

# ZONING ORDINANCE

## AN ORDINANCE TO AMEND CHAPTER 64, ZONING ORDINANCE OF THE CITY OF MOBILE CODE TO ADD A NEW OVERLAY DISTRICT TO THE ZONING CODE THAT ENABLES TRADITIONAL, WALKABLE VILLAGE AND NEIGHBORHOOD CENTERS WITHIN THE CITY OF MOBILE

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Sponsored by Mrs. Gina Gregory and Mr. Reggie Copeland.

**WHEREAS**, The Village of Spring Hill, Inc. is a private, section 501(c)(3) nonprofit corporation formed in 2006 for the purpose of improving Spring Hill. Since its inception, the organization has generated broad-based community support for its stated purpose of improving the pedestrian, aesthetic, and commercial amenities of the area; and,

**WHEREAS**, over the course of more than a decade Spring Hill has failed to achieve a level of stability and growth desired by its residents and business owners in its main commercial centers, and the current environment is typified by underutilized buildings, lack of cohesive design, and vehicular-oriented design with extensive paving limiting pedestrian use and negatively impacting the area's aesthetics, health, safety, and welfare; and,

**WHEREAS**, The Village of Spring Hill, Inc. commissioned a study aimed at developing a strategic community plan to set a clear and comprehensive approach for the future development and revitalization of its main commercial centers; and,

**WHEREAS**, The Village of Spring Hill, Inc. contracted with Dover, Kohl & Partners to create a community plan. In November 2007, a week-long charrette was held to achieve a community vision for the future of its main commercial centers. The charrette process included a series of workshops, presentations, and interactive meetings, with participation from residents, property owners, business owners, City of Mobile staff, and elected officials. Following the charrette, *The Blueprint for Spring Hill* was produced, a comprehensive planning document that summarized the charrette process and resulting vision, and includes a review of existing zoning, open spaces, and physical features in the main commercial centers; a series of "First Principles" which embody the citizenry's vision for the future of its community; an analysis of the network of streets, lots, and buildings, and recommendations for improvements to achieve the community vision; a transportation analysis of pedestrian and vehicular accommodations in the area, as well as parking availability and needs, recommendations for improvements to achieve the community vision; and an economic analysis that identifies a range of redevelopment and infill strategies for the community; and,

**WHEREAS**, through the charrette process, the community and design team arrived at a series of urban design and policy principles to guide appropriate infill development and streetscape improvements in Spring Hill's main commercial centers. These "First Principles" include creating *Walkable Street Scenes*; achieving *Connectedness* for both vehicles and pedestrian networks; encouraging *Compact, Mixed Uses* for redeveloping properties; and requiring *Street-Oriented Buildings* to create a continuous frontage and support pedestrian activity, health, safety, and welfare; and,

**WHEREAS**, the City Council supports the efforts of The Village of Spring Hill, Inc. and others to improve the Spring Hill commercial centers, and the Council is of the opinion that the creation of an overlay zone for traditional, walkable village and neighborhood centers is necessary to implement *The*

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*Blueprint for Spring Hill*, and to enable and encourage redevelopment in accordance with the “First Principles” as well as to promote the general welfare of Spring Hill and the City at large; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA as follows:

Section 64-2, City of Mobile Code entitled “Definitions” is amended to add the following new definitions:

*Arcade*: A series of piers topped by arches that support a permanent roof over a sidewalk.

*Balcony*: An open habitable portion of an upper floor that extends beyond or is recessed within a building’s exterior wall that is not supported from below by vertical columns or piers but is instead supported by either a cantilever or brackets.

*Build-to Zone*: A build-to zone is a range of allowable distances from the front property line that the building shall be built to, in order to create a moderately uniform line of buildings along the street.

*Building Frontage*: The width of a building façade that faces a street.

*Building Frontage Percentage*: The percentage of the width of a lot that is required to be occupied by the building’s primary façade.

*Building Height*: The vertical distance from grade to the highest finished roof surface in the case of flat roofs, or to a point at the average height of roofs having a pitch of more than one (1) foot in four and one-half (4 1/2) feet. Within the TCDO, building height shall instead be defined as a limit to the vertical extent of a building measured in stories from the mean elevation of the finished grade or sidewalk at the lot frontage, whichever is higher, to the eave of the roof, or cornice for a building with a parapet.

*Civic Space*: Civic spaces are open spaces that are strategically placed to serve a community function. Civic spaces may be used for active or passive activities, and commonly include parks, squares, plazas, playgrounds, or community gardens.

*Colonnade*: A roofed structure, extending over the sidewalk and open to the street except for supporting columns or piers.

*Courtyard building*: A building that occupies the boundaries of its lot while internally defining one or more private patios.

*Frontage*: The portion of a lot which coincides with a street right-of-way or civic space.

*Gallery*: A frontage wherein the facade is aligned close to the frontage line, with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk.

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*Garden Wall:* A freestanding wall along the property line dividing private areas from streets, rear lanes, or adjacent lots.

*Liner building:* A building or portion of a building specifically designed to mask a parking lot, parking structure, or other large-footprint use from a right-of-way or civic space.

*Lot Frontage:* The portion of the lot adjacent to a property line or lines which coincides with a street right-of-way or civic space.

*Neighborhood Center Sub-district:* One of sub-districts in the TCDO. This district is intended to consist of a mixture of uses, including neighborhood-serving retail, residential, and civic. The neighborhood center is intended to serve the daily needs of residents located within surrounding residential neighborhoods. Buildings may be attached or detached and are separated from the street with wide sidewalks and regular street tree planting. Buildings may be separated from the sidewalk with small street yards.

*Neighborhood General Sub-district:* One of sub-districts in the TCDO. This district is intended to consist of a mixture of uses but primarily residential urban fabric. It may have a wide range of building types and uses, including residential (in attached and detached buildings), civic buildings, and limited retail including home occupations. Setbacks and landscaping are variable. This district has generous sidewalks and regular street tree planting.

*Primary Entrance:* The entrance to a structure which is located along the primary frontage.

*Primary Frontage:* Frontages are identified as either “primary” or “secondary” on the regulating plan, based on hierarchy of the quality of the pedestrian environment along the street networks. Primary frontages shall be held to the highest standards of this code.

*Primary Façade:* The front plane of a building that faces a primary street or civic space.

*Principal Building:* The main building on a lot, built to meet the specified sub-district requirements including build-to zone and frontage requirements.

*Principal Plane:* The plane of a building closest to the front property line, not including stoops, porches, colonnades, galleries, or other attached architectural features.

*Regulating Plan:* Part of the TCDO code which identifies the location of sub-districts, primary and secondary frontages, and proposed new street locations.

*Secondary Frontage:* Frontages are identified as either “primary” or “secondary” on the regulating plan, based on hierarchy of the quality of the pedestrian environment along the street networks.

*Stoop:* A small platform and/or entrance stairway at a house door, commonly covered by a secondary roof or awning.

*Storefront:* The portion of a building at the first story of a retail frontage that is made available for retail use.

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*Story:* The portion of a building included between the upper surface of a floor to bottom of the lowest structural member that supports the floor or roof next above. Space at ground level is considered as the first story if it is five feet or more in height. Space within a roofline that is entirely non-habitable shall not be considered to be a story.

*Streetscape:* The appearance or view of the street including trees, lighting fixtures, and street furnishings such as benches and trash receptacles.

*Sub-district:* A categorization system that organizes elements of the urban environment by defining the character of physical form. The TCDO defines sub-districts to which property within shall be assigned: Village Center, Neighborhood Center, and Neighborhood General. Sub-district locations are defined on the regulating plan (see figures 3-5).

*Traditional Center District Overlay Boundary (TCDOB):* All property located within the boundaries of the City of Mobile Traditional Center Districts.

*Traditional Center District Overlay (TCDO):* Site development requirements that supersede specific regulations set forth in the City of Mobile Zoning Ordinance, to enable and encourage traditional, walkable village and neighborhood centers within the City of Mobile.

*Walkable Street:* A street that provides amenities for pedestrians as well as vehicles. Common amenities include sidewalks, shading devices (such as awnings, colonnades, second-floor balconies, or street trees), and on-street parking.

*Village Center Sub-district:* One of sub-districts in the TCDO. This district is the most densely occupied sub-district, and consists of street-oriented, mixed-use buildings that may accommodate a range of uses, including retail, offices, residential, and civic uses. The Village Center serves the needs of the surrounding community; the walkable, park-once environment is accommodating to both pedestrians from surrounding neighborhoods, as well as those from the greater community. The district has wide sidewalks, regular street tree planting, and buildings set close to the sidewalks to create a regular street façade.

Section 64-3, City of Mobile Code entitled "Districts" is amended to add the following new district:

### H. TRADITIONAL CENTER DISTRICT OVERLAY

1. *Purpose and Intent.* The City of Mobile seeks to create a Traditional Center District Overlay (TCDO), which establishes land development requirements that enable and encourage traditional, walkable village and neighborhood centers, and bring a balance between vehicular and pedestrian-oriented design. These standards were created to 1) enable street-oriented, pedestrian-friendly development within the defined TCDO areas by approving building placement and parking requirements conducive to walkable districts, and 2) encourage the creation of traditional centers by prescribing building standards, signage requirements, and other details that contribute to the pedestrian realm.

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## 2. Administration

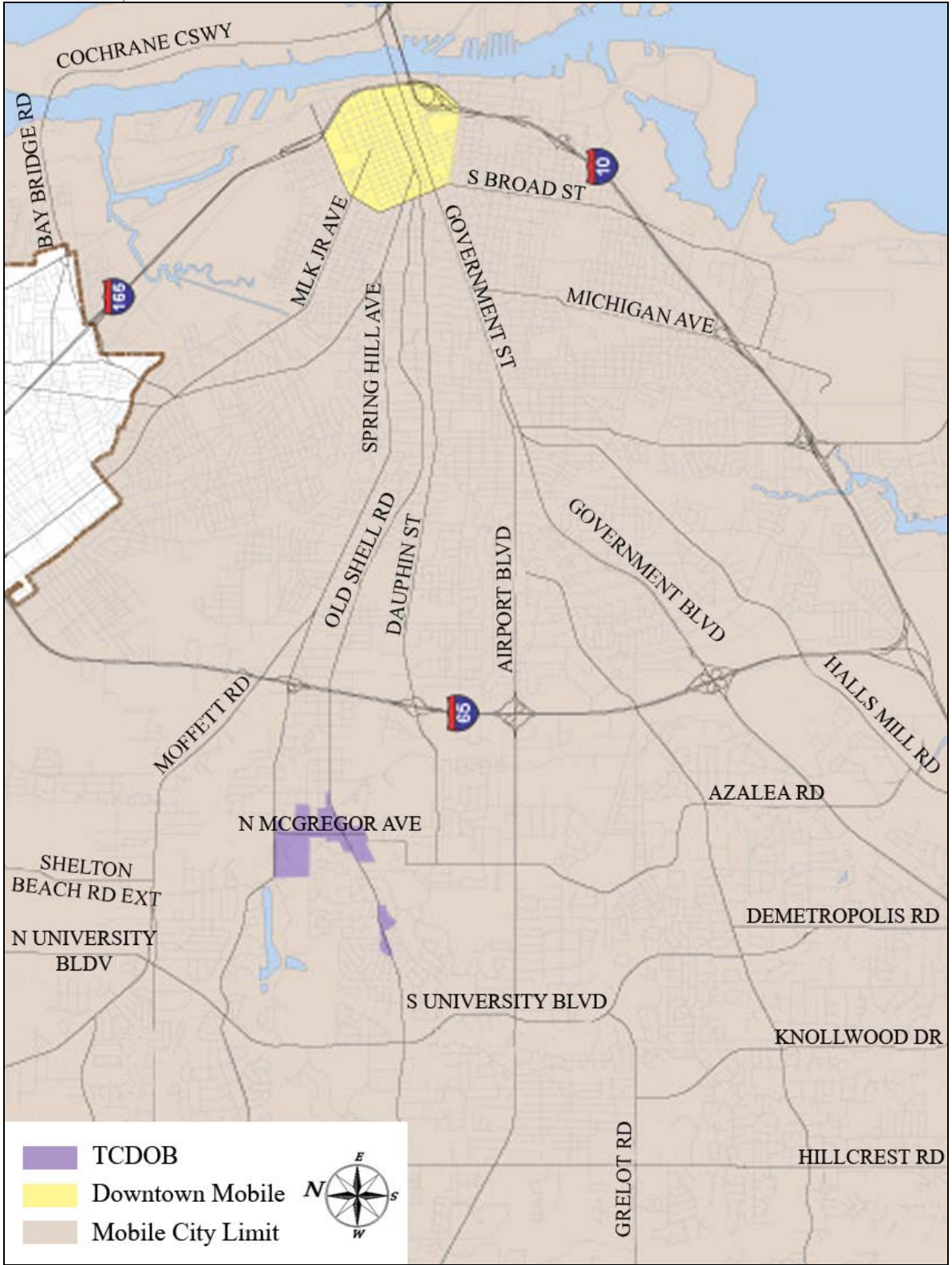
- a. *Applicability.* The regulations and criteria set forth in this section are applicable to the geographic areas within the Traditional Center District Overlay Boundary (TCDOB), with respect to specific site and land development requirements (See Figures 1 and 2). Except where explicitly provided to the contrary, whenever the requirements of these overlay regulations are in conflict with the requirements of Chapter 64, Zoning Ordinance of the City of Mobile, the requirement within this overlay ordinance shall supersede. However, the underlying requirements remain applicable where this overlay remains silent.
- b. *Graphics and Illustrations.* In case of conflict between any figure and any text in this overlay ordinance, the text shall apply and supersede the graphic or illustration.
- c. *Guide to using the TCDO.*
  - (1) Identify the properties that are part of the TCDO (as shown on Figures 1 and 2).
  - (2) Refer to the **Regulating Plans** (Figures 3-5), and identify the sub-district within which the property is located.
  - (3) Refer to Section 64-3.H.3, **Sub-districts**, for regulations on building form, placement, and height, specific to the sub-district.
  - (4) Refer to Section 64-3.H.4, **Supplementary Regulations in the TCDO**, of for additional standards that apply to all sub-districts, including building standards and landscape standards.
  - (5) Refer to Section 64-3.H.5, **Planned Unit Developments**, for guidance on planned unit developments on property within the TCDO.
  - (6) Refer to Section 64-3.H.6, **Off-Street Parking and loading**, to identify parking and loading location and design standards.
  - (7) Refer to Section 64-3.H.7, **Nonconforming Uses and Structures**, if you have an existing structure within the TCDO which you are proposing to enlarge or extend.
  - (8) Refer to Section 64-3.H.8, **Signs in the TCDO**, to identify the types of signage allowed in the TCDO, and size and placement requirements.
  - (9) Refer to Section V.F of the Subdivision Regulations **Streets in the TCDO**, for walkable street standards for new and improved streets.

3. *Sub-districts.* The TCDO is divided into designated sub-districts, as shown on the regulating plans (see figures 3-5). The sub-districts reflect the character in the various areas within the TCDO. The sub-districts are identified as:

- Village Center
- Neighborhood Center
- Neighborhood General

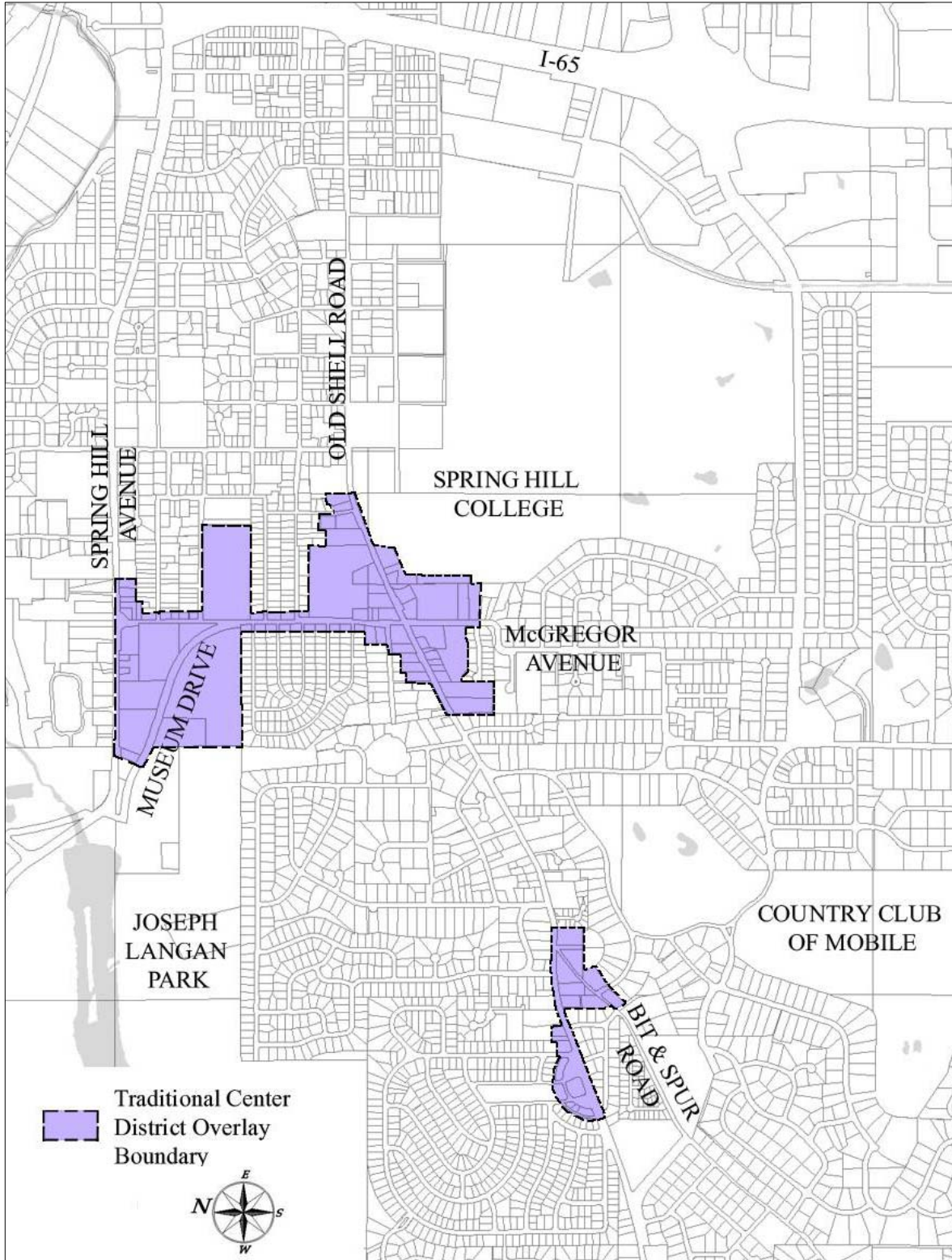
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Figure 1: Traditional Center District Overlay Boundary Location Map



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Figure 2: Traditional Center District Overlay Boundary Detail Location Map



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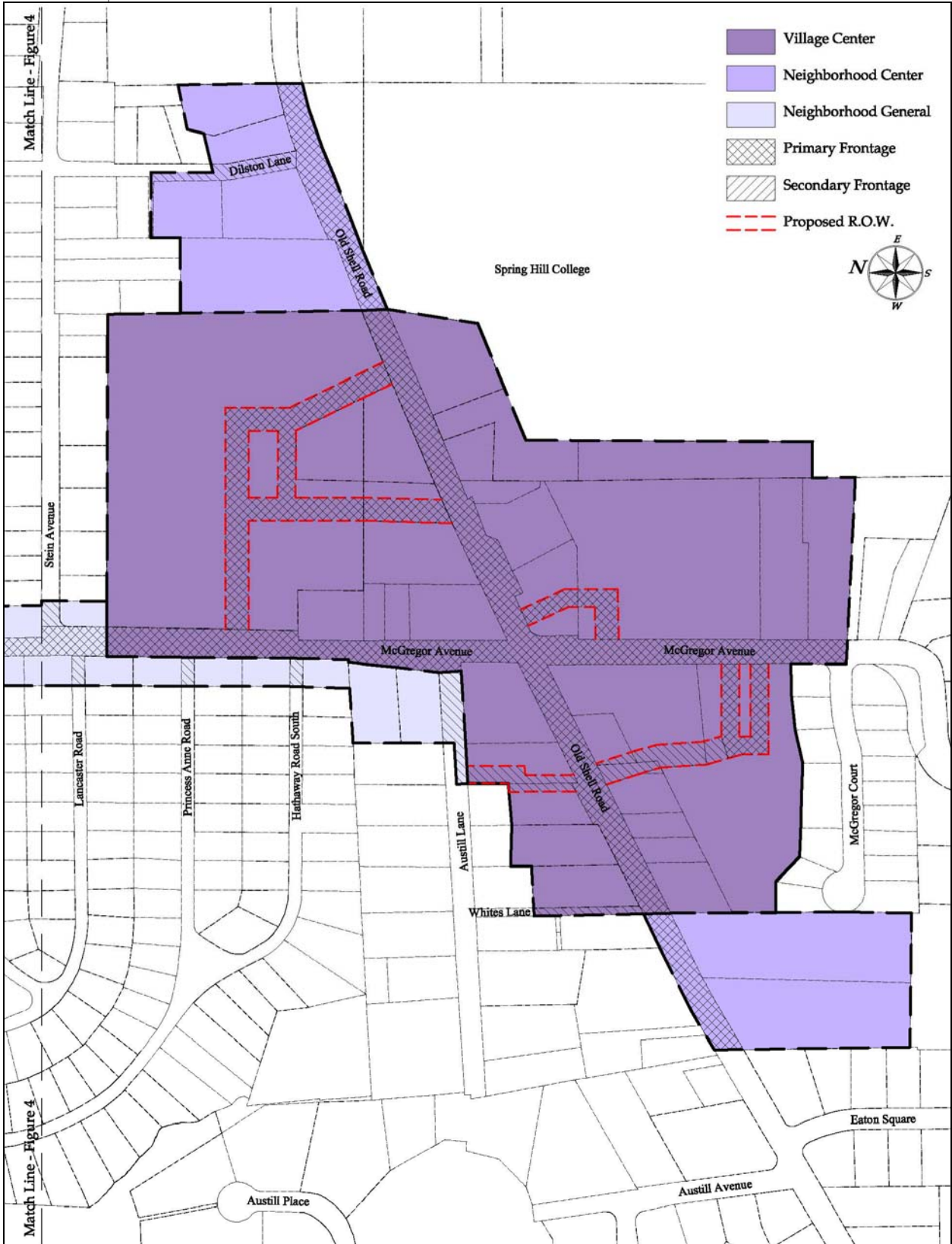
- a. *Regulating Plans.* Figures 3-5 contain the regulating plans for the TCDO. The regulating plans identify the location of the sub-districts, and primary and secondary frontages for all properties within the TCDO. Proposed new streets are also located on the regulating plan. These new street locations are schematic to allow flexibility in the design of the site plan. All streets shall comply with the walkable street design standards set forth in Section V.F of the Subdivision Regulations for the City of Mobile, Alabama.
  
- b. *Village Center Sub-district.* This district is the most densely occupied sub-district, and consists of street-oriented, mixed-use buildings that may accommodate a range of uses including retail, offices, residential, and civic uses. The Village Center serves the needs of the surrounding community; the walkable, park-once environment is accommodating to both pedestrians from surrounding neighborhoods, as well as those from the greater community. The district has wide sidewalks, regular street tree planting, and buildings set close to the sidewalks to create a regular street façade.
  - (1) *Permitted Uses.* Permitted uses in the underlying zoning requirements remain applicable.
  - (2) *Building Envelope.* The following apply to buildings within the Village Center Sub-district:
    - (a) *Building Site Area.* There is no minimum building site area required.
    - (b) *Building Site Coverage.* The maximum building site coverage by all buildings shall be one hundred (100) percent.
    - (c) *Building Height Limit.* No principal building along a lot frontage shall be designed, erected or altered to be less than two (2) stories and no building is to exceed four (4) stories.
    - (d) *Building Yards Required.* The minimum dimensions of yards shall be:

TABLE INSET:

Front build-to zone	The principal façade of a building shall be built within a build-to zone that is located between a line zero (0) feet from the front property line and a line five (5) feet from the front property line. The build-to zone shall be adjusted to meet the minimum sidewalk requirement (see item 64-3.H.3.b(2)(e), below). To avoid mature trees with calipers greater than eighteen (18) inches, the build-to zone may be adjusted to be set further back from the property line as necessary to preserve the mature tree.
Side yard	No minimum
Rear yard	No minimum

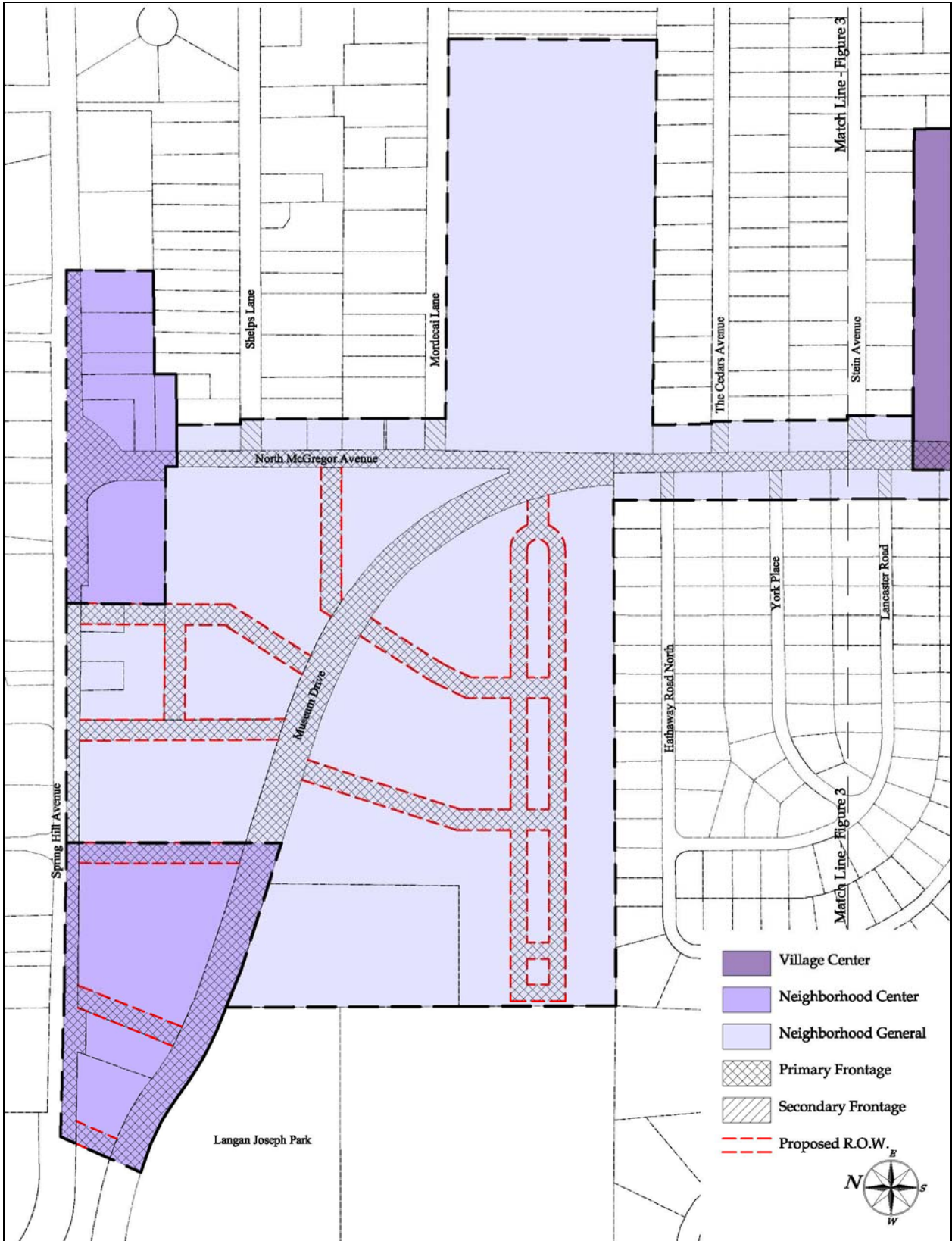
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Figure 3: Regulating Plan – Old Shell Road and McGregor Avenue



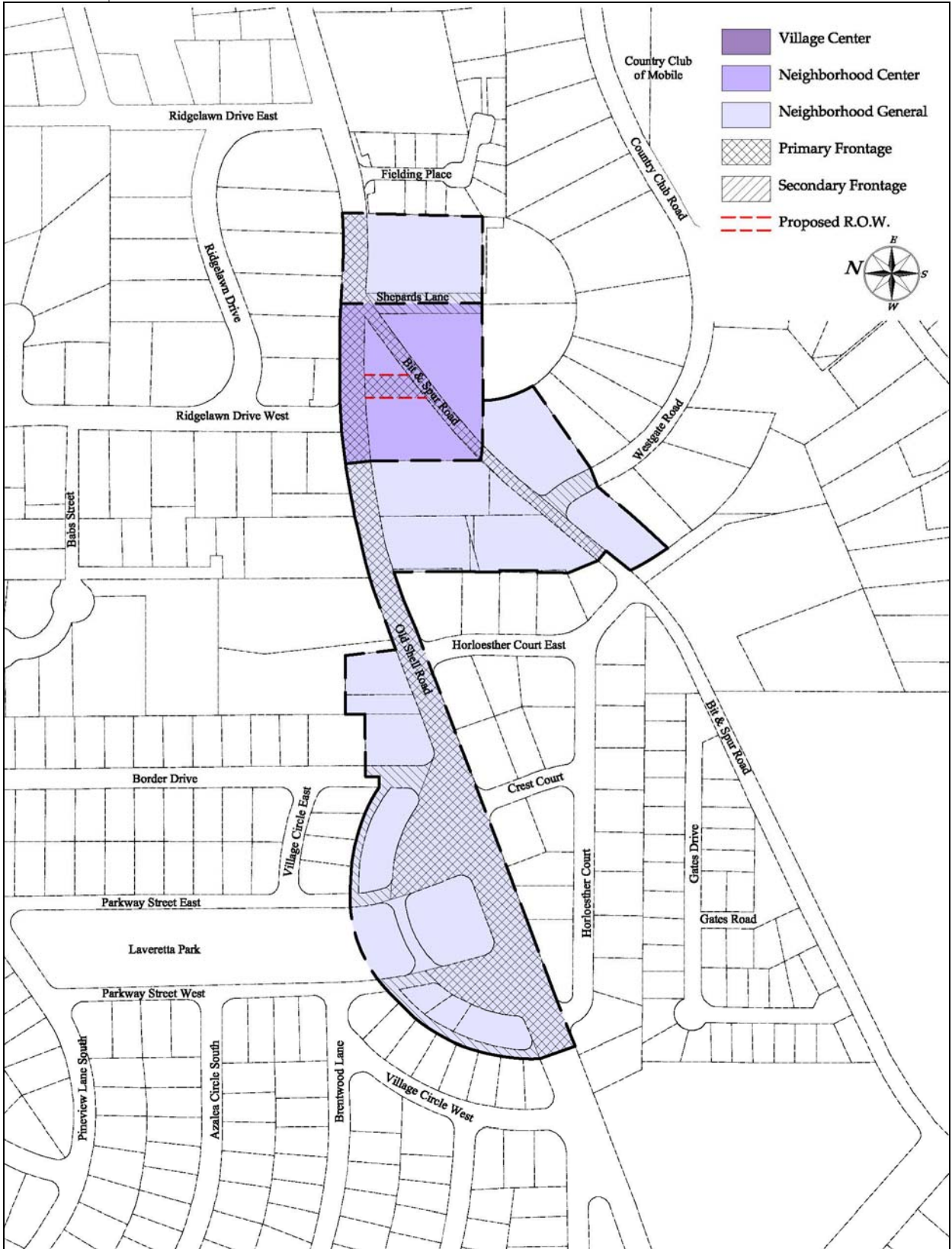
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Figure 4: Regulating Plan – Museum Drive



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Figure 5: Regulating Plan – Old Shell Road and Bit & Spur Road



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- (e) *Minimum Sidewalk.* A minimum sidewalk width of fifteen (15) feet shall be maintained along the back edge of curb of Old Shell Road and McGregor Avenue within the Village Center Sub-district (See Figure 3), to allow ample space for sidewalks to accommodate pedestrians and street improvements such as street lights and street trees. All other streets in the Village Center shall maintain a minimum sidewalk width of twelve (12) feet. In locations where the minimum sidewalk dimension cannot be met within the existing right-of-way, the remaining required sidewalk width shall be dedicated to the city, and the build-to zone shall begin at the back edge of the sidewalk. Existing buildings located forward of the minimum sidewalk dimension shall be permitted to remain.
  - (f) *Sidewalk and Streetscape Improvements.* At the time of development or redevelopment, sidewalk and/ or streetscape improvements envisioned in the *Blueprint for Spring Hill* shall be either constructed or funded as established by the city engineer for any portion of the sidewalk and/ or streetscape adjacent to the parcel.
  - (g) *Building Frontage.* The required building frontage shall be eighty (80) percent to one hundred (100) percent of the lot frontage as measured from side property line to side property line at the principal façade line. Properties with a frontage width less than one hundred twenty (120) feet that are unable to access the rear of the property by other means (such as through an alley or adjacent parking lot) may retain a maximum twenty four (24) feet of frontage for vehicular access to the rear of the property.
- c. *Neighborhood Center Sub-district.* This district is intended to consist of a mixture of uses, including neighborhood-serving retail, residential, and civic. The neighborhood center is intended to serve the daily needs of residents located within surrounding residential neighborhoods. Buildings may be attached or detached and are separated from the street with wide sidewalks and regular street tree planting. Buildings may be separated from the sidewalk with small street yards.
- (1) *Permitted Uses.* In addition to those uses already permitted, all properties within the Neighborhood Center Sub-district shall be permitted those uses allowed in the T-B (Transitional Business) district.
  - (2) *Building Envelope.* The following apply to buildings within the Neighborhood Center Sub-district:
    - (a) *Building Site Area.* There is no minimum building site area required.

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- (b) *Building Site Coverage.* The maximum building site coverage by all buildings shall be eighty (80) percent. For building sites equal to or less than 4,000 square feet, there shall be no maximum.
- (c) *Building Height Limit.* No principal building along a lot frontage shall be designed, erected or altered to be less than two (2) stories and no building is to exceed three (3) stories.
- (d) *Building Yards Required.* The minimum dimensions of yards shall be:

TABLE INSET:

Front build-to zone	The principal façade of a building shall be built within a build-to zone that is located between a line zero (0) feet from the front property line and a line twelve (12) feet from the front property line. The build-to zone shall be adjusted to meet the minimum sidewalk requirement (see item 64-3.H.3.c(2)(e), below). To avoid mature trees with calipers greater than eighteen (18) inches, the build-to zone may be adjusted to be set further back from the property line as necessary to preserve the mature tree.
Side yard	No minimum
Rear yard	5 feet minimum

- (e) *Minimum Sidewalk.* A minimum width of twelve (12) feet shall be maintained along the back edge of curb on all streets, to allow ample space for sidewalks to accommodate pedestrians and street improvements such as street lights and street trees. In locations where the minimum sidewalk dimension cannot be met within the existing right-of-way, the remaining required sidewalk width shall be dedicated to the city, and the build-to zone shall begin at the back edge of the sidewalk. Existing buildings located forward of the minimum sidewalk dimension shall be permitted to remain.
- (f) *Sidewalk and Streetscape Improvements.* At the time of development or redevelopment, sidewalk and/ or streetscape improvements envisioned in the *Blueprint for Spring Hill* shall be either constructed or funded as established by the city engineer for any portion of the sidewalk and/ or streetscape adjacent to the parcel.
- (g) *Building Frontage.* The building frontage shall be seventy (70) percent to one hundred (100) percent of the lot frontage as measured from side property line to side property line at the principal building façade line. Properties with a frontage width less than eighty (80) feet that are unable to access the rear of the property by other means (such as through an alley or adjacent parking lot) may retain a maximum twenty four (24) feet of frontage for vehicular access to the rear of the property.

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d. *Neighborhood General Sub-district.* This district consists of a mixture of uses but primarily residential urban fabric. It may have a wide range of building types and uses, including residential (in attached and detached buildings), civic buildings, and limited retail including home occupations. Setbacks and landscaping are variable. This district has generous sidewalks and regular street tree planting.

- (1) *Permitted Uses.* Permitted uses in the underlying zoning requirements remain applicable.
- (2) *Building Envelope.* The following apply to buildings within the Neighborhood General Sub-district.
  - (a) *Building Site Area.* There is no minimum building site area required.
  - (b) *Building Site Coverage.* The maximum building site coverage by all buildings shall be seventy (70) percent. For building sites equal to or less than 4,000 square feet, there shall be no maximum.
  - (c) *Building Height Limit.* No building shall be designed, erected or altered to exceed three (3) stories.
  - (d) *Building Yards Required.* The minimum dimensions of yards shall be:

TABLE INSET:

Front build-to zone	The principal façade of a building shall be built within a build-to zone that is located between a line six (6) feet from the front property line and a line eighteen (18) feet from the front property line. Single-family residential units that enfront Old Shell Road or McGregor Avenue may be set back an additional seven (7) feet for a maximum of twenty five (25) feet. To avoid mature trees with calipers greater than eighteen (18) inches, the build-to zone may be adjusted to be set further back from the property line as necessary to preserve the mature tree.
Side yard	No minimum
Rear yard	5 feet minimum

- (e) *Sidewalk and Streetscape Improvements.* At the time of development or redevelopment, sidewalk and/ or streetscape improvements envisioned in the *Blueprint for Spring Hill* shall be either constructed or funded as established by the city engineer for any portion of the sidewalk and/ or streetscape adjacent to the parcel.
- (f) *Building Frontage.* The building frontage shall be sixty (60) percent to one hundred (100) percent of the lot frontage as measured from side property line to side property line at the

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principal building façade line. Properties with a frontage width less than sixty (60) feet that are unable to access the rear of the property by other means (such as through an alley or adjacent parking lot) may retain a maximum twenty four (24) feet of frontage for vehicular access to the rear of the property.

4. *Supplementary Requirements.* Whenever the requirements of this section are in conflict with those found in Chapter 64-4 (Supplementary Regulations) the regulations of this section apply.

a. *Primary and Secondary Frontages.* The regulating plans (see section 64-3.H.3 figures 3-5) establish a designation of frontages as either “primary” or “secondary”, for both existing and proposed future street locations. Buildings which face primary frontages shall be held to the highest standard of the TCDO regulations, in support of pedestrian activity.

b. *Building Standards.*

(1) *Primary Entrance.* The primary entrance of every building must directly face a street or a civic space; a second door may be provided at the rear, convenient to parking.

(2) *Doors and Windows.* Each floor of any building facing a primary street or civic space shall have between twenty (20) percent and seventy five (75) percent of each story as transparent windows (See Figure 6). For windows to be considered transparent, the window glass, whether integrally tinted or with applied film, must transmit at least fifty (50) percent of visible daylight. In addition, storefronts must comply with the following:

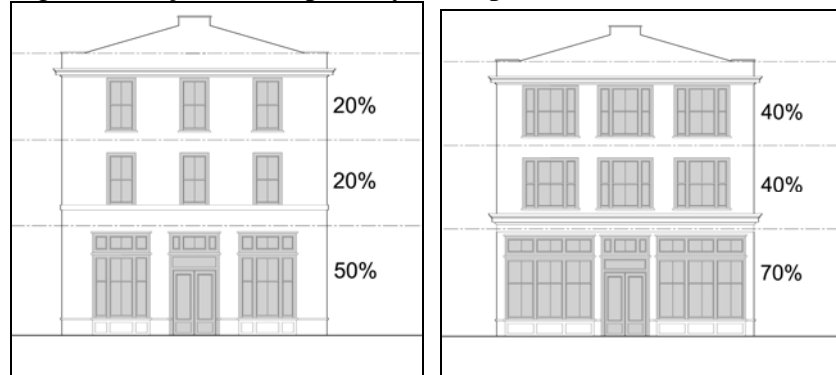
(a) The ground story’s primary façade must have transparent storefront windows covering no less than fifty (50) percent of its principal plane in order to provide clear views of merchandise in stores and to provide natural surveillance of exterior street spaces (See Figure 6).

(b) Doors allowing public access to streets must be provided at intervals no greater than fifty (50) feet to maximize street activity, to provide pedestrians with frequent opportunities to enter buildings, and to minimize any expanses of inactive wall.

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(c) *Figures.*

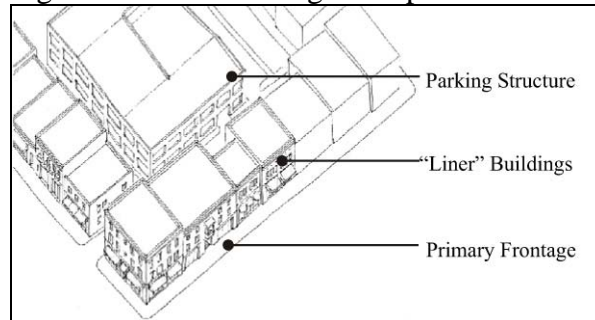
Figure 6: Façade Transparency Example



(3) *Liner Buildings.* The character of some uses of land, such as theaters, grocery stores, parking structures, and other large-footprint uses would preclude their buildings from complying with the door and window requirements of this overlay code. Such buildings shall be constructed in a manner that they will be separated from primary frontages by liner buildings (See Figure 7):

- (a) Liner buildings shall be at least as tall as the building they are screening, and must comply with the height requirements of the sub-district in which they are located. Liner buildings shall be no less than twenty (20) feet in depth.
- (b) Liner buildings may be detached from or attached to the buildings they are concealing.
- (c) Liner buildings may be used for any purpose allowed on the lot on which they are located except for parking.
- (d) Liner buildings shall meet the primary façade transparency requirements in the preceding subsection.
- (e) *Figures.*

Figure 7: Liner Building Example.



(4) *Large Footprint Buildings.* Buildings with a footprint greater than 20,000 square feet may be built within the Village Center and Neighborhood

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Center Sub-districts. Such buildings must abide by requirements in the TCDO overlay ordinance with the following special limitations:

- (a) Large footprint buildings may be permitted to be one story in height on any frontage except Old Shell Road and McGregor Avenue, but shall be at least twenty four (24) feet in height. This may be accomplished with higher ceiling heights and/ or parapets or by having a liner building between the one story building and the frontage on Old Shell Road and/ or McGregor Avenue.
  - (b) Buildings shall not be larger than a single block; block size shall comply with the requirements set forth in section V.F, streets in the TCDO of the Subdivision Regulations for the City of Mobile, Alabama for walkable streets.
- (5) *Frontage Percentages.* Frontage percentage is the percentage of the width of a lot that is required to be occupied by its building's primary facade. Sections 64-3.H.3.b through 64-3.H.3.d provides minimum and maximum frontage percentages for each sub-district.
- (a) The location of the primary façade's principal plane is not changed by façade extensions such as bay windows, awnings, porches, balconies, stoops, colonnades, galleries, or arcades, or by upper stories that are closer to or further from the street.
  - (b) Up to fifty (50) percent of the width of the primary façade may be counted as meeting the frontage percentage requirement even though it may be set back up to ten (10) feet further from the street than the primary façade's principal plane (See Figure 8).
  - (c) *Forecourts.* A portion of the building's primary façade may be set back up to twenty (20) feet further from the street than the primary facade's principal plane if this space is constructed as a forecourt, chamfered corner, or pedestrian entryway that is open to the sidewalk. This recessed portion may be up to forty (40) percent of the total width of the primary façade and may not be used by vehicles (See Figure 9). On courtyard buildings, this forecourt may extend beyond twenty (20) feet into a central garden or courtyard.

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(d) *Figures.*

Figure 8: Primary Façade Frontage

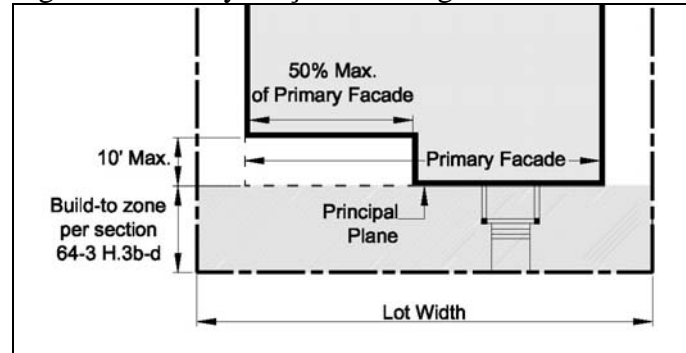
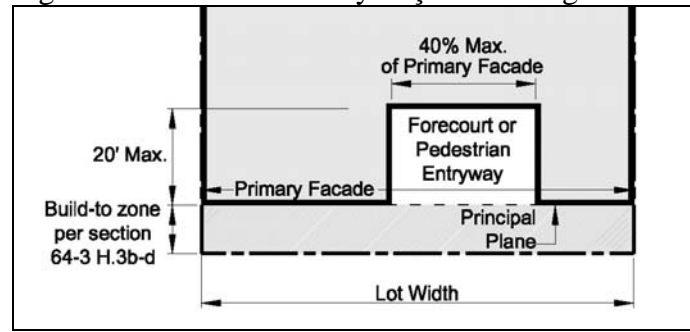


Figure 9: Forecourt Primary Façade Frontage

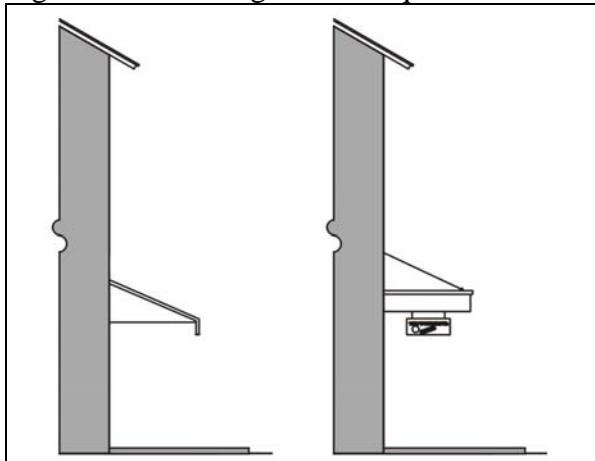


- (6) *Garden Walls, Fences & Hedges.* As development and redevelopment occur, fences, garden walls, or hedges are required along all un-built property lines which abut primary frontages. Fences, garden walls, or hedges are encouraged along secondary streets, side yards, and rear yards. The following requirements shall be met:
- (a) *Front Yard Height:* Front yard height requirement as per Section 64-4.D.6 City of Mobile Code shall remain applicable.
  - (b) *Rear Yards and Side Yards* (behind the principal plane of the principal building): minimum height of thirty six (36) inches, maximum height six (6) feet.
- (7) *Shading of Sidewalks.* Each building with a non-residential use on the ground story is required to have awnings, marquees, balconies, colonnades, galleries, or arcades facing all primary frontages. When providing an awning, marquee, balcony, colonnade, gallery, or arcade that extends into the public right-of-way, a right-of-way permit shall be obtained. (Refer to Chapter 57 of the City of Mobile Code). When providing a required awning, marquee, balcony, colonnade, gallery, or arcade, or one that extends over a public right-of-way, the following design requirements apply:

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- (a) *Awnings.* (see figure 10) Awnings over ground-story doors or windows shall have a depth of at least five (5) feet and a clear height of at least eight (8) feet above the sidewalk. Awnings must extend over at least twenty five (25) percent of the width of each primary facade. Back-lit, high-gloss, or plasticized fabrics are prohibited.
- (b) *Marquees.* (see figure 10) Marquees shall have a depth of at least five (5) feet and a clear height of at least ten (10) feet above the sidewalk. Marquees shall extend over at least twenty five (25) percent of the width of each primary facade.
- (c) *Second-story Balconies.* (see figure 11) Second-story balconies shall have a depth of at least six (6) feet and a clear height below of at least ten (10) feet above the sidewalk. These balconies shall extend over at least twenty five (25) of the width of each primary facade. These balconies may have roofs but must be open toward the street.
- (d) *Awnings, marquees, and second-story balconies.* May extend forward of the build-to zone and/ or into the public right-of-way, provided they do not extend within the planting strip or tree well areas.
- (e) *Colonnades, galleries, and arcades* (See figure 12) must have a clear width from the interior face of their support columns to the building's primary facade of at least ten (10) feet and a clear height above the sidewalk of at least ten (10) feet. Support columns can be spaced no further apart than they are tall. Colonnades, galleries and arcades must extend over at least seventy five (75) percent of the width of each primary facade. Colonnades, galleries, and arcades may extend forward of the build-to zone and/ or into the public right-of-way provided they maintain twenty-four (24) inches of horizontal clearance from a parking lane or travel lane.
- (f) *Figures.*

Figure 10 - Awnings and Marquees



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Figure 11 – Second-story Balconies

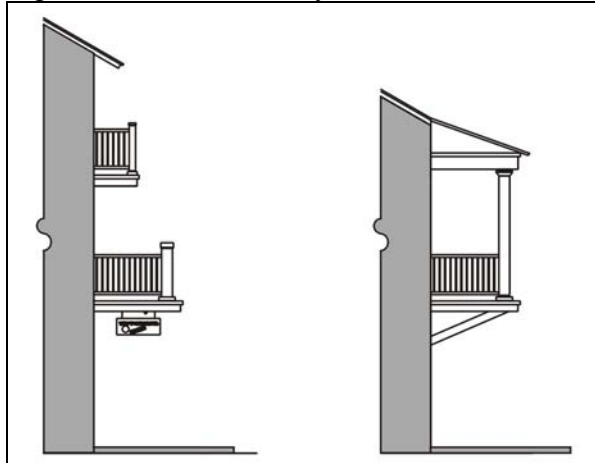
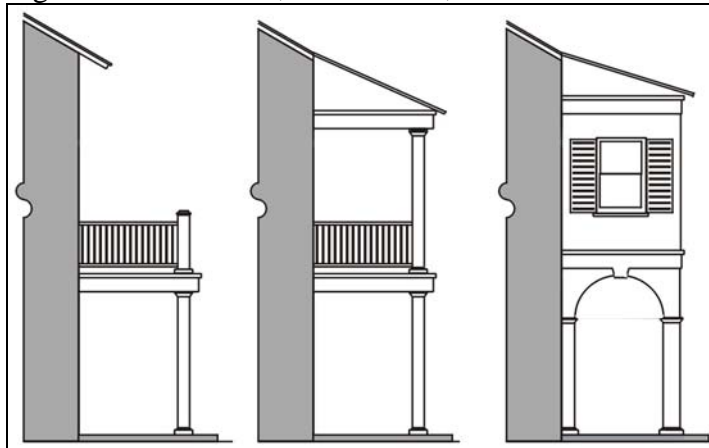


Figure 12 – Galleries, Colonnades, and Arcades



- (8) *Front Porches.* Front porches shall be a minimum eight (8) feet deep and may extend up to ten (10) feet forward of the build-to zone. Front porches are required to be open and un-airconditioned. No more than twenty five (25) percent of the floor area of a porch may be screened if the porch extends forward of the build-to zone. Partial walls and railings on porches may be no higher than forty two (42) inches. Porches may not extend into the right-of-way.
- (9) *Stoops.* Stoops may extend forward of the build-to zone. Partial walls and railings on stoops may be no higher than forty two (42) inches. Stoops may extend into the right-of-way, provided that a minimum five (5) feet clear sidewalk access is maintained for pedestrians, and a right-of-way permit is obtained. (refer Chapter 57 of the City of Mobile Code).
- (10) *Story Heights.* The ground story of commercial and mixed-use buildings must be from twelve (12) feet to eighteen (18) feet tall. The ground story of residential buildings must be from ten (10) to fourteen (14) feet tall. Each story above the ground story in commercial and residential buildings must be from eight (8) feet to twelve (12) feet tall; any upper story taller than twelve (12) feet will count as two stories. Story heights

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are measured from the finished floor to the bottom of the lowest structural member that supports the story or roof structure above.

- (11) *Residential Floor Elevation.* Residential buildings must have the floor of their first habitable story elevated at least two and one-half (2½) feet above the adjacent sidewalk. If this floor is more than five (5) feet above the adjacent sidewalk, the space below counts as the ground (first) story for purposes of measuring building height.
- (12) *Exterior Building Lighting.* The treatment of exterior building lighting is important with an impact on public safety and welfare. Lighting should be done in such a way as to avoid intense point-sources of light.
  - (a) All outdoor lighting shall be shielded or directed so that all of the illumination falls upon either the surface of the structure to be illuminated, or on the ground.
  - (b) Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.
  - (c) At the front of the building, exterior lights shall be mounted between six (6) feet and fourteen (14) feet above adjacent grade.
  - (d) Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting).

c. *Supplementary Yard Regulations in the TCDO.*

- (1) A garden wall or hedge placed within the build-to zone or along adjacent property lines may be used in lieu of the requirement for a protection buffer strip (found in Section 64-4.D of the City of Mobile Code) to allow the seamless mix of uses commonly found in village and neighborhood centers. Properties within the TCDO shall present an acceptable appearance to adjacent residential districts, which includes the adequate shielding of parking facilities.

d. *Landscaping Percentage Requirements in the TCDO.*

- (1) As development and redevelopment occur within the Village Center and Neighborhood Center Sub-districts, eight (8) percent of the total building site being developed or redeveloped shall be required to be landscaped. Within the Village Center Sub-district a parking garage with liner buildings fronting all streets and civic spaces may exempt from this requirement. Within the Village Center and Neighborhood Center Sub-districts, there shall be no landscaping percentage requirements on property between the street line and the building wall, due to the proposed location of street trees within the right-of-way and the desired close proximity of building wall to sidewalk to create traditional, walkable village and neighborhood centers. Street trees located adjacent to the lot frontage shall be counted toward the landscaping percentage and applicable tree requirements. In such case that the required number of

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- trees cannot fit within the minimum landscaped area, remaining trees shall instead be donated to the Mobile Tree Commission to be planted as public trees.
- (2) Street trees adjacent to the lot frontage shall be provided by the applicant and shall be spaced approximately thirty (30) feet on center.
- e. *Design standards for drive-thru businesses in the TCDO*
- (1) Drive-thru service windows may be permitted only to the side or rear of the principal building, in mid-block and alley accessed locations, provided they do not substantially disrupt pedestrian activity or surrounding uses.
- (2) The number of queuing spaces required by Section 64-4.F may be reduced as needed to allow walkable, pedestrian-friendly development forms.
5. *Planned Unit Developments in the TCDO.* Whenever the requirements of this section are in conflict with those found in Chapter 64-5 (Planned unit developments) the regulations of this section apply.
- a. Planned Unit Developments (PUD) are permitted within the TCDO district provided that *the* PUD comply with the requirements of the specified sub-district they are in and are developed in accordance with the TCDO. Standards set forth in the TCDO supersede regulations in Section 64-5.B City of Mobile Code.
6. *Off Street Parking and Loading.* Whenever the requirements of this section are in conflict with those found in Chapter 64-6 (Off-street parking and off-street truck loading) the regulations of this section apply.
- a. *Off-street Parking Requirements in the TCDO.* The intent of these parking regulations is to encourage a balance between compact pedestrian oriented development and necessary car storage.
- (1) *Minimum Amount of Off-Street Parking Facilities Required.* The proposed mixed-use land pattern of the TCDO area fosters more pedestrian trips and fewer automobile trips than other more automobile dependant commercial districts in Mobile. As such, no required minimum number of parking stalls shall be required for properties within the TCDO.
- (2) *Maximum Amount of Off-Street Surface Parking Facilities.* The maximum amount of off-street surface parking provided shall be the same as the prescribed minimum parking requirement amounts stated in Section 64-6.A.6 of the City of Mobile Code for all uses.
- (3) *Maximum Amount of Off-Street Structured Parking Facilities.* There are no maximum parking requirements for off-street structured parking provided that spaces in excess of maximum surface parking requirements be made available to public use.

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- (4) *Site Design.* When provided, parking shall be located to the side or rear of the principal building. Surface parking lots shall be set back a minimum of thirty (30) feet from the property line facing a street or civic space to reserve space for either liner buildings or other screening between parking and the lot frontage. Parking lot aisles shall connect across adjacent property lines, when feasible. A property internal to a block that redevelops prior to its neighbors is not required to construct parking that connects to its neighbor's property; however, the site plan shall reflect a parking layout that provides room for future connections when neighboring properties redevelop.
    - (5) *Vehicular parking access.* Access to parking shall be from secondary frontages or alleys wherever possible. The vehicular entrance of a parking lot or structure shall be no wider than twenty four (24) feet.
  - b. *Loading and Service Location in the TCDO.* In the TCDO, access to loading and service entries shall be allowed only on secondary frontages (as identified on the regulating plans (see 64-3H figures 3-5), alleys, and within parking lots and structures. Loading docks, service areas and trash disposal facilities shall not face primary streets or civic spaces. For those properties with frontages only on primary streets, loading and service entries shall be permitted, but loading and service facilities shall be adequately shielded from view of pedestrians on the street or from civic spaces through use of a garden wall, fence or hedge. Shared off street loading facilities between adjoining uses and parcels is encouraged.
7. *Nonconforming Uses and Structures.* Whenever the requirements of this section are in conflict with those found in Chapter 64-7 (Nonconforming uses and structures) the regulations of this section apply.
  - a. *Section 64-7.A.2 Enlargement or extension of nonconforming structures in the TCDO.* In order to encourage the redevelopment of parcels within the TCDO in a walkable, pedestrian-oriented manner, no enlargement or extension of a nonconforming structure may increase its nonconformity and the enlargement or extension shall conform to all regulations of Section 64-3.H.
8. *Signs in the TCDO.* Whenever the requirements of this section are in conflict with those found in Chapter 64-11 (Sign regulation provisions) the regulations of this section apply.
  - a. *Purposes.* The purposes of this subsection is: to encourage the effective use of signs as a means of communication, while maintaining a high-quality pedestrian environment; to maintain and enhance the aesthetic environment and the city's ability to attract sources of economic development and growth; and to enable the fair and consistent enforcement of these sign regulations. These regulations prescribe pedestrian and slow movement vehicle scaled signage that are appropriate means of communication in traditional, walkable village and neighborhood centers. Large signage meant to attract the attention of fast moving vehicles is not appropriate for such environments.

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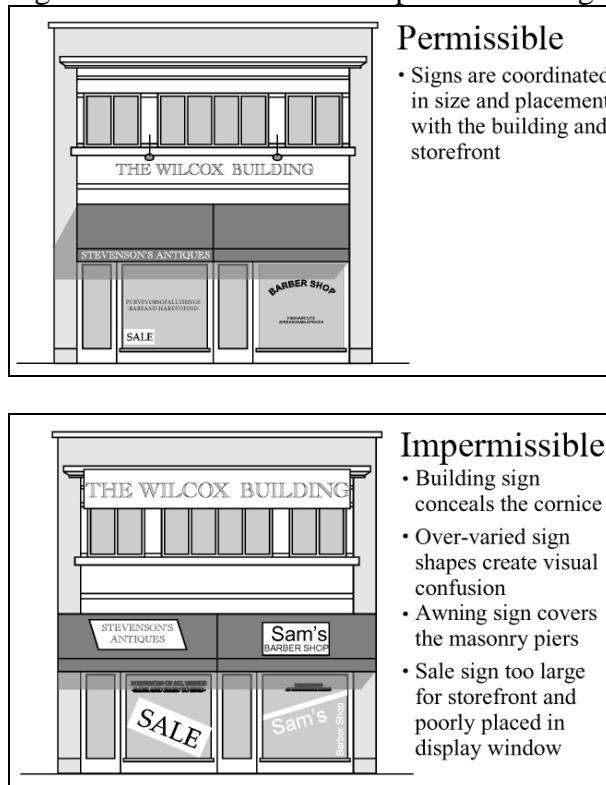
- b. *Applicability effect.* A sign may be erected, placed, established, painted, created, or maintained within the TCDO, only in conformance with the standards, and requirements of this section. If any standard or regulation adopted pursuant to this section differs or conflicts with the standards prescribed by Chapter 64-11, Zoning Ordinance of the City of Mobile, the most restrictive standard shall apply.
- c. *Definitions and interpretation.* Words and phrases used in this section shall have the meanings set forth in section 64-11.7.c. City of Mobile Code unless otherwise defined in this section. Words and phrases not defined in this section or within section 64-11.7.c. City of Mobile Code but are defined elsewhere in the zoning ordinance of the City of Mobile shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.
- (1) *Wall Menu Board:* A sign attached to a building typically by the front door listing items and prices legible to passing pedestrians.
- d. *Permissible signs in the TCDO.* The following signs are permissible in the TCDO provided they comply with all of the requirements stated in this chapter and are appropriately permitted. In calculating the maximum allowable signage for all signs, except for banners and sandwich board signs, no sign shall exceed one and one-half (1.5) square feet per linear foot of the primary building wall, for a maximum of sixty-four (64) square feet per tenant. All sides of projecting signs containing a commercial message shall be included.
- (1) Awning signs;
- (2) Banners. Banners that comply with section 64-11 of the City of Mobile Code, as amended;
- (3) Building marker;
- (4) Canopy signs. Maximum copy size shall not exceed that allowed for wall sign;
- (5) Changeable copy signs;
- (6) Marquee signs;
- (7) Menu board signs. Maximum size shall not exceed ten (10) square feet;
- (8) Projecting signs. Limited to a maximum of ten (10) square feet; no sign shall extend five (5) feet beyond the building wall; signs may project into the right-of-way a maximum of two-thirds (2/3) of the distance to the roadway, but no sign may project five (5) feet from the building wall and no sign shall be closer than two (2) feet to a roadway; and minimum height to bottom of sign shall be eight (8) feet;
- (9) Sandwich board signs;
- (10) Suspended signs;

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- (11) Wall menu board signs. Maximum size shall not exceed ten (10) square feet;
  - (12) Wall signs, fifteen (15) percent of usable wall area maximum; and
  - (13) Window signs, ten (10) percent of window area maximum.
- e. *Permissible sign placement in the TCDO.* Figure 13 shall be used as a guideline to make a determination of appropriateness of the placement of signage on a case by case basis, when signage is submitted for permitting.

(1) *Figures.*

Figure 13: Permissible and Impermissible Signage Placement



- f. *Signs prohibited in the TCDO.* The following signs are prohibited in the TCDO:

- (1) Animated signs;
- (2) Beacons;
- (3) Inflatable signs and tethered balloons;
- (4) Off-premise signs;
- (5) Pennants;
- (6) Portable signs;
- (7) Roof signs;
- (8) Strings of lights, not permanently mounted to a rigid background, except those allowed under the holiday lights provision stated in subsection g.;
- (9) Temporary signs;

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- (10) Freestanding Signs;
- (11) Monument Signs; and
- (12) All other signs prohibited in chapter 64-11.

g. *Signs exempt from regulation under this section.* The following signs shall be exempt from regulation in the TCDO:

- (1) Any sign that is declared exempt with section 64-11.7 of the City of Mobile Code, as amended;
- (2) Any public notice or warning, to be displayed on any lot or structure within the TCDO, required by a valid and applicable federal, state, or local law, regulation, or ordinance;