

**AN ORDINANCE TO AMEND CHAPTER 64, ZONING ORDINANCE OF THE CITY OF MOBILE CODE
TO ADD A NEW DISTRICT TO THE ZONING CODE THAT ESTABLISHES A DOWNTOWN
DEVELOPMENT DISTRICT WITHIN THE CITY OF MOBILE**

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

Section One: That the Ordinance commonly known as the Zoning Ordinance, adopted May 16, 1967, and codified in Chapter 64 of the City Code of the City of Mobile, is hereby amended and supplemented by adding the following thereto:

III DISTRICTS

I DOWNTOWN DEVELOPMENT DISTRICT

.1 AUTHORITY AND INTENT

- (a) The purpose of this ordinance is to create a new zoning code for the Downtown Development District (“DDD”) as defined herein. The new code may be known as and referred to as the “DDD Code.”
- (b) The Council is authorized to adopt the DDD Code by *Alabama Code* section 11-52-70 through 84 (1975) and by section 64-9 of this Chapter.
- (c) The DDD Code is intended to:
 - 1) Implement the purposes and objectives of the City’s Comprehensive Plan, including the New Plan for Mobile;
 - 2) Guide the siting, form, and use of private property and buildings to support walkability, safe streets, and safe public spaces;
 - 3) Guide building siting and form to vary by context and intensity in coordination with community identity and preferences;
 - 4) Build on the work of the Mobile Historic Development Commission in protecting and enhancing the historic and cultural heritage of Mobile’s historic downtown.

.2 APPLICABILITY

- (a) The DDD Code applies to all properties located within the DDD [See Plate A, Regulating Plan].
- (b) The provisions of the DDD Code shall be the complete zoning code for the DDD. Where the DDD Code is in conflict with engineering ordinances, with the exception of the Storm Water Management and Flood Control Ordinance, the DDD Code shall

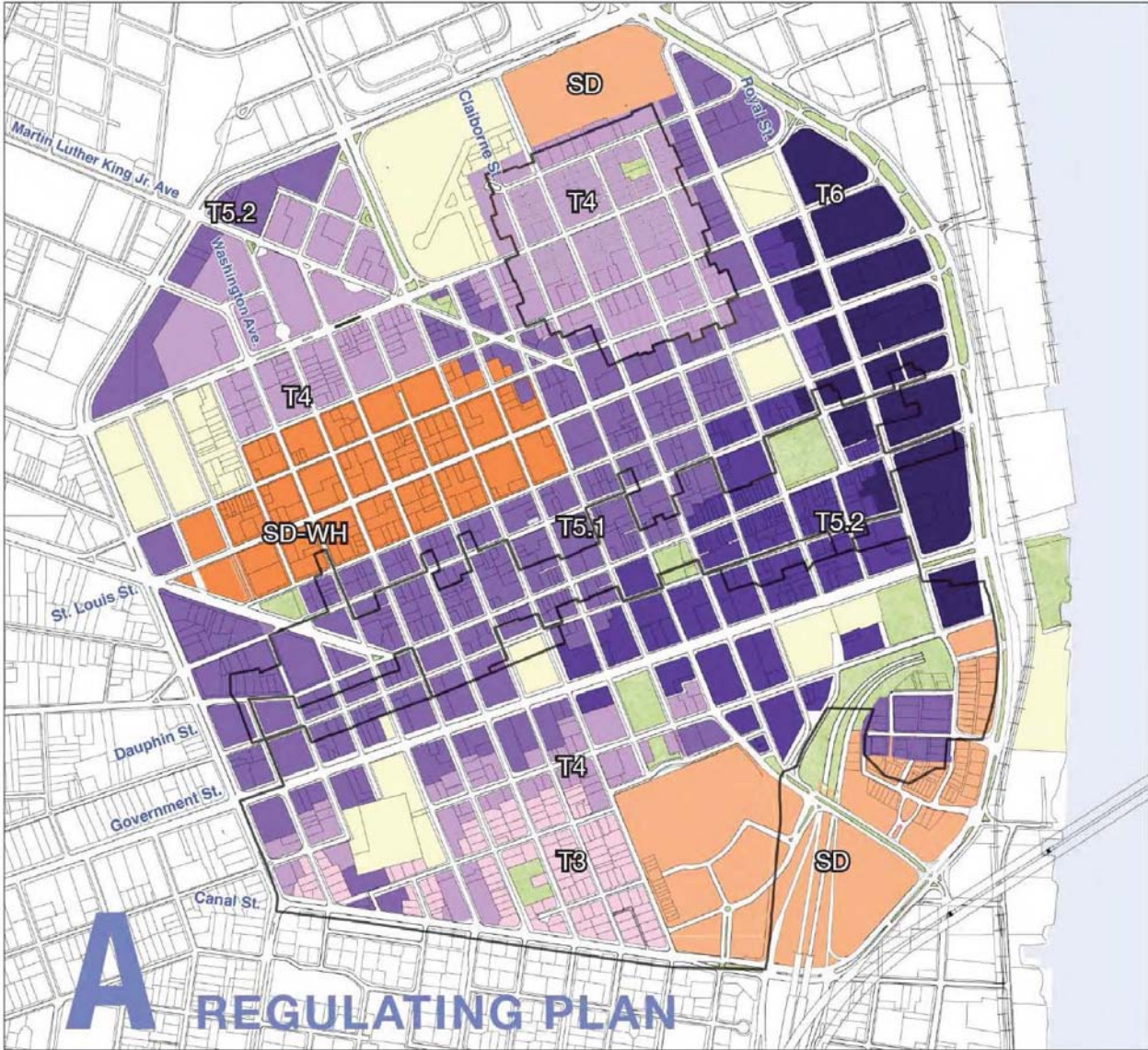
govern. Where the DDD Code is silent on engineering issues, engineering ordinances shall govern.

- (c) Terms used throughout the DDD Code shall take their commonly accepted meanings or as defined herein (the “Definitions”). In the event conflicts arise between the Definitions and definitions in the Existing Local Codes, the Definitions take precedence.
- (d) The Definitions contain regulatory language that is integral to the DDD Code.

.3 ESTABLISHMENT OF SUB-DISTRICTS

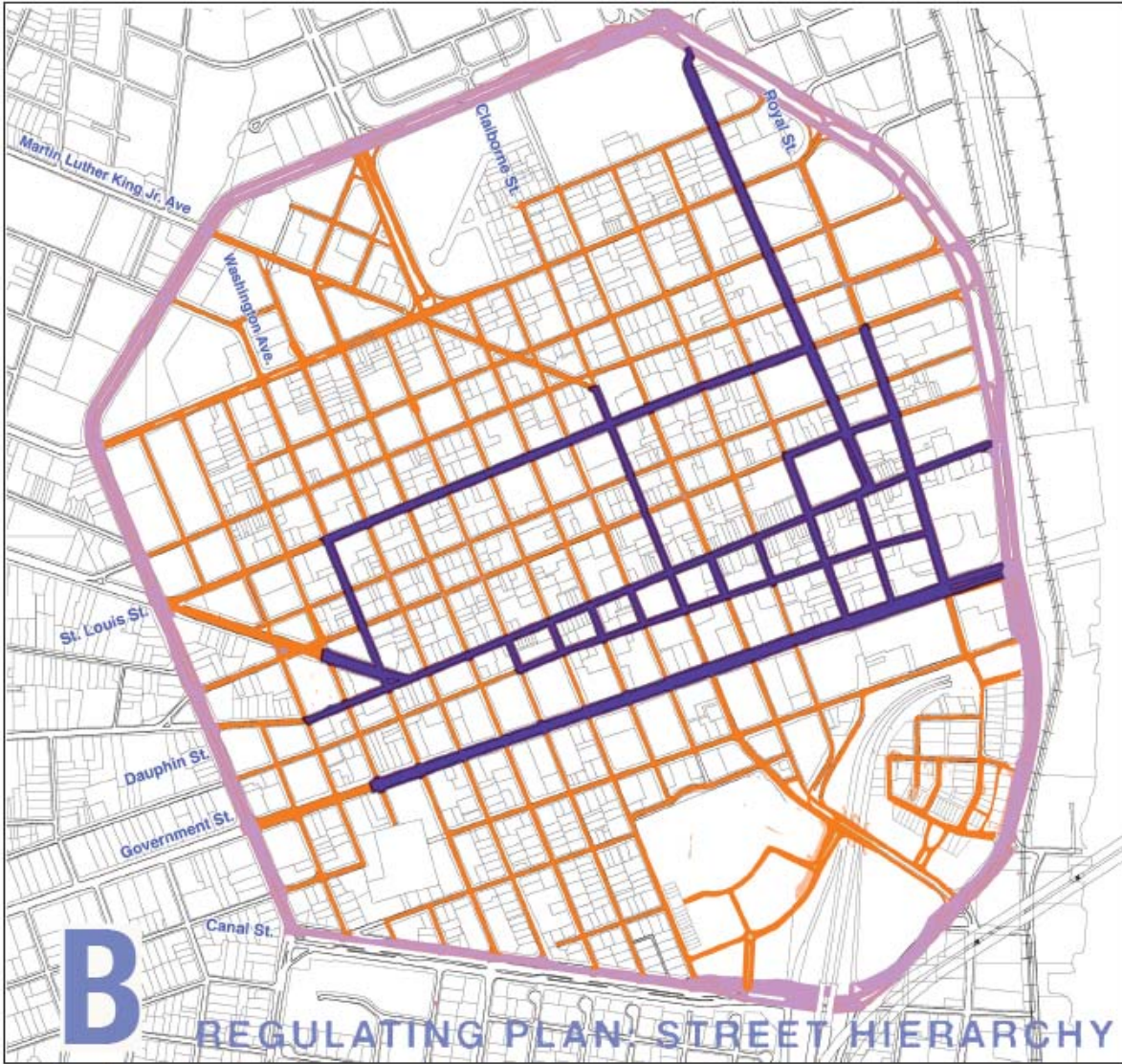
- (a) The DDD is divided into the following zoning sub-districts, referred to herein as transect sub-districts, and special districts:
 - 1) T-6: a mixed-use district of high intensity.
 - 2) T-5: a mixed-use district of medium intensity. T-5 is further subdivided into T-5.1 and T-5.2 sub-districts.
 - 3) T-4: a mixed-use district of low intensity, primarily residential uses and neighborhood retail.
 - 4) T-3: a low-density residential district.
 - 5) SD-WH: a special district established to guide the redevelopment of the portion of the DDD primarily dedicated to warehousing, manufacturing and buildings of similar characteristics.
 - 6) SD: all special districts except SD-WH require a master plan be completed in coordination with the Planning Section. Transect sub-districts are assigned through the master plan process. Master plans shall be approved by the Planning Commission and the City Council of Mobile.
- (b) The transect sub-districts and special district boundaries are as shown on the DDD Regulating Plan (see Plate A). Unless otherwise noted, transect sub-district boundaries are mapped along thoroughfare centerlines, and rear property lines and side property lines.
- (c) Regulations of section 64-3.I. pertaining to T-5 apply to all sub-districts of T-5.
- (d) Planned Unit Development, as set forth in Section 64-5 of the City Code, is not applicable within the DDD.

PLATE A



- | | | | |
|---|---|---|--|
|  T6 Zone |  T5.2 Zone |  T5.1 Zone |  Historic District Boundary |
|  T4 Zone |  T3 Zone |  Municipal | |
|  SD-WH |  SD |  Open | |

PLATE B



-  A Streets
-  B Streets
-  C Streets

.4 ADMINISTRATION, INSTRUCTION, AMENDMENTS AND VARIANCES

a) Administration

1) The administration of the plan review process within the Downtown Development District (DDD) shall be conducted by the Consolidated Review Committee (CRC) which shall have a maximum of five (5) members, and comprised of a representative from Planning, an architect from the A/E Department, a representative from the Historic Development Department, and up to two (2) other designees as the mayor may appoint. The actions of the Consolidated Review Committee shall be coordinated by the Planning Section of the Urban Development Department. The CRC shall expedite the permitting process by providing a single interface between the developer and the agencies.

I. The CRC shall be authorized to make minor adjustments to Site, Place and Building Specifications so that minor deviations may be resolved administratively. Minor adjustments shall be limited to:

i. Landscaping and Tree Requirements;

ii. Dimensional adjustments that do not constitute an increase or decrease of more than 10% for the following design elements: awnings, balconies, canopies, galleries, stoops, terraces and signage.

iii. Alternate building materials may be considered where the materials proposed are considered equivalent or better than the materials listed and regionally-available materials are preferred.

iv. Transparency requirements for windows may be reduced up to 5% of the minimum percentage required.

II. The CRC is not authorized to approve dimensional adjustments for lot size, set backs or building heights.

b) Instructions

1) This section sets forth the standards applicable to the development and substantial improvement of structures and other elements of the built environment within private properties.

2) Plans required by this section are subject to approval by the Planning Section of the Urban Development Department (herein referred to as Planning Section).

3) All applications for development in the DDD require a predevelopment meeting. The predevelopment meeting shall include the applicant, the applicant's design professionals, the associated City Departments, and the CRC. Urban Development will be responsible

for ensuring the applicable City Departments attend the predevelopment meeting. A predevelopment meeting will be scheduled at the request of the applicant.

4) This section requires two types of submittals: Site Plan and Building Specifications. The Building Specifications required for zoning review do not include construction documents required for building plan review. Both sets shall be submitted together. Site plans shall be sealed by a licensed design professional with the exception of a site plan for a single-family, detached dwelling less than 3 stories.

5) Site Plans submitted for approval shall comply with:

- I. Nonconformities, if any (Section 64-3.I.5)
- II. Site Plan: property standards (Section 64-3.I.8)
- III. Site Plan: property use restrictions (Sections 64-3.I.9)
- IV. Site Plan: building placement standards (Section 64-3.I.10)
- V. Site Plan: garbage collection standards (Section 64-3.I.12)

6) Building Specifications submitted for approval shall demonstrate compliance with:

- I. Building Specifications: building and parking deck height standards (Section 64-3.I.13)
- II. Building Specifications: building material standards (Section 64-3.I.14)
- III. Building Specifications: frontage standards (Section 64-3.I.15)
- IV. Building Specifications: signage standards (Section 64-3.I.16)

7) Work in Historic Districts. All properties located in the DDD and a local historic district shall, in addition to complying with the development standards in 64-3.I.9 through .16, receive a Certificate of Appropriateness from the Architectural Review Board as required by section 44-76 of the City Code prior to receiving a building permit and/or undertaking work. Any deviation from the DDD requirements, as may be required by the ARB, will require a zoning variance prior to receiving a building permit and/or undertaking work.

c) Planning Approval. Uses in the chart identified by "P" in any column are permitted in that particular district upon approval of their location and site plan by the Planning Commission as being appropriate with regard to transportation and access, water supply, waste disposal, fire and police protection, and other public facilities; as not causing undue traffic congestion or creating a traffic hazard; and as being in harmony with the orderly and appropriate development of the district in which the use is located. Such uses are also subject to any conditions and limitations imposed by the Planning Commission.

d) Regulating Plan Amendments

1) Adjustments to the transect sub-district and special district boundaries are limited to the following:

I. Increases to the next higher transect sub-district provided the lot is adjacent to a lot of the higher transect sub-district for which the increase is requested.

Adjustments to transect sub-districts require approval by the Planning Commission and City Council.

II. Reconciliations of transect sub-district require approval by the Planning Commission and City Council.

III. Modifications of boundaries resulting in a change from SD-WH to an adjacent mapped transect sub-district require approval by the Planning Commission and City Council.

2) Master plans executed for special district according to Section 64-3.I.3 that assign or modify transect sub-district and special district boundaries must be recorded as an amendment to a regulating plan.

d) Variances. An applicant may appeal any decision of the Planning Section and/or the CRC to the Board of Zoning Adjustment.

.5 NONCONFORMITIES

(a) *Uses.*

1) Continuation of nonconforming uses. Except as hereinafter provided, the lawful operation of a nonconforming use, as such use existed on the effective date of this ordinance, or any amendment hereto, by which the use became a nonconforming use, may be continued. The number of dwelling units in a nonconforming dwelling use shall not be increased over the number of dwelling units existing in the nonconforming use on the effective date of this ordinance.

2) Expansion or enlargement of nonconforming uses. A nonconforming use may be expanded or enlarged only within the premises on which such nonconforming use was located on the effective date of this ordinance or on the effective date of any amendment hereto by which the use became a nonconforming use. Premises as used in this subsection shall mean the building in which the use is being carried on and the accessory buildings, appurtenances, driveways, parking and loading spaces, and the curtilage thereof.

3) Abandonment of nonconforming uses. A nonconforming use that has been abandoned or discontinued for a period of two years shall not thereafter be re-established.

(b) *Structures.*

1) Continuance of nonconforming structures. Except as hereinafter provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.

2) Expansion or enlargement of nonconforming structures. A nonconforming structure may be expanded or enlarged on the premises owned on the effective date of this ordinance or on the effective date of any amendment hereto by which the structure became a nonconforming structure; provided, however, that the enlargement or expansion shall conform to the requirements of the DDD Code.

3) Restoration of damaged nonconforming structures. A nonconforming structure damaged in any manner and from any cause whatsoever may be restored, provided restoration is begun within one (1) year and completed within two (2) years of the date of the damage. The board of adjustment may grant an extension of the one-year or two-year period upon application and showing of hardship.

(c) *Parking Lots.* Parking lots in existence as of the effective date of this ordinance shall conform to the requirements of 64-3.I.11(b)3 not later than two years following the effective date of this ordinance. Any parking lot that fails to timely conform shall be deemed an unlawful use and shall be discontinued.

.6 COMPLETE DEMOLITION PERMITS

(a) "Complete Demolition," for the purposes of this section, is defined as the razing of one or more structure(s).

(b) Any Applicant seeking a permit for complete demolition within the DDD must provide the Urban Development Department with the following minimum information:

1) The date the owner acquired the property, purchase price, and condition on date of acquisition;

2) If and when the Structure has been cited or received a notice of violation of the city code;

3) Whether the Owner has complied with or attempted to bring the building into compliance with the city's International Property Maintenance Code (IPMC) and International Existing Building Code (IEBC); and if not, why? The amount of money it will cost to bring the building into minimal compliance with IPMC and/or rectify any Notices of Violation;

4) Whether the property has been listed for sale, prices asked and offers received, if any;

5) Redevelopment plans for the property in question, the amounts expended upon such plans and the dates of such expenditures;

6) The opinion from a licensed structural engineer that the structure is in danger of collapse, if the Applicant proposes the demolition in order to protect public health and safety;

7) Any such other information as may reasonably be required by the Urban Development Department.

(c) Upon review of the above information, the Urban Development Department may approve or deny the demolition permit based on the following criteria:

1) Whether the demolition will impair the unique character of the DDD;

2) Whether there are redevelopment plans for the site;

3) Whether the redevelopment plans conform to the DDD Code;

4) Whether the demolition of the structure in question is necessary for the public health and safety due to the physical condition of the structure.

(d) Any Applicant denied a Demolition Permit by operation of this Code may appeal to the Board of Zoning Adjustment (BZA). The BZA may permit the structure to be demolished if it finds the structure is a hazard to the public health and safety due to its condition or that the enforcement of this Code presents an unreasonable economic hardship on the Owner.

1) This exception for unreasonable economic hardship shall be applicable to owners (or the Owner's assignee or lessee) of Structures who have expended significant sums of money on development plans involving the demolition of such structures.

2) In determining whether to grant a waiver under this exception, the BZA shall weigh the economic hardship and investment expectations of the Owner (or the owner's assignee or lessee) against the potential damage to the structure and of the surrounding built environment in question.

3) The mere purchase of a structure for future development without further development expenditures shall not be classified as an unreasonable economic hardship.

(e) An owner or authorized representative of an owner appealing to the BZA pursuant to Section 64-3.1.6 (d) shall submit by affidavit to the BZA at least the following:

1) Replacement construction plans for the property in question and amounts expended upon such plans, including an itemization of each and every expenditure, and the dates of such expenditures

2) Whether there are definite plans for reuse of the property if the proposed demolition is carried out.

.7 NOISE RESTRICTIONS IN THE DDD

The noise regulations in section 39-96 of the *City Code* shall apply throughout the DDD. The noise restriction regulations in section 39-96.1 of the *City Code* shall apply to all sub-districts where residential uses are allowed by right.

.8 SITE PLAN: PROPERTY STANDARDS

(a) The portion of a property abutting a right-of-way is assigned a primary frontage or secondary frontage as follows:

1) Frontages are assigned on the frontage hierarchy map.

2) Properties may be assigned more than one frontage.

3) Elements of the built environment within the front setback are subject to all the requirements of sections 64-3.I.13 through .16.

(b) Newly platted properties, subdivisions of existing properties and newly assembled properties shall comply with the following property width restrictions as measured along their primary frontage:

1) T3: 40 ft. min., 120 ft. max.

2) T4: 18 ft. min., 120 ft. max.

3) T5.1 & T5.2: 14 ft. min., 180 ft. max.

4) T6: 14 ft. min., no max.

5) In any sub-district, a property that exceeds the maximum property size as set forth above and existing as of the effective date of this Section, may be developed as one property.

(c) Properties may be assembled with Planning Commission approval according to the following:

1) Where multiple properties to be assembled into a single property are within more than one transect sub-district, the assembly requires a Regulating Plan amendment.

(d) Setbacks and buildings per lot shall comply with the following standards as set out in Table 1:

Table 1: Site Configuration

Sub-District	Setbacks				Buildings Per Lot ²	
	Front ³	Secondary	Side ⁴	Rear ⁴		
T-3	<i>Primary Buildings:</i> 10 ft - 18 ft <i>Parking:</i> 30 ft	5 ft min.	10 ft min. ¹	20 ft min.	2 max.	
T-4	<i>Primary Buildings:</i> 0 ft - 12 ft <i>Parking:</i> 20 ft	0 ft min.	0 ft. min.	0 ft. min.	3 max.	
T-5.1	<i>Primary Buildings:</i> 0 ft - 5 ft ¹ <i>Parking:</i> 20 ft	12 ft max.	0 ft. min.	0 ft. min.	no max.	¹ Shall match setbacks of adjacent buildings where they differ from the standard.
T-5.2	<i>Primary Buildings:</i> 0 ft - 5 ft ¹ <i>Parking:</i> 20 ft	12 ft max.	0 ft. min.	0 ft. min.	no max.	² Structures containing enclosed conditioned space.
T-6	<i>Primary Buildings:</i> 0 ft - 10 ft ¹ <i>Parking:</i> 20 ft at	12 ft max.	0 ft. min.	0 ft. min.	no max.	³ Buildings along Government Street may be set back an additional 12 feet beyond the maximum Front Setback.

ground
 floor,
 unrestricted
 upper
 stories

SD-WH *Primary* 0 ft min. 0 ft. 0 ft. no max.
Buildings: min. min.
 0 ft - 10 ft
Parking:
 unrestricted

⁴ Side and rear setbacks for outbuildings may be reduced to 5 feet.

TABLE 2: USE TABLE

Use Category	Use Sub-Category	Transect sub-districts and Special Districts					
		T3	T4	T5.1	T5.2	T6	SD-WH
Industrial	Warehousing & Mini-Storage	-	-	R	R	R	R
	Mixed-use Light Manufacturing Component	-	-	R	R	R	R
	Manufacturing - Light (5,000 sf max, non-toxic)	-	-	R	R	R	R
	Manufacturing – Heavy (over 5000 sf, non-toxic)	-	-	-	-	-	R
	Processing of Food and Beverage Products	-	-	-	-	-	R
	Laboratory Facility	-	-	-	R	R	R
	Distribution Facility	-	-	-	-	-	R
Agricultural	Nursery Stock Growing, Processing & Sales	-	R	R	R	R	R
	Produce Growing, Processing & Sales	-	R	R	R	R	R
Education	Private Educational Facility (Daycare)	R	R	R	R	R	R
	Private Educational Facility (Elementary)	-	R	R	R	R	R
	Private Educational Facility (All Levels)	-	-	R	R	R	R
Civic Support	Religious Institution (including Educational)	R	R	R	R	R	R
	Funeral Home	-	R	R	R	R	R
	Hospital, Medical Offices, Veterinary Medicine	-	R	R	R	R	R
	Ambulance Service	-	R	R	R	R	R

Use Category	Use Sub-Category	Transect sub-districts and Special Districts					
		T3	T4	T5.1	T5.2	T6	SD-WH
Automotive	Automotive Services - Light (5,000 sf max)	-	-	R	R	R	R
	Automotive Services – Heavy (over 5000 sf)	-	-	-	-	-	R
	Parking Structure	-	-	-	R	R	R
	Gas Station	-	-	C	C	C	C
Residential	Single Family Dwelling	R	R	R	R	R	R
	Two-Family Dwelling	R	R	R	R	R	R
	Multi-Family Dwelling	-	R	R	R	R	R
	Accessory Dwelling Unit	R	R	R	-	-	R
	Senior & Elderly Housing	R	R	R	R	R	R
	Nursing & Retirement Housing	R	R	R	R	R	R
	Boarding Houses & Dormitories	R	R	R	R	R	R
	Homeless & Emergency Shelter	-	P	P	P	P	P
	Mixed-use Residential Component	-	R	R	R	R	R
Lodging	Hotel (no room limit)	-	-	-	R	R	R
	Inn (up to 20 rooms)	-	R	R	R	R	R
	Bed and Breakfast (up to 5 rooms)	R	R	R	R	R	R
Office	Home-office (non-primary use)	R	R	R	R	R	R
	Live-work (office up to 15% of building sf.)	R	R	R	R	R	R
	Work-live (office up to 80% of building sf.)	-	R	R	R	R	R
	Mixed-use Office Component	-	R	R	R	R	R
	Office Building	-	R	R	R	R	R
Commercial	Live-work (retail up to 15% of building sf.)	R	R	R	R	R	R
	Work-live (retail up to 80% of building sf.)	-	R	R	R	R	R
	Mixed-use Retail Component	-	R	R	R	R	R
	Retail Building	-	R	R	R	R	R
	Cafe	-	R	R	R	R	R

Use Category	Use Sub-Category	Transect sub-districts and Special Districts					
		T3	T4	T5.1	T5.2	T6	SD-WH
	Restaurant, Bar, Catering, Entertainment, Theater, with occupancy load over 100 persons	-	-	P	P	R	R
	Drive-thru Retail	-	C	C	C	C	C

NOTE: None of the above permitted uses include an “Adult Entertainment Enterprise” as defined in 64.2

KEY

- R Permitted By-Right
- C Permitted By-Right on Lots with a C-Street Overlay
- P Planning Approval

.9 SITE PLAN: PROPERTY USE RESTRICTIONS

- (a) Property use is limited according to Table 2.
- (b) Parking, except structured parking, is subordinate to uses permitted under this ordinance and shall not be used as a primary use on a property.

.10 SITE PLAN: BUILDING PLACEMENT STANDARDS

- (a) Property coverage by buildings in T-3 and T-4 shall not exceed 75 percent of net property area.
- (b) The number of buildings permitted on one property shall not exceed the maximum buildings per property according to Table 1. Where multiple buildings occupy a single property a principal building shall be designated.
- (c) Buildings shall be setback from the boundaries of their properties according to Table 1. Buildings may exceed the maximum front setback along a C-Street frontage. Buildings along Government Street may be setback an additional 12 feet beyond the Table 1 standards.
- (d) The facade shall be parallel to the primary front property line. The primary entrance shall be through the facade. Facades are not required to be parallel to the primary front property line within 20 feet of corners.

.11 SITE PLAN: PARKING STANDARDS

- (a) Required Vehicular Parking
 - 1) Vehicular parking is not required in T-3, T-4, T-5 and SD-WH, or for structures existing before the date of the adoption of this form-based code.
 - 2) Within T-6 parking shall be provided for all new construction at the following minimum rates:
 - I. Office: 3 spaces per 1,000 square feet.
 - II. Lodging: 1 space per bedroom.
 - III. Residential: 1 space per unit.
 - IV. Retail: no required parking.

V. Restaurant and café: no required parking.

- 3) On-street parking spaces in parking lanes corresponding to property frontages may be counted towards required parking in T-6. On-street parking shall remain available to the public and cannot be restricted to use by the fronting properties.
- 4) Required parking in T-6 may be provided off-site by purchase or lease from a civic parking reserve or private parking lot or structure within 1500 feet of the property.

(b) Vehicular Parking Design Requirements

- 1) All off-street parking spaces and aisles shall meet AASHTO size and configuration standards.
- 2) Parking structures and parking lots over 20 spaces are prohibited in T-3 and T-4.
- 3) For parking lots along frontages, one of the following screening options is required:
 - I. Liner buildings may be used to screen parking lots.
 - II. A hedge combined with a metal fence or masonry wall with or without a hedge may be used to screen parking lots. Hedges shall be a minimum of 3 feet in height at the time of planting; walls and fences shall be a minimum of 3 feet in height.
 - III. When parking lots are surfaced with crushed stone, brick, rolled concrete pavers, or cellular grassed concrete pavers, screening requirements may be satisfied by trees spaced a maximum of 30 feet on center.
- IV. Within c-street frontages, screening is not required.
- 4) For parking structures along frontages, one of the following screening options is required:
 - I. Liner buildings shall wrap a minimum of 70% of the width of parking structures at ground floor frontages.
 - II. Within B-street frontages, a hedge combined with a metal fence or masonry wall may be used to screen parking structures. Hedges shall be a minimum of 3 feet in height at the time of planting; walls and fences shall be a minimum of 3 feet in height.
 - III. Within C-street frontages, screening is not required.
- 5) One interior heritage tree shall be planted for every 15 spaces for parking lots over 50 spaces.

(c) Vehicular Parking Access

- 1) Parking shall be accessed from the secondary frontage where available.
- 2) Where secondary frontages are not available, parking may be accessed by driveways at the primary frontage provided the property width exceeds the following:
 - I. T3 & T4: 42 feet minimum.
 - II. T5: 54 feet minimum.
 - III. T6: 72 feet minimum.
 - IV. SD-WH: 54 feet minimum.
- 3) Driveways are limited to 25 feet in width within the frontage. Driveways in T-3 and T-4 are limited to 10 feet in width within the front setback along primary frontages.
- 4) Crushed stone surfaces shall be limited to driveways.

- 5) A maximum of one curb cut per property frontage may be permitted. Curb cuts shall meet specifications established in Chapter 57 Article IV- "Driveways."

(d) Bicycle Parking

- 1) Property owners in T-5 and T-6 may install bicycle racks within the right-of-way adjacent to their frontage subject to the following restrictions:
 - I. Bicycle racks shall be Inverted-U, Pole and Ring, or Removable Ring types.
 - II. Bicycle racks shall not be located within the following areas:
 - i. Within 5 feet of fire hydrants.
 - ii. Within 4 feet of loading zones and bus stop markers.
 - iii. Within 3 feet of driveways and manholes.
 - iv. Within 2 feet of utility meters and tree boxes.
 - v. Sidewalks where the distance from the face of the curb to the property line is less than 7 feet.
 - vi. Bicycle racks parallel to the curb shall be set back from the curb 2 feet. Bicycle racks perpendicular to the curb shall allow 1 foot of setback between a 56cm bicycle properly locked and the curb. Where rings are added to existing poles, these requirements do not apply.
 - vii. Bicycle rack placement shall not reduce the pedestrian sidewalk path to less than 4 feet considering the placement of a 56cm (22 inches) bicycle properly locked.
 - viii. Bicycle racks shall be spaced a minimum of 30 inches where installed parallel to the curb and 48 inches where installed perpendicular to the curb.

.12 SITE PLAN: GARBAGE COLLECTION STANDARDS

- (a) Garbage containers may only be placed on the sidewalk with the following restrictions:
 - 1) Containers shall be removed from the public right-of-way within 2 hours of garbage collection and shall not be placed in the right-of-way between 7:00 AM and 5:00 PM.
 - 2) Grease containers shall not be placed outside within 20 feet of a sidewalk at any time.
- (b) Dumpsters
 - 1) The placement of a dumpster in the primary frontage or in the street right-of-way shall be prohibited.
 - 2) Waste removal of a dumpster by a sanitation truck shall take place entirely within the paved surface of the building site. The street right-of-way may not be used by the truck for maneuverability.
 - 3) All dumpsters shall be enclosed within an enclosure of at least the height of the dumpster which is being enclosed, but in no case to exceed eight (8) feet in height. The dumpster enclosure materials shall comply with materials as specified in 64.3.I.14, and may also be equipped with a door or gate constructed of wood or other opaque material that opens outward and which remains closed unless the dumpster is being filled or emptied. The dumpster enclosure must be of sufficient size to allow for placement and removal of dumpster without causing damage to the enclosure.

- 4) If required/provided, dumpster enclosures must be kept in good repair and condition by the property owners for the life of the dumpster/enclosure requirement.
- 5) The floor or pad of the dumpster enclosure must be equipped with a connection to the sanitary sewer, and any discharge or runoff from the enclosure shall not be allowed to drain into any storm water drain, as required by the City of Mobile Engineering Department, or an alternative, approved by the City Engineer, that does not allow leakage of contaminants.
- 6) Construction Dumpsters, used for construction projects, are exempt from this paragraph.

.13 BUILDING SPECIFICATION: BUILDING AND PARKING DECK HEIGHT STANDARDS

- (a) Building height is measured in stories for each above-ground level according to the following:
 - 1) Stories are measured from finished floor to finished ceiling.
 - 2) Stories above the ground floor are limited to a maximum of 14 feet. Stories combined to exceed 14 feet are counted as multiple stories.
 - 3) For residential uses, ground floor height exceeding 18 feet is counted as multiple stories.
 - 4) For non-residential and mixed-uses, ground floor height exceeding 25 feet in all transect sub-districts and 35 feet in SD-WH is counted as multiple stories.
 - 5) Unfinished attics are not included in building height measurement.
 - 6) Height limits for masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads shall be determined by Section 64-4 (C)(1).
 - 7) For free-standing parking structures, building height is measured in feet.
- (b) Building height is limited to the following maximum heights:
 - 1) 2 stories in T-3 and T-4,
 - 2) 3 stories in T-5.1,
 - 3) 5 Stories in T-5.2, except for buildings fronting Bienville Square that may be up to 8 stories, and
 - 4) 6 stories in SD-WH.
 - 5) There are no building height restrictions in T-6.
 - 6) Height may be increased to match structures on contiguous lots.
- (c) Parking Deck height is limited to the following maximum heights:
 - 1) 34 feet in T-5.1,
 - 2) 60 feet in T-5.2 and SD-WH, and
 - 3) 80 feet in T-6.
 - 4) For parking structures attached to a building(s) for at least 50% of their total perimeter or 80% of their perimeter along frontages, the parking structure height may exceed the limit provided they not exceed the eave height of the attached building(s).
- (d) Ground floor non-residential uses shall have a minimum story height of 14 feet and ground floor residential uses shall have a minimum story height of 10 feet.
- (e) Outbuildings are limited to 2 stories in T-3 and T-4, in all other transect sub-districts outbuildings shall be no higher than the principal building.

.14 BUILDING SPECIFICATION: BUILDING MATERIALS STANDARDS

- (a) Building mechanical equipment including, but not limited to, electric meters, gas meters, water meters, HVAC equipment, and refuse storage shall not be located along frontages.
- (b) All openings, including but not limited to porches, galleries, doors and windows, with the exception of shopfronts, shall be square or vertical in proportion.
- (c) Where multiple exterior materials are used on a single building, they shall only be combined on each facade horizontally, with the heavier material below the lighter.
- (d) Exterior Finish
 - 1) Where multiple exterior materials are used on a single building, they shall only be combined on each facade horizontally, with the heavier material below the lighter.
 - 2) Exterior finish may be wood or cementitious clapboard, shingles, or board and batten in T4 and T3. Exterior finish may be wood or cementitious clapboard, shingles, board and batten or stucco in T5 and T6. Brick and stone may be used in all transect zones.
- (e) Roofs
 - 1) Roofs shall be symmetrically pitched with a minimum angle 6 in 12. Low-slope (flat) roofs shall be permitted in T4, T5, T6, and SD-WH.
 - 2) Roofing material shall be tile, standing seam metal, metal shingles, five v-crimp, and shingles including: asphalt, fiberglass, cement fiber, wood, or slate. Built-up or membrane roofing shall only be used on roofs with slopes less than 3 and 12 where hidden from view from the public right of way. Modern synthetic materials designed to resemble acceptable materials may be used.
 - 3) The following roofing materials are prohibited: corrugated fiberglass, asphalt roll roofing, corrugated metal, panel & batten, colored metal.
 - 4) Rooftop equipment such as turbine vents, skylights, satellite dishes, and T.V. antennae shall not be visible from the street.
- (f) Foundations
 - 1) Foundation requirements do not apply to slab on grade construction as allowed in the following frontage types: Common Entry, Pedestrian Forecourt, Vehicular Forecourt, Gallery and Shopfront.
 - 2) Raised foundations shall be pier and fill-panel construction, or chain wall construction with panels inset to resemble pier and infill panel construction, or raised slab foundations with piers faced with brick, stone or stucco.
 - 3) Lattice, if used, should be hung below the skirt board or siding between the piers and framed with trim. Lattice secured to the face of the foundation is inappropriate.
 - 4) Any solid infill between the piers should be recessed.
 - 5) Foundations shall be brick, stone, or stucco. Where another type of structural material is used, it must be faced with brick, stone or stucco.
 - 6) The following foundation materials are prohibited: metal infill, plywood panels, mineral board panels, plastic or vinyl sheeting, unfinished concrete block, wood piers, imitation brick or stone, vinyl lattice. Wood supports are acceptable for wood stairs.

(g) Transparency

- 1) The use of tinted or reflective glass is prohibited along public frontages within the first six stories from the ground level.
- 2) All building facades along public frontages shall have a minimum of 20% transparency measured on each floor. Higher percentages are required for some frontage types as stipulated in Section 64-3.I.15.
- 3) Security bars on windows or doors shall not be visible from the street.

.15

BUILDING SPECIFICATION: FRONTAGE STANDARDS

(a) Frontages General

- 1) The frontage is the area of a property that faces a street or other public space and an assembly of components within that area. Frontage components include:
 - I. the building facade;
 - II. structures that project from the facade such as porches, terraces, stoops, awnings, canopies, and bay windows;
 - III. any landscape elements between the building facade and the public street or space.
- 2) Frontage build-out shall be a minimum of 80% in T-5.1, and 100% in T-5.2 and T-6. In the absence of a building facade along any part of a frontage in T-5 or T-6 up to the minimum required frontage build out, a streetscreen is required as follows:
 - I. Streetscreens shall be between 4 and 8 feet in height.
 - II. Openings in the streetscreen for vehicular access shall be no wider than 30 feet.
 - III. Streetscreens shall be made of the following materials: brick, stone, stucco over masonry, iron, steel or aluminum that appears to be iron. Non-opaque streetscreens require planting behind to increase opacity.
 - IV. Streetscreens are not considered fencing for the purposes of the regulations of this Section.
- 3) Frontages are divided into the following types: lawn, terrace, stoop, common entry, pedestrian forecourt, vehicular forecourt, gallery, and shopfront.
- 4) Property owners shall designate which frontage type corresponds to the building(s) they own or are proposing to build and shall comply with the standards for that type when new construction or substantial improvement is proposed.
- 5) A shop front frontage is required for all ground floor commercial uses fronting the A-Street sections of Dauphin, Conti, and St. Joseph Streets shown on Plate B-“Regulating Plan- Street Hierarchy.” All other T-5 and T-6 ground floor commercial uses must have transparent windows covering a minimum of 30% of the surface between 2 and 12 feet above the abutting sidewalk.
- 6) Where buildings have multiple frontages or multiple buildings are located on one property, similar frontage types should be selected for all frontages.
- 7) Loading docks and service areas up to a combined width of 30 feet may be incorporated into frontages as follows:
 - I. At secondary frontages towards the rear of the property.

II. At primary frontages where properties have no secondary frontage and property width exceeds 120 feet.

III. At all frontages within SD-WH.

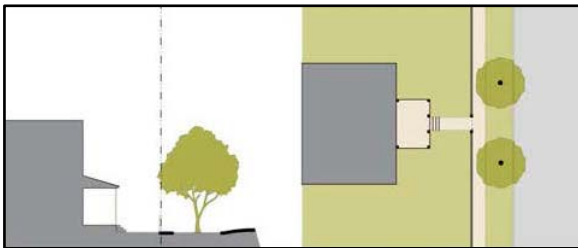
- 8) First floor elevation requirements in this Section may be exceeded where the 100-year flood plain (AE) and 500-year flood plain (X-shaded) requires buildings be raised beyond the specified ranges. Note: On commercial developments only, flood proofing may be used to achieve compliance with the Storm Water Management and Flood Control Ordinance and is an alternative to elevating the structure. (See Section 17-26(e)(3).
- 9) In C-Street frontage areas, buildings are exempted from all frontage standards in this section.

(b) Encroachments General

- 1) Roof overhangs, cornices, window and door surrounds and other facade decorations may encroach into the front setback up to 2 feet.
- 2) Balconies may encroach into the front setback and public right-of-way a combined maximum of 3 feet.
- 3) Permanent encroachments/permanent structures greater than 3 feet in height constructed in the right of way require a permit from the City Engineer and a Right of Way Use Agreement. The Right of Way Permit and the Right of Way Use Agreement may require procurement and maintenance of general liability insurance naming the City as an additional insured
 - I. Awnings and canopies are not considered permanent structures and do not require a permit from the City Engineer.
- 4) Encroachments into the front setback are prohibited except where specifically permitted in this Section.

TABLE 3: Frontage Type Summary

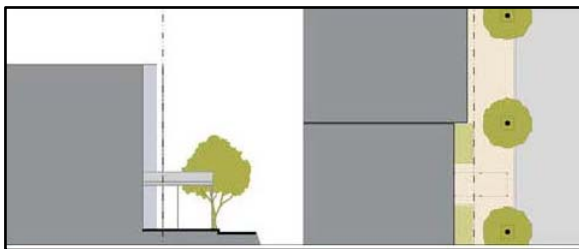
Frontage Type	Transect sub-districts					
	T3	T4	T5.1	T5.2	T6	SD-WH
Lawn	<input type="checkbox"/>	<input type="checkbox"/>	-	-	-	<input type="checkbox"/>
Terrace	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>
Stoop	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Common Entry	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-	<input type="checkbox"/>
Pedestrian Forecourt	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vehicular Forecourt	-	-	-	-	<input type="checkbox"/>	<input type="checkbox"/>
Gallery	-	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	-
Shopfront	-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Key: - Prohibited <input type="checkbox"/> Permitted						



(c) Frontage Type: Lawn (permitted in T-3, T-4, and SD-WH only)

- 1) General Characteristics: the facade is set back from the front property line with the first story elevated from the sidewalk for privacy and principal entry accessed by a porch or stoop.
- 2) The finished floor elevation of the first floor shall be a minimum of 16 inches and a maximum of 48 inches above average grade along the front property line.
- 3) Encroachments into the front setback are permitted as follows:
 - I. Porches, stairs, and ramps may encroach into the front setback up to 50% of its depth in T-3 and 100% in T-4. Porches shall be no less than 8 feet deep in T-3 and 4 feet deep in T-4.
 - II. Bay windows may encroach into the front setback up to 2 feet.
 - III. Stoops may encroach into the front setback up to 4 feet.
 - IV. Stoops may be covered by a symmetrically pitched roof structure supported by columns or wall brackets.

- 4) A fence or wall may be installed along the front property line, with a maximum height of 4 feet. Fences and walls shall be made of the following materials: wood picket, wood slat, wood lattice, iron or steel, brick, stone, stucco over masonry, aluminum that appears to be iron.
- 5) Trees shall be planted within the lawn frontage property as follows:
 - I. One heritage tree must be planted for every 30 feet of frontage.
 - II. Where front setbacks exceed 10 feet, one of the heritage trees required in I above must be planted within the primary frontage and one in the secondary frontage if one exists.
 - III. All trees planted to meet the above requirements must be trees approved by the Urban Forester.
 - IV. Trees must have an initial minimum caliper at breast height measured 2 inches at 4 ½ feet above the ground or 3 inch caliper measured 6 inches above the ground.
 - V. Existing trees preserved on the private lot may be counted towards the required existing tree credits of this section if the tree is located in the frontages, except where construction or land disturbance occurs within the critical root zone, which is 1 foot for every inch of diameter at 4 ½ feet above the ground.
 - VI. The total number of required trees may be adjusted down by the Urban Forester with payment of an amount approved annually by the Mobile Tree Commission per tree to the tree bank.
- 6) Walkways providing access to the primary entrance and secondary entrances are limited to one per frontage no wider than 5 feet each.
- 7) Building foundations shall be brick, stone, or stucco pier and inset fill-panel construction, or chain wall construction with panels inset to resemble pier and infill panel construction. Infill between piers shall be brick, stone, stucco, wood lattice, or vertical wood picket and shall be recessed so that piers protrude from the infill.

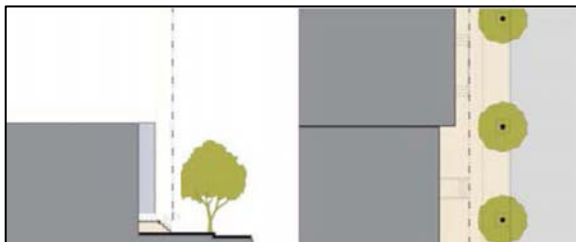


(d) Frontage Type: Terrace (permitted in T-4, T-5, and SD-WH only)

- 1) General Characteristics: The facade is set back from the front property line by an elevated patio.
- 2) The finished floor elevation of the first floor shall be a minimum of 20 inches and a maximum of 36 inches above average grade along the front property line.
- 3) A raised terrace is required as follows:
 - I. A terrace between 20 and 36 inches above sidewalk grade shall encroach into the front setback for 100% of the width of the facade at the primary frontage, except

where driveways are permitted in which case the terrace may occupy less than 100% of the frontage.

- II. The terrace shall be a minimum of 8 feet deep and may extend to the front property line. Terrace surfaces may be paved or landscaped.
- 4) Awnings are permitted as follows:
 - I. Awnings shall be fabric and may be fixed or movable.
 - II. Awnings shall extend from the facade a minimum of 6 feet and shall not extend beyond the terrace.
 - III. Awnings shall span a minimum of 80% of the frontage without gaps except between separate business and where an awning covers only the primary entrance.
 - IV. An awning may be installed over doors on secondary frontages provided that it projects no more than 6 feet from the building.
 - V. A minimum of 8 foot clearance shall be maintained above the terrace.
- 5) Fences and walls are allowed only when they are necessary as part of the terrace structure or to provide a safety railing. Walls shall be brick, stone or stucco. Rails shall be iron, steel or aluminum that appears to be iron.
- 6) In T-4, Walkways providing access to secondary entrances are limited to one per entrance no wider than 5 feet each.
- 7) In T-5 and SD-WH, frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.
- 8) Terrace frontages may include all elements of a shopfront frontage located at the level of the terrace.



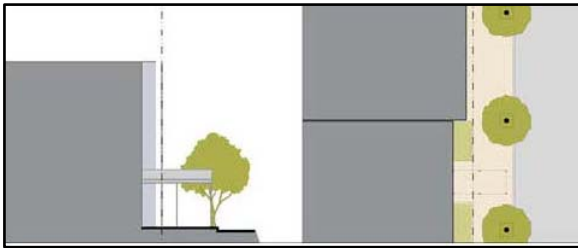
- (e) Frontage Type: Stoop (permitted in T.4, T5, T6, and SD-WH only)
 - 1) General Characteristics: the facade is aligned close to the front property line with the first story elevated from the sidewalk for privacy, and an exterior stair and landing at the building entrance.
 - 2) The finished floor elevation of the first floor shall be a minimum of 20 inches and a maximum of 36 inches above average grade along the front property line.
 - 3) A stoop is required as follows:
 - I. A masonry stoop between 20 and 36 inches above sidewalk grade may encroach into the front setback at the primary entrance. Additional stoops may be located at secondary entrances.
 - II. Stoops shall be between 4 and 6 feet deep.

III. Stoops may be recessed into the building facade as an alternative to encroaching into the setback.

IV. Stairs providing access to a porch or stoop may encroach up to the property line.

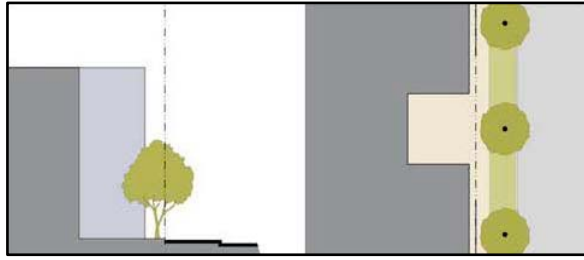
V. Stoops may be covered by a symmetrically pitched roof structure supported by columns or wall brackets.

- 4) An iron fence with or without masonry piers is permitted at the front property line in T-4.
- 5) In T-4, walkways providing access to the building entrances are limited to one per entrance no wider than 5 feet each.
- 6) In all other Sub-districts, frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.



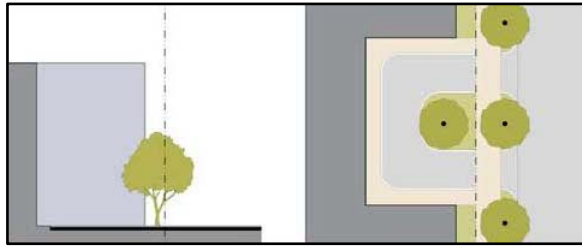
(f) Frontage Type: Common Entry (permitted in T4, T5, and SD-WH only)

- 1) General Characteristics: a single point of entry is provided for multiple units or uses in one building.
- 2) The finished floor elevation of the first floor shall be a no more than 30 inches above average grade along the facade.
- 3) Awnings are permitted as follows:
 - I. Awnings shall be fabric and may be fixed or movable.
 - II. Awnings shall extend from the facade a minimum of 6 feet into the front setback, public right-of-way or combination of both, and shall be set back from the curb a minimum of 2 feet.
 - III. Awnings may be installed over entrances, and shall be no wider than 8 feet.
 - IV. A minimum of 8 feet clearance to the bottom of the frame shall be maintained above the sidewalk.
- 4) Stairs providing access to entrances may encroach up to the property line.
- 5) An iron fence with or without masonry piers is allowed at the front property line only in T-4.
- 6) In T-4, walkways providing access to the building entrances are limited to one per entrance no wider than 5 feet each.
- 7) In all other Sub-districts, frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.
- 8) Common Entry frontages may include all elements of a shopfront frontage located at sidewalk level.



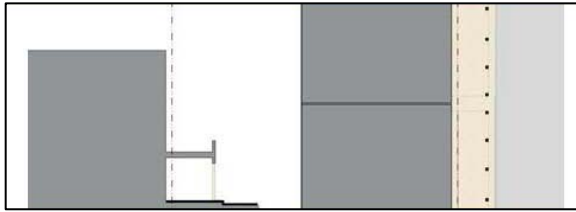
(g) Frontage Type: Pedestrian Forecourt (T5, T6, and SD-WH only)

- 1) General Characteristics: a portion of the facade is close to the front property line and remaining facade is set back from the front property line to create an entry courtyard.
- 2) The finished floor elevation of the first floor shall be no more than 18 inches above average grade along the facade, except at the entry, which shall be at grade.
- 3) An entry courtyard is required as follows:
 - I. The entry courtyard shall be located at the primary entrance.
 - II. The entry courtyard shall be no larger than 600 square feet.
 - III. The entry courtyard shall be bound by building facades on a minimum of 2 sides.
 - IV. The width of the entry courtyard counts toward frontage build out.
- 4) Awnings and canopies are permitted as follows:
 - I. Awnings shall be fabric and may be fixed or movable.
 - II. Canopies shall be fixed and constructed of metal or wood.
 - III. Awnings and canopies may be located at entrances, within the entry courtyard, or along the facade adjacent to the sidewalk. Where installed adjacent to the sidewalk, awnings and canopies shall span the facade up to 80% of its width without gaps, except that portion recessed from the sidewalk.
 - IV. Awnings and canopies shall extend from the facade a minimum of 6 feet into the entry courtyard, front setback, public right-of-way or a combination and shall not extend more than 12 feet, and shall be set back from the curb a minimum of 2 feet.
 - V. A minimum of 8 feet clearance to the bottom of the frame shall be maintained above the grade.
- 5) Pedestrian forecourt frontages may include all elements of a shopfront along front property lines and within the entry courtyard.
- 6) Pedestrian forecourt frontages may include all elements of a gallery frontage except within the entry courtyard.



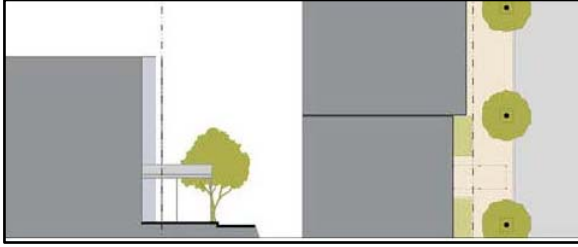
(h) Frontage Type: Vehicular Forecourt (permitted T6 and SD-WH only)

- 1) General Characteristics: a portion of the facade is close to the front property line and remaining facade is set back from the front property line to create an entry courtyard for vehicular access.
- 2) Courtyards shall recess no more than 50% of the building facade.
- 3) The finished floor elevation of the first floor shall be no more than 18 inches above average grade along the facade, except at the entry, which shall be at grade.
 - I. An entry courtyard is required as follows:
 - II. The entry courtyard shall be located at the primary entrance.
 - III. The entry courtyard shall be no larger than 1600 square feet and shall be no wider than 50% of the width of the frontage.
 - IV. The entry courtyard shall be bound by building facades on a minimum of 2 sides.
- 4) The width of the entry courtyard counts toward frontage build out. Awnings and canopies are permitted as follows:
 - I. Awnings shall be fabric and may be fixed or movable.
 - II. Canopies shall be fixed and constructed of metal or wood.
 - III. Awnings and canopies may be located at entrances, within the entry courtyard, or along the facade adjacent to the sidewalk. Where installed adjacent to the sidewalk, awnings and canopies shall span the facade up to 80% of its width without gaps, except that portion recessed from the sidewalk.
 - IV. Awnings and canopies shall extend from the facade a minimum of 6 feet into the entry courtyard, front setback, public right-of-way or a combination and shall not extend more than 12 feet except where installed as a porte-cochere in which case the maximum depth is 30 feet, and shall be set back from the curb a minimum of 2 feet.
 - V. A minimum of 8 feet clearance to the bottom of the frame shall be maintained above the grade.
- 5) Frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.



(i) Frontage Type: Gallery (permitted in T-5 and T-6 only)

- 1) General Characteristics: the facade is aligned close to the front property line with an attached lightweight colonnade overlapping the sidewalk.
- 2) The finished floor elevation of the first floor shall be no more than 18 inches above average grade along the facade, except at the entry, which shall be at grade.
- 3) A gallery is required as follows:
 - I. Galleries may encroach into the public right-of-way to within 2 feet of the curb provided that a minimum 5 feet of continuous, clear, paved pedestrian path be maintained along the public sidewalk. A right-of-way permit is required for galleries.
 - II. Galleries shall be a minimum of 7 feet in depth and 12 feet in height.
 - III. Galleries shall span a minimum of 80% of the facade without gaps.
- 4) Galleries shall be supported by columns, configured as follows:
 - I. Columns shall be centered on the spandrel beam.
 - II. Columns shall be round metal and have a diameter of 4 inches min. to 6 inches max.
 - III. Columns shall have a base, shaft and capital.
 - IV. Columns shall be located a minimum of 7 feet from the facade.
- 5) Gallery decks shall be configured as follows:
 - I. Gallery decks shall be no more than 9 inches thick, including all structure and surface.
 - II. Gallery deck structure shall be exposed.
 - III. Gallery decks shall be located above the top of transom windows.
 - IV. Second story railings shall be painted metal.
 - V. Second story columns and railing posts shall align with columns below.
- 6) Where galleries interrupt street lighting, a minimum of 1/2 foot candle lighting shall be provided within the gallery.
- 7) Frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.
- 8) Gallery frontages may include all elements of a shopfront frontage.



(j) Frontage Type: Shopfront (permitted in T4, T5, T6, and SD-WH only)

- 1) General Characteristics: the building facade at the ground floor is substantially glazed to provide visibility into interior spaces. Shopfronts may include display cases that project forward and recessed entries. Shopfront frontages may be used alone as a frontage type or in combination with other frontage types.
- 2) The finished floor elevation of the first floor shall be no more than 18 inches above average grade along the facade, except at the entry, which shall be at grade.
- 3) Shopfronts are subject to the following design requirements:
 - I. Shopfronts shall be designed with a bulkhead, display window and transom as generally described in Illustration 4.
 - II. Bulkheads shall be 18 to 30 inches in height.
 - III. Transom windows shall have dividing muntins and be free of signage.
 - IV. Band signs shall be installed above transom windows.
 - V. Base height of a Shopfront shall be a minimum of 16 feet, measured from grade to top of base cornice.
- 4) Shopfronts are subject to the following glazing and coverage requirements:
 - I. Shopfronts shall provide ground floor glazing (display windows) for visibility into interior spaces for no less than 50% of the shopfront area, calculated separately for each frontage. The shopfront area width is defined by the width of the frontage and height is defined by the area between the sidewalk grade and the bottom of the second floor or roof structure.
 - II. Where shopfronts occur along primary frontages, they shall cover no less than 80% of its length.
 - III. Where shopfronts occur along secondary frontages, they shall cover no less than 30% of its length.
 - IV. Shopfront bay windows and display windows may encroach into the front setback up to 100% of its depth.
 - V. Entries may be recessed from the facade up to 8 feet in depth.
- 5) Ground floor movable commercial uses may utilize the public sidewalk for seating, serving, displays of merchandise and other business related activities as long as a 5 foot minimum clear sidewalk passage is maintained.
- 6) Shopfront frontages not combined with other frontages may include awnings and canopies as follows:
 - I. Awnings shall be fabric and may be fixed or movable.

- II. Canopies shall be fixed and constructed of metal or wood.
- III. Awnings and canopies shall extend from the facade a minimum of 6 feet into the front setback and public right-of-way and shall not extend more than 12 feet, and shall be set back from the curb a minimum of 2 feet.
- IV. A minimum of 8 feet clearance shall be maintained above grade.
- 7) Frontages may be paved up to 100% of their area. Paving shall consist of unit masonry or concrete.

Illustration 4: Shopfront Elevation Elements



Cornice: Trim required at the eave or top of parapet. May include one or more habitable floors for buildings over 6 stories.
 Shaft: Determined by the building height.
 Base: A minimum of 16 feet in height as measured from the average sidewalk grade at the building frontage. For buildings over 6 stories, the base should extend to the vertical extent of the second story.

BUILDING SPECIFICATION: SIGNAGE STANDARDS

(a) General Requirements

- 1) Signage may be permitted according to Table 5, specifying the type, location and size of signs and copy. Signage is limited to one of each permitted sign type for each separate business except that building signs, corner signs and marquees are limited to one per building and painted wall signs are limited to one per secondary frontage and wall internal to a property but visible from sidewalks.
- 2) One address number, no larger than one square foot, shall be attached to the building in proximity to the primary entrance.
- 3) Signage shall be constructed of painted wood, metal, or metal composite material.
- 4) Signage projecting forward from building walls exceeding 1 foot in depth shall maintain a minimum 8 foot clearance above adjacent grade.
- 5) All signage permitted in this section except for corner and yard signs may encroach into the right-of-way.

(b) Upper Story Signs in T-6

- 1) A maximum of 2 Upper Story Signs a minimum of 200 feet above grade may be installed on 2 separate facades on buildings more than 20 stories high.
- 2) Upper Story Signs are limited to the following:
 - I. the identification of the building or the name of 1 tenant of the building;
 - II. a maximum of 80% of the width of the building wall upon which it is placed;
 - III. a maximum of 1 horizontal or vertical line of letters or symbols;
 - IV. a maximum font size of 8 feet in any dimension;
 - V. a maximum logo or emblem size of 10 feet in any dimension.

(c) Residential Uses, Home Offices and Live-works in T-3 and T-4

- 1) Signage shall not be illuminated.
- 2) Home business signage may be permitted in accordance with Illustration 6, specifying the type, location and size of signs and copy. Signage is limited to one of each permitted sign type per property.

(d) Other Uses

- 1) Signage, if illuminated, shall be illuminated externally except that non-animated neon and LED window signs may be permitted.
- 2) Painted murals may be permitted along secondary frontages and walls internal to a property. Painted murals may include copy related to the building or business use of the building, subject to the requirements of painted wall signs.

(e) Sandwich Board Signage

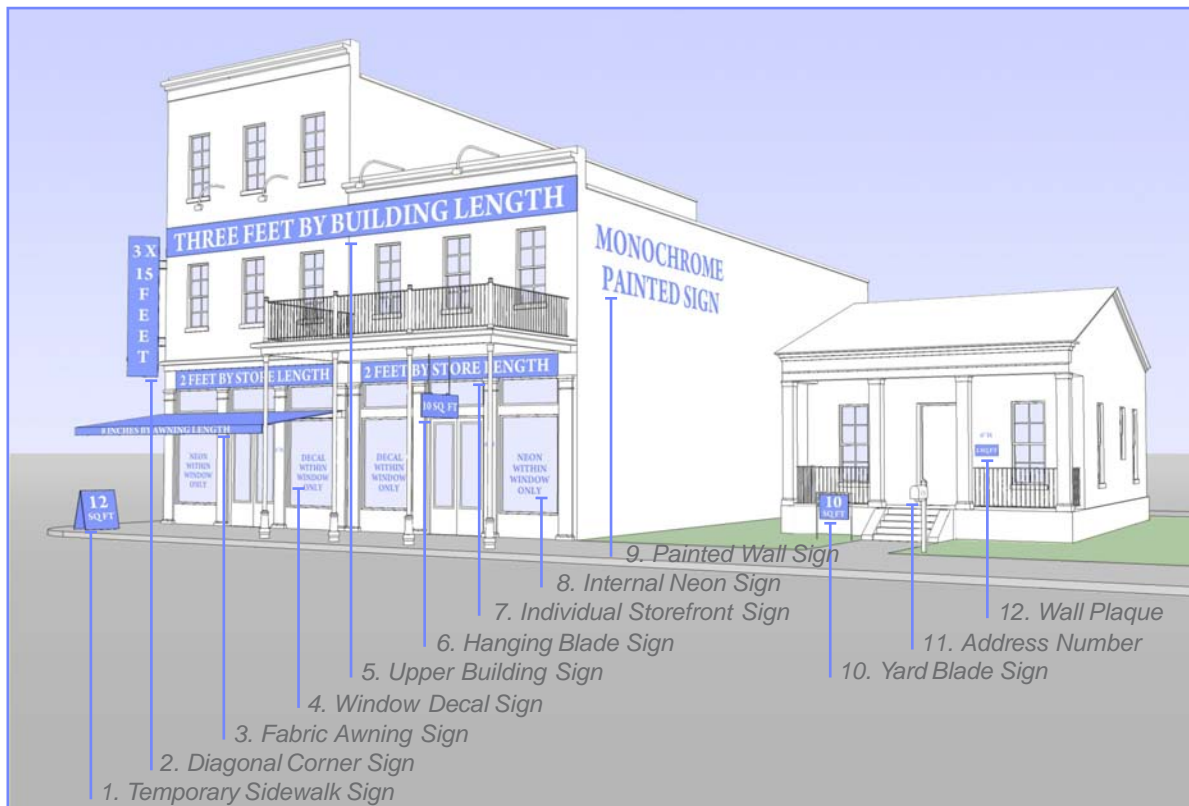
Sandwich Board Signage must be permitted according to 64-11.

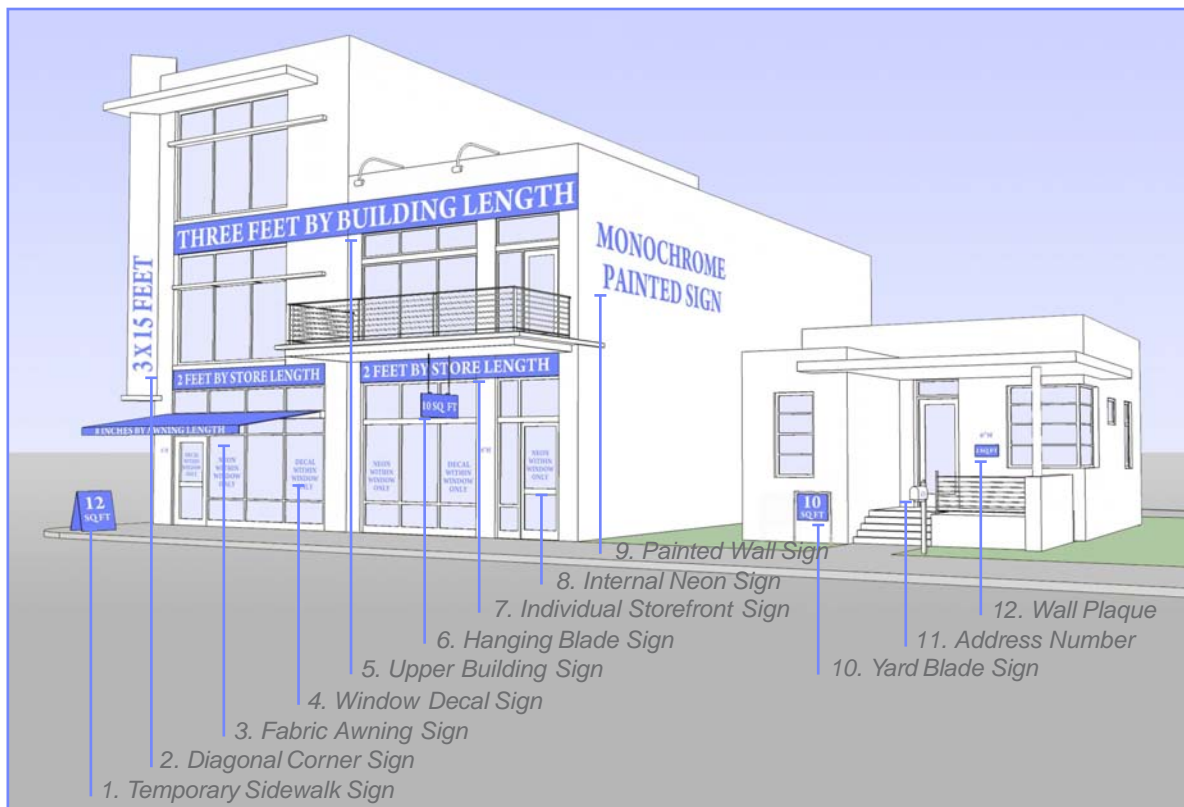
TABLE 5: SIGNAGE STANDARDS

Sign	Restrictions			
	Number	Area	Copy	Sub-districts
1. Sandwich Board	1 per business, shall be removed outside of business hours	Maximum 2 ft. wide and 3 ft. tall	No restrictions	T-4, T-5, T-6, SD-WH
2. Diagonal Corner	1 per building at corners only, attached at a 45-degree angle	Maximum 3 ft. wide and 15 ft. tall	No restrictions	T-5, T-6, SD-WH
3. Fabric Awning	1 per awning	Maximum 8 inches tall by awning length	No restrictions	T-4, T-5, T-6, SD-WH
4. Window Decal	1 per window (not including temporary signage within window)	Maximum 30% of window area	Applied decal within window	T-4, T-5, T-6, SD-WH
5. Upper Building	1 per building located within the frieze	Maximum 3 feet tall by building length	No restrictions	T-4, T-5, T-6, SD-WH
6. Hanging Blade	1 per business	Maximum 10 sq. ft. each face	No restrictions	T-4, T-5, T-6, SD-WH
7. Individual Storefront	1 per business	Maximum 2 ft. tall by store length	No restrictions	T-4, T-5, T-6, SD-WH
8. Internal Neon	1 per window (not including temporary signage within window)	Maximum 30% of window area	Neon or LED within window	T-4, T-5, T-6, SD-WH
9. Painted Wall	See signage requirement in the text of this Section	No restrictions	No restrictions	T-4, T-5, T-6, SD-WH
10. Yard Blade	1 per lot with home business or in non-residential use	Maximum 5 sq. ft.	No restrictions	T-3, T-4
11. Address Number	See signage requirements in the text	Maximum 1 sq. ft.	6 ft. high on wall, 4 ft. high	T-3, T-4, T-5, T-6, SD-WH

	of this Section		on mailbox	
12. Wall Plaque	1 per business	Maximum 2 sq. ft.	No restrictions	T-3, T-4

Illustration 6: Signage Placement





The illustration above demonstrates the regulations of this code as they apply to typical structures in T5

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Definitions

Section 64-3.I.17 provides definitions for terms in this Section that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Section, then the Planning Section shall determine the correct definition.

A-Streets: those thoroughfares that by virtue of their pre-existing pedestrian-supportive qualities, or their future importance to pedestrian connectivity, are held to the highest standards prescribed by this Code. See B-Street and C-Street.

Accessory Dwelling Unit: an apartment not greater than 600 square feet sharing ownership with a principal building; it may or may not be within an outbuilding.

Automotive: a building use category pertaining to the sale, servicing or parking of trucks and automobiles.

Arcade: a private frontage principally for retail use wherein the facade is an arched colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at the frontage line.

Architectural Review Board or ARB: the Architectural Review Board established by Chapter 44 of the Mobile City Code.

Attic: the interior part of a building contained within a pitched roof structure.

Awning: a fixed or movable fabric shading structure, cantilevered or otherwise entirely supported from a building, used to protect outdoor spaces from sun, rain, and other natural conditions. Awnings are typically used to cover outdoor seating for restaurants and cafes.

B-Streets: those thoroughfares that by virtue of their use, location, or absence of pre-existing pedestrian-supportive qualities, may meet a standard lower than that of A-Streets. See A-Street and C-Street.

Balconies: a platform projecting from an upper-story door that is enclosed with a balustrade and not supported by columns.

Bar: a retail, theater, or entertainment establishment with an occupancy load of more than 100 persons that serves alcohol.

Blade Sign: a sign made from rigid material mounted perpendicular to a building wall with one side attached or supported by a device extending from a building wall. See Illustration 6.

Building Height: the vertical extent of a building measured in stories.

Building Placement: the placement of a building on its property.

By Right: characterizing a proposal or component of a proposal that complies with this Code and is permitted and processed administratively, without public hearing.

C-Streets: those thoroughfares that by virtue of their use, location, orientation towards the automobile, and absence of pre-existing pedestrian-supportive qualities, may meet a standard lower than that of B-Streets and A-Streets. See A-Street and B-Street.

Cafe: a restaurant, bar, theater, or entertainment venue with less than 100 person occupancy load.

Canopy: a fixed metal or wood shading structure, cantilevered or otherwise entirely supported from a building, used for decoration or to protect outdoor spaces from sun, rain, and other natural conditions.

Chapter: refers to Chapter 64 of the city code.

Civic Parking Reserve: a parking structure or parking lot with no less than 20% of total parking spaces available to the general public for parking. Parking may be free of charge or a fee may be charged for parking.

Civil Support: private and non-profit functions that provide essential supports to the municipality.

Commercial: the term collectively defining workplace, office, retail, and restaurant uses.

Configuration: the form of a building, based on its massing, private frontage, and height.

Corner Property: a property abutting two (2) or more thoroughfares at their intersection, or two (2) parts of the same thoroughfare forming an interior angle of less than one hundred thirty-five (135) degrees.

Driveway: a vehicular lane within a property, often leading to a garage.

Education: the function generally associated with school buildings. Educational uses include: business colleges, technical schools, vocational or trade schools, colleges, universities; elementary, middle, and high schools; and kindergarten and children's daycare.

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a setback, into the public frontage, or above a height limit.

Encroachment: any structural element that encroaches.

Facade: the exterior wall of a building that is set along a frontage line.

Fence: a permeable metal or wooden wall, independent of a building.

Forecourt: a private frontage wherein a portion of the facade is close to the frontage line and remaining facade is set back from the frontage line.

Front Setback: the distance from the frontage line to the point where a building may be constructed. This area shall be maintained clear of permanent structures with the exception of permitted encroachments. Front setbacks are required on both primary and secondary frontages. See Primary Frontage and Secondary Frontage.

Frontage: both the public and private area extending from the building façade to the edge of the street pavement. Frontage is divided into private frontage and public frontage.

Frontage Buildout: the percentage of the property width that is occupied by the building facade within the front setback.

Frontage Line: a property line bordering a public frontage or thoroughfare.

Gallery: a frontage type wherein the facade is aligned close to the frontage line with an attached cantilevered balcony or lightweight colonnade overlapping the sidewalk.

Home Office: non-retail commercial enterprises permitted under the office category, incidental to the primary residential building use.

Industrial: the use associated with a business or activity involving manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, and other business serving primarily industrial needs.

Liner Building- a thin building along the frontage of a parking deck or parking lot that masks the parking behind it

Loading Dock: An area in which goods and products are moved on and off a vehicle, including the stall or berth, apron, and maneuvering room.

Lodging: a building use available for daily and weekly renting of bedrooms. Lodging uses include hotels, rooming houses, inns and bed & breakfast inns.

Manufacturing: the use associated with a business or activity involving the creation, assemblage or repair of artifacts, using table-mounted electrical machinery or artisanal equipment, and including their retail sale.

Mixed Use: multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency.

Mobile Historic Development Commission or MHDC: the City Historic Development Commission established by Chapter 44 of the Mobile City Code.

Municipal District: a designation for sites dedicated for public buildings, squares, or greens.

Mural: any piece of artwork painted, tiled or otherwise applied directly on an exterior wall.

Net Property Area: the area of a property within the property lines, excluding any portions of street rights-of-way or other required dedications.

Office: the use associated with a business or activity involving the transaction of general business but excluding retail and manufacturing uses.

Outbuilding - any detached building that is smaller than and separate from the main building of the lot.

Parking Lot: an area, other than a public street or alley, devoted to unenclosed parking spaces for motorized vehicles.

Parking Structure: a building containing one or more stories of vehicular parking above or below grade.

Porch: An open air room appended to a building, with floor and roof but no walls on the sides facing frontages.

Portable Retail: food and merchandize carts and vehicles that are mobile and can operate in a location for a few hours to a day at a time.

Principal Building: the main building on a property, usually located toward the frontage.

Principal Entrance: the main point of access for pedestrians into a building.

Primary Frontage: the private frontage designated to bear the address, principal entrance of the building, and the measure of minimum property width. See frontage.

Private Frontage: the privately held layer between the frontage line and the required setback.

Property: a legal lot of record or parcel of land accommodating a building or buildings under single ownership.

Property Coverage: the percentage of a property that is covered by buildings and other roofed structures.

Property Line: the boundary that legally and geometrically demarcates a property.

Property Width: the length of the principal frontage line of a property.

Public Frontage: the area between the pavement of a thoroughfare and frontage lines.

Rear Setback: the distance from the rear property line to the point where a building may be constructed. This area shall be maintained clear of permanent structures.

Regulating Plan: a zoning map or set of maps that show the zoning districts, transect sub-districts, municipal districts, special districts, special requirements, noise districts, and frontage assignments of areas subject to, or potentially subject to, regulation by this Section.

Required Parking: the number of parking spaces needed to accommodate a building or buildings on a single property according to the intensity of its function.

Residential: characterizing premises available for long-term human dwelling. Includes Accessory Dwelling Units, Multiple-family Dwellings, Single Family Dwellings, Live-Work Units, and Supportive Housing.

Retail: premises available for the sale of merchandise, food service, entertainment, performance, and/or theater.

Restaurant: A retail establishment with greater than 100 person occupancy load that serves food.

Secondary Frontage: a private frontage that is not the principal frontage.

Setback: the area of a property measured from the property line to a building facade or elevation that is maintained clear of permanent structures, with the exception of encroachments.

Service Area: the portion of a property or building dedicated to service in the form of shipping and receiving, trash and recycling collection and storage, housing of mechanical equipment and outdoor storage areas.

Shopfront: a private frontage for retail and office uses with substantial glazing wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade.

Sidewalk: the paved section of the public or private frontage dedicated exclusively to pedestrian activity.

Special District (SD): an area that, by its intrinsic function, placement, or configuration, cannot or should not conform to one or more of the normative transect sub-districts specified by this Section.

Stoop: a private frontage wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the building entrance.

Story: a habitable level within a building by which height is measured, excluding an attic or raised basement.

Streetscreen: a freestanding wall or planting built or located along the frontage line, or on the same plane with a facade.

Terrace: A frontage wherein the facade is set back from the frontage line by an elevated patio.

Thoroughfare: a way for use by vehicular and pedestrian traffic and to provide access to properties and open spaces, consisting of vehicular lanes and the public frontage.

Transect sub-district: a zoning sub-district used within the DDD Standards to regulate the character of the built environment.

Section Two: All ordinances and laws of the City of Mobile, or parts thereof, that are in conflict with the provisions of this Ordinance, are hereby repealed, with the exception that the respective jurisdictions of the Architectural Review Board and the Mobile Historic Development Commission are hereby preserved over all properties within the Downtown Development District (“DDD”) that are located within a historic district. All properties within the DDD that are located within a historic district must, in addition to complying with the development standards of this Ordinance, also comply with the applicable requirements of the Architectural Review Board.

Section Three: The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

Section Four: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Adopted: May 13, 2014

Mary Ann Merchant, Assistant City Clerk