. This frontage will normally be associated with a commercial use, such as a restaurant or retail store. Upper floors are frequently in office or residential uses.

Stoop: This frontage category will normally be used for dwellings with a short setback from the front property line. A stoop is a small uncovered landing located at or near surrounding grade.

Terrace or Lightwell: This frontage category will normally be used for multifamily dwellings, with frontage close to the street and with a small landing; either terrace elevated above the street level or a lightwell sunk below the street level, or a combination of both.

Subsection 6. Building Form Standards

A. Site Development Standards

The intent of the sub-district building form standards are to establish development parameters that reinforce the neighborhood's character. Most significant are the standards addressing minimum and maximum setbacks, frontage enclosures, building heights, parking access and parking location. Together, these standards reflect both the neighborhood's traditional urban form and its expressions for future improvements (See Table 1).

B. Setback Modifications

The required front yards heretofore established shall be modified in the following cases:

1. Where an underlying zoning district on a block face has a minimum required setback and where forty percent or more of the street frontage on the same side of a street between two intersecting streets is presently developed with buildings that have (with a variation of five feet or less) a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings.
2. Where an underlying zoning district on a block face has a minimum required setback and where forty percent or more of the street frontage on one side of a street between two intersecting streets is presently developed with buildings that do not have a front yard as described above, then;
 - a. Where a building is to be erected on a parcel of land that is within one hundred feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest to the street corners of the adjacent building , or;
 - b. Where a building is to be erected on a parcel of land that is within one hundred feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.
3. When none of the aforementioned modifications are applicable the form based setback standards apply.
4. For lots with established front yard setbacks the minimum front setback will begin at the established front yard and the maximum front yard setback will be the difference between the minimum and maximum setback as listed on Table 1 as measured from the established front yard.

TABLE 1

FORM SUB-DISTRICTS/ FRONTAGE CATEGORIES	Min. Front Setback 1; 2 ; 3	Max. Front Setback 3	Min. Frontage Enclosure 4	Min. Side Setback	Min. Rear Setback	Max. Building Height 5	Parking Access 6	Parking Location 7	Permitted Uses
FSD-1									
Common Yard	20'	25'	50%	In Accord with Base Zoning	In Accord with Base Zoning	35'	front, side, rear	side, rear	In Accord with Base Zoning
Porch with Short Lawn,	15'	25'	60%			35'	front, side, rear	side, rear	
Civic	15'	25'	60%			35'	side, rear	side, rear	
FSD-2									
Common Yard	20'	25'	50%	In Accord with Base Zoning	In Accord with Base Zoning	35'	front, side, rear	side, rear	In Accord with Base Zoning
Porch with Short Lawn	15'	25'	60%			35'	front, side, rear	side, rear	
Terrace or Lightwell	15'	20'	60%			45'	side, rear	side, rear	
Forecourt	15'	20'	60%			45'	side, rear	side, rear	
Stoop	15'	20'	60%			45'	side, rear	side, rear	
Civic	15'	25'	60%			45'	side, rear	side, rear	
FSD-3									
Common Yard	15'	25'	60%	In Accord with Base Zoning	In Accord with Base Zoning	35'	front, side, rear	side, rear	In Accord with Base Zoning
Porch with Short Lawn	5'	20'	70%			45'	front, side, rear	side, rear	
Terrace or Lightwell	5'	20'	70%			45'	side, rear	side, rear	
Stoop	5'	20'	70%			60'	side, rear	side, rear	
Forecourt	0'	20'	80%			70'	side, rear	side, rear	
Shopfront	0'	20'	80%			70'	side, rear	side, rear	
Civic	0'	25'	70%			60'	side, rear	side, rear	
FSD-4									
Common Yard	15'	20'	60%	In Accord with Base Zoning	In Accord with Base Zoning	35'	front, side, rear	side, rear	In Accord with Base Zoning
Porch with Short Lawn	5'	15'	70%			45'	front, side, rear	side, rear	
Terrace or Lightwell	5'	15'	70%			45'	side, rear	side, rear	
Stoop	5'	15'	80%			60'	side, rear	side, rear	
Shopfront	0'	15'	90%			80'	side, rear	side, rear	
Forecourt	0'	15'	90%			80'	side, rear	side, rear	
Gallery	0'	10'	90%			70'	side, rear	side, rear	
Civic	0'	20'	70%			60'	side, rear	side, rear	
FSD-5									
Common Yard	15'	25'	70%	In Accord with Base Zoning	In Accord with Base Zoning	35'	front, side, rear	side, rear	In Accord with Base Zoning
Porch with Short Lawn	5'	20'	80%			45'	front, side, rear	side, rear	
Terrace or Lightwell	5'	15'	80'			60'	side, rear	side, rear	
Stoop	5'	15'	80%			60'	side, rear	side, rear	
Shopfront	0'	10'	90%			80'	side, rear	side, rear	
Forecourt	0'	10'	90%			80'	side, rear	side, rear	
Gallery	0'	5'	100%			70'	side, rear	side, rear	
Civic	0'	25'	70%			60'	side, rear	side, rear	

Footnotes:

1. *Minimum front setback:* Includes porches and other design features.
2. *Minimum front setback:* For corner lots in all sub-districts, the minimum front setback on secondary frontage is 5' and the maximum front setback is 20'.
3. See Subsection 6B for required front setback modifications.
4. *Minimum frontage enclosure:* For corner lots, minimum frontage enclosure requirements only apply to primary frontage.
5. *Maximum building height:* For buildings greater than 45', an additional 10' stepback from the building's front wall is required.
6. *Parking Access:* Street access is permitted for mid-block properties that do not have alley access.
7. *Parking location:* See Article V, Section 3 in the City's Zoning Ordinance regarding joint parking arrangements.

Subsection 7. Building Form Requirements

The following building standards apply to all sub-districts and frontage categories in Highland Park Neighborhood Form-Based Overlay Districts. Requirements in the Overlay District only apply to the construction of new buildings, the expansion of an existing building that is within the minimum and maximum front yard setback area, new parking lots or alteration of parking lots over 4,000 square feet. Additionally, the Overlay District requirements will only apply to properties that are bordered by a sidewalk. No building existing on the date which these regulations come into effect shall be modified so that it is less in conformance with this ordinance.

A. Entries:

A principal building shall have its main entrance oriented to a public street and accessible from a public sidewalk or plaza. Secondary entrances are exempt from this requirement. The main entrance shall not be closed while a secondary entrance remains opened.

In some frontage categories, building entrances (excluding emergency egress) facing a public street shall be determined by the following thresholds:

1. Galleries must have covered walkways at least 10 feet in depth;
2. Terrace must have an elevated entry over 3' above grade and Lightwells must have a sunken entry over 3 feet below grade.
3. Stoops must have landings no more than 3 feet from grade;
4. The Porch with Short Lawn frontage category has porch size thresholds of a minimum of 8 feet in depth across a majority of the front elevation and maintaining at least 40% openness of the exterior elevation (as measured in square feet).
5. Forecourt has a qualifying threshold that measures its openness. This threshold includes the width of the courtyard when calculating the enclosure area. The width of the courtyard shall be no less than the width of the largest building wing.

B. Facades:

1. Window and door openings should have a vertical orientation and vertical alignment between floors.
2. All forecourt, gallery and shopfront frontage categories may be designed with a discernible base, middle and cap defined by horizontal elements. An expression line should accentuate the base from elements above. Variations in materials and colors can help achieve this standard.

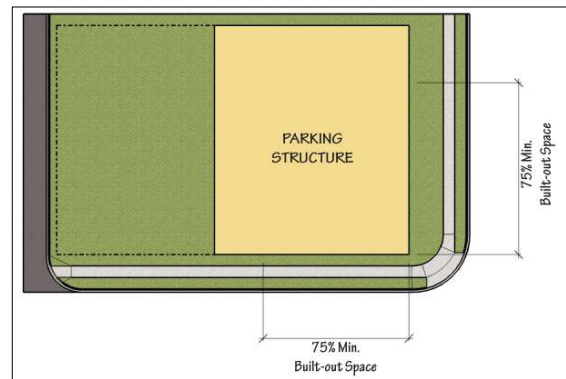
3. For mixed-use and non-residential buildings, ground-floor front facades shall be not less than 40 percent or more than 90 percent clear glazing; measured between 3 and 8 feet from finished grade. Additional floors beyond the ground floor shall be not less than 25 percent or more than 75 percent clear glazing.

C. Off-Street Parking:

1. Off-street parking shall not be closer to the public street than the principal buildings on the same lot.
2. Dwelling parking garage doors that face public streets shall be set back three feet from the front of the building facade.

D. Parking structures:

1. When adjacent to public streets the ground floor of any above ground parking structure should have built-out space suitable for retail, residential, office space. Design shall include said space or provide a façade mimicking said space for a minimum of 75% of the public street frontage.
2. Parking structure walls must utilize materials, colors, and a pattern of openings consistent with surrounding buildings.
3. Parking structure walls facing public streets or residential areas shall minimize openings to avoid noise and light impacts. This shall be accomplished with a minimum 42 inch high solid wall (measured from the finished floor elevation) on the exterior sides of each level.
4. Pole mounted light fixtures on upper decks of parking structures shall use full cut-off fixtures, have a maximum height of 16 feet, include shields for keeping light onsite and prevent the source of the light from being seen off-site. Poles shall be located between internal parking rows rather than at the structure's perimeter.
5. When adjacent to public streets pedestrian circulation elements (stair towers, elevators) shall be located toward and accessible from streets.
6. When on corner lots parking access shall be from secondary streets.



7. Underground parking may be built out to the property lot lines.

E. Street Walls

Unless otherwise restricted in this ordinance. "Street walls" from six to eight feet in height and up to 18 feet in length may be built as part of the frontage enclosure requirement and assist in screening. Street walls must have the same external veneer as the principal building's street frontage(s).

F. Right-of-Way

Any structure or portion thereof which encroaches into the public right-of-way or its airspace will require an approved right-of-way agreement from the City Council.

Subsection 8. Shared Parking

Different uses have different peak parking demand times. These parking peaks may vary for daytime and evening; as well as weekday and weekends. To accommodate those varying peak parking demands, mixed use developments on one lot may use the Shared Parking Table that follows. Parking spaces reserved for any use cannot be used in the Shared Parking Table.

TABLE 2
SHARED PARKING COMPUTATION FOR NEIGHBORHOOD FORM BASED DEVELOPMENT

LAND USE DEVELOPMENT	# OF SPACES NORMALLY REQUIRED	% ADUST-MENT	ESTIMATED WEEKDAY DAYTIME	% ADUST-MENT	ESTIMATED WEEKDAY EVENING	% ADUST-MENT	ESTIMATED WEEKEND DAYTIME	% ADUST-MENT	ESTIMATED WEEKEND EVENING
	A	B	A X B	C	A X C	D	A X D	E	A X E
Office		100%		20%		20%		5%	
General Retail		75%		80%		100%		70%	
Hotel or Motel		75%		100%		75%		100%	
Restaurant or Tavern		70%		100%		70%		100%	
Movie Theater		45%		85%		70%		100%	
Dwelling		60%		100%		80%		100%	
Place of Worship		20%		60%		100%		60%	
School or Day Care		100%		20%		15%		5%	
Other Uses		100%		100%		100%		100%	
TOTAL NORMALLY REQUIRED _____		TOTAL I _____		TOTAL II _____		TOTAL III _____		TOTAL IV _____	
REQUIRED # OF SPACES IS THE GREATEST OF TOTAL I, II, III, OR IV									

TABLE 2
SHARED PARKING COMPUTATION FOR NEIGHBORHOOD FORM BASED DEVELOPMENT

LAND USE DEVELOPMENT	# OF SPACES NORMALLY REQUIRED	% ADJUSTMENT	ESTIMATED WEEKDAY DAYTIME	% ADJUSTMENT	ESTIMATED WEEKDAY EVENING	% ADJUSTMENT	ESTIMATED WEEKEND DAYTIME	% ADJUSTMENT	ESTIMATED WEEKEND EVENING
	A	B	A X B	C	A X C	D	A X D	E	A X E
Office		100%		20%		20%		5%	
General Retail		75%		80%		100%		70%	
Hotel or Motel		75%		100%		75%		100%	
Restaurant or Tavern		70%		100%		70%		100%	
Movie Theater		45%		85%		70%		100%	
Dwelling		60%		100%		80%		100%	
Place of Worship		20%		60%		100%		60%	
School or Day Care		100%		20%		15%		5%	
Other Uses		100%		100%		100%		100%	
TOTAL NORMALLY REQUIRED _____		TOTAL I _____		TOTAL II _____		TOTAL III _____		TOTAL IV _____	
REQUIRED # OF SPACES IS THE GREATEST OF TOTAL I, II, III, OR IV									

Subsection 9. Sign Standards

The purpose of the sign standards and guidelines is to encourage uniform and aesthetically pleasing neighborhood signage and provide signage that is complementary and well-integrated for pedestrians while also legible to vehicular traffic. All signs will adhere, at minimum, to the standards laid out in the underlying zoning district and/or Article VI, Section 9, Sign Regulations, of the City of Birmingham Zoning Ordinance, but are also subject to the following additional guidelines and restrictions.

A. Prohibited Signs:

1. Animated, flashing, chasing, pulsating, rotating, video display, running or sequential signs are not permitted except for signs depicting time, temperature and gasoline prices.
2. All portable signs, as defined in the City of Birmingham Zoning Ordinance, are not permitted.
3. Banners and streamers; except decorative flags, banners and bunting for celebrations, conventions and commemorations authorized by the City ordinances, are not permitted.

B. Construction and Materials:

1. Signs shall be professionally engineered and constructed using high-quality materials.
2. A dull or matte finish is encouraged to reduce glare and enhance legibility.
3. Signs should not obscure key design features, doors or windows.
4. Wall signs for multiple businesses in the same building shall be of similar material and design.

C. When Lit:

1. Signs may be spotlighted or externally lit with a diffused light source and should be shielded in accordance with Article VI, Section 9, Subsection 5 of the Zoning Ordinance.
2. Signs may have backlighting to illuminate the background of letters, characters or graphics the sign.
3. Neon signs are allowed.
4. Signs may be internally lit box signs when they have routed or push-through copy and designed so that only the copy is illuminated at night.

Subsection 10. Landscape Standards

The purpose of the landscape standards is to enhance the physical appearance of buildings, and their designated parking areas, and the positive impact of parking areas on adjacent land uses. Projects involving single family detached homes and duplexes are exempt from these requirements. Other projects with less than 4,000 square feet of parking area are not subject to item C, Landscaping Requirements for Surface Parking of this subsection. Requirements in this Subsection only apply to the construction of new buildings, the expansion of an existing building that is within the minimum and maximum front yard setback area, new parking lots or alteration of parking lots over 4,000 square feet. Additionally, the Overlay District requirements will only apply to properties that are bordered by a sidewalk.

A. Landscape Plan Requirements

1. Landscape plans shall include:
 - the site's square footage,
 - building footprint's square footage,
 - the parking area's square footage.
 - the title of development; name and address of owner/developer/agent; name and address of person/firm preparing the plan;
 - date of preparation; scale; north arrow; revision dates;
 - streets and easements; number of parking spaces;
 - the location and dimensions of entrance, exits, doors, drives, walkways, paved areas, curbs, fences, drainage and
 - Other improvements affecting the landscaping.
2. The plan shall also illustrate where each plant is to be installed, details for installing plant material and a composite plant material schedule which totals quantities and lists all plants by common name, botanical name, size or specification and spacing.
3. Landscape Plans shall be prepared by a registered Landscape Architect or Architect. All submitted plans shall bear the architect's seal, signature and State of Alabama registration number.

B. Design Standards

The zoning ordinance has landscape requirements for surface parking areas as well as requirements for the overall site. In addition to citywide requirements, the following requirements also apply. In case of conflicts with the citywide regulations and those of the Highland Park Neighborhood Form Based Overlay District, the more restrictive shall apply. All landscape plans shall be drawn at no greater than 1"=30' in scale so as to convey the design intent.

1. Only trees with a mature height of greater than 40' may be planted to comply with the requirements of this Subsection, except when site visibility at intersections or when overhead utilities prevent the use of large trees, in

which case medium or small trees may be used. Large trees shall be no less than 2 1/2 inch caliper at time of installation. Small trees shall have a minimum eight feet in height at time of installation.

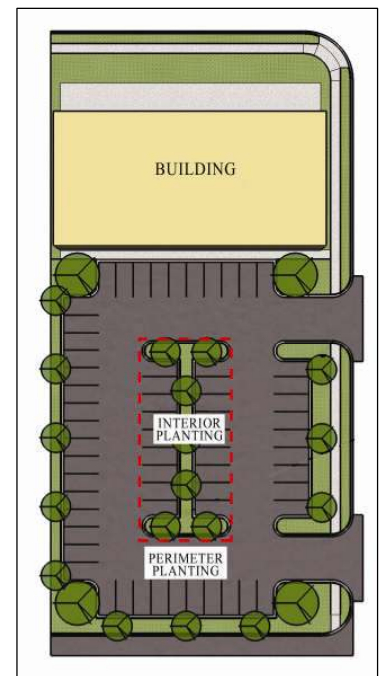
2. One tree per every 2,000 square feet of required landscape area shall be installed.
3. A combination of trees, shrubs, grass and groundcovers shall be used.
4. Plant material shall conform to the American Standard for Nursery Stock, latest edition, published by The American Association of Nurserymen.
5. All cuts and fills and/or terraces shall have sufficient vegetative cover installed so as to prevent erosion.

C. Landscape Requirements for Surface Parking:

These requirements apply to all areas used for off-street parking, loading, vehicle maneuvering and are 4,000 square feet or larger. A minimum of five percent of the parking area must be landscaped. The following planting layout must be followed which may exceed the five percent minimum.

1. Perimeter Surface Parking Planting:

- a. A perimeter planting strip shall be adjacent to any public street. These planting strips shall be a minimum of 5 feet wide.
- b. A perimeter planting strips shall be planted with a combination of trees, shrubs and groundcovers. Shrubs shall be used to screen the right of way from views of parked cars and shall be maintained at no less than 36 inches in height.
- c. The planting strip shall be covered with groundcover or organic or mineral mulch so as no soil is left exposed. The use of concrete, asphalt or other impervious surfaces is prohibited.



2. Interior Surface Parking Plantings:

These plantings are required for parking areas over 10,000 square feet: Properties used for the retail sale of automobiles are exempt from this requirement.

- a. In addition to the Perimeter Surface Parking Planting requirements, one half (2.5%) of the minimum required five percent of the total square

footage of the surface parking area shall be planted with trees, shrubs, grass and ground covers.

- b. Interior parking plantings must be located so that vehicles may maneuver on all sides or project into the parking area at least 18 feet with parking or maneuvering areas on three sides. Interior landscape islands or swales shall have a minimum dimension of five feet at the site where trees are located. The minimum square footage of interior parking islands or swales is 60 square feet.
- c. One landscaped island or swale shall be required for each row of 12 contiguous parking spaces. This island shall be planted with at least one tree each that meets the minimum requirements of this Subsection.

D. Overall Site Landscape Requirements:

- 1. Five percent of the site (minus parking area and structures) shall be landscaped.
- 2. Plantings shall conform to item B, Design Standards of this subsection.

E. Special Screening Requirements:

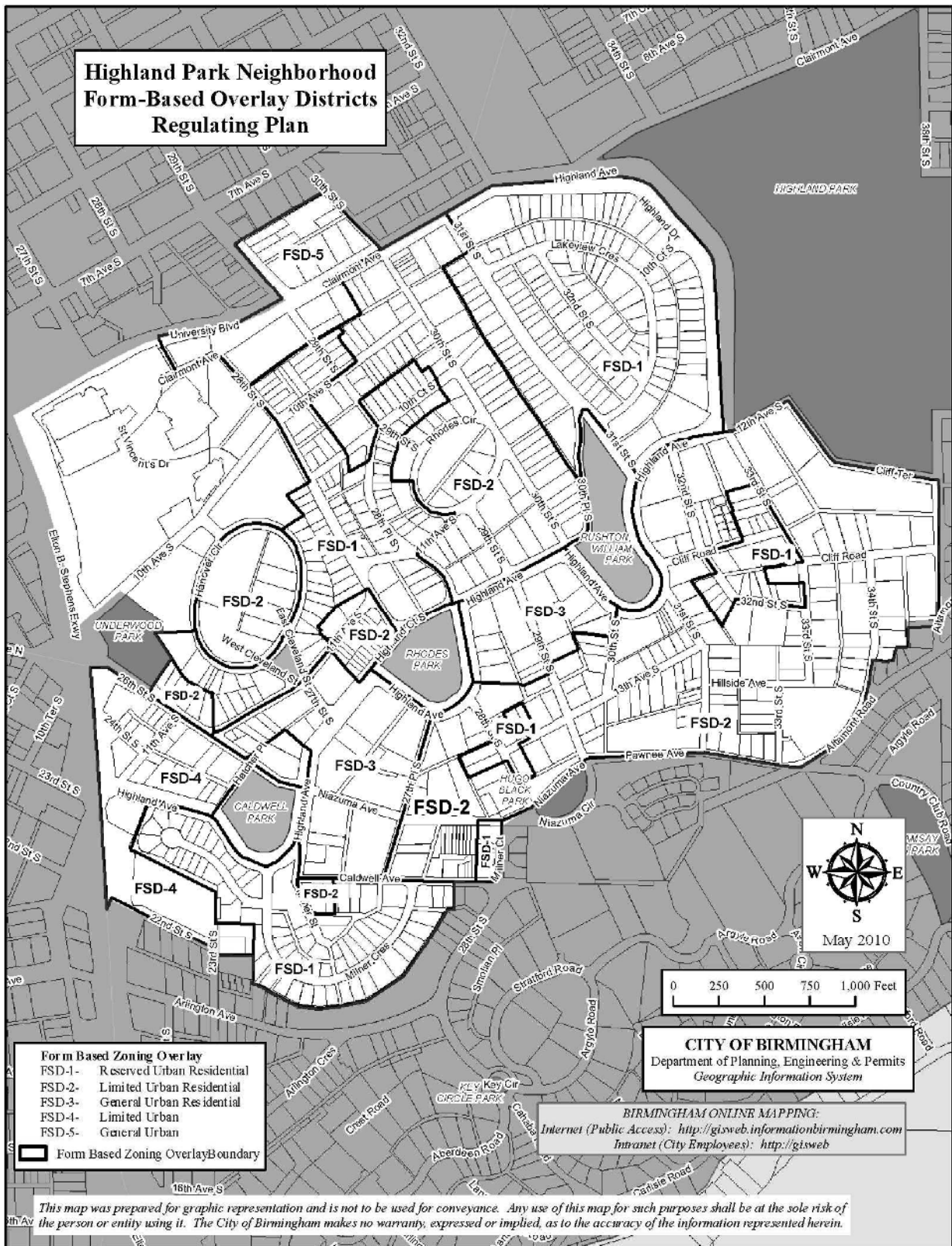
Dumpsters and other trash receptacles for all uses other than single-family or two-family residences shall be screened from public streets or properties which are zoned for residential use. Receptacles shall be below grade or shall be placed on a concrete pad and enclosed on three sides by wall at a height taller than the container. Enclosures' fourth side shall have an opaque gate unless the service opening is oriented away from public streets or adjacent residential properties. The enclosure shall be built of permanent materials with a veneer similar to the principal structure's veneer.

F. Maintenance:

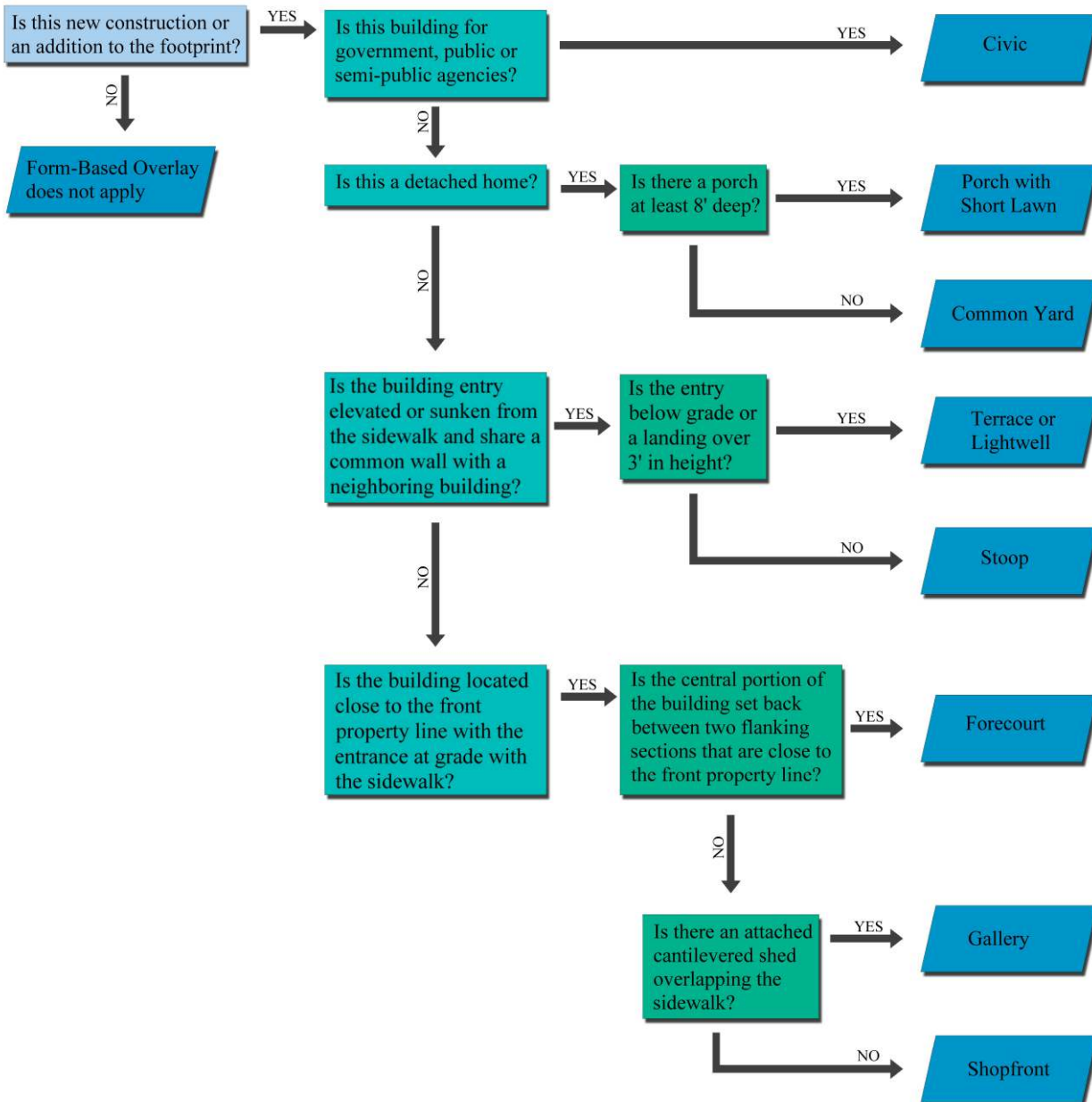
The property owner shall be responsible for the maintenance, repair and replacement of all landscape materials, barriers and irrigation systems required by this Subsection. All plant material shall be maintained in perpetuity in a healthy growing condition, replaced when dead and kept free of weeds, refuse and debris.

G. Irrigation:

Plant material irrigation is encouraged. It is preferable that non-potable water be used for irrigation. (Ord. 09-148)



Form-Based Flow Chart



FRONTAGE CATEGORY: Civic

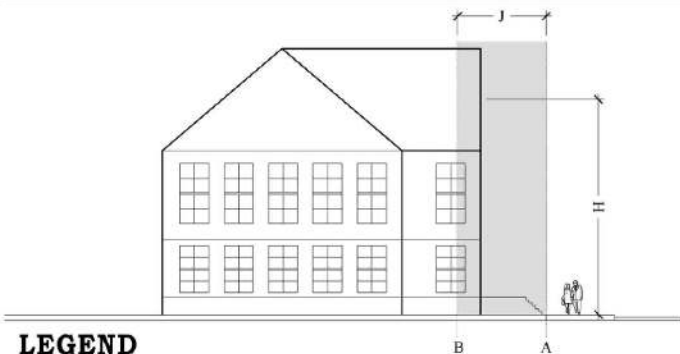
CLASSIFICATION



Definition:
This frontage type is developed typically for government, public or semi-public agencies. The frontage's design follows the building's function. Public parks are exempt from this overlay.

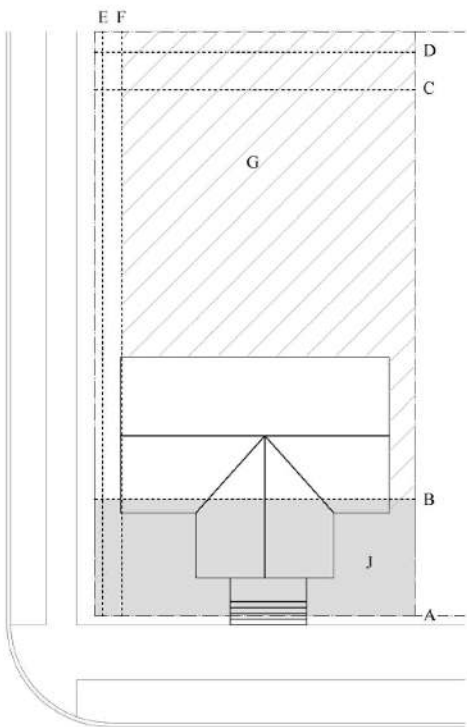
Allowed Sub-Districts:
FSD-1, FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



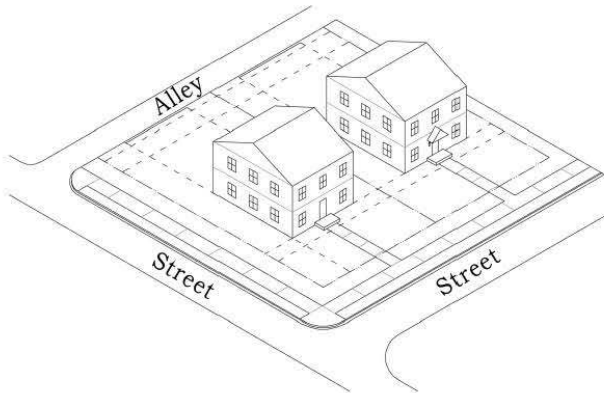
- LEGEND**
- A. Minimum front setback
 - B. Maximum front setback
 - C. Minimum rear setback - principal building
 - D. Minimum rear setback - accessory building
 - E. Minimum secondary frontage setback - corner lot
 - F. Maximum secondary frontage setback - corner lot
 - G. Allowed parking location
 - H. Maximum building height
 - J. Enclosure area

BUILDING HEIGHT	MIN. FRONTAGE ENCLOSURE
FSD-1: 35'	FSD-1: 60%
FSD-2: 45'	FSD-2: 60%
FSD-3: 60'	FSD-3: 70%
FSD-4: 60'	FSD-4: 70%
FSD-5: 60'	FSD-5: 70%



FRONTAGE CATEGORY: Common Yard

CLASSIFICATION



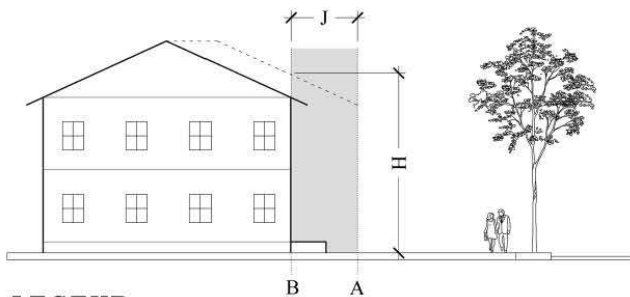
Definition:

A frontage category with a planted deep front yard with the building facade set back substantially from the front lot line. The front yard created is visually continuous with adjacent yards. This frontage type will normally be for a single or two family dwelling.

Allowed Sub-Districts:

FSD-1, FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

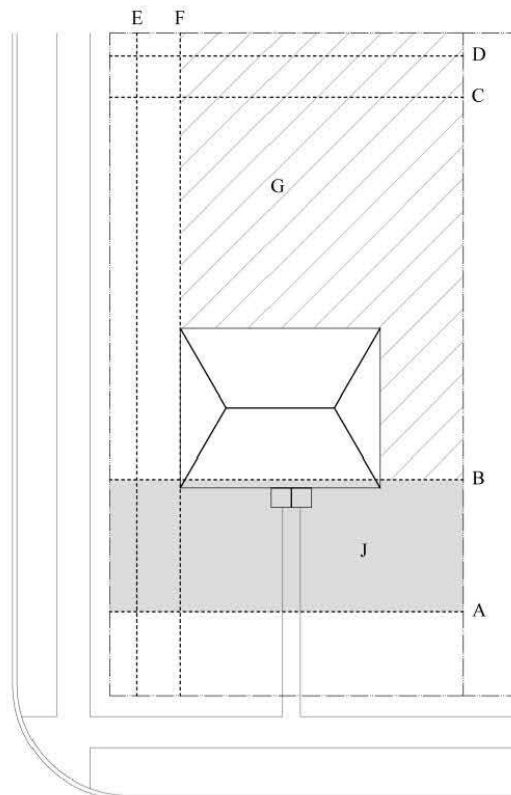
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

FSD-1: 35'
FSD-2: 35'
FSD-3: 35'
FSD-4: 35'
FSD-5: 35'

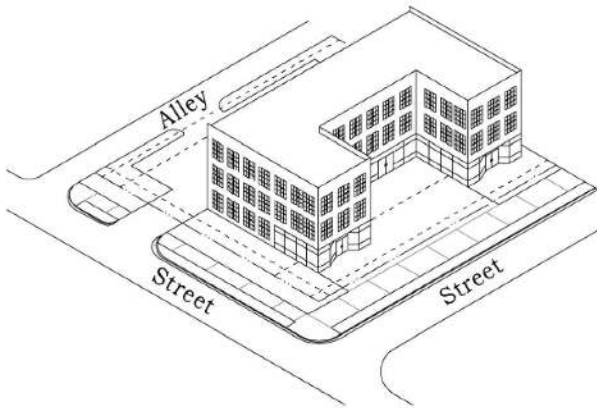
MIN. FRONTAGE ENCLOSURE

FSD-1: 50%
FSD-2: 50%
FSD-3: 60%
FSD-4: 60%
FSD-5: 70%



FRONTAGE CATEGORY: Forecourt

CLASSIFICATION



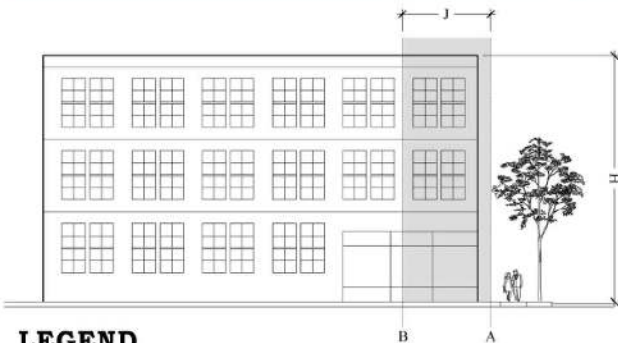
Definition:

A frontage category, usually a larger building, with the central portion or block of the building set back between two flanking sections that are closer to the front property line, creating an open recessed court. This space can be either landscaped or used for vehicle drop-offs.

Allowed Sub-Districts:

FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

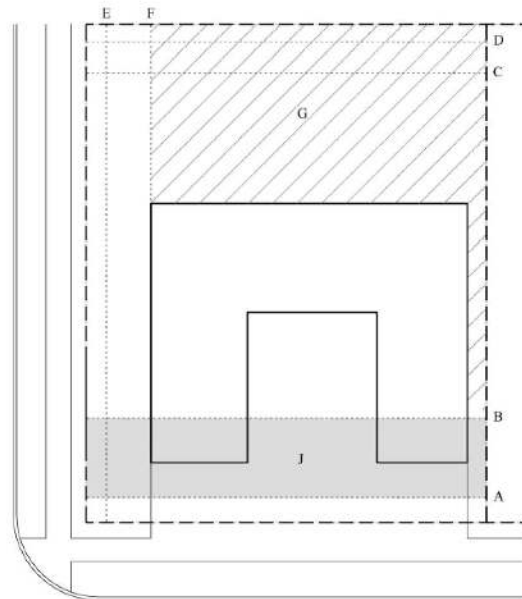
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

FSD-2: 45'
FSD-3: 60'
FSD-4: 60'
FSD-5: 60'

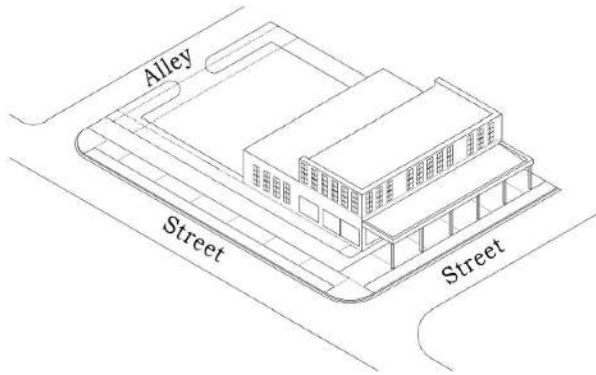
MIN. FRONTAGE ENCLOSURE

FSD-2: 60%
FSD-3: 70%
FSD-4: 80%
FSD-5: 80%



FRONTAGE CATEGORY: Gallery

CLASSIFICATION



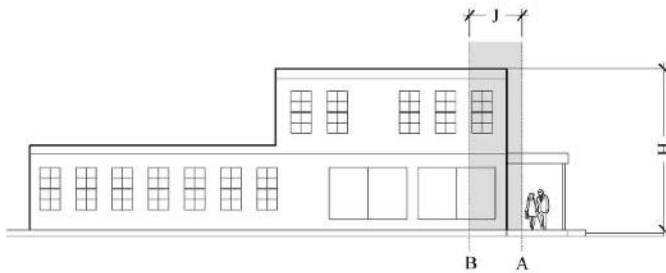
Definition:

A frontage category wherein the facade is aligned close to the front property line with an attached cantilevered shed or colonnade overlapping the sidewalk. This type conventionally has ground retail and mixed uses above.

Allowed Sub-Districts:

FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

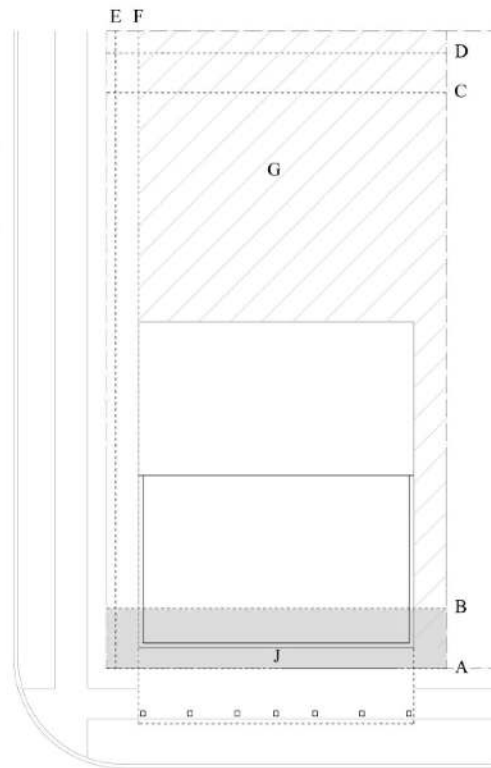
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

FSD-4: 70'
FSD-5: 70'

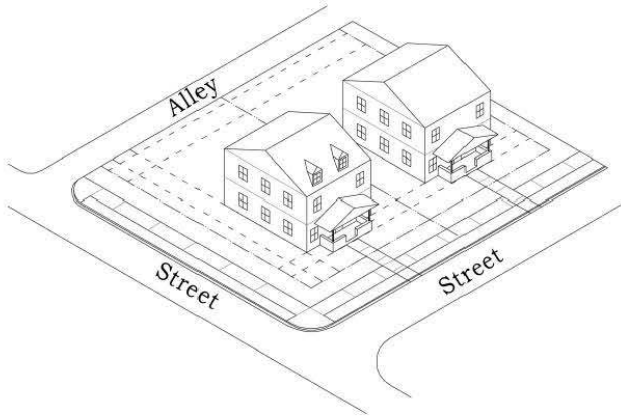
MIN. FRONTAGE ENCLOSURE

FSD-4: 90%
FSD-5: 100%



FRONTAGE CATEGORY: Porch with Short Lawn

CLASSIFICATION



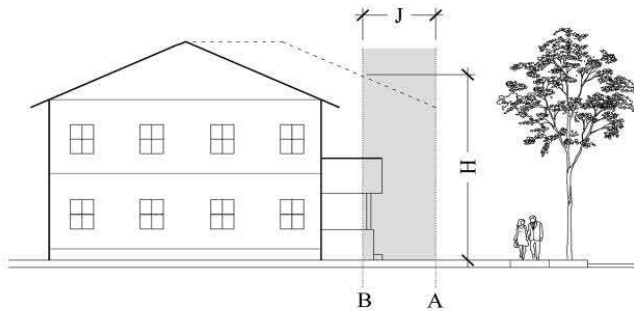
Definition:

This frontage type has a façade that is set back a short distance from the front property line and has a large attached porch across a majority of the front elevation and small planted front yard. This frontage type will normally be used for single and two-family dwellings.

Allowed Sub-Districts:

FSD-1, FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

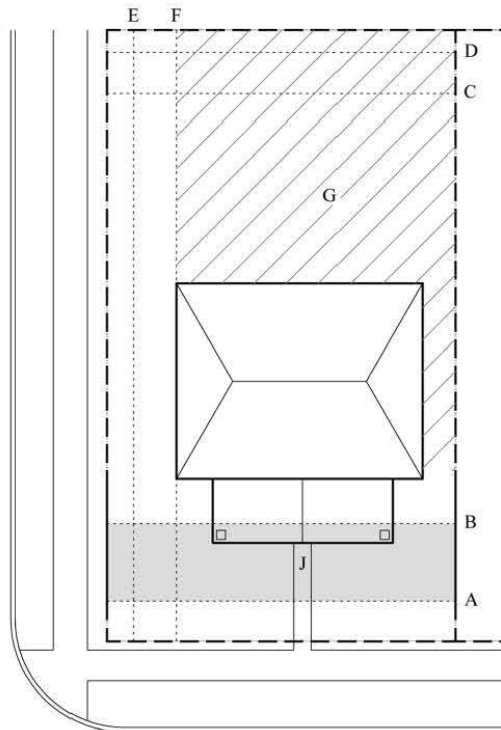
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

- FSD-1: 35'
- FSD-2: 35'
- FSD-3: 45'
- FSD-4: 45'
- FSD-5: 45'

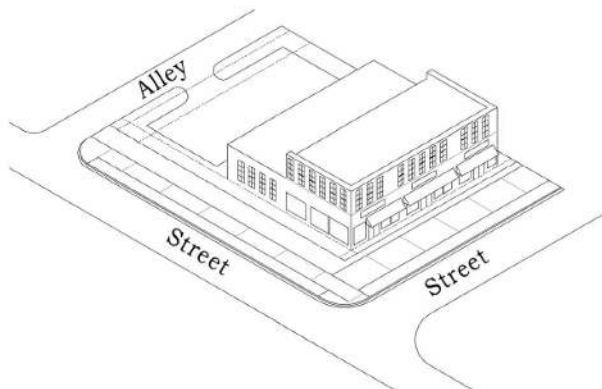
MIN. FRONTAGE ENCLOSURE

- FSD-1: 60%
- FSD-2: 60%
- FSD-3: 70%
- FSD-4: 70%
- FSD-5: 80%



FRONTAGE CATEGORY: Shopfront

CLASSIFICATION



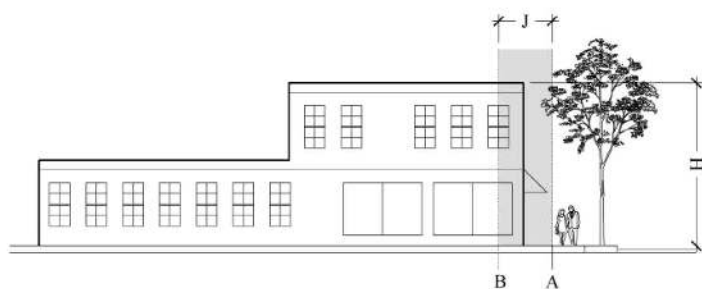
Definition:

A frontage category wherein the facade is aligned close to the front property line with the building entrance at sidewalk grade. The frontage has substantial glazing on the sidewalk level; typically with an awning extend over the sidewalk. This frontage will normally be associated with a commercial use, such as a restaurant or retail store. Upper floors are frequently in office or residential uses.

Allowed Sub-Districts:

FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

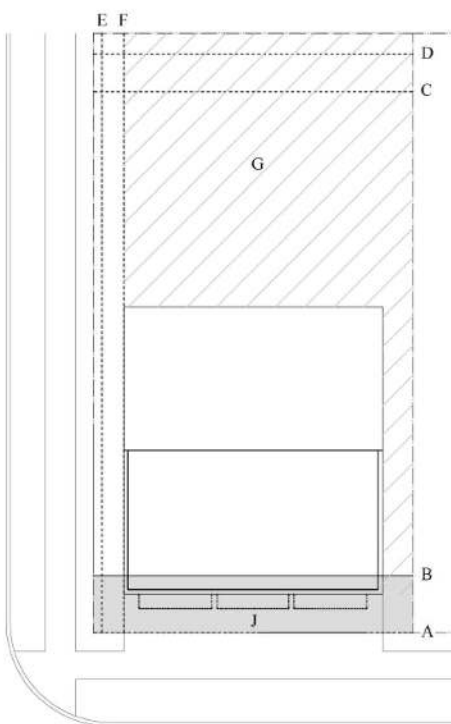
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

FSD-3: 70'
FSD-4: 80'
FSD-5: 80'

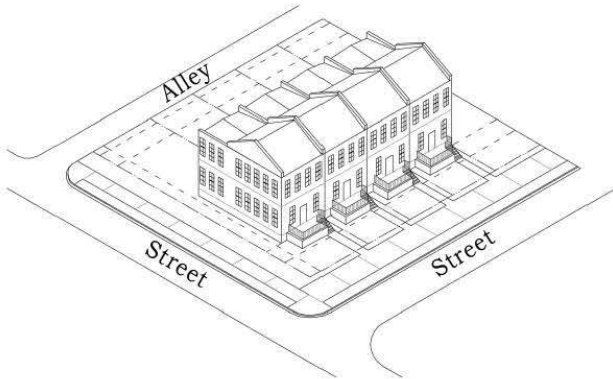
MIN. FRONTAGE ENCLOSURE

FSD-3: 80%
FSD-4: 90%
FSD-5: 90%



FRONTAGE CATEGORY: Stoop

CLASSIFICATION



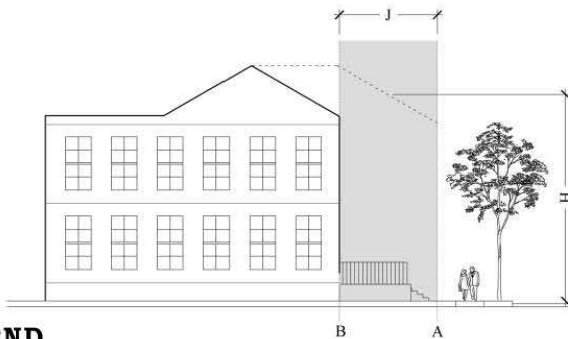
Definition:

This frontage category will normally be used for dwellings with a short setback from the front property line. A stoop is a small uncovered landing located at or near surrounding grade.

Allowed Sub-Districts:

FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



LEGEND

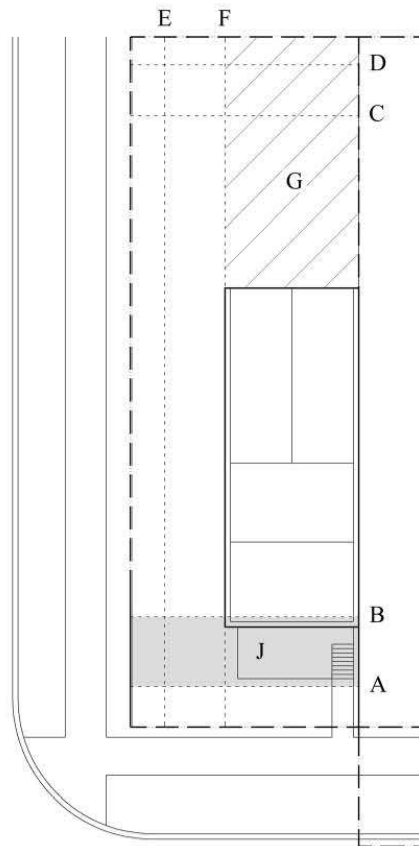
- A. Minimum front setback
- B. Maximum front setback
- C. Minimum rear setback - principal building
- D. Minimum rear setback - accessory building
- E. Minimum secondary frontage setback - corner lot
- F. Maximum secondary frontage setback - corner lot
- G. Allowed parking location
- H. Maximum building height
- J. Enclosure area

BUILDING HEIGHT

FSD-2: 45'
FSD-3: 45'
FSD-4: 45'
FSD-5: 60'

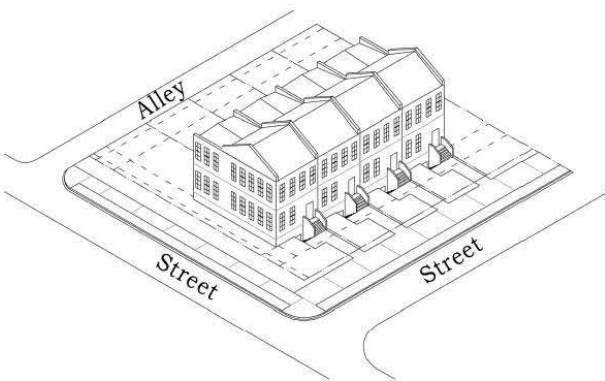
MIN. FRONTAGE ENCLOSURE

FSD-2: 60%
FSD-3: 70%
FSD-4: 70%
FSD-5: 80%



FRONTAGE CATEGORY: Terrace or Lightwell

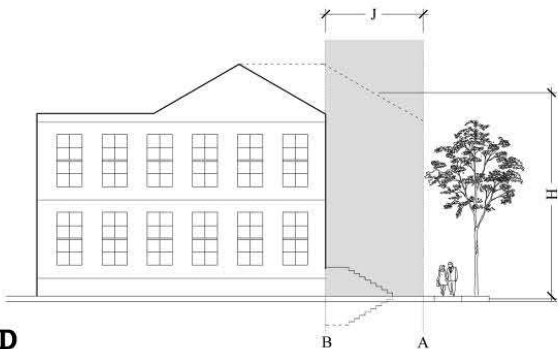
CLASSIFICATION



Definition:
This frontage category will normally be used for apartments or condominiums, with frontage close to the street and with a small landing; either terrace elevated above the street level or a lightwell sunk below the street level, or a combination of both.

Allowed Sub-Districts:
FSD-2, FSD-3, FSD-4, FSD-5

FRONTAGE STANDARDS



- LEGEND**
- A. Minimum front setback
 - B. Maximum front setback
 - C. Minimum rear setback - principal building
 - D. Minimum rear setback - accessory building
 - E. Minimum secondary frontage setback - corner lot
 - F. Maximum secondary frontage setback - corner lot
 - G. Allowed parking location
 - H. Maximum building height
 - J. Enclosure area

BUILDING HEIGHT	MIN. FRONTAGE ENCLOSURE
FSD-2: 45'	FSD-2: 60%
FSD-3: 45'	FSD-3: 70%
FSD-4: 45'	FSD-4: 70%
FSD-5: 60'	FSD-5: 80%

