

Agenda
Homewood Planning Commission
Tuesday, May 4, 2021, 6:00 P.M. *
CITY COUNCIL CHAMBERS
2850 19th Street South
Homewood, AL 35209

Note: This meeting is being held as a joint in-person/on-line meeting. If you prefer not to attend the meeting at Homewood City Hall, you may join on-line utilizing the following Zoom instructions:

How to Join:

1st Option: Join on-line through your computer or app with this link: <https://zoom.us/j/83850487920>. If you click this link from a device/phone, this link will NOT work until you have downloaded the Zoom app.

2nd Option: Join through the app if you already have the Zoom app downloaded Meeting #:838 5048 7920

3rd Option: Dial in by phone: 253-215-8782

For those items that allow public comment: If joining on-line, you will be told when to enter your name and address into the chat box if you want to speak about that item. You can speak once your name is called.

Comments, in support or opposition to cases on the agenda, may be submitted through the City of Homewood website @www.cityofhomewood.com/boards-committees. Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

Board Members

Stuart Roberts, Chairman

Brady Wilson, Vice Chairman

Jennifer Andress

Winslow Armstead

Brandon Broadhead

Patrick Harwell

John Krontiras

Gianl Respinto

Paige Willcutt

ORDER OF BUSINESS

- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes - April 6, 2021 Meeting**
- IV. Communications/Reports from Chairman & Vice Chairman**
- V. Old Business - None**

The Agenda of the Planning Commission is subject to change prior to the scheduled meeting. The Board Chair reserves the right to vary the order of the meeting, if warranted. Questions regarding the agenda and meeting may be directed to the BEZ Department at (205) 332-6800.

VI. New Business

1. **Case # RS 21-05-01, 211 & 301 Sterrett Avenue; Parcel ID's: 29-00-14-4-011-010.000 & 29-00-14-4-011-011.000 Applicant: Tiffany Adams; Property Owners: Tiffany Adams & Herbert Griffin** Request for approval of a Resurvey to move a lot line between two residential lots, resulting in the allotment of additional footage from one lot (Parcel 10) to the other (Parcel 11).
2. **Case # RS 21-05-02, 275 Lakeshore Parkway, Parcel ID: 29-00-26-2-000-001.008 Applicant: Joe Schneider, SDP Acquisitions, LLC; Property Owners: Wildwood Center, LP, Parkway Fox, LLC and Mont Belvieu Properties, LLC** Request for approval of a Resurvey to subdivide Lot 1F, Wildwood Centre South Survey, into two lots (Lot 1F-A) and (Lot 1F-B) to facilitate new retail development.
3. **Case # RS 21-05-03, 185 & 195 Oxmoor Road; Parcel ID's: 29-00-23-2-003-002.000 & 29-00-23-2-003-004.000 Applicant: Joseph Hethcox, Property Owners: Saverio Properties, LLC & SHA, LLC** Request for approval of a Resurvey to move a lot line between two commercial properties, resulting in the allotment of additional footage from one property, Parcel 2 (Lot 1 according to James T. Johnson Subdivision, 101/43) to the other, Parcel 4 (Lot 1 according to Oxmoor Land Subdivision, 94/96) to facilitate new commercial construction.

VII. Request to review and reconsider the adoption of new zoning districts for the Homewood "Downtown District"; said action being taken as part of an amendment to the City's Zoning Ordinance to add Article VIII entitled "Downtown District" to Appendix A entitled "Zoning" of the Code of Ordinances of the City of Homewood, Alabama; and to amend the zoning map of the City of Homewood to rezone the parcels of property identified in Sec. C from their current zoning districts to three new zoning districts: (LI) Downtown Low Intensity District, (MI) Downtown Medium Intensity District, and (HI) Downtown High Intensity District as illustrated in Figure 1. Downtown Homewood Zoning Map (TABLED from February 4, 2020 Meeting)

VIII. Discussion of Updates to the Planning Commission's By-Laws and Rules of Procedures

IX. Adjournment

***NOTE:** Prior to the scheduled public hearing, a brief work session will be held for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

The Agenda of the Planning Commission is subject to change prior to the scheduled meeting. The Board Chair reserves the right to vary the order of the meeting, if warranted. Questions regarding the agenda and meeting may be directed to the BEZ Department at (205) 332-6800.

**CITY OF HOMEWOOD
PLANNING COMMISSION
Minutes of the April 6, 2021 Regular Meeting**

I. Call to Order

The Homewood Planning Commission met in regular session through a joint in-person / on-line Zoom meeting on Tuesday, April 6, 2021, in the Homewood City Council Chambers, located at 2850 19th Street South Homewood, Alabama 35209. Stuart Roberts, acting as Chairman Pro Tem, called the meeting to order at 6:09 p.m.

II. Roll Call

The following members were present:

Stuart Roberts
John Krontiras
Brady Wilson
Battalion Chief Brandon Broadhead
Jennifer Andress
Winslow Armstead
Glan Respinto
Patrick Harwell
Paige Willcutt

Staff Present:

Vicki Smith, Zoning Supervisor; Fred Goodwin, Sr. Planning Technician; Angie Montgomery, Planning Technician

III. Recommendation of the Nominating Committee and Election of Officers

As the first item of business, Chairman Roberts asked Mr. Wilson, Chairman of the appointed Nominating Committee, to report on the recommendations of the Committee to fill the currently vacant positions of Chairman and Vice-Chairman. Mr. Wilson informed the Commission that it was the recommendation of the Committee that Mr. Roberts serve as Chairman and that Mr. Wilson serve as Vice Chairman until the Commission's annual elections of officers takes place in September. Following a limited amount of discussion, a motion was made by Mr. Wilson, and seconded by Ms. Andress, that the Commission accept the recommendations of the Nominating Committee. The motion was unanimously approved. Following this action, and in the absence of any other nominations from the floor, the Commission formally approved the election of the nominees by acclamation.

IV. Approval of Minutes

Upon a motion by Mr. Harwell, seconded by Mr. Wilson, the minutes from the March 2, 2021 meeting were unanimously approved as submitted.

V. Communications / Reports from the Chair and Vice-Chair

None

VI. Old Business

None

VII. New Business

Prior to consideration of the two items, Chairman Roberts noted that the two cases were related, involving a request to approve a resurvey of the subject property to subdivide it into two separate lots and a companion request to approve a rezoning of the northern portion of the property to facilitate new retail development. As such, he announced that the two cases would be presented and discussed together, but would be voted on separately.

1. **Case # RS 21-04-01, 260 Oxmoor Road; Parcel ID: 29-00-14-3-004-008.000 Applicant: Chelsey Payne & Massey, Stotser & Nichols, PC, Property Owners: ADMA, Inc.** Request for approval of a Resurvey subdividing 1 Parcel (1 Lot) into 2 Parcels (2 Lots) to facilitate new commercial construction.
2. **Case #RZ 21-04-02, 260 Oxmoor Road; Parcel ID: 29-00-14-3-004-008.000 Applicant: Chelsey Payne & Massey, Stotser & Nichols, PC, Property Owners: ADMA, Inc.** A request to Re-zone the northern portion of the subject property from GURD (Greensprings Urban Renewal District) to a C-5 (General Business District) zoning classification to permit the proposed construction of a 91,400 sq. ft. three-story storage facility.

Following these introductory comments, Chelsey Payne (1780 Gadsden Highway) with Massey, Stotser & Nichols, PC, representing the owner, ADMA, Inc., addressed the Commission. Mr. Payne provided an overview of the project which involved a subdivision of the subject property, comprising approximately 3.6 acres, into two separate lots, and a requested rezoning of one of the newly created lots to a zoning classification that would allow the owners to construct a 91,400 sq. ft., three-story storage facility. In his presentation, Mr. Payne noted that the property was currently occupied by a former hotel that had been vacant for a number of years and that the planned storage facility would help to improve the overall image and economic vitality of the surrounding area. As proposed, the new facility would be climate controlled and have limited business hours, with exterior lighting and cameras installed to provide security for the building's clients. Mr. Payne explained that the presence and competition from other hotels in the surrounding area and the current economic climate argued against trying to construct another hotel on the site, and that Homewood did not currently have a first class storage facility of the type being proposed for development.

In his presentation, Mr. Payne noted that the owners also have future plans to develop the other newly created lot that would be located on the south side of the subject property for some sort of retail use, although specific details of the type of restaurant or other retail uses has not yet been finalized. He concluded his comments noting that the owners shared the opinion and hope of nearby residents and property owners that the planned redevelopment will have a positive visual and economic impact on the area and encourage even further redevelopment.

Upon the completion of Mr. Payne's remarks, the public hearing was opened. A number of citizens expressed their support for the proposed project, including: Michael Eady (133 Gillon Drive), Steven Norris (201 Vulcan Road), Matt Rich (239 Fairlane Drive), Eric Gibson (301 Highland Park Road), and Lauren Adair (252 Allen Avenue). In general, these citizens expressed the opinion that the proposed project would have a positive impact on the West Homewood area while removing the negative image created by the vacant hotel; that the proposed project would serve to spark new development. Harold Shader with Shader Realty, Inc. (2911 Crescent Avenue) countered that the planned facility was inappropriate for the area and was not the image that Homewood needed on the strategically located subject property which serves as a gateway to West Homewood. Following these comments, the public hearing was closed.

In response to a series of questions from Mr. Wilson regarding the proposed storage facility and its planned operation, Mike Patel, owner of the subject property, explained that access to the facility would be controlled, with all unloading of trucks taking place to the rear of the property and generally out of view from the public. He emphasized that there would be no outside storage allowed and that exterior cameras and lighting would be installed on the building for enhanced security. It was noted that Mr. Patel would retain ownership of both the storage facility and the planned retail buildings, although the retail portion would likely be leased. In discussing the planned development of the retail / restaurant portion of the property, Mr. Patel explained that it was his desire to construct a quality sports bar and retail uses that would unlock the potential of the area and engage the surrounding citizens. In response to an inquiry from Ms. Andress regarding the completed storage facility, Mr. Patel emphasized that the finished building would be substantially consistent and in accord with the image of the facility shown in the submitted renderings. Lastly, Ms. Andress took the opportunity to correct an earlier statement made during the public hearing portion of the meeting to point out that the requested rezoning of a portion of the subject property to a C-5 zoning classification was not "spot zoning" based on the surrounding zoning of other adjacent and nearby properties.

In the absence of any further discussion, Mr. Wilson made a motion to approve PC Case # RS 21-04-01 as presented. The motion was seconded by Ms. Andress. Upon a roll call, the vote was as follows:

YES – Mr. Broadhead, Mr. Krontiras, Ms. Andress, Mr. Wilson, Mr. Armstead, Mr. Respinto, Mr. Harwell, Ms. Willcutt, and Mr. Roberts

NO - None

VOTE: 9 (yes) 0 (no)

APPROVED

Next, Chairman Roberts call for a motion on the requested rezoning of the subject property. In response, Mr. Wilson made a motion to approve PC Case # RZ 21-04-02 as presented with the understanding and commitment of the owner that the proposed storage facility would be built in substantial accord with the submitted renderings, and would include the provision and installation of security cameras. The motion was seconded by Mr. Respinto. Upon a roll call, the vote was as follows:

YES – Mr. Broadhead, Mr. Krontiras, Ms. Address, Mr. Wilson, Mr. Armstead, Mr. Respinto, Mr. Harwell, Ms. Willcutt, and Mr. Roberts

NO - None

VOTE: 9 (yes) 0 (no)

APPROVED

3. **Case # RS 21-04-03, 316 & 320 Sterrett Avenue; Parcel ID's: 29-00-14-4-002-032.021 & 29-00-14-4-006-011.000 Applicant: Ronald Vant Erve, Property Owners: Ronald Vant Erve & Charles A. Williams**
Request for approval of a Resurvey to adjust the property line between two adjacent lots resulting in the allotment of additional footage to each of the two lots in order to accommodate existing site Improvements
4. **Case # RZ 21-04-04, 316 & 320 Sterrett Avenue; Parcel ID's: 29-00-14-4-002-032.021 & 29-00-14-4-006-011.000 Applicant: Ronald Vant Erve, Property Owners: Ronald Vant Erve & Charles A. Williams** A request to rezone two strips of land resulting from a land swap between two adjacent lots to the respective zoning classifications of each individual lot: i.e. from NPD (Neighborhood Preservation District) to PR-1 (Planned Residential District), and from PR-1 (Planned Residential District) to NPD (Neighborhood Preservation District).

Prior to consideration of the next two items, Chairman Roberts noted that the two cases, like the preceding cases, were related and involved the same property, and that they would be discussed together but voted on separately.

Following these comments, the applicant, Ronald Vant Erve (316 Sterrett Avenue), owner of one of the two subject properties, and representing Charles A. Williams (320 Sterrett Avenue) the other owner of the subject property, addressed the Commission. Mr. Vant Erve explained that the requested resurvey was necessitated by his desire, and that of his adjacent neighbor, to adjust the property line between their two lots by swapping two small strips of land from their respective lots to accommodate existing site improvements. It was noted that, because each of the residential lots was zoned differently, approval of the resurvey would also necessitate the rezoning of the two strips of land to their proper zoning classification.

Upon the completion of Mr. Vant Erve's introductory comments, Chairman Roberts opened the public hearing for comments from citizens or other interested parties. A number of citizens expressed opposition to the proposed resurvey and rezoning of the affected portions of the subject properties including: Robin Beasley (401 Berry Avenue), Jim Dodds (429 Berry Avenue), Clyde Walker (433 Berry Avenue), and Emily Libby (428 Berry Avenue). In general, these citizens expressed their concern that the proposals would enable vehicular access from the subject properties that would result in increased traffic on Berry Avenue, posing a safety hazard for children living along the roadway. Additionally, concern was expressed that the proposals might allow children to gain access to a

swimming pool on one of the subject properties, resulting in a potential drowning accident. Lastly, the residents expressed concern that the proposed access would result in increased garbage and trash being placed on Berry Avenue, reducing the quality of life for residents living along the street. Following these comments, Charles Williams (320 Sterrett Avenue), owner of one of the subject properties, addressed the Commission. Mr. Williams expressed his concern that the residents who had spoken had misunderstood the intent of the proposed property adjustments which did not include provisions for vehicular access to Berry Avenue. In the absence of any further citizen comments, the public hearing was closed.

In the discussion which followed, Mr. Vant Erve reiterated Mr. Williams comments that the proposed land swap did not include an intent to establish vehicular access from their properties to Berry Avenue, rather the agreement between them was to continue to allow Mr. Williams to access Berry Avenue via a small 3 ft. wide gate at the rear of his property to place leaves or brush for pick-up by the City. In response to questions as to why the proposed land swap required a rezoning, Vicki Smith, Zoning Supervisor, explained to citizens in the audience that the two residential lots had different zoning classifications; that if the strips of land were transferred as proposed, it would result in each lot having two different zoning classifications which is not permitted.

A considerable amount of discussion ensued among Commissioners and the applicant centered on the potential development of access from the subject properties to Berry Avenue. Following assurances from the applicant with regard to this issue, the Planning Commission took action on the requested cases.

In response to a request for a motion from Chairman Roberts, Mr. Wilson made a motion to approve PC Case # RS 21-04-03 as presented. The motion was seconded by Mr. Armstead. Upon a roll call, the vote was as follows:

YES – Mr. Broadhead, Mr. Krontiras, Ms. Andress, Mr. Wilson, Mr. Armstead, Mr. Respinto, Mr. Harwell, Ms. Willcutt, and Mr. Roberts

NO - None

VOTE: 9 (yes) 0 (no)

APPROVED

Next, Chairman Roberts called for a motion on the requested rezoning of the designated portions of the subject properties. In response, Mr. Wilson made a motion to approve PC Case # RZ 21-04-04 subject to the understanding and commitment of the applicant that no new access will be developed from the subject properties to Berry Avenue. The motion was seconded by Mr. Harwell. Upon a roll call, the vote was as follows:

YES – Mr. Broadhead, Mr. Krontiras, Ms. Andress, Mr. Wilson, Mr. Armstead, Mr. Respinto, Mr. Harwell, Ms. Willcutt, and Mr. Roberts

NO - None

VOTE: 9 (yes) 0 (no)

APPROVED

Following this action, attendees were advised that the favorable recommendation by the Planning Commission would be forwarded to the City Council for a future public hearing of which they would be notified for further input.

VIII. Presentations / Communications to the Board

Next, Chairman Roberts took the opportunity to address the Planning Commission regarding the status of the proposed "Downtown District" amendment to the City's Zoning Ordinance. Chairman Roberts reminded members that the proposed amendment, which reflected the input of citizens and property owners following numerous workshops and meetings over a period of months, had been presented to the Planning Commission for its review and recommendation to the City Council at the Commission's February 4, 2020 meeting. He noted that, following a lengthy discussion of the amendment, the Commission decided to table the item for further discussion and consideration.

In the absence of any action over the intervening 14 month period, Chairman Roberts expressed his opinion that the Planning Commission had a legal and statutory obligation and requirement under State law to make a report to the City Council giving either a favorable or unfavorable recommendation regarding the proposal. To this end, Chairman Roberts requested that a motion be made to remove the item from the table for further consideration and action at the Planning Commission's May 4 meeting.

Prior to taking action, Mr. Wilson noted for the benefit of new Commissioners that the decision to table the proposal was due in large measure to the opinion of many that the City needed to undertake a traffic and parking study of the downtown area before taking action on the recommended zoning changes. Additional discussion centered on the reasons to un-table the item, as well as the need for sufficient time for new members to digest the proposed amendment before making a decision. Following these comments, Ms. Andress made a motion to remove the proposed "Downtown District" amendment to the City's Zoning Ordinance from the table for further discussion and action. The motion was seconded by Mr. Respinto. Upon a roll call, the vote was as follows:

YES – Mr. Broadhead, Ms. Andress, Mr. Armstead, Mr. Respinto, Mr. Harwell, Ms. Willcutt, and Mr. Roberts

NO – Mr. Krontiras, Mr. Wilson

VOTE: 7 (yes) 2 (no)

APPROVED

IX. Adjournment

There being no further business before the Commission, a motion to adjourn was made by Mr. Harwell and seconded by Ms. Willcutt. The meeting was adjourned by unanimous consent at 7:43 p.m.

Approved:

Stuart Roberts, Chair

Attest:

Recording Secretary

Form IX.
APPLICATION FOR RESURVEY APPROVAL
HOMWOOD PLANNING COMMISSION

Physical Address: 211 Sterrett Avenue / 301 STERRETT AVENUE
 Date application filed: 2/19/2021 Vacant lot(s)? NO
 Subdivision location: SE 1/4 OF Section 14, township 18S, Range 3 west
 Tax map Parcel I.D. Number(s): 29 00 19 4 011 011.000
 Acreage: 0.64 Number of proposed lots: 2
 Current Zoning: NPD Proposed land use: RESIDENTIAL
 Activity requested by applicant: (please check as applicable)
 Divide Property: _____ Move lot line(s): ☒
 Combine Property: _____ Other: _____
 Applicant: Ray Weygand Owner: Tiffany Adams
 Phone: 205-942-0086 Phone: Redacted by BEZ Staff
 Address: 169 Oxmoor road Address: _____
Homewood AL 35209 Homewood AL 35209
 City Redacted by BEZ Staff Zip _____
 Signature of Applicant _____ Signature of Owner _____
 Registered Land Surveyor: Weygand Surveyors
 Phone: 205-942-0086
 Address: 169 Oxmoor road
Homewood Alabama 35209
 City State Zip

Redacted by BEZ Staff

FOR CITY USE ONLY

Application received by: FRED GOODWIN on FEB. 19, 2021
 \$ 200.00 Application fee* received on APRIL 14, 2021 by receipt # _____
 Application reviewed by Subdivision Administrator on _____
 NPD Calculation: Completed by: _____ N/A: _____
 Application approved by Subdivision Administrator on _____
 Action taken by Planning Commission (if applicable) _____
 * \$200 resurvey fee, \$100 for Combining lots

NO.	DESCRIPTION	DATE	BY
1	ADAMS RESURVEY		
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ADAMS RESURVEY

ADAMS RESURVEY, INC. 1000 N. 10TH ST. SUITE 100
DENVER, CO 80202

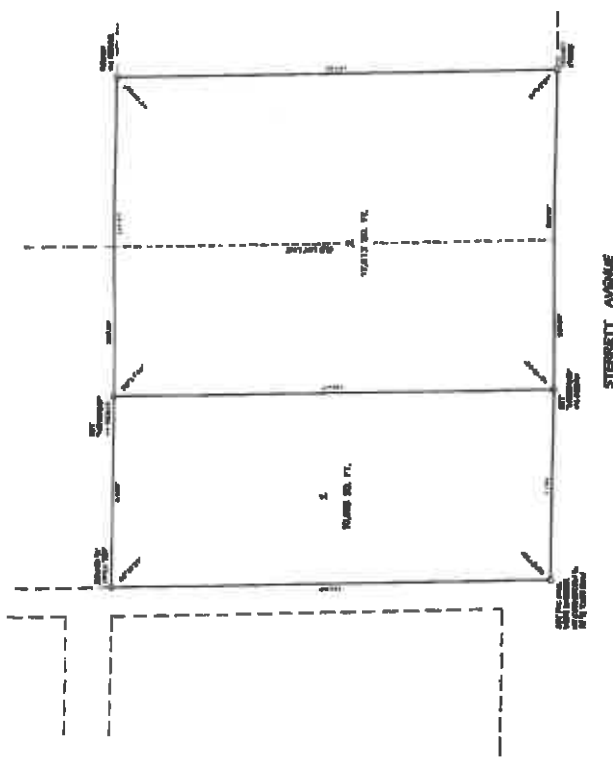
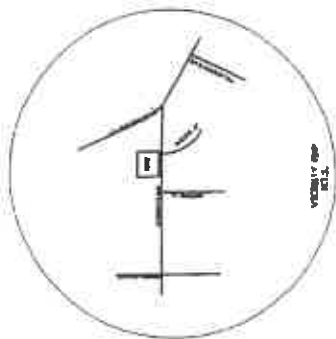
SCALE 1"=20'

DATE: AUGUST 2005

ADAMS RESURVEY, INC.
1000 N. 10TH ST. SUITE 100
DENVER, CO 80202



WEYBOND



NOTE:
THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA (ZONE "X") AS PER MAP NO. 080730000H, DATED SEPTEMBER 3, 2010.

ADAMS RESURVEY, INC. 1000 N. 10TH ST. SUITE 100
DENVER, CO 80202

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DENVER, CO 80202

ADAMS RESURVEY, INC. 1000 N. 10TH ST. SUITE 100
DENVER, CO 80202

April 14, 2021

Homewood Planning Commission
2850 19th Street South
Homewood, AL 35209

Dear members of the Homewood Planning Commission,

We respectfully submit this letter in full support of a proposed resurvey and sale of property at 211 Sterrett Ave. and 311 Sterrett Ave. between Tiffany and Robert Adams and Herb Griffin.

Over the past four years we have had the good fortune to get to know many of our neighbors, The Adams and Mr. Griffin included, and value the relationships that being a part of the Homewood community brings. We are delighted at the opportunity this resurvey will offer to enhance the vibrancy of our neighborhood. We have no reservations as to this proposed resurvey, and offer our full unwavering support as we are excited to see what the future holds.

Please do not hesitate to contact us if we can share any further information.

Sincerely,

Redacted by BEZ Staff

Claire and Patrick Gray



207 Theda St.
Homewood, AL 35209
205-887-5550 (Claire)
205-913-3365 (Patrick)

Fred Goodwin

From: allison ashby · [Redacted by BEZ Staff](#)
Sent: Wednesday, April 14, 2021 3:07 PM
To: Fred Goodwin
Subject: Sterrett avenue resurvey

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi,
Our family lives at 104 Dixon avenue in homewood. Our property backs up to 311 sterrett avenue and 211 sterrett avenue. We are writing this email in support of the proposed resurvey and subsequent sell of property at 211 and 311 Sterrett Avenue.
Thank you, Allison and Adam Edwards

Sent from my iPhone

Fred Goodwin

From: Brooke Gillis <[Redacted by BEZ Staff](#)>
Sent: Wednesday, April 21, 2021 11:00 AM
To: Fred Goodwin
Subject: Sterrett Ave.

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Goodwin,

I'm writing to express my support for the resurvey of 211 and 311 Sterrett Avenue and subsequent sale of property. We believe this transaction will be of benefit to our street and neighborhood and wholeheartedly endorse the resurvey request of our neighbors in this regard.

--

Brooke Gillis

CITY OF HOMEWOOD
BUILDING, ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209

Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Wyatt Pugh, Director

Planning Commission PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

You are hereby notified of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, at **6:00 P.M., on Tuesday, May 4, 2021.** As an option, the Public Hearing is also being held as an on-line Zoom meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).** The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

The purpose of the hearing is to receive public comments on an application submitted by:

Tiffany Adams

for a proposed subdivision plat of land owned by:

Tiffany Adams & Herbert Griffin

and located at the following street address or location (see enclosed map):

211 & 301 Sterrett Avenue

Parcel: 29-00-14-4-011-010.000 & 29-00-14-4-011-011.000

The proposal consists of a RESURVEY

Purpose:

Request for approval of a Resurvey to move a lot line between two residential lots, resulting in the allotment of additional footage from one lot (Parcel 10) to the other (Parcel 11).

A written protest of the proposed amendment may be filed with the Secretary to the Planning Commission of the City of Homewood one (1) day prior to the scheduled date of the public hearing for the consideration of the zoning classification amendment. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on April 27, 2021, which is at least seven days before the fixed hearing date, to all property owners located adjacent to the subject property, as their names and addresses appear in the Jefferson County Tax Assessor office.

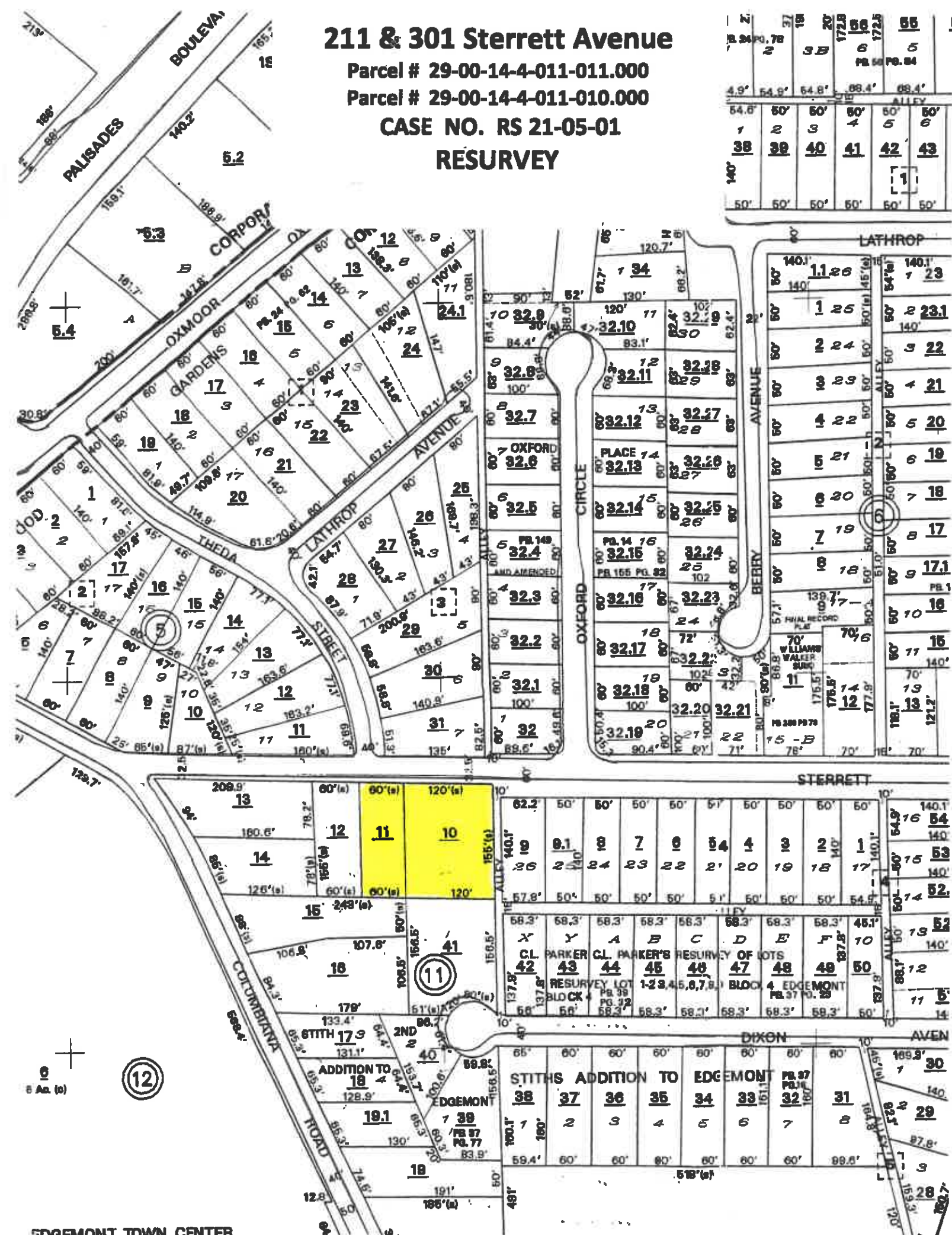


Vicki Smith, AICP

Zoning Supervisor

PC CASE# RS 21-05-01

	72'	37'	18'	20'	66'	55'
PB. 94	PQ. 78		3 B	172.8	B	5
	2			6	172.5	PB. 84
4.9'	54.9'	54.8'		58.4'		58.4'
ALLEY						
54.5'	50'	50'	50'	50'	50'	50'
1	2	3	4	5	6	
<u>38</u>	<u>39</u>	<u>40</u>	<u>41</u>	<u>42</u>	<u>43</u>	
140'				[1]		
50'	50'	50'	50'	50'	50'	



City of Homewood

211 & 301
Sterret Ave

RS 21-05-01

Aerial

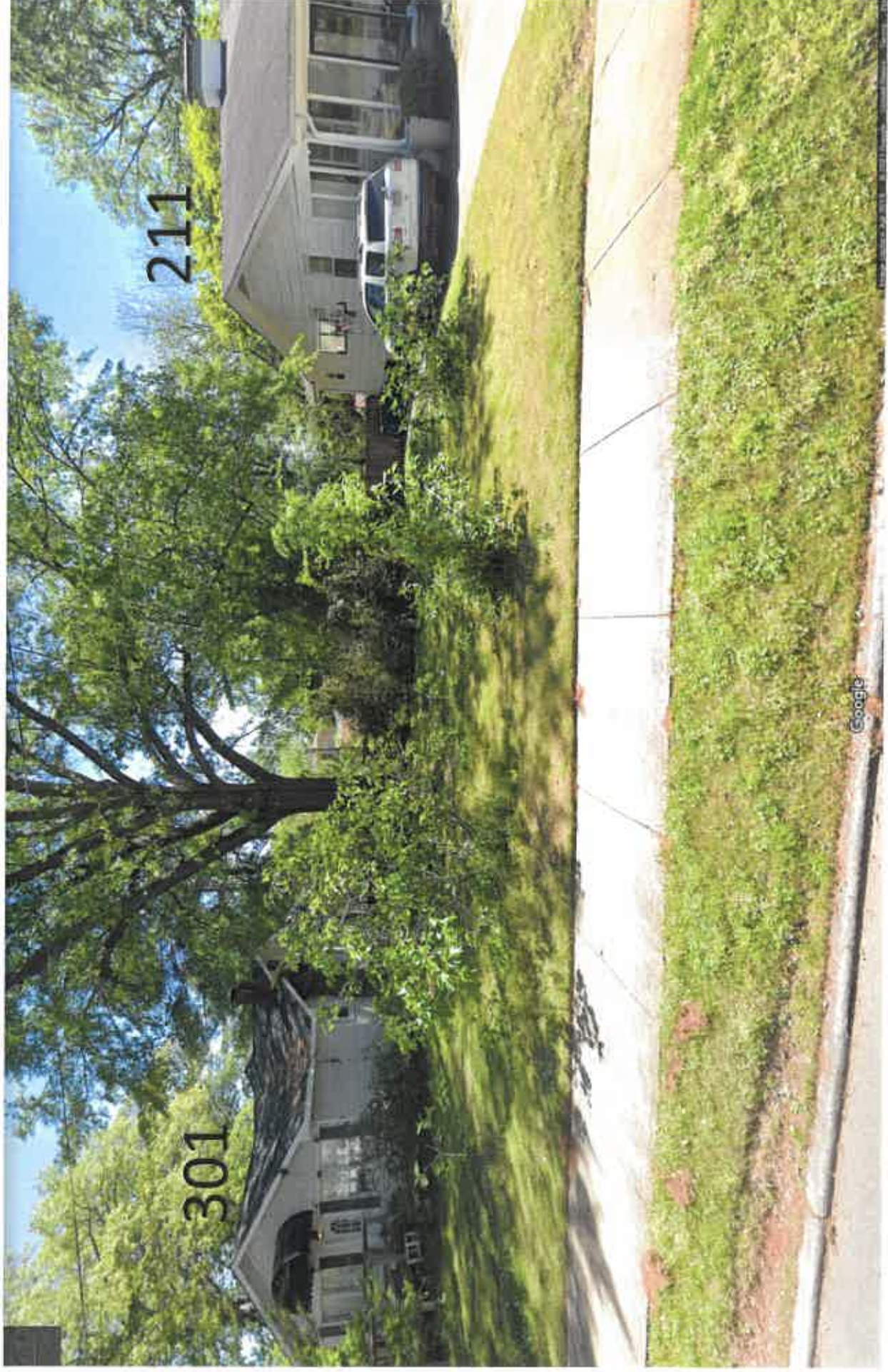


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ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-6828



301 & 211 Sterrett Ave- Street View



Form IX.
APPLICATION FOR RESURVEY APPROVAL
HOMEWOOD PLANNING COMMISSION

Physical Address: 275 Lakeshore Parkway Homewood, AL 35209

Date application filed: 3/5/2021 Vacant lot(s)? Yes

Subdivision location: Wildwood Centre

Tax map Parcel ID. Number(s): 29 00 26 2 000 001.008

Acreage: 0.96 Number of proposed lots: 2

Current Zoning: PM4D
PMB - Wildwood Centre Proposed land use: Retail/Office/Restaurant

Activity requested by applicant: (please check as applicable)

Divide Property: X Move lot line(s): X

Combine Property: _____ Other: _____

Applicant: SDP Acquisitions, LLC Owner: Wildwood Center, LP, Parkway Fox, LLC and Mont Belview Properties IV, LLC

Phone: 205-383-9481 Phone: _____

Address: 310 Enterprise Drive Address: 701 NORTH POST OAK ROAD, STE. 210
Oxford, MS 38655 HOUSTON TX 77024
 Redacted by BEZ Staff State Zip City State Zip

Signature of Applicant _____ Please see Agent of Record Letter attached

Signature of Owner _____

Registered Land Surveyor: Gonzalez - Strength & Associates, Inc.

Phone: 205-942-2486

Address: 1550 Woods of Riverchase Drive - Suite 200

Hoover AL 35244
 City State Zip

FOR CITY USE ONLY

Application received by: FRED GOODWIN on MARCH 19, 2021

\$ 200.00 Application fee* received on 3/19/21 by receipt # _____

Application reviewed by Subdivision Administrator on _____

NPD Calculation: Completed by: _____ N/A: _____

Application approved by Subdivision Administrator on _____

Action taken by Planning Commission (if applicable) _____

* \$200 resurvey fee \$100 for Combining lots

AGENT OF RECORD LETTER

TO THE CITY OF HOMEWOOD AND/OR JEFFERSON COUNTY DEVELOPMENT REVIEW DIVISION
AND/OR THE DEVELOPMENT REVIEW COMMITTEE, PLANNING COMMISSION, BOARD OF COUNTY
COMMISSIONERS, WATER MANAGEMENT DISTRICT, ADEM, AND ALDOT.

For the property identified as Parcel ID number 29 00 26 2 000 001.008, Wildwood Center, LP; Parkway Fox, LLC;
Mont Belview Properties, IV, LLC, hereby designate and appoint Joseph Schneider, Managing Member of SDP
Acquisitions, LLC as my/our Agent of Record for the purposes of representing me/us during the Development
Review Process and/or hearing process.

Date: 11/20/20

By: wildwood Center, LP
wildwood Center Management, Inc.
Hardam S. Azad, President
APPLICANT/OWNER (PRINT)

By: wildwood Center, LP
wildwood Center Management, Inc.
Hardam S. Azad
APPLICANT/OWNER'S SIGNATURE
President

APPLICANT/OWNER'S TITLE

Joseph A Schneider

APPLICANT'S REPRESENTATIVE (PRINT)

Joseph A Schneider

APPLICANT/REPRESENTATIVE'S SIGNATURE

310 Enterprise Drive

ADDRESS

Oxford, MS 38655

CITY, STATE, ZIP

205-383-9481

TELEPHONE

[illegible]

☐ LAY, NAME FOR NUMBER
☐ MILL, NAME FOR THE 1000' NUMBER 100000

[illegible]

It is important to note that the results of this study are preliminary and need to be confirmed by larger, more rigorous studies. The study also has some limitations, such as the relatively small sample size and the lack of control group. However, the study provides valuable insights into the potential benefits of the proposed system and highlights the need for further research in this area.

PC CASE NO. RS 21-05-02

PC CASE # 128

**RE-SURVEY OF LOT 1F
WILDWOOD CENTRE SOUTH
SURVEY # 4**

WINDS A SE - SURF OF LOT 11 ACCORDING TO WILLOWOOD CENTRE SOUTH
RE - SURF OF AS RECORDED IN MAP BOOK 187, PAGE 8, SURF OF THE LOT
E. OF THE W. N. OF SECTION 29, CORNER IN SOUTH, RANGE 3 WEST
JEROME CO. NEBR.

100

[illegible]

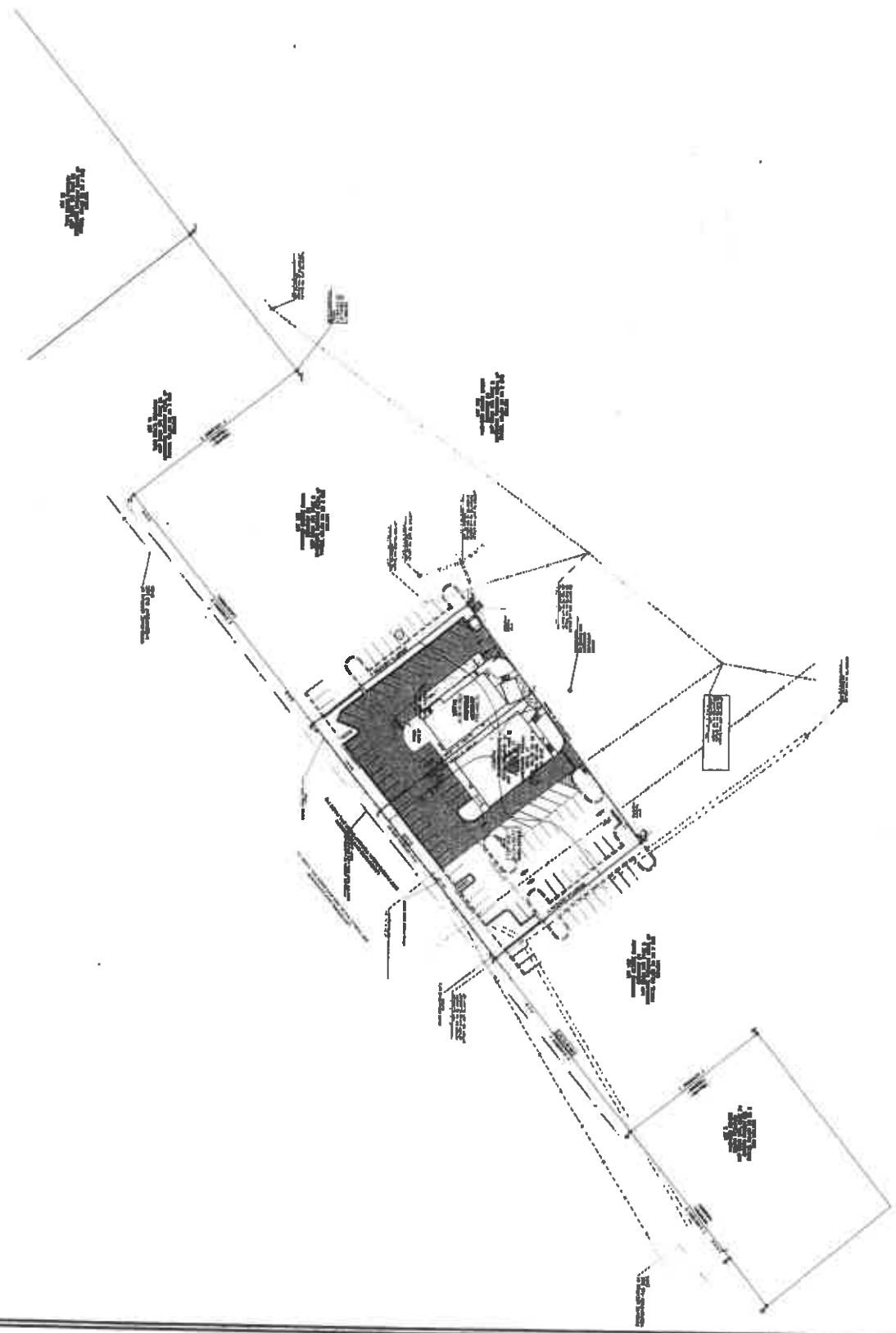
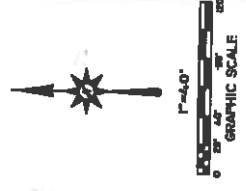
MARCH 2001 JIN ET AL.

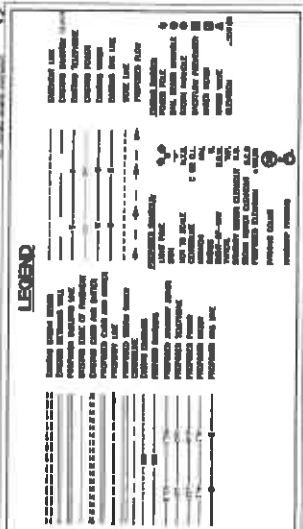
CASE NO. RS 21-05-02

GONZALEZ - STRENGTH & ASSOCIATES, INC.
ONE SHORELINE - FARMINGTON, CONNECTICUT 06030
LAND PLANNING, LANDSCAPE ARCHITECTURE
ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE
P.O. BOX 10000, FARMINGTON, CT 06030
PHONE: (860) 646-0000
FAX: (860) 646-0001
www.gonzalez-strength.com

COMMERCIAL DEVELOPMENT
100 N. 10TH STREET, FARMINGTON, CT 06030
STRENGTH & ASSOCIATES, INC.
P.O. BOX 10000, FARMINGTON, CT 06030
PHONE: (860) 646-0000
FAX: (860) 646-0001
www.gonzalez-strength.com

DATE	10/1/01
BY	STRENGTH & ASSOCIATES, INC.
PROJECT	100 N. 10TH STREET, FARMINGTON, CT 06030
DESCRIPTION	COMMERCIAL DEVELOPMENT
SCALE	1"=40'





CITY OF HOMEWOOD
BUILDING, ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209

Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Wyatt Pugh, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

You are hereby notified of a public hearing by the Homewood Planning Commission to be held in the Homewood City Hall Council Chambers (2nd Floor), 2850 19th Street South, at **6:00 P.M., on Tuesday, May 4, 2021.** As an option, the Public Hearing is also being held as an on-line Zoom meeting. **(SEE INSTRUCTIONS ON THE REVERSE SIDE OF THIS LETTER).** The scheduled public hearing will be preceded by a brief work session for Commissioners beginning at 5:30 p.m. in the City Council's Committee Workroom located on the 2nd floor behind the Council Chambers.

The purpose of the hearing is to receive public comments on an application submitted by:

Joe Schneider / SDP Acquisitions, LLC

for a proposed subdivision plat of land owned by:

Wildwood Center, LP, Parkway Fox, LLC and Mont Belvieu Properties, LLC

and located at the following street address or location (see enclosed map):

275 Lakeshore Parkway

Parcel: 29-00-26-2-000-001.008

The proposal consists of a RESURVEY

Purpose:

Request for approval of a Resurvey to subdivide Lot 1F, Wildwood Centre South Survey, into two lots (Lot 1F-A) and (Lot 1F-B) to facilitate new retail development.

A written protest of the proposed amendment may be filed with the Secretary to the Planning Commission of the City of Homewood one (1) day prior to the scheduled date of the public hearing for the consideration of the zoning classification amendment. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

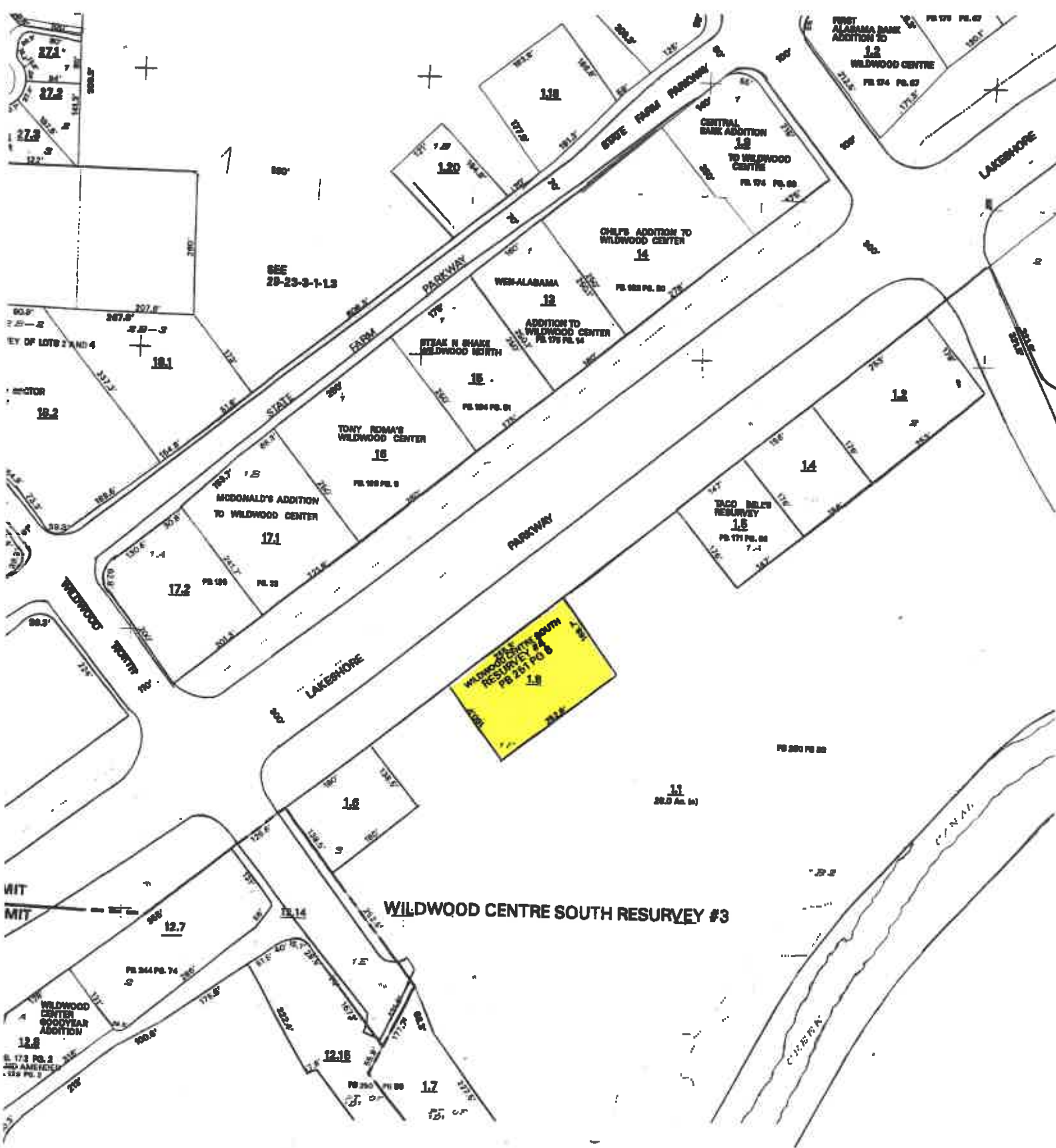
This notice is sent by U.S. mail on April 27, 2021, which is at least seven days before the fixed hearing date, to all property owners located adjacent to the subject property, as their names and addresses appear in the Jefferson County Tax Assessor office.



Vicki Smith, AICP

Zoning Supervisor

PC CASE# RS 21-05-02



WILDWOOD CENTRE SOUTH RESUR
PLAT BOOK 240 PAGE 20

12.3

275 Lakeshore Parkway RESURVEY

Wildwood Centre South
Case # RS 21-05-02

Parcel # 29-00-26-2-000-001.008

Resurvey to subdivide one lot (Lot 1F) into two lots
(1F-A and 1F-B) to facilitate commercial development

City of Homewood
275 Lakeshore Pkwy
RS 21-05-02
Aerial Photo



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ZONING IS SUBJECT TO CHANGE. PLEASE CALL ZONING OFFICE TO CONFIRM ZONING. 332-8828



RS 21-05-03

**Form IX
APPLICATION FOR RESURVEY APPROVAL
HOMWOOD PLANNING COMMISSION**

Physical Address: 185 Osmoor Road and 195 Osmoor Road

Date application filed: 03-09-2021 Vacant lot(s)? No

Subdivision location: Lot 1, Osmoor Lands Subdivision 94/96

Tax map Parcel I.D. Number(s): 29-00-23-2-003-004,000

Acreage: 0.32 Number of proposed lots: 2

Current Zoning: WHD Proposed land use: Restaurant

Activity requested by applicant: (please check as applicable)

Divide Property: _____ Move lot line(s): ✓

Combine Property: _____ Other: _____

Applicant: Joseph Hedrick Owner 1: Savario Properties, LLC

Phone: 205-427-7580 Phone: _____

Address: PO Box 158 Address: P.O. Box 158

Shannon AL 35142 Shannon AL 35142

City State Zip City State Zip

Redacted by BEZ Staff Redacted by BEZ Staff

Signature of Applicant _____ Signature of Owner _____

Owner 2: Sh. LLC

Phone: _____

Address: 195 Osmoor Road

Homewood AL 35209

City State Zip

Redacted by BEZ Staff

Signature of Owner _____

Registered Land Surveyor: Surveying Solutions, Inc. Carl Daniel Moon

Phone: 205-991-8965

Address: 2232 Cahaba Valley Drive, Suite M

Birmingham AL 35242

City State Zip

FOR CITY USE ONLY

Application received by: VICKI SMITH on MARCH 9, 2021

\$ 200. ⁰⁰ Application fee* received on MARCH 9, 2021 by receipt # ---

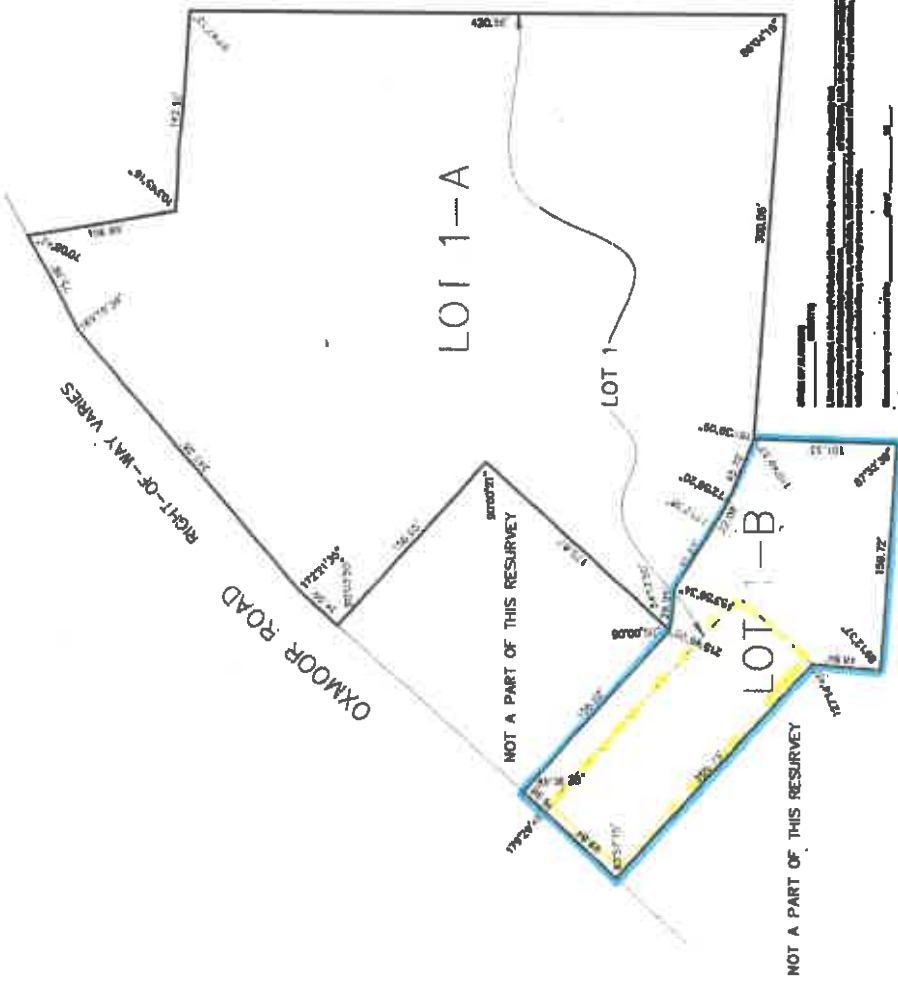
Application reviewed by Subdivision Administrator on _____

NPD Calculation: Completed by: _____ N/A: _____

Application approved by Subdivision Administrator on _____

Action taken by Planning Commission (if applicable) _____

* \$200 resurvey fee, \$100 for Combining lots



CITY OF HOMEWOOD
BUILDING, ENGINEERING & ZONING DEPARTMENT

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209

Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Wyatt Pugh, Director

Planning Commission
PUBLIC HEARING NOTICE

Notice To: **OWNER & ABUTTING PROPERTY OWNERS**

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The purpose of the hearing is to receive public comments on an application submitted by:

Joseph Hethcox

for a proposed subdivision plat of land owned by:

Saverio Properties, LLC & SHA, LLC

and located at the following street address or location (see enclosed map):

185 & 195 Oxmoor Road

Parcel: 29-00-23-2-003-002.000 & 29-00-23-2-003-004.000

The proposal consists of a RESURVEY

Purpose:

Request for approval of a Resurvey to move a lot line between two commercial properties, resulting in the allotment of additional footage from one property, Parcel 2 (Lot 1 according to James T. Johnson Subdivision, 101/43) to the other, Parcel 4 (Lot 1 according to Oxmoor Land Subdivision, 94/96) to facilitate new commercial construction.

A written protest of the proposed amendment may be filed with the Secretary to the Planning Commission of the City of Homewood one (1) day prior to the scheduled date of the public hearing for the consideration of the zoning classification amendment. The protest must be signed by the property owner making such protest, and only the one protest shall be allowed for each separately assessed unit of property.

This notice is sent by U.S. mail on April 27, 2021, which is at least seven days before the fixed hearing date, to all property owners located adjacent to the subject property, as their names and addresses appear in the Jefferson County Tax Assessor's office.


Vicki Smith, AICP

Zoning Supervisor

PC CASE# RS 21-05-03

Instructions: If you choose to participate in the meeting via Zoom, please follow the instructions below:

1st Option:

Join on-line through your computer or app with this link: <https://zoom.us/j/83850487920>

(If you click this link from a device/phone, this link will NOT work until you have downloaded the Zoom app)

2nd Option:

Join through the app if you already have the Zoom app downloaded

Meeting #: 838 5048 7920

3rd Option:

Dial in by phone: [253-215-8782](tel:253-215-8782)

If joining on-line, for those items that allow public comments, you will be told when to enter your name and address into the chat box if you want to speak about that item. You can speak once your name is called.

Comments, in support or opposition to cases on the agenda, may be submitted through the City of Homewood website [@www.cityofhomewood.com/boards-committees](http://www.cityofhomewood.com/boards-committees). Comments should be submitted no later than 24-hours prior to the meeting and will be provided to the board's members for their consideration. Please reference the case number or address in your comments.

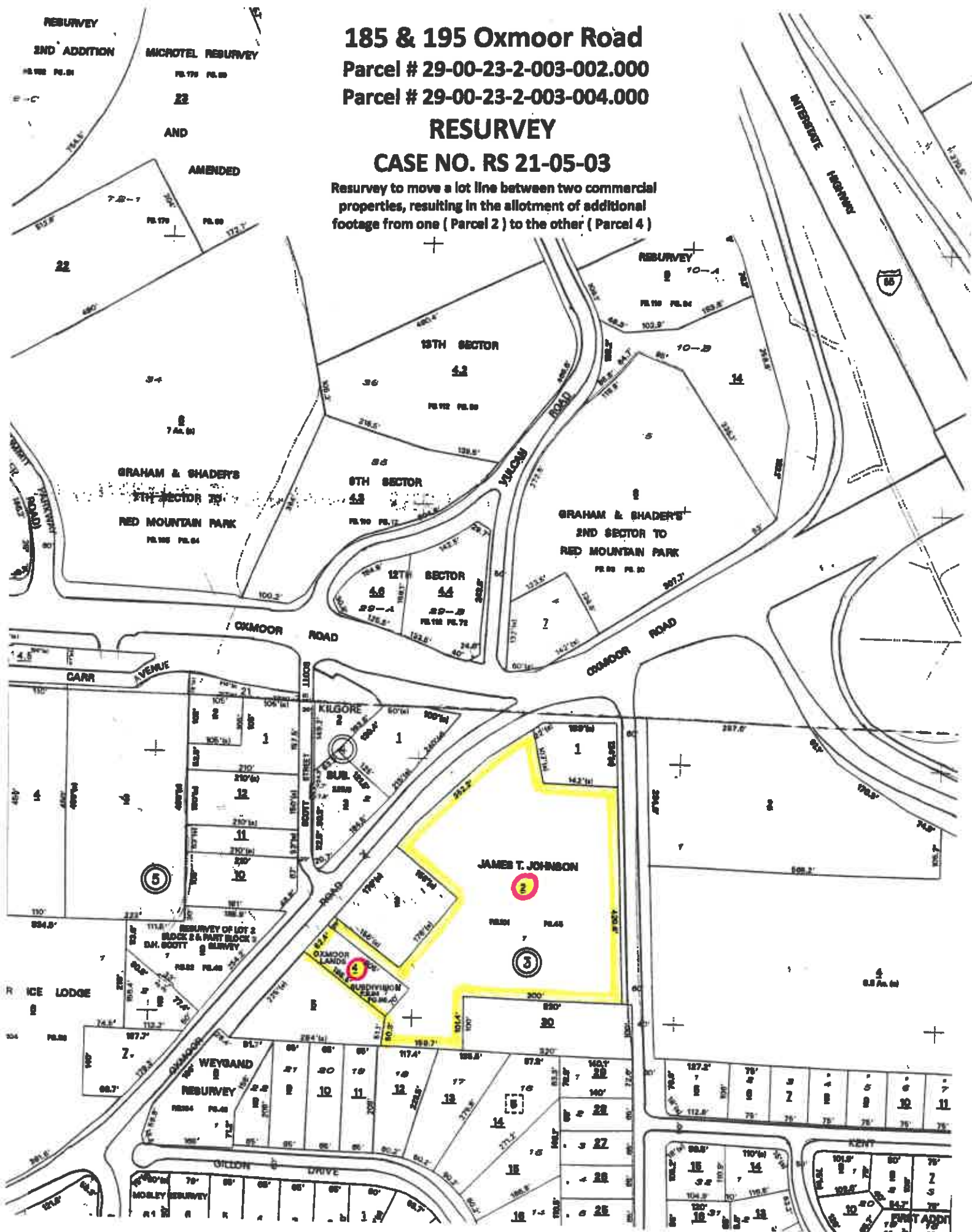
You may contact our office for further information or questions at (205) 332-6800 OR visit between 7:30 a.m. and 4:30 p.m. Mon-Fri to review any files or drawings pertaining to this application

185 & 195 Oxmoor Road
Parcel # 29-00-23-2-003-002.000
Parcel # 29-00-23-2-003-004.000

RESURVEY

CASE NO. RS 21-05-03

Resurvey to move a lot line between two commercial properties, resulting in the allotment of additional footage from one (Parcel 2) to the other (Parcel 4)



City of Homewood
185 & 195 Oxmoor Rd
RS 21-05-03
Aerial Photo

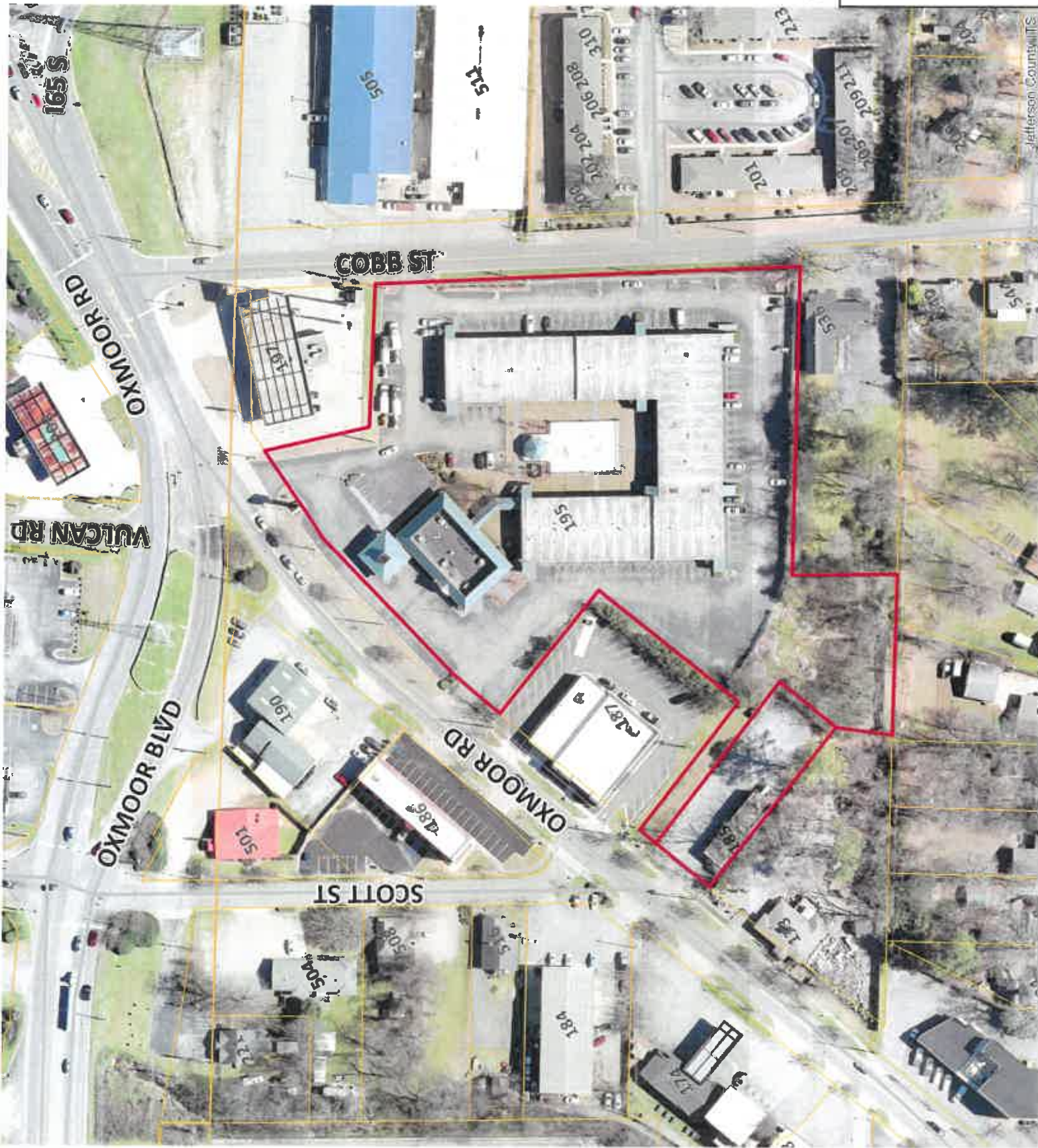
Subject
Property
Parcel



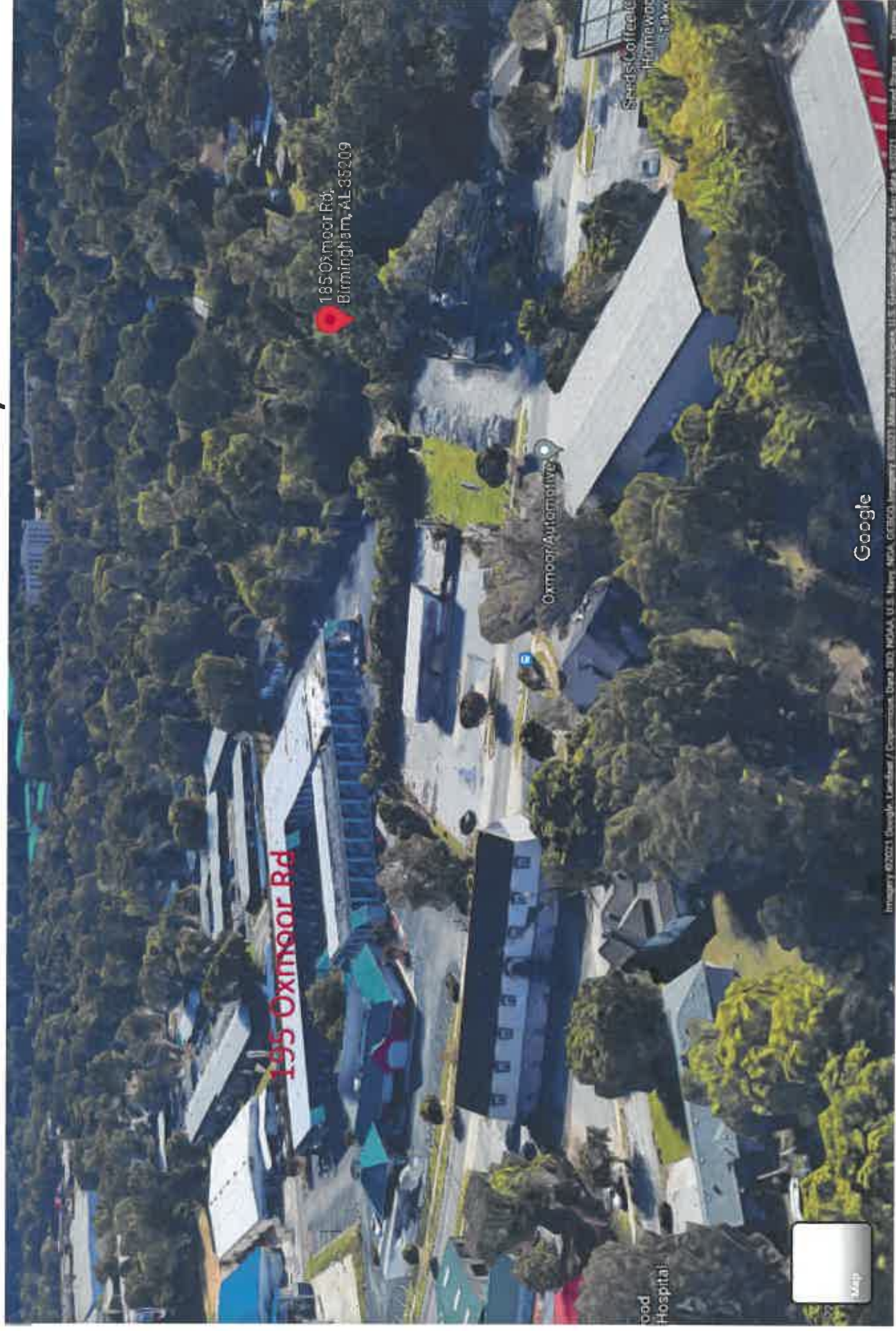
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PROHIBITED.

ZONING IS SUBJECT TO CHANGE.
PLEASE CALL ZONING OFFICE TO
CONFIRM ZONING. 332-6828

Jefferson County, AL



185 & 195 Oxmoor Rd. – Bird’s Eye View



**CITY OF HOMEWOOD
BUILDING, ENGINEERING & ZONING DEPARTMENT**

2850 - 19th Street South - 4th Floor
Homewood, Alabama 35209
Phone 205-332-6800 | Fax 205-332-6955

Patrick McClusky, Mayor

Wyatt Pugh, Director

Date: April 23, 2021
To: Homewood Planning Commission Members
From: Fred Goodwin, Planning Commission Secretary
Subject: Consideration of recommended zoning changes to the Downtown District

As noted on the attached agenda, Item No. 8 concerns a discussion and reconsideration of a proposal to amend the City's Zoning Ordinance for Homewood's Downtown District. The proposed zoning amendment is designed to help implement recommendations contained within the City's Heart of Homewood Downtown Master Plan which was approved in October 2018. In general, the recommended changes to the City's Zoning Ordinance for the Downtown District effectively reduces the number of current zoning classifications to several mixed use classifications based on tiered levels of density, allowing buildings to be constructed with a higher density and height in the core of downtown and ranging downward to a lower density and height toward the edges of downtown.

As discussed at the Commission's last meeting, the proposed amendment was initially considered by the Planning Commission on November 12, 2019. Following a lengthy public hearing, the proposal was approved by the Planning Commission and favorably recommended to the City Council for its consideration and adoption at the Council's December 9, 2019 meeting. During the City Council's public hearing, a number of suggested changes or revisions were put forth which resulted in the document being referred back to the Planning Commission for further review and action. Following a second public hearing by the Planning Commission on February 4, 2020, a decision was made to table the item to allow for further discussion and consideration. In the interim, no action has taken place by the Planning Commission to either recommend or not recommend the amendment to the City Council for its review and action, despite a statutory obligation under State law that the Planning Commission provide a report on all rezoning proposals to the City Council.

In an effort to enable Commission members to be more familiar with the contents of the proposed zoning amendment prior to the May 4 meeting, a Zoom meeting is being scheduled for Wednesday, April 28, 2021 beginning at 6:00 p.m. Susan Henderson with PlaceMakers (a consulting planning firm) who helped draft the proposed amendment will participate to help educate members and answer Commissioner's questions. We will e-mail the Zoom contact information to each of you once all the arrangements have been finalized.

Attached for your review prior to the meeting is a copy of the Downtown District zoning amendment that was submitted to the Planning Commission at its February 4, 2020 meeting. This document reflects the changes and revisions that were suggested following the public hearings by both the Planning Commission and City Council in 2019. Also attached are two other documents which will help to educate you regarding the proposed amendment.

ORDINANCE NO. _____

AN ORDINANCE TO ADD ARTICLE VIII ENTITLED "DOWNTOWN DISTRICT" TO APPENDIX A ENTITLED "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF HOMEWOOD, ALABAMA; TO AMEND THE ZONING MAP OF THE CITY OF HOMEWOOD; TO REZONE THE PARCELS OF PROPERTY LISTED IN EXHIBIT B FROM THEIR CURRENT ZONING DISTRICT TO (LI) DOWNTOWN LOW INTENSITY DISTRICT; TO REZONE THE PARCELS OF PROPERTY LISTED IN EXHIBIT C FROM THEIR CURRENT ZONING DISTRICT TO (MI) DOWNTOWN MEDIUM INTENSITY DISTRICT; AND TO REZONE THE PARCELS OF PROPERTY LISTED IN EXHIBIT D FROM THEIR CURRENT ZONING DISTRICT TO (HI) DOWNTOWN HIGH INTENSITY DISTRICT.

BE IT ORDAINED by the City Council of the City of Homewood at a regular meeting, duly assembled, a quorum being present, as follows:

Section 1. That Article VIII entitled "Downtown District" is added to Appendix A entitled "Zoning" of the Code of Ordinances of the City of Homewood previously adopted by the City Council of the City of Homewood to read as follows:

ARTICLE VIII. DOWNTOWN DISTRICT

Sec. A. Purpose.

The Downtown District Article is adopted to ensure that development projects, public and private, in Downtown implement the Heart of Homewood Downtown Master Plan. The intensity zoning districts promote walkable, compact, downtown development. The zones will vary the intensity of land use, variety of land uses, scale and size of buildings, and other factors according to the context. This Article is intended to promote traditional urban form and a lively mix of uses, allowing for ~~shopfronts~~ storefronts, sidewalk cafes, and other commercial uses at the street level, with wide sidewalks and shade trees, overlooked by upper story residences and offices.

Sec. B. General Regulations.

In order to implement the Heart of Homewood Downtown Master Plan and regulate character, intensity, land use and transportation priority in a manner that reflects Downtown while respectfully meeting the adjoining neighborhoods; Downtown Homewood is divided into three new intensity districts: LI Downtown Low Intensity District, MI Downtown Medium Intensity District, and HI Downtown High Intensity District. Some properties within the Master Plan area will maintain their current zoning designations, including all properties zoned residential as well as some commercial and institutional properties. These are identified on the zoning map in **Sec. C.**

- (1) **New zoning districts enabled.** The LI, MI, and HI districts established and regulated by this article are new zoning districts that supplement the zoning districts set forth in Article III, Sec. A, Appendix A, Zoning, of the Code of Ordinances of the City of Homewood Alabama. The districts are created based on intensity of development, coordinating use, height, setback, parking location, streetscape and other built elements.

- a. **LI district.** The LI Downtown Low Intensity District is characterized by medium density residential areas, with a mix of uses, home occupations, and accessory buildings. It contains a wide range of building types: houses, townhouses, duplexes, triplexes, small apartment buildings, and neighborhood commercial uses.
 - b. **MI district.** The MI Downtown Medium Intensity District is intended to reflect the historic character of 18th Street. This district consists of predominantly vertical mixed-use with ~~shopfronts~~storefronts along street-lined streets with large sidewalks.
 - c. **HI district.** The HI Downtown High Intensity District is characterized by predominantly mid-rise mixed-use buildings that largely include ~~shopfronts~~storefront and common entry facades at the street.
- (2) **Street types designated.** Downtown streets are designated as A-streets and B-streets. Requirements for facades and parking location vary according to the street designation on the downtown zoning map. A-streets are more pedestrian-oriented, and B-streets are more access-oriented. A-streets are mapped on Figure 1. Downtown Homewood Zoning Map and the remaining streets are B-streets. Street type should be changed over time to reflect sidewalk and streetscape improvements.
- (3) **Application of this article.** No structure may be constructed or maintained, and no land use commenced or continued within Downtown except as authorized by this article.
- (4) **Conflicting ordinances.** Wherever there appears to be a conflict between this article and other sections of Appendix A, the requirements specifically set forth in this article prevail. For development standards not covered by this article, the other applicable sections in the Appendix A, Zoning, of the Code of Ordinances of the City of Homewood Alabama are the requirement. All development must comply with all relative Federal, State or local regulations and ordinances regarding health and safety.
- (5) **Nonconforming uses.** Within the districts established by this article there exist lots, structures, and uses of land and structures, which were lawful when established, but which would be prohibited or restricted under the terms of this ordinance or could be prohibited or restricted under the terms of any future amendment. These nonconformities may continue until they are removed or abandoned (as "abandonment" is defined hereinafter). Nonconformities may not be increased, enlarged, expanded or extended.
- a. **Continuance:** A nonconforming use lawfully existing at the effective date of this article may be continued, although it does not conform with the provisions of this article.
 - b. **Restoration to safe condition.** Nothing in this article prevents the restoration of any building or structure to a safe or sanitary condition when required by the proper authorities.
 - c. **Restoration after damages.** Other than detached dwellings, no nonconforming building or structure which has been damaged by fire or other causes to more than fifty (50) percent of its current replacement value prior to the time of such damage, may be rebuilt or restored except in conformity with the provisions of this article.
 - d. **Modifications.** Nonconforming structures can be maintained, repaired and modified, provided such maintenance, repairs or modifications do not increase, enlarge or alter the non-conforming structure in any way which increases the structure's non-conformity, but any non-conforming structure or portion thereof may be altered to decrease its non-conformity. No non-conforming structure may be enlarged or altered in any way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
 - e.e. **Abandonment.** A nonconforming use which has been discontinued for a continuous period of one (1) year cannot be reestablished, and any future use must be in conformity with this ordinance.

d.f. Change in use. A nonconforming use cannot be changed to another nonconforming use. A nonconforming use which is changed to a conforming use will not be permitted to revert to a nonconforming use.

(6) District boundaries. Where uncertainty exists as to the boundaries of the zoning districts shown on the Downtown Homewood Zoning Map in **Figure 1**, the following rules apply:

- a. Where a zoning district boundary is located within or along a right-of-way, the boundary line is deemed to be along the centerline of the right-of-way.
- b. Where a zoning district boundary is shown as approximately following lot lines, the boundary line is deemed to coincide with the lot lines.

(7) Remedies. When any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained; or any building, structure or land is used in violation of this article, the building official of the city or any other appropriate authority or any adjacent or neighboring property owner who would be damaged or caused hardship by such violation may bring an injunction, mandamus, or other appropriate action or proceeding, to correct or abate such violation or to prevent occupancy of such building, structure, or land.

Sec. C. Downtown Zoning Map.

The boundaries of the districts are as shown on the Downtown Homewood Zoning Map in Figure 1. The zoning map and all the notations are a part of this ordinance.

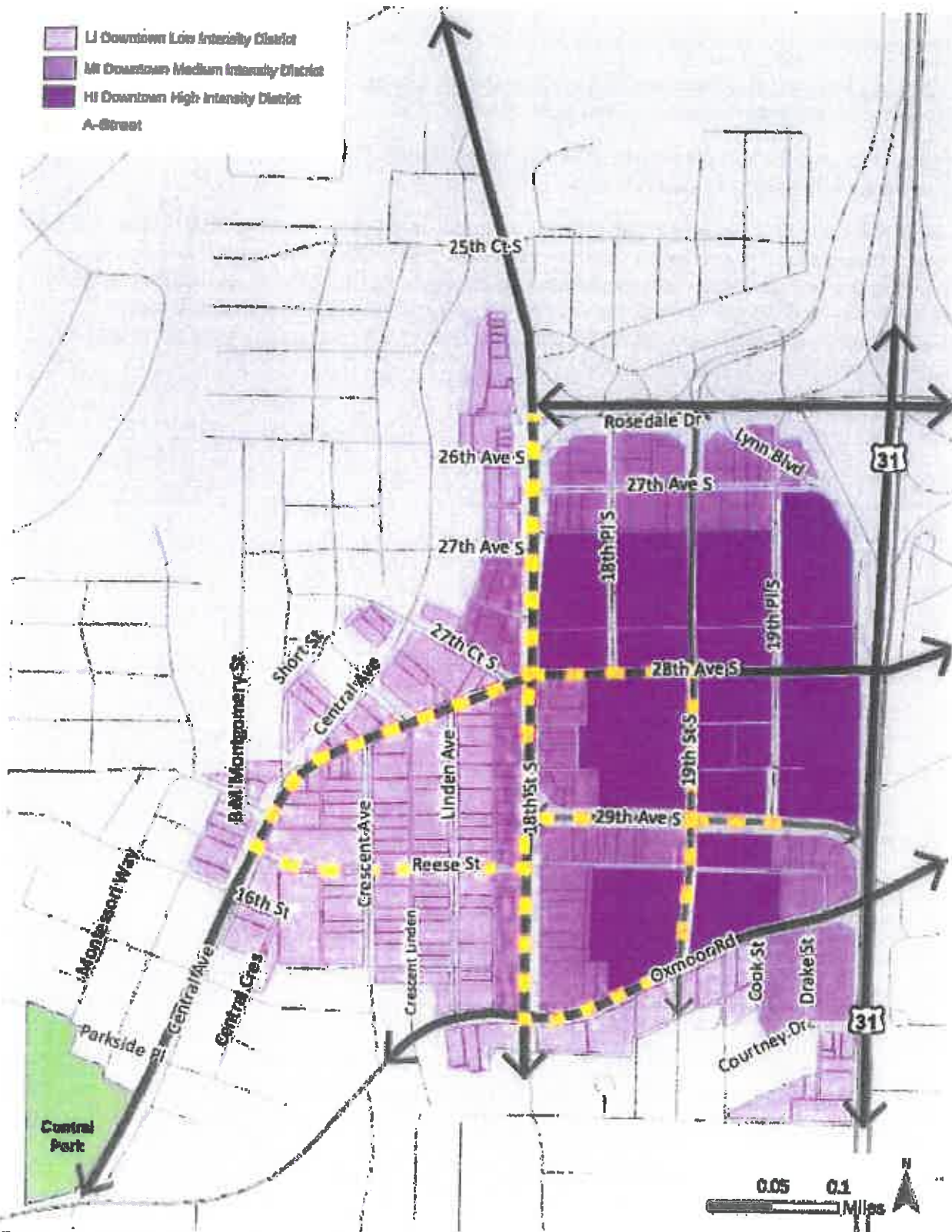
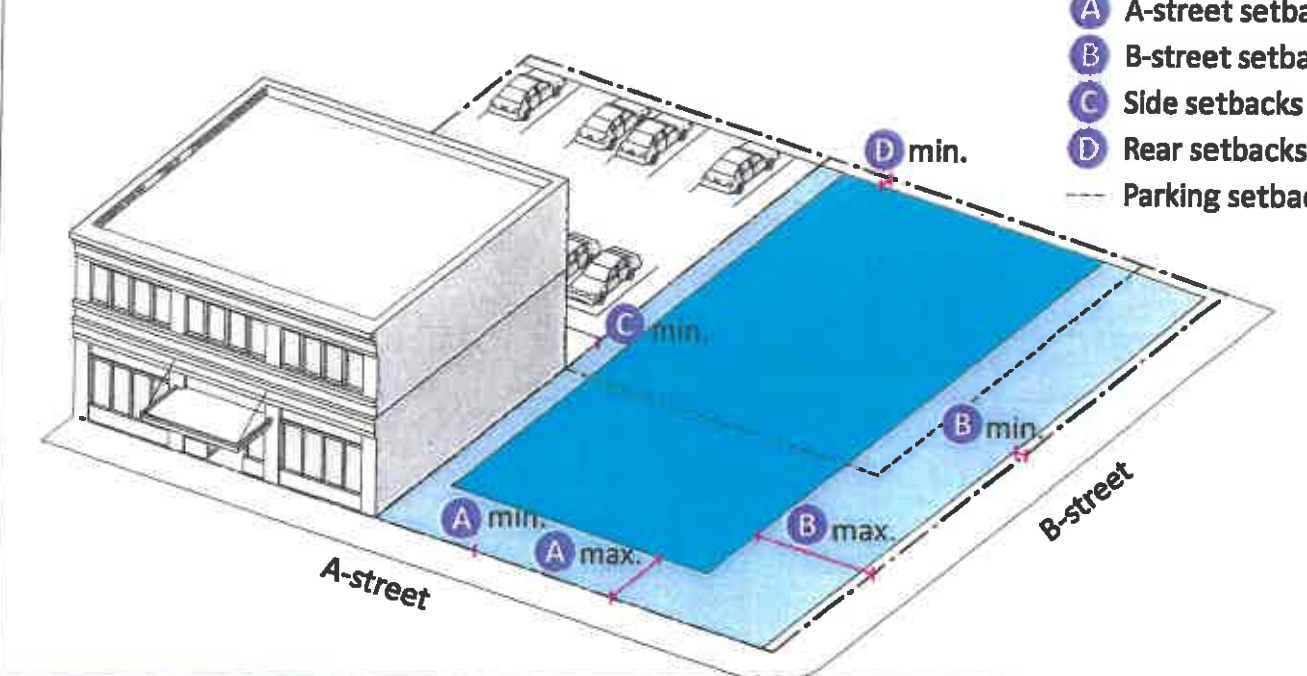


Figure 1. Downtown Homewood Zoning Map

Sec. D. LI Downtown Low Intensity District.

All lots in the LI district must meet the standards of **Table 1. LI Building and Site Standards**. This district is intended to provide a transition in building scale and use from the main street character of MI and the city-center character of HI into the surrounding neighborhoods.

Table 1. LI Building and Site Standards



A A-street setbacks
 B B-street setbacks
 C Side setbacks
 D Rear setbacks
 --- Parking setbacks

BUILDING SETBACKS		PARKING, LOADING AND STORAGE SETBACKS	
a. A-street	16 ft. max.	A-street	30 ft. min. or behind building
b. B-street	8 ft. min. <u>24-30</u> ft. max. ¹	B-street	10-3 ft. min. with screening per Sec. I
c. Side property line	0 ft. or 5 ft. min. ²	Side property line	3 ft. min.
d. Rear property line	3 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING WIDTH		LOT COVERAGE	
A-street	60% min.	Lot coverage by buildings	70% max.
B-street	30 ft. min.	Building width	100 ft. max.
MINIMUM GLASS		FACADE TYPES	
A-street	30% min.	Porch	Stoop
B-street	15% min.	Common entry	Terrace
Upper floors	n/a	Shopfront <u>Storefront</u>	
HEIGHT			
Building	2 stories max.	Parking structure	n/a

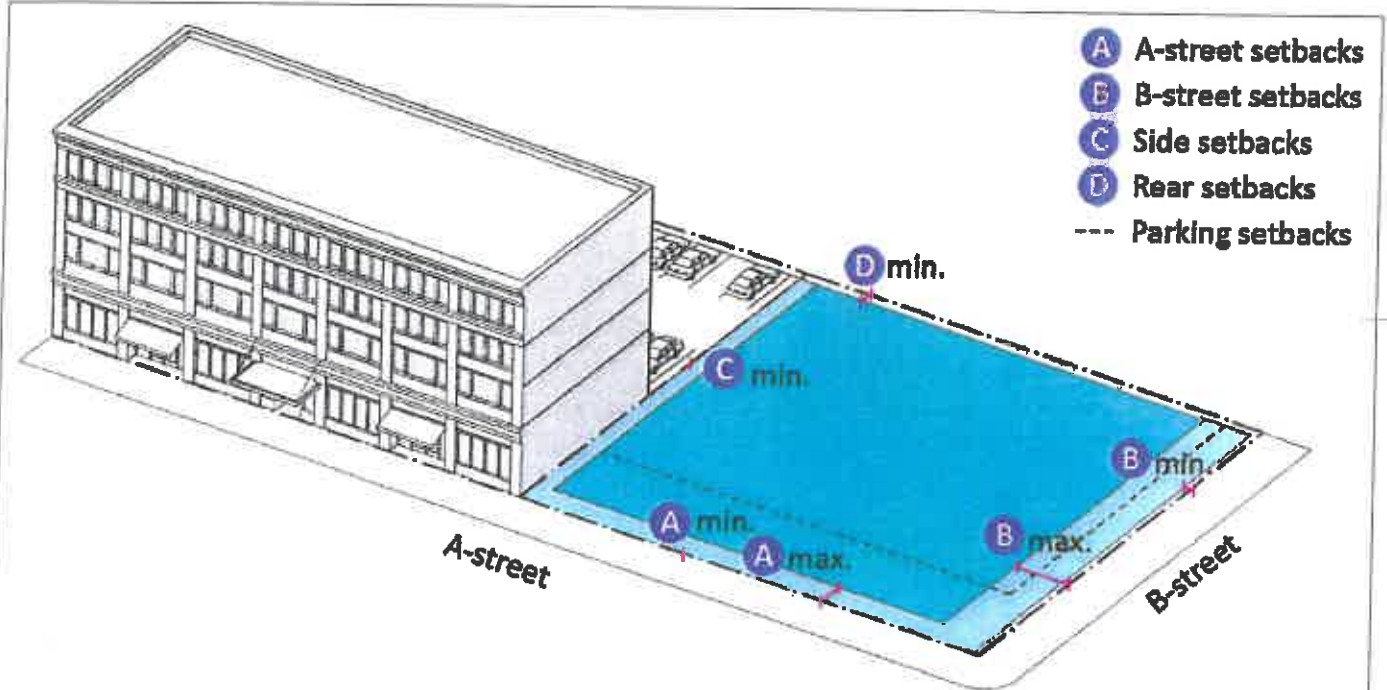
¹ Parcels on Linden Ave. or Crescent Ave. and the corner of Reese St. may consider Reese St. their B-street frontage.

² Side property line is 5 ft. min. when adjacent to any non-intensity district.

Sec. E. MI Downtown Medium Intensity District.

All lots in the MI district must meet the standards of **Table 2. MI Building and Site Standards**. This district is intended enhance the main street character of 18th Street and create a similar character in other areas of Downtown. This district consists of predominantly mixed-use with **shopfrontstorefronts** along street-lined streets with large sidewalks.

Table 2. MI Building and Site Standards



BUILDING SETBACKS		PARKING, LOADING AND STORAGE SETBACKS	
a. A-street	8 ft. max.	A-street	30 ft. min. or behind building
b. B-street	2 ft. min. – 16 ft. max.	B-street	10-3 ft. min. with screening per Sec. I
c. Side property line ¹	0 ft. min.	Side property line	3 ft. min.
d. Rear property line	3 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING WIDTH		LOT COVERAGE	
A-street	70% min.	Lot coverage by buildings	100% max.
B-street	40 ft. min.	Building width	120 ft. max.
MINIMUM GLASS		FACADE TYPES	
A-street	50% min.	ShopfrontStorefront	Common entry
B-street	30% min.	Terrace	Stoop ²
Upper floors	15% min.		
HEIGHT			
Building	4 stories max. ³	Parking structure	3 stories max.

¹ Side property line is 5 ft. min. when adjacent to residential use districts.

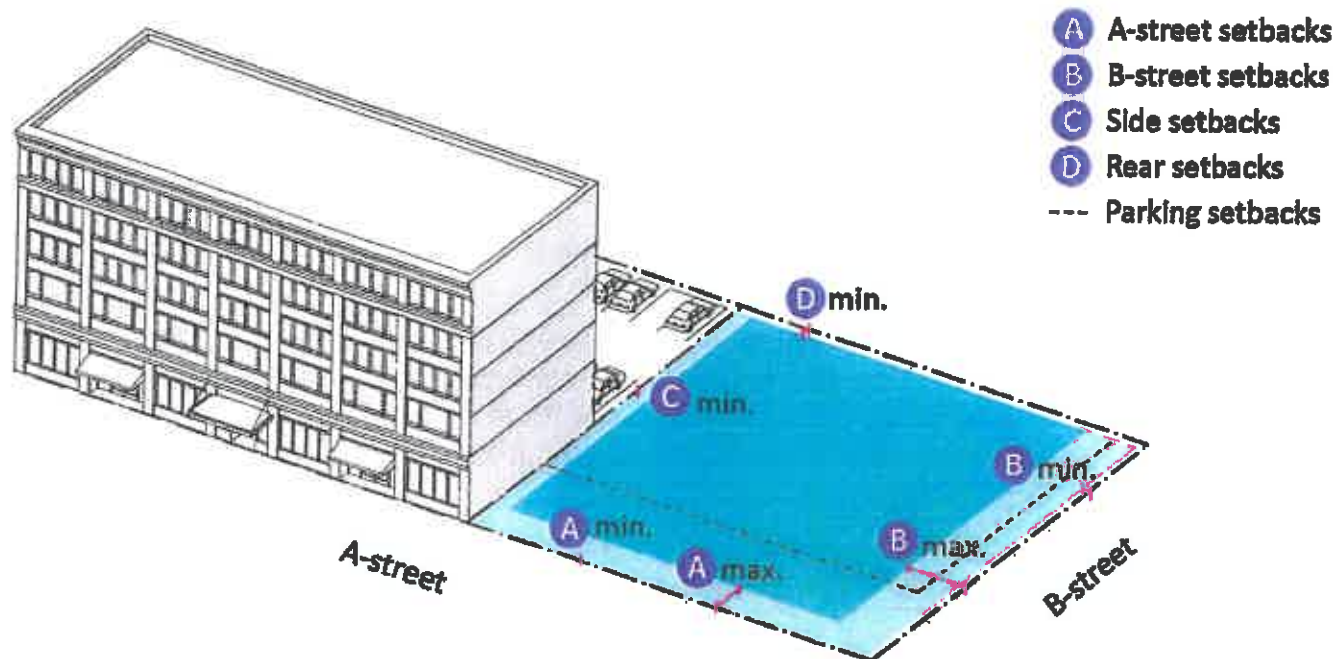
² ~~A-stoop facade is not permitted on 18th St. S.~~ Storefront facades are required on 18th St. S. between Oxmoor Rd. and 28th Ave. S., and on 29th Ave. S. between 18th St. S. and 19th St. S.

³ Height is limited to 2 stories max. facing 18th St. S. between Oxmoor Rd. and 28th Ave. S. and for properties on the south side of 29th Ave. S. between 18th St. S. and 19th St. S.

Sec. F. HI Downtown High Intensity District

All lots in the HI district must meet the standards of [Table 3. HI Building and Site Standards](#). This district is the core of Downtown Homewood and has the greatest intensity of the city.

Table 3. HI Building and Site Standards



BUILDING SETBACKS		PARKING, LOADING AND STORAGE SETBACKS	
a. A-street	12 ft. max.	A-street	30 ft. min. or behind building
b. B-street	2 ft. min. – 18 ft. max.	B-street	10 3 ft. min. with screening per Sec. I
c. Side property line	0 ft. min.	Side property line	0 ft. min.
d. Rear property line	3 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING WIDTH		LOT COVERAGE	
A-street	70% min.	Lot coverage by buildings	100% max.
B-street	50 ft. min.	Building width	200 ft. max. ¹
MINIMUM GLASS		FACADE TYPES	
A-street	50% min.	Shopfront Storefront	Common entry
B-street	30% min.	Terrace	
Upper floors	15% min.		
HEIGHT			
Building	5 stories max.	Parking structure	4 stories max.

¹ Buildings may be wider than 200 feet if they include a courtyard facing the street that is at least 30 feet deep and 20 feet wide.

Sec. G. Development standards

(1) Site standards.

a. **Setbacks.** Buildings must be set back from lot boundaries according to [Table 1](#), [Table 2](#), and [Table 3](#).

1. **Adjustments.** Frontage setbacks may be expanded or reduced by as much as 20 percent to accommodate existing conditions.
2. **Encroachments.** Building element encroachments are regulated as follows:
 - i. Underground parking within frontage setbacks is not considered an encroachment, provided that the underground structure is not visible from the sidewalk or frontage.
 - ii. In the LI district porches, terraces, balconies and stoops may encroach 50% of the depth of the front setback.
 - iii. In the MI and HI district awnings or canopies may encroach into the ROW to within two feet of the back of the curb. Encroachments must be a minimum of eight feet clear over sidewalks. Encroachments into the ROW must provide a two-foot clearance from the primary trunk of street trees. Balconies may encroach 100% of the depth or the front setback.
 - iv. Eaves, cornices, sills, belt courses and other architectural ornamental features may encroach into the front setback up to 18 inches.
 - v. Door swings may not encroach into the public sidewalk.
 - vi. Commercial activities, including food service and seating, may occupy required yard setbacks. Sidewalk cafes may be allowed subject to approval of a right-of-way use permit.

b. **Lot coverage.** Lot coverage by buildings is limited to the maximum percentage specified in [Table 1](#), [Table 2](#), and [Table 3](#).

c. **Buffers.** Buffer strips are not required within intensity zones.

(2) **Density.** Residential density is determined by the building envelope. Lot area minimums for subdivision and dwelling unit density do not apply.

(3) Building standards.

a. **Building width.** A minimum building width indicates the length of the property line that must contain a building.

1. At A-streets, the minimum building width is a percentage of the length of the property line as regulated by [Table 1](#), [Table 2](#), and [Table 3](#).
2. At B-streets, the minimum building width is a specified distance from the corner of the building as regulated by [Table 1](#), [Table 2](#), and [Table 3](#).
3. Facades must be within the minimum and maximum setback as regulated by [Table 1](#), [Table 2](#), and [Table 3](#).

4. At corner lots, the calculation applies to both streets relative to their A- or B- designation, as illustrated in [Figure 2](#). B-streets building width requirements are measured from the front face of the building if that is different from the front lot line.
5. Courtyard space, if applicable, counts toward the building width requirement if it is publicly accessible.

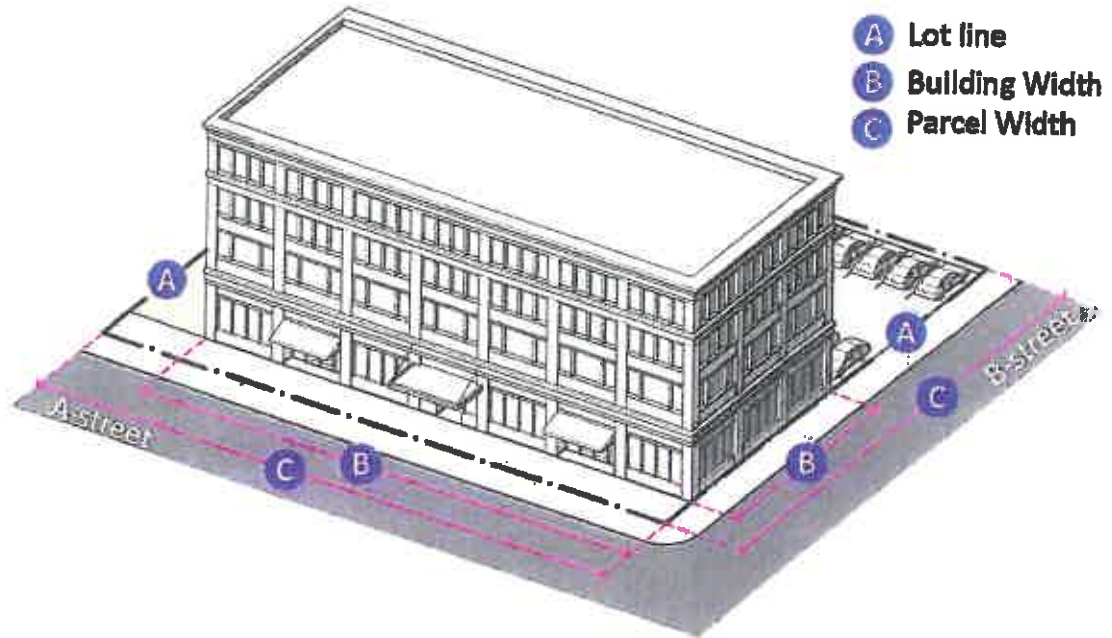


Figure 2. Minimum Building Width Illustration

- b. **Height.** Building heights are measured in stories with the following restrictions:
 1. The maximum height of the building is as specified by [Table 1](#), [Table 2](#), and [Table 3](#).
 2. Stories are measured from finished floor to finished ceiling.
 3. Ground floor stories, from finished floor to finished floor, exceeding 20 feet in height are considered two stories.
 4. Mezzanines exceeding 30% of the ground floor area are considered a story.
 5. Stories above ground floor, from finished floor to finished floor, exceeding 14 feet are considered two stories.
 6. Height limits do not apply to inhabited attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads. Attics exceeding 60% of the ground floor area are considered a story.
 7. Edge conditions. Height is limited to the adjacent lot zoning height within 50 feet of the lot line in all intensity zones.
- c. **Facades.** Facade types must be assigned along all streets according to [Table 1](#), [Table 2](#), and [Table 3](#) and the following requirements:
 1. Facade requirements do not apply to elevations facing an alley.

2. The facade must conform to **Table 4. Facade Types**. See Sec. N for facade definitions.
3. A storefront facade is required for all ground floor retail, office, service and lodging uses in the MI district.
- 3.4. The primary building entry must face a street.
 - i. One entry must be provided for every 50 feet of facade leading to habitable space.
 - ii. Buildings on corner lots are exempt from entry frequency requirements if the facade is under 50 feet in length.
- 4.5. **Glass.** Street facades must meet the minimum clear glass requirements of **Table 1, Table 2, and Table 3**.
 - i. Glass percentage is calculated individually for each facade and is measured between two and ten feet in height above grade along the length of the facade.
 - ii. Glass calculations includes doors, windows and storefront systems.
 - iii. Additional glass requirements apply to ~~shopfronts~~ storefronts per **Table 4. Facade Types**.
 - iv. Tinted, mirrored and reflective glass, and glass covered by screening sheets, white, or UV protection film are prohibited.
- 5.6. Buildings may include multiple facade types along their length, each type no less than 30 feet in width.
- ~~6. A shopfront is required for all ground floor retail, office, service and lodging uses in the MI district.~~
7. Blank walls visible from the public sidewalk may not exceed 40 linear feet.
8. Visible side building facades should have a level of detail, finish and material compatible with the front facade. This requirement does not apply to zero-foot setback side facades.
9. **Accessory structures.** Accessory structures are not permitted in the front yard and must meet all standards of **Table 1, Table 2, and Table 3**.
10. **Equipment.** All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade or concealed from street view with a screen or wall. These facilities may not encroach into any setback.
11. **Drive-through facilities.** Drive-through facilities and lanes must be located behind the principal building.
 - i. Queuing lanes must not interfere with pedestrian circulation.
 - ii. Queuing lanes may not be located in front of the primary building.
 - iii. Drive-through canopies and other structures, where present, must be constructed from the same materials as the primary building, and with the same level of architectural quality and detailing.
- d. **Materials.** Downtown building ~~facadess~~ must use durable materials. Durable materials include:
 1. Brick

2. Stucco, however EIFS is not permitted within 36 inches of finished grade
3. Heavy timber
4. Cementitious siding
- 4.5. Wood
- 5.6. Slate
- 6.7. Metal roofing
- 7.8. Tile
- 8.9. Wood Metal may be used as an accent material and for door and window framing.

Table 4. Facade Types

STOREFRONT	
Entry grade	At adjacent sidewalk grade
Requirements	A storefront is required at the primary entrance of each tenant space.
	Storefronts must have 70% ground floor glass rather than the requirements of Table 1, Table 2, and Table 3.
	Display windows may project into frontage setbacks no more than five feet and not beyond the property line.
	Building entries may be recessed from the facade up to a maximum of six feet in depth.
Guidelines	If ground floor grade is above sidewalk grade, the differential should be accommodated within the building.
COMMON ENTRY	
Entry grade	20 in. max from adjacent sidewalk grade; at sidewalk grade in MI and HI
Requirements	A collective entry to a multi-tenant lobby is required at the primary building entrance. Additional entries are permitted as necessary.
	Canopies and awnings are permitted to encroach into the setback up to 100% of their depth.
Guidelines	A raised planter may be utilized to the full depth of the front setback.
TERRACE	
Entry grade	Eight in. min. and 24 in. max. above highest adjacent sidewalk grade
Requirements	A terrace is required at building entrances, projecting from the facade.
	A terrace must be a minimum of eight feet deep.
STOOP	
Entry grade	12 in. min., 36 in. max. above adjacent sidewalk grade
Requirements	A stoop is required at building entrances, projecting from or recessed into the facade.
	A stoop must be a minimum of five feet in width or depth.
	Wood is prohibited for stoop railings.
	Stairs may be perpendicular or parallel to the building facade.
PORCH	

Entry grade	36 in. max. above adjacent sidewalk grade
Requirements	A porch is required at the primary building entrance.
	A porch must be a minimum of 6 feet deep and 10 feet wide.

Sec. H. Use.

Intensity districts are subject to the requirements of [Table 5. Use Matrix](#).

- (1) **Uses not mentioned.** Uses not listed in [Table 5](#) and not prohibited by other laws are permitted should the Building, Engineering & Zoning Director determine them to be similar in nature to and compatible with other uses permitted within the zone; consistent with the stated purpose of the zone and consistent with the policies of the Heart of Homewood Downtown Master Plan.
- (2) **Multiple uses.** Multiple uses within a single site or building are permitted in all intensity districts and areas.
- (3) **Notations.** Intensity districts are subject to the requirements of [Table 5 below](#), where the notations have the following meanings:
 - a. "P" means the use is permitted by right.
 - b. "A" means the use is permitted as an accessory use located on the same lot with a permitted use.
 - c. "R" means the use is allowed upon meeting the conditions set forth in [Table 6. Restrictions per district](#).
 - d. "X" means the use is prohibited.

Table 5. Use Matrix

USE	ZONING DISTRICT		
	LI	MI	HI
RESIDENTIAL			
Single-family detached	P	X	X
Two-family	P	P ¹	X
Three-family	P	P ¹	X
Townhouse	P	P ¹	X
Multi-family, including senior and assisted living	X	P ¹	R
Live-work	P	P ¹	P
Accessory dwelling	A	A ¹	X
Accessory structures	A	A	A
Group home	X	P ¹	P
Home occupation	A	A ¹	A
Manufactured or mobile home park	X	X	X
LODGING			
Bed and breakfast	P	P	X
Hotel	X	R	P
Motel	X	X	X

¹ Residential uses are not permitted on parcels facing 18th St. S. between Oxmoor Rd. and 28th Ave. S or on 29th Ave. S. between 18th St. S. and 19th St. S.

USE	ZONING DISTRICT		
	LI	MI	HI
OFFICE			
Outpatient medical, dental, research, government service	R	R	P
Professional	R	R	P
RETAIL			
Adult retail	X	X	X
Automotive rental and sale	X	X	X
Bakery	R	P	P
Bar, pub, tavern, micro-brewery	R	P	P
Optician	P	P	P
Package liquor store	X	P	P
Pharmacy	P	P	P
Restaurant	RP	P	P
Retail facility	R	R	R
Specialty shops	P	P	P
SERVICE			
Adult-oriented services	X	X	X
Athletic and health clubs	P	P	P
Automotive service and repair	R	R	X
Business service	R	P	P
Commercial laundry	X	R	R
Crematorium	X	X	X
Day care home	P	P	P
Day care center	R	P	P
Financial institution	R	P	R
Funeral home	X	P	X
Gas station	X	X	P ¹
Hospital	X	X	X
Mini-warehouse	X	X	X
Personal service	P	P	P
Tattoo parlors	X	X	X
Title loans, check cashing, pawn shop	X	X	X
Veterinary clinic without boarding	P	P	X
INSTITUTIONAL			
Art and dance instruction	P	P	P
Club or meeting hall	R	R	R
Convention and exhibition facilities	X	X	X
Cultural, including library, museum, gallery, performing arts center	R	P	P
Religious institutions	R	R	R
EDUCATION			
Elementary school	R	R	X
Middle school	X	X	X

¹ Gas stations are permitted if the pumps and parking are located behind the building and the pumps meet the setback requirements.

USE	ZONING DISTRICT		
	LI	MI	HI
High school	X	X	X
College	X	X	X
ENTERTAINMENT			
Adult entertainment	X	X	X
Indoor sports facility	X	P	P
Outdoor sports facility	X	X	X
Theater, excluding drive-in	X	P	P
MANUFACTURING and WAREHOUSE			
Light manufacturing	X	X	P
Warehouse storage and wholesale distribution	X	X	X
UTILITIES			
Communications facility ¹	X	X	X
Utility facility	X	X	X
NOTATION LEGEND			
Permitted use	P		
Accessory use	A		
Restricted according to Table 6	R		
Prohibited use	X		

(4) Restricted uses. Restricted uses listed in Table 5 above are limited for size or intensity per Table 6.

Table 6. Restrictions per district

USE CATEGORY	LI	MI	HI
Residential	None Not applicable	Six dwelling units maximum	At least 50% of A-street frontage must have a storefront facade.
Lodging	Six rooms maximum	20 rooms maximum	No maximum
Office	3,000 sq. ft. per floor maximum	6,000 sq. ft. per floor maximum	No maximum
Service & Retail	3,000 sq. ft. maximum; no open storage	10,000 sq. ft. maximum; no open storage	30,000 sq. ft. maximum; no open storage
Institutional	On-site parking may not exceed 20 spaces	On-site parking may not exceed 30 spaces	On-site parking may not exceed 50 spaces
Education	Elementary schools may not exceed five acres unless the playground has neighborhood access during daylight-hours		Not applicable

a. Area restrictions for office, service and retail in the LI and MI districts only apply for lots less than 125% of the median lot width and area for each district as follows:

1. Low Intensity lot width— 70.91 feet
2. Low Intensity low area — 9,469 sq. ft.

¹ Except facilities existing at the effective date of adoption of this Article.

3. Medium Intensity lot width – 91.125 feet

9.4. Medium Intensity lot area – 9,414 sq. ft.

Sec. I. Parking.

Off-street parking and loading must be set back from frontages according to Table 1, Table 2, and Table 3 except where parking is located underground, and the following standards.

(1) Required parking. ~~Required parking by use must be provided according to Table 7. Parking Requirements. Parking is not required for ground floor uses of parcels facing 18th St. S. No minimum parking requirements apply in LI, MI or HI districts. Maximum parking requirements restrict some uses in some zones (see Table 6. Restrictions per district).~~

- a. ~~Parking may be provided by the sum of the parking (1) within the lot, (2) along the parking lane corresponding to the lot frontage, and/or by a shared parking agreement with another lot within a one block radius, and (3) public parking corresponding to the lot frontage.~~
- b. ~~The required parking may be reduced according to the occupancy rates of Table 8. Parking Occupancy Rate to determine the effective parking. The effective parking reduction is available for any uses with a shared parking agreement.~~

Table 7. Parking Requirements

USE	PARKING REQUIRED
Residential	1 space per unit
Retail and Service	23 spaces per 1,000 s.f. of net usable area
Office and Manufacturing	2 spaces per 1,500 s.f. of net usable area
Lodging	1 space per room
Institutional, Education and Entertainment	1 space per 5 seats of assembly

Table 8. Parking Occupancy Rate¹

USE	M-F	M-F	M-F	SAT & SUN	SAT & SUN	SAT & SUN
Time	8am-5pm	6pm-12am	12am-8am	8am-5pm	6pm-12am	12am-8am
Residential	60%	100%	100%	80%	100%	100%
Retail and Service	90%	80%	5%	100%	70%	5%
Office and Manufacturing	100%	20%	5%	5%	5%	5%
Lodging	70%	100%	100%	70%	100%	100%
Entertainment	40%	100%	10%	80%	100%	50%
Institutional (non-religious)	100%	20%	5%	10%	10%	5%
Institutional (religious)	10%	5%	5%	100%	50%	5%

(5)(2) Access. Parking access must meet the following standards:

- a. Driveways are limited to 20 feet in width for two-way and 10 feet in width for one-way travel.
- b. Access to structured parking may not exceed 24 feet in width when facing a street.
- c. Sites with alley access must use the alley for access, loading and service except where alleys are not open for public use or topography restricts alley access.

¹ Planning staff will provide a spreadsheet that will perform occupancy rate calculations for specific applications based on rates in Table 8. Parking Occupancy Rate.

d. Access is restricted to one curb-cut for every 100 feet of frontage per parcel. This requirement is not calculated over multiple parcels.

~~e. Pedestrian access to off-street parking must be provided from frontages via walkways a minimum of six feet in width.~~

~~f.e.~~ Curb return radii are not permitted at access points. Driveways must be chamfered to permit the sidewalk grade to remain constant.

~~(6)(3)~~ **Parking structure.** The ground floor of any parking structure abutting a public street must have habitable space for a depth of 30 feet facing the street.

a. Upper floors must be designed and detailed in a manner consistent with adjacent buildings.

b. Entrances must minimize conflict with pedestrian movement.

~~(7)(4)~~ **Surface parking.** Parking areas that exceed 120 spaces must include a minimum of six-foot wide pedestrian walkway. The pavement of the walkway must be differentiated from parking area pavement through a change in surface texture, material, style, and/or color.

~~(8)(5)~~ **Off-street parking design.** Off-street parking stalls and access aisles must be dimensioned according to **Table 9. Off-street Parking Minimum Dimensions.**

a. Off-street parking facilities must have a minimum vertical clearance of seven feet. If the facility is to be used by trucks or for loading, the minimum clearance is 15 feet.

b. Surface parking lots should share access points and circulation with adjacent surface parking lots, subject to a shared access agreement.

c. Parking lots must be screened from public streets, sidewalks and paths by a masonry wall or evergreen hedge. The height of the screen must be a minimum of 36 inches and a maximum of 48 inches in height.

d. Parking lots should be landscaped with native plants and shade trees to reduce stormwater runoff.

1. In HI, a landscaped bay with a shade tree must occur at the end of drive aisles and dead-end bays cannot exceed 200' in length.

Table 9. Off-street Parking Minimum Dimensions

ANGLE OF PARKING	aisle: ONE-WAY, SINGLE LOADED	aisle: ONE-WAY, DOUBLE LOADED	aisle: TWO-WAY, DOUBLE LOADED
90 degrees	23 ft. min.	23 ft. min.	23 ft. min.
60 degrees	12.8 ft. min.	11.8 ft. min.	19.3 ft. min.
45 degrees	10.8 ft. min.	9.5 ft. min.	18.5 ft. min.
Parallel	10 ft. min.	10 ft. min.	20 ft. min.
Standard stall	8.5 ft. wide min. and 18 ft. long min., parallel parking width is 8 ft. min.		

~~(9)(6)~~ **Loading area standards.** Loading docks and service areas are restricted according to the parking and storage setbacks of **Table 1, Table 2, and Table 3.**

a. **Required loading area.** On-site loading must be provided for all buildings greater than 50,000 square feet as follows:

1. Loading bays are required in the amounts specified in **Table 10. Required Loading and Service Bays**, calculated as the total area for each use category within a building.
 - i. The areas of retail, office and service uses within a single building may be combined per **Table 10. Required Loading and Service Bays**.
- b. **Loading areas.** Off-street loading and refuse collection must be located and screened so it is not visible from the adjacent public streets or residential uses.
- c. **Location.** Front loading docks are not permitted on A-streets. On-street loading areas are only permitted if rear or side loading areas are not possible due to site constraints.
 1. **B-street location.** Loading docks and service areas may be accessible from the frontage if screened from the adjacent street.

Table 10. Required Loading and Service Bays

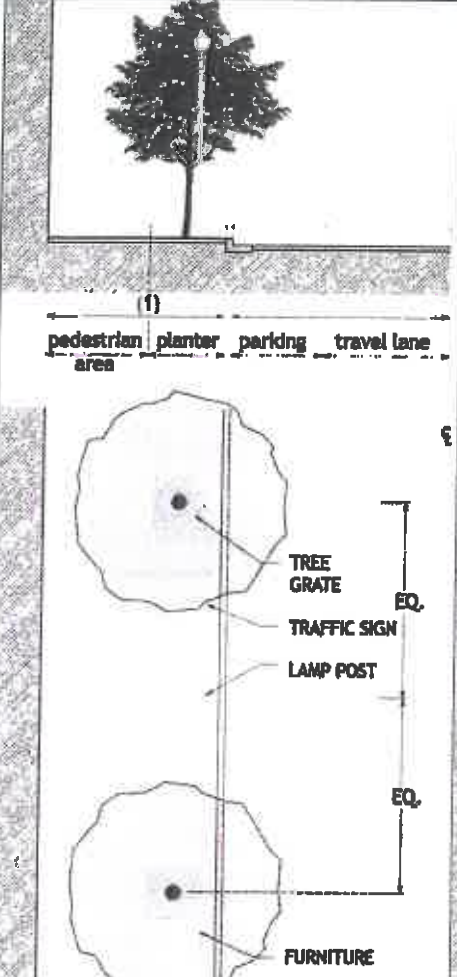
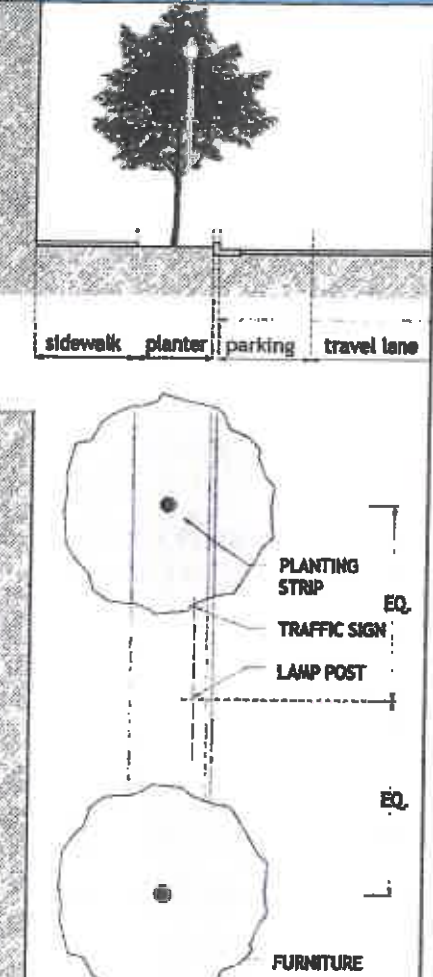
USE	40,000 – 160,000 SQ. FT.	160,001 – 320,000 SQ. FT.	320,001 – 400,000 SQ. FT.	> 400,000 SQ. FT.
Residential	1 / 100 units	1 / 100 units	1 / 100 units	1 / 100 units
Lodging	1 / 300 rooms	1 / 300 rooms	1 / 300 rooms	1 / 300 rooms
General retail, office and service	1	2	3	1 / 180,000 sq. ft.
Institutional and education	1	2	3	1 / 180,000 sq. ft.
Manufacturing and utilities	1	2	3	1 / 180,000 sq. ft.

Sec. J. Streetscape.

The purpose of this section is to implement the Heart of Homewood Downtown Master Plan Mobility and Streetscape policies. The provisions of this section apply to all streetscape improvements in Downtown. Streetscape improvements are required if the applicant area is **more than** 100 feet **or more** in width facing the street.

- (1) Streetscape improvements including sidewalks, planters, and tree spacing must meet the requirements of **Table 11. Streetscape Standards**. Existing sidewalks and planters must be adjusted to meet the requirements of **Table 11**.
- (2) Improvements must transition to existing conditions at adjacent properties to preserve pedestrian access and safety.
- (3) Parcels in locations without adjacent sidewalks may pay the value of construction into a fee in lieu fund for Downtown streetscape improvements.
- (4) Pedestrian access. Pedestrian passages should meet the following minimum standards:
 - a. All ADA guidelines apply to pedestrian access.
 - b. Lighting must be provided to ensure safety and security. The following lighting is required in pedestrian passages:
 1. 15-foot maximum height of lighting fixtures.
 2. A minimum of one-foot candle illumination must be maintained throughout the passage.

Table 11. Streetscape Standards

ZONING DISTRICT	MI, HI	LI
Streetscape Illustration		
(1) Sidewalk width	12 ft. min. including planter and pedestrian area	5 ft. min.
Pedestrian area width	8 ft. min.	See sidewalk width
Planter size	4 ft. by 6 ft min.	5 ft. by 14 ft. min.
Tree spacing	40 ft. on center average, adjusted to accommodate shopfrontstorefront needs	30 ~ 40 ft. on center
Parking lane width	8 ft. from front of curb	8 ft. from front of curb

Sec. K. Signs.

This section establishes the standards for the number, size, placement and physical characteristics of on-premise signs visible from a public sidewalk or adjacent property. These regulations do not restrict the content of on-premise signs nor signs invisible from a public sidewalk or adjacent property. The purpose of this section is to assure the scale and character of signs is appropriate to a walkable, mixed-use downtown. This section replaces the City of Homewood, Alabama Sign Ordinance for Downtown.

- (1) **Severability.** The provisions of these regulations are severable, and should any provision be held by a court of competent jurisdiction to be invalid, these regulations in their entirety and remaining parts, other than the part so held to be invalid, remain valid.
- (2) **Permits required.** All Downtown signs with the exception of the following require a sign permit.
 - a. A-frame ground sign. See **Table 12. General Sign Restrictions.**
 - b. Informational sign. This sign may not exceed four square feet in area and may include the names, addresses of the occupant.
 - c. Official sign. This type may include legal notices required by law, warning signs, signs erected by a governmental agency or public utility and historical markers.
 - d. Directional sign. This sign may indicate bus stops, taxi stands, off-street parking or loading facilities, and similar directional information. This sign may not exceed four square feet in area.
 - e. Temporary signs. Not more than one temporary sign is permitted per frontage and may not exceed 32 square feet in area. Temporary signs must be removed within 48 hours after the event. Temporary signs may not be displayed longer than the event or 30 days. Temporary signs shall not be permitted more than twice in any calendar year.
- (3) **Nonconforming signs.** General restrictions on nonconforming signs.
 - a. If a sign displays or advertises information or activity that is not current, is in a state of disrepair or is left blank for a continuous period of 30 days, it is considered abandoned and within 30 days after abandonment the owner of the property must remove or replace the sign or the message.
 - b. Illumination may not be added to a nonconforming sign.
 - c. A nonconforming sign may not be replaced except to bring it into complete conformance with this section.
 - d. If a sign is removed or damaged to the extent that the cost of restoration exceeds 50 percent of the original value of the sign it must be removed or brought into complete conformance with this section.
- (4) **Prohibited signs.** Signs with the following features are prohibited:
 - a. Off-premise signs;
 - b. Signs utilizing animation or which contain the optical illusion of sign movement;
 - c. Signs incorporating noisy mechanical devices or emitting smoke or steam.
 - d. Inflatable signs, such as but not limited to balloons, gas inflated signs or similar signs;
 - e. Portable signs, except a-frame ground signs;
 - f. Flags, banners or streamers;

- g. Yard signs;
- h. Any unsafe sign.

(5) **Permitted signs and restrictions.** Permitted sign types are limited by district and the following restrictions according to **Table 12. General Sign Restrictions** and **Table 13. Specific Sign Regulations and Illustrations**:

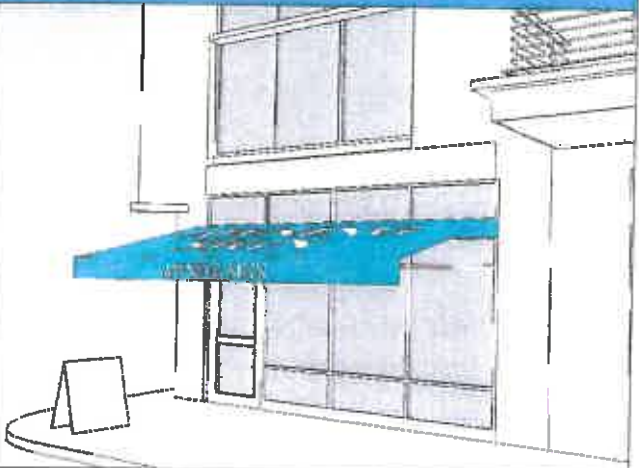
- a. The number of signs per type;
- b. The area of signs;
- c. The height of sign copy.
- d. All signs must meet the following clearance:
 - 1. Minimum eight feet clear over sidewalks;
 - 2. Minimum 10 feet clear over vehicular areas.
- e. All signs may be double-sided by right, if the configuration of the sign permits. The second side does not affect the calculation of height and width.
- f. Illuminated signs are permitted as follows:
 - 1. All signs may be illuminated by an external light source.
- g. Notations. Notations in **Table 12** have the following meanings:
 - 1. "P" means the sign is permitted.
 - 2. "X" means the sign is prohibited.

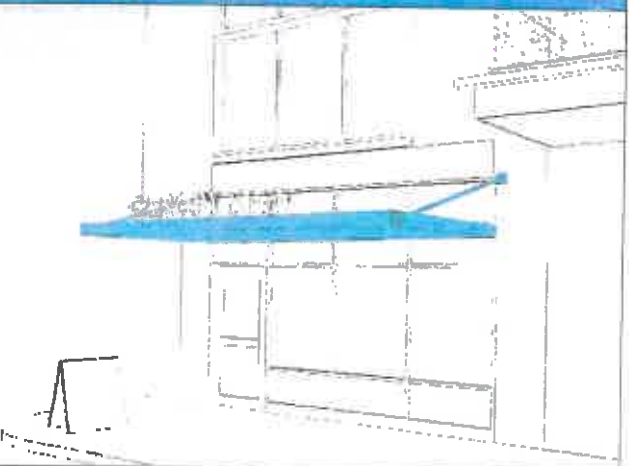
Table 12. General Sign Restrictions

SIGN TYPE	LI	MI	HI	SIGN NUMBER	MAX. SIGN AREA	MAX. COPY HEIGHT
PROJECTING SIGNS						
Awning	P	P	P	1 sloping panel plus 1 valence per awning	75% of sloping panel; 85% of valence	16 in. on sloping panel; 8 in. on valence
Canopy	XP	P	P	1 per canopy	2 sq. ft. per linear foot of storefront	30 in. max.
Projecting	P	P	P	1 per tenant	9 sq. ft.	8 in.
Marquee	X	P	P	1 per building	40 sq. ft.	n/a
Sculptural	P	P	P	1 per tenant	12 sq. ft.	n/a
WALL SIGNS						
Wall mounted	XP	P	P	1 per storefront	3 sq. ft. per 1 linear foot up to 90% of the width of the storefront	24 in.
Window	P	P	P	n/a	50% of glazed area, neon is limited to 24 in. in width by 12 in. in height	12 in.

SIGN TYPE	LI	MI	HI	SIGN NUMBER	MAX. SIGN AREA	MAX. COPY HEIGHT
GROUND SIGNS						
Monument	P	X	P	1 per frontage	30 sq. ft.	12 in.
Pole	X	X	X	n/a	n/a	n/a
Sidewalk ¹	X	P	X	1 per tenant	6 sq. ft.	n/a

Table 13. Specific Sign Regulations and Illustrations

AWNING SIGN		
Requirements	<p>a. Valence sign area must maintain a one-inch border.</p>	

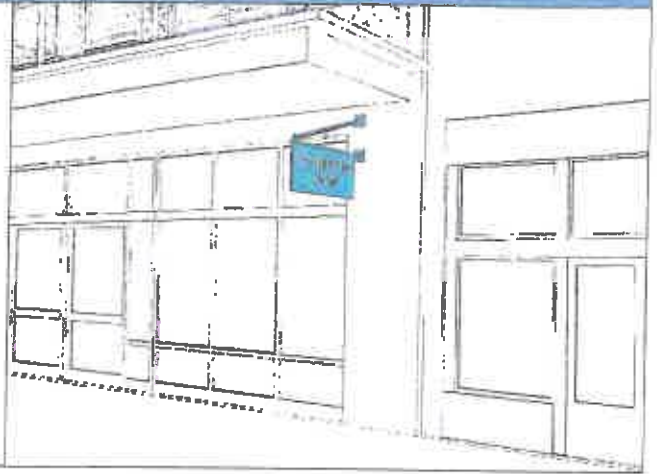
CANOPY SIGN		
Requirements	<p>a. Canopy signs may be externally illuminated or neon.</p> <p>b. Fixtures must be shielded to prevent glare.</p> <p>c. Conduit, raceways and wiring may not be exposed to view from the sidewalk.</p>	

¹ Sidewalk signs may not block the pedestrian area of the sidewalk.

PROJECTING SIGN

Requirements

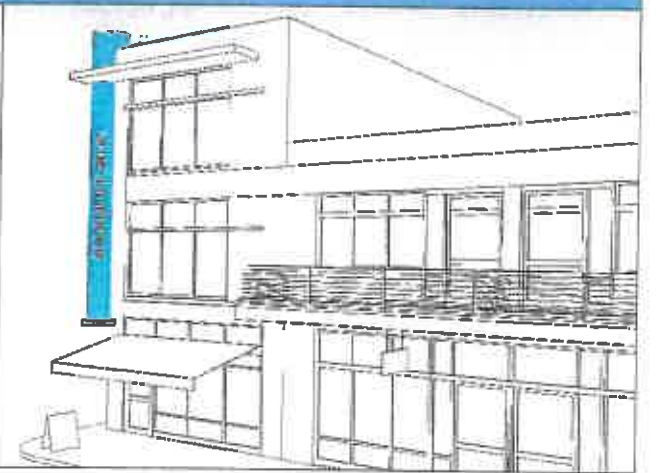
- a. Projecting signs may project up to three feet from the facade.



MARQUEE SIGN

Requirements

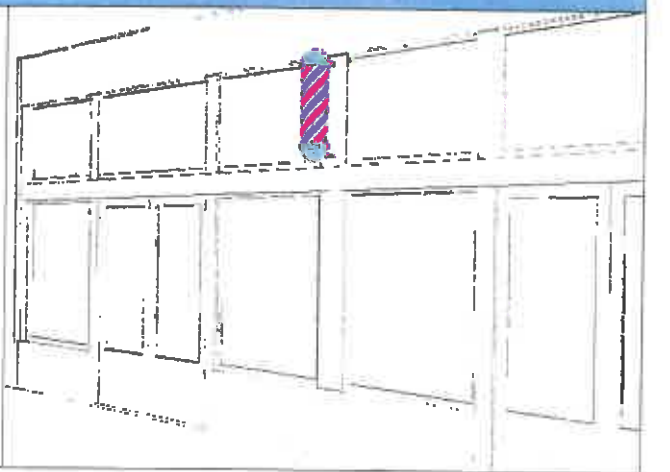
- a. Marquee signs may occur parallel to the facade or at the corner of the building permitted only on buildings over one story in height.
b. Sign may extend up to 6 feet above the parapet.
c. Bottom of the sign must be 12 feet above the sidewalk.



SCULPTURAL SIGN

Requirements

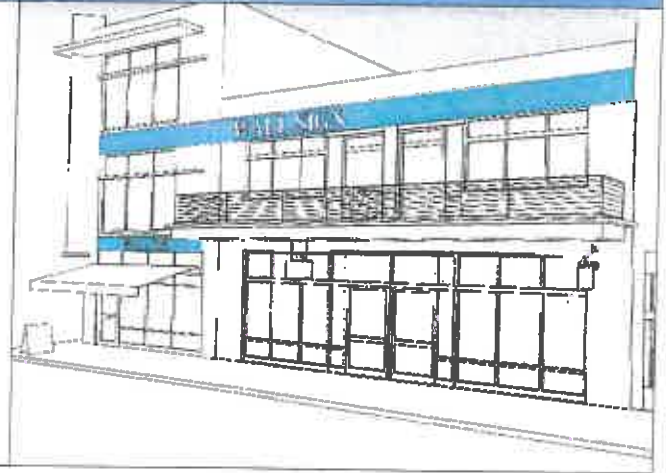
- a. Projecting signs may include painted, vinyl or extruded copy or graphics on a sculptural object.
b. Sign may be attached to wall, parapet or roof of a building and must include a supporting structure which is not computed as part of the allowable sign area.



WALL MOUNTED SIGN

Requirements

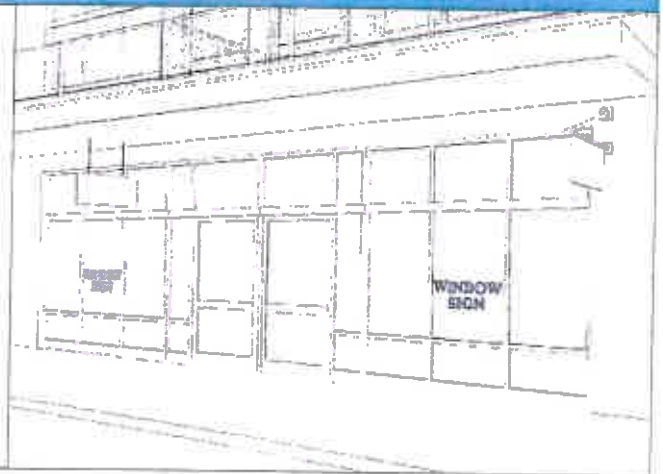
- a. Wall mounted signs may be externally illuminated.
- b. Fixtures must be shielded to prevent glare.
- c. Conduit, raceways and wiring may not be exposed.



WINDOW SIGN

Requirements

- a. The following window signs are permitted: letters painted directly on the window, neon signs, LED signs, hanging signs behind the glass, and vinyl applique letters applied to the window. Appliques must consist of individual letters or graphics with no visible background.

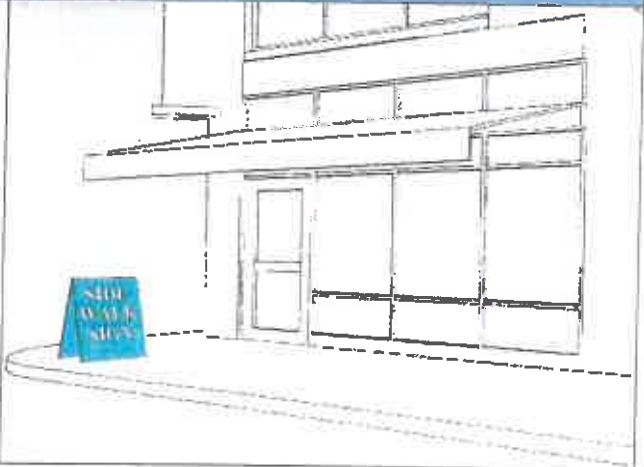


MONUMENT SIGN

Requirements

- a. Sign height may not exceed 6 ft.
- b. Sign width may not exceed 5 ft.
- c. Sign must comply with setbacks for the zoning district.
- d. Monument signs must be constructed of durable materials.



SIDEWALK SIGN		
Requirements	<p>a. Sign height may not exceed 42 in.</p> <p>b. Sign width may not exceed 20 in.</p> <p>c. Sign may not be located within the pedestrian area of the sidewalk. See Table 11.</p>	

Sec. L. Open Space.

Publicly-accessible open space is required for development applications exceeding one net acre in the HI district. City Council has the discretion to waive this requirement for hardship. Open space development is subject to the following standards.

- (1) A minimum of five percent of the gross lot area is required. Lot consolidation areas are calculated as the sum of the lots.
- (2) The open space requirement may be satisfied by the payment of a fee in lieu of the dedication. This fee will be only be used for streetscape improvements for a-grid streets or public open space within the HI district. Expenditure of such fees will only be through the capital budget and program appropriations by the City Council.
 - a. The fee in lieu of dedication of open space will be determined by multiplying the assessed value of the land per acre by the gross land area required.
- (3) Open space dedicated to the City will be developed according to [Table 14. Public Open Space](#).
- (4) Buildings, or expansions of existing buildings, under 3,500 square feet (sq. ft.) are exempt from required open space.
- (5) Private open space is required for developments that include residential as follows:
 - a. 10 percent of residential unit floor area is required in open space and may be any combination of shared or private open space.
 - b. Open space must be built when the development occurs.
 - c. Amenities provided within the open space, such as benches, planters, art and water features, will be maintained by the owner for the life of the project.

Table 14. Public Open Space

CATEGORY	REGULATION	ILLUSTRATION
Size	Five percent of the gross lot area above one acre.	
Dimensions	No side may be less the 30 feet in length	
Edge condition	One side, at a minimum must front a street	
Surface	Pervious pavement, landscape or a combination. Shade must be provided for 1/3 of the area at a minimum.	

Sec. M. Administration and Process.

The provisions of this ordinance will be administered and enforced by the building official of the city, who has the right to enter upon any premises at any reasonable time for the purpose of making inspections of land or structures necessary to carry out the enforcement of this ordinance.

- (1) **Zoning amendments.** Zoning amendments must follow the process in Article IX. Sec. B. In addition to those requirements, the applicant must provide a statement as to how the re-zoning request is consistent with the Heart of Homewood Downtown Master Plan.
- (2) **Building permits.** All building permits are revocable, subject to continued compliance with all the requirements and conditions of this article. Any permit issued in conflict with the provisions of this article are null and void. Building permits are required for any excavation or construction. Until the building official of the city has issued a building permit, it is unlawful to: a. commence earthwork, or b. commence construction of any building or other structure, including accessory structures or signs, or c. store building materials or erect temporary field offices, or d. commence the moving, alteration or repair of any structure.
 - a. **Building permit applications.** It is unlawful for the building official of the city to approve any plans or issue a building permit until the official has inspected the plans in detail and found them in conformity with this article. No building permit will be issued for any structures in Downtown until authorized by the zoning administrator. All building permit processes are subject to the requirements of the adopted building code for the city. All plans submitted with a building permit application must contain the following:
 1. Location, size, dimensions and current zoning of the site.
 2. The use(s), location, size, and height of all existing and proposed structures on the site with dimensioned setbacks in compliance with [Table 1](#), [Table 2](#), and [Table 3](#) including:
 - i. Dimensions of minimum building width in compliance with [Table 1](#), [Table 2](#), and [Table 3](#).
 - ii. Calculation of lot coverage by buildings in compliance with [Table 1](#), [Table 2](#), and [Table 3](#).
 3. All easements and rights-of-way.

4. The setback and side lines of buildings on adjoining property, and other information concerning the lot or adjacent property as may be required for determining conformance with the provisions of this article.
5. Elevations of all building facades that face the street including:
 - i. Assignment of facade types according to **Sec. G (3)c** and **Table 4. Facade Types**.
 - ii. Calculation of minimum glass in compliance with **Table 1, Table 2, and Table 3**.
6. The location and number of parking spaces, setbacks dimensioned, street screens if applicable, and well as points of ingress and egress.
7. All streetscape improvements, if applicable.
8. The location and points of ingress and egress for loading docks, if applicable.
9. The location, dimensions and types of all exterior signs.
10. Open space plan or calculation of fee in lieu, if applicable.
11. A development schedule indicating the approximate date when construction of the development or its stages can be expected to begin.

~~b. Waivers and interpretation review~~

- ~~1.—Scope: A waiver from a provision of this article may be granted by the zoning administrator when the strict application of the provision would require work by the permit holder detrimental to the purposes of this chapter as described in Sec. A Purpose.~~
- ~~2.—Standards: A waiver will not be granted unless:

 - ~~i.—The waiver is in harmony with the intent, the purposes, and the provisions of this article from which the waiver is requested. A waiver will not be granted unless this standard is first met.~~
 - ~~ii.—The waiver will not be materially detrimental to the rights of owners and residents of other affected properties; and~~
 - ~~i.—The waiver is the minimum necessary to afford relief;~~
 - ~~ii.—A waiver may not be granted for use.~~
 - ~~iii.—A dimensional waiver may not exceed a 20% difference from the required standard.~~~~
- ~~3.—Conditions: Conditions may be imposed on a waiver that will:

 - ~~i.—Secure the intent, the purposes, and the provisions of this article from which the waiver is granted; and~~
 - ~~ii.—Provide adequately for the protection of surrounding property owners and residents.~~~~
- ~~4.—Application: The request for a waiver must be made on a form provided by the zoning administrator and will be determined within 30 days.~~
- ~~5.—Denial: If the zoning administrator denies the waiver, the applicant may request a variance from the Board of Zoning Appeals.~~

e.b. Commencement of construction. After a pre-construction conference with the building official, the installation of all required erosion control devices and the issuance of a grading permit, site grading may begin. A foundation survey and staking may be required at the discretion of the building official.

d.c. Expiration. Individual lot site plan approvals and building permits issued in accordance with the provisions of this section become void six (6) months after the date of issue, if the construction for which it was issued has not started or if activity toward construction ceases for a period of six (6) months.

(3) **Approval authority.** Table 15. Approval Authority outlines the authority and appeal authority for this article.

a. The following positions and bodies are listed in a hierarchy in which each one provides an action of authority over the proceeding one, where the notations have the following meanings:

1. "S" means staff has administrative approval authority.
2. "R" means the entity has the responsibility to review the issue and make a statement of findings.
3. "A" means the entity has the responsibility to approve the issue.
4. "X" means the entity is the source of appeal for a prior decision.

Table 15. Approval Authority

	REVIEW AUTHORITY				
	BUILDING OFFICIAL	ZONING ADMINISTRATOR	PLANNING COMMISSION	CITY COUNCIL	BOARD OF ADJUSTMENT
ADMINISTRATIVE					
Verification of zoning compliance		S			X
Building permit	S	R			X
Interpretation		S			
APPLICATION REVIEW					
Rezoning		R	R	A	
Uses on appeal					A
Waiver requests		A			
Variance requests					A
SPECIAL PERMITS					
Use of public sidewalk		R	A		X
Temporary use permit		R	A		X
LEGISLATIVE					
Zoning reclassification		R	R	A	
Zoning text amendment		R	R	A	

Sec. N. Definitions.

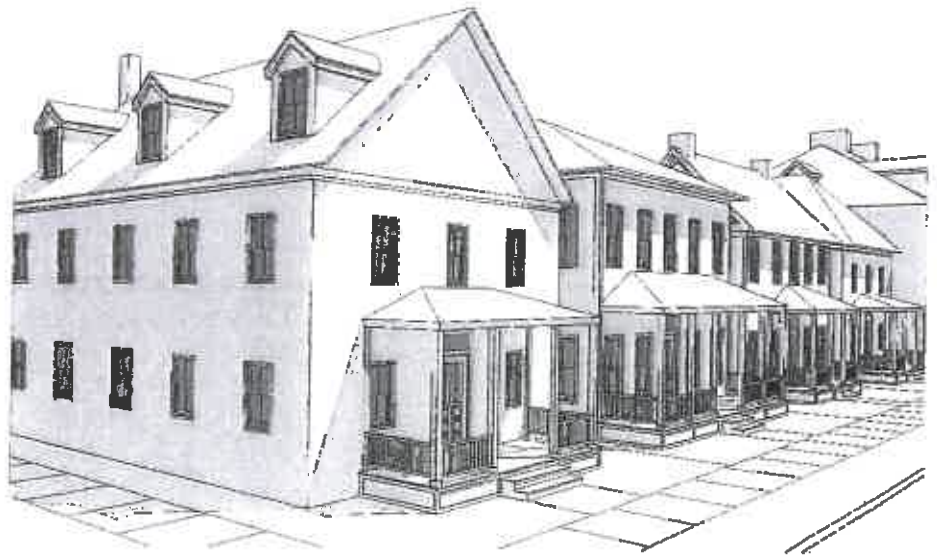
The definitions for this Article are found in Article II and Article IV Sec. EE and include the following new terms.

Common entry: a facade that provides a single collective entry to a lobby at the primary building entrance. This type is common to residential and office uses. See [Table 4. Facade Types](#) and the illustration to the right.



Pedestrian area: The portion of a MI and HI sidewalk dedicated to pedestrian use. This occurs between the planters and the face of the building. The planter area may also be used for utilities, furnishing and ground signs, but the pedestrian area must be kept clear for circulation.

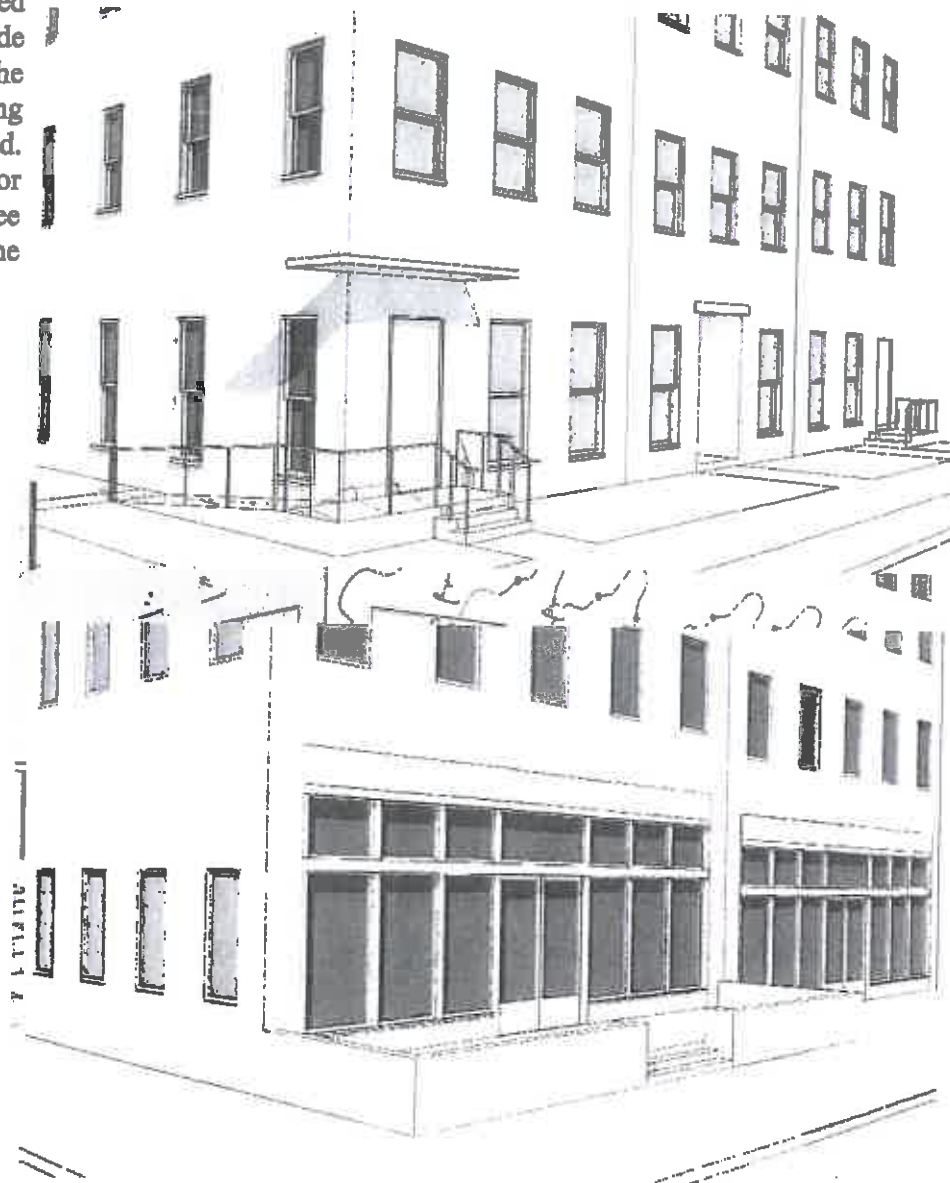
Porch: a facade common to single-family houses and townhouses where the building is set back from the front lot line and a porch encroaches into the front setback. The porch should be a minimum of six feet in depth. See [Table 4. Facade Types](#) and the illustration to the right.



Stoop: a facade common to ground floor residential use, where the building is aligned close to the front lot line and the first story is elevated from the sidewalk to provide privacy for the windows. The entrance includes a stair and landing that may be external or recessed. The stairs may be parallel to or perpendicular to the facade. See [Table 4. Facade Types](#) and the illustration to the right.

Storefront: a facade common to retail use, with substantial glass and may include an awning or canopy. The facade is aligned close to the front lot line with the building entrance at sidewalk grade. See [Table 4. Facade Types](#) and the illustration to the right.

Terrace: a facade that may be used for either commercial or residential uses that is set back from the front lot line by an elevated terrace. This type buffers ground floor residential from the sidewalk or provides semi-private space for outdoor cafes. See [Table 4. Facade Types](#) and the illustration to the right.



Section 2. That the Zoning Map of the City of Homewood is hereby amended to include the Zoning Map for the Downtown District as set out in Figure 1 of Section C of this Article, which zoning map is attached hereto as Exhibit A and incorporated into the existing Zoning Map of the City of Homewood.

Section 3. That the parcels of property listed in Exhibit B are hereby taken out of their current Homewood Zoning District and rezoned to the Downtown Low Intensity District (LI). Following the enactment of this Ordinance, the uses and restrictions applicable to the Downtown Low Intensity District (LI) shall govern and control the uses made of and permitted on the property listed in Exhibit B.

Section 4. That the parcels of property listed in Exhibit C are hereby taken out of their current Homewood Zoning District and rezoned to the Downtown Medium Intensity District (MI). Following the enactment of this Ordinance, the uses and restrictions applicable to the Downtown Medium Intensity District (MI) shall govern and control the uses made of and permitted on the property listed in Exhibit C.

Section 5. That the parcels of property listed in Exhibit D are hereby taken out of their current Homewood Zoning District and rezoned to the Downtown High Intensity District (HI). Following the enactment of this Ordinance, the uses and restrictions applicable to the Downtown High Intensity District (HI) shall govern and control the uses made of and permitted on the property listed in Exhibit D.

Section 6. That all other provisions of Appendix A entitled "Zoning" and the Zoning Map for the City of Homewood, except as set out hereinabove, shall remain in full force and effect and shall not be affected by this amendment.

Section 7. That on **March 9, 2020, at 6:00 o'clock P.M.**, in the City Hall of the City of Homewood, Alabama, be, and the same hereby is, fixed as the time when, and the place where, the City Council will hold a public hearing on said proposed amendment of said ordinance, at which time, all interested parties may appear and be heard.

Section 8. That if any part, provision, or section of this ordinance is declared to be unconstitutional or invalid by any court of competent jurisdiction, all other parts, provisions or sections of this ordinance not thereby affected shall remain in full force and effect.

Section 9. This Ordinance shall become immediately effective upon its adoption by the City Council and approval by the Mayor or as otherwise becoming law.

ADOPTED this the _____ day of _____, 2020.

President of Council

APPROVED:

Mayor

ATTEST:

City Clerk

This notice posted: December 17, 2019

At the following locations: Mayor's Office (City Hall), Homewood Public Library, Homewood Senior Center (Oak Grove Road) and Lee Community Center (Rosedale)

And at www.cityofhomewood.com



DOWNTOWN HOMEWOOD ZONING RECOMMENDATIONS

To: Homewood City Council
From: Susan Henderson, PlaceMakers, LLC
Date: December 12, 2019

Dear Homewood City Council,

This memo is in response to the public comments at the City Council hearing for the Downtown zoning districts on December 9, 2019. This memo includes the suggested revisions after the Planning Commission hearing as well as new suggestions for Council to consider in response to the community concerns.

Use

A primary concern of many of the businesses on 18th St. S. and 29th Ave. S. is the permitted residential use in MI. While this is very appropriate for MI in other areas of Downtown and directed by the Master Plan, the historic one and two-story character of 18th and the block of 29th between 18th and 19th St. S. do warrant protection from over-development. As a result, we recommend removing residential use from these areas at this time.

Parking

The single largest concern at the meeting continues to be the Downtown parking supply. While we emphasize the City pursue a parking management plan to better utilize the existing supply, we suggest the following new parking requirements. These parking requirements will not apply to the ground floor uses of properties fronting 18th St. S. and 29th St. S. between 18th St. S. and 19th St. S. in order to maintain the parking exemption currently existing for property zoned C-4(a).

These standards are crafted for downtowns. They are not the standard suburban requirements which would be inappropriate in Downtown Homewood. Please note, they are minimums not maximums, so an applicant can build as much parking as their site permits. After the City Council meeting, we have adjusted the Retail and Service spaces up to 3 per 1,000. This is an appropriate number for newly developing areas like the Preserve Town Center in Hoover or Providence in Huntsville. Although they are not necessary for developed downtowns like Homewood, it is a response to the requests of local retailers.

USE	Parking Required
Residential	1 space per unit
Retail and Service	3 spaces per 1,000 s.f. of net usable area
Office and Manufacturing	2 spaces per 1,000 s.f. of net usable area
Lodging	1 space per room
Institutional, Education and Entertainment	1 per 5 seats of assembly

In addition, we recommend you consider a further shared use reduction based upon uses that do not have overlapping needs for parking. We will provide a spreadsheet that calculates the reductions for applicants and staff and include an illustration of it here so you may consider the documented demands by each use per time and day of the week. This table was developed by the American Planning Association in collaboration with the Urban Land Institute.

You use the spreadsheet by entering the required parking for each use in the shaded column and it then calculates the parking demand per time of day for the uses in question. It provides the shared maximum needed relative to the time of day when the combined parking is in highest demand. Please note, this illustration doesn't perform the calculations, but the functioning Excel file can be adopted by reference. This shared reduction would be available for multiple uses on a single parcel, or with a shared parking agreement with a parcel on an adjacent block.

Parking Occupancy Rates

Uses	M-F 8am-5pm	M-F 6pm-12am	M-F 12am-6am	Sat. & Sun. 8am-5pm	Sat. & Sun. 6pm-12am	Sat. & Sun. 12am-6am	Peak Hour Maximum spaces required per use
Residential	60%	100%	100%	80%	100%	100%	
Retail and Service	90%	80%	5%	100%	70%	5%	
Office	100%	20%	5%	5%	5%	5%	
Lodging	70%	100%	100%	70%	100%	100%	
Entertainment	40%	100%	10%	80%	100%	50%	
Institutional (non-church)	100%	20%	5%	10%	10%	5%	
Institutional (church)	10%	5%	5%	100%	50%	5%	
	0	0	0	0	0	0	0 Raw Maximum
							0 Shared Maximum
							0 Savings

Fill in base requirements for each use in the shaded cells.

Shared parking may apply to a single parcel only, or to parcels within a one block radius with a shared parking agreement.

Sec. D. Table 1

There are some parcels within proposed LI district that do not comply with the proposed 8' minimum front setback on B-streets. We recommend you consider removing the minimum and adjusting the maximum to accommodate parcels that have larger setbacks. The new b. B-street line in Table 1 would simply read 30 ft. max.

29th Ave. S.

Because of the small parcel size and geometric constraints to providing parking if buildings are expanded, we recommend adjusting the zoning map from HI to MI for the parcels on the south side of 29th Ave. S. between 18th St. and 19th St. We also recommend the same height restriction that applies to 18th St. at 2 stories. The parcels are currently zoned C-4(a), see Reference 1, so this is not a reduction in current entitlements. See the proposed zoning map at Reference 3.

Hwy. 31 C-4(b)

The city received protests from property owners that have C-4(b) High Rise zoning along the west side of Hwy. 31 who are designated MI on the current draft zoning map, see Reference 2. Because of the significant height reduction from C-4(b) to MI, we concur with their protest and recommend Council consider designating the parcels between Hwy. 31 and 19th PI S and between 29th Ave S and 27th Ave S as HI as illustrated in Reference 3. This follows the current C-4(b) zoning line.

Table 6. Restrictions per district

The city received protests from property owners in both the LI and MI districts that objected to the area restrictions on office, service, and retail for their lots. This table was developed to assure small parcels have room to provide on-site parking but was developed based upon the common lot sizes. It disadvantages the few larger lots in both zoning districts. We recommend Council consider amending Table 6. to exclude lots within each district that exceed 125% of the median lot width and area. These lots will have both the frontage required for access as well as the area required for parking and should not be subject to the restrictions per district for these use categories.

Miscellaneous recommendations

A typo was discovered in Table 5 on page 13. Restaurants should be a permitted use rather than a restricted use in LI.

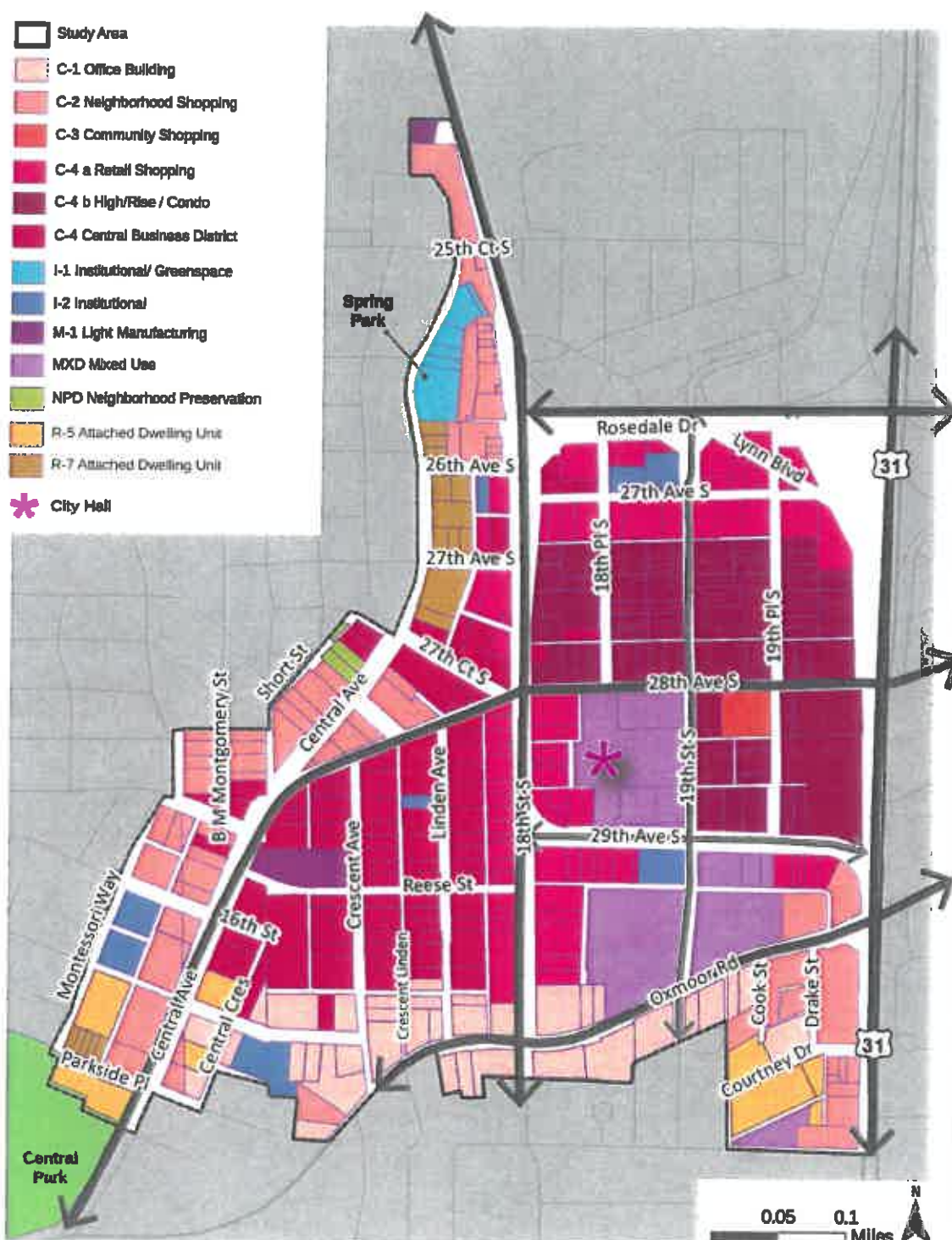
Concerns were raised regarding nonconforming lots, so we recommend the inclusion of Sec. B. (5) d. Modifications. "Nonconforming structures can be maintained, repaired and modified, provided such maintenance, repairs or modifications do not increase, enlarge or alter the non-conforming structure in any way which increases the structure's non-conformity, but any non-conforming structure or portion thereof may be altered to decrease its non-conformity."

Finally, there was an objection to the administrative waiver proposed for dimensional flexibility in Sec. M (2) b. Waivers and interpretation review. While small dimensional issues should not require a variance process, and it is a best practice not to regulate by variance, we recommend you delete Sec. M (2) b. at this time.

Respectfully,

A handwritten signature in black ink, appearing to read "Susan Henderson", with a stylized, flowing script.

Susan Henderson
Principal
PlaceMakers, LLC



Reference 1. Current Downtown Zoning



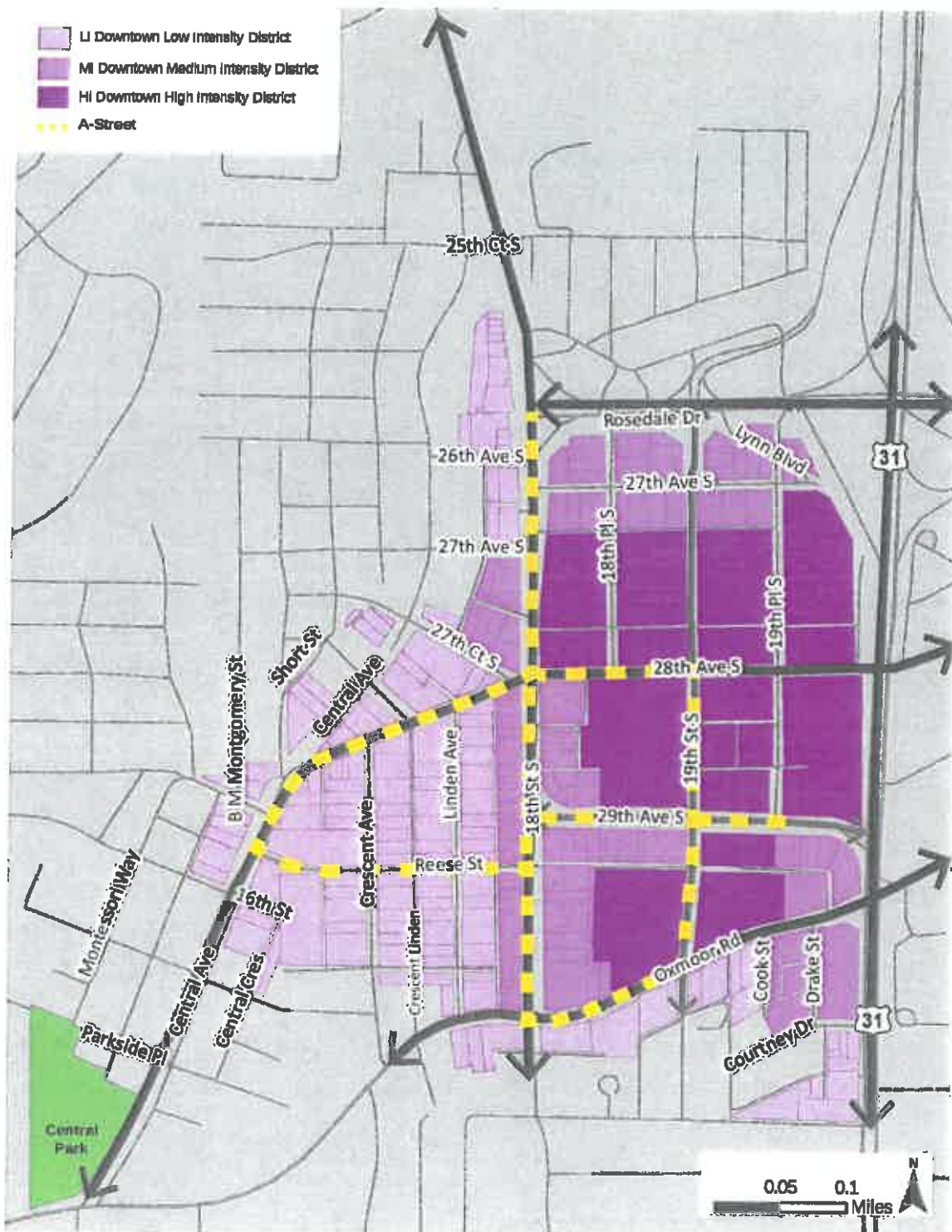
Reference 2. Draft Zoning Map

PLANNING

CODING

IMPLEMENTATION

MARKETING



Reference 3. Proposed Revised Zoning Map

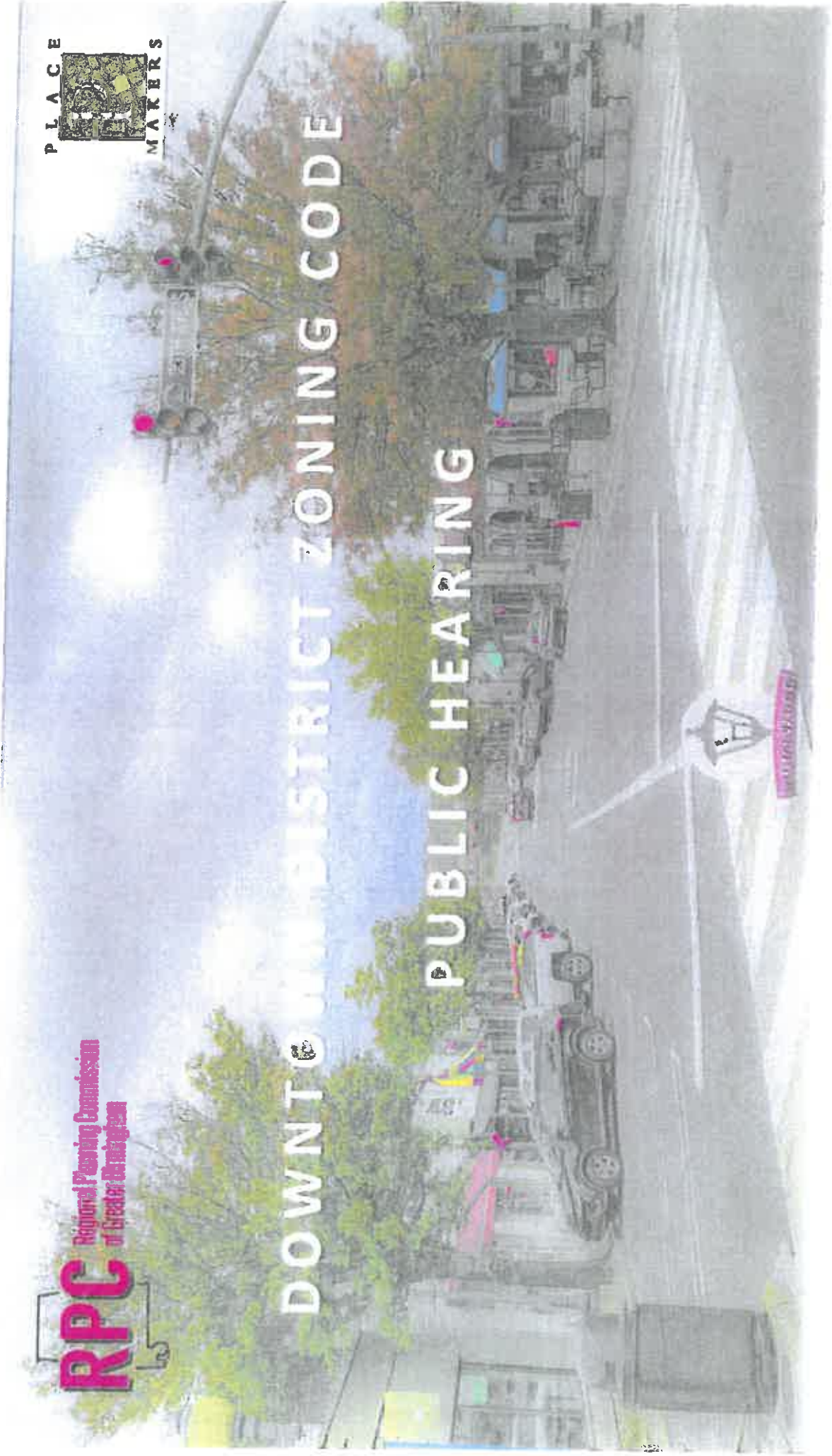
PLANNING

CODING

IMPLEMENTATION

MARKETING

DOWNTOWN DISTRICT ZONING CODE PUBLIC HEARING



DOWNTOWN MASTER PLAN – PROJECT TIMELINE

Sept 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	March 2018	April 2018	May 2018	June 2018	July 2018	Aug 2018	Sept 2018	Oct 2018
Kick-off Open House, Public Visioning and Online Surveys							Drafted and Vetted Plan with the Public						Adoption & Endorsement





1,485

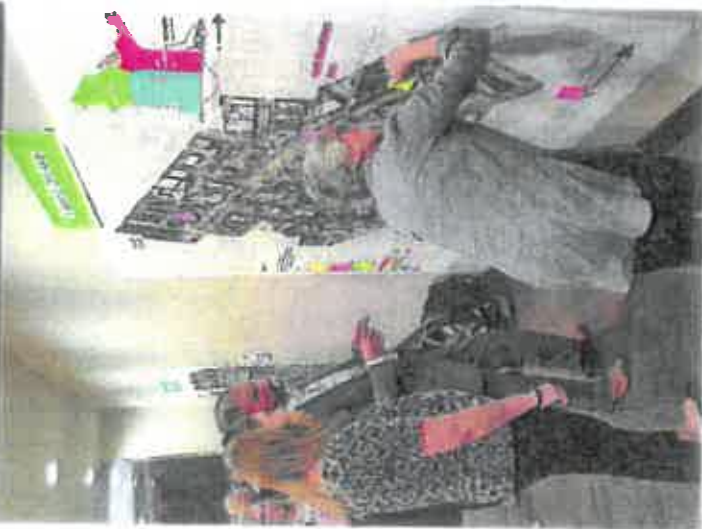
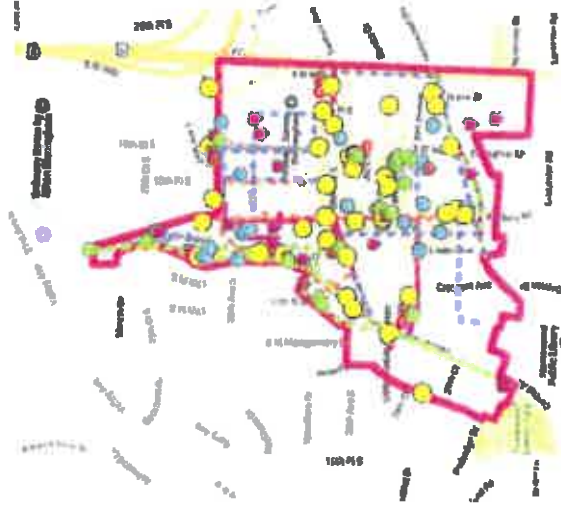
Participants took
3 surveys

133

People attended
two rounds of
Open Houses

2,500

Written
comments were
received



- Pedestrian friendly
- A range of mixed-use development
- Activated public spaces
- Improved connections to Homewood neighborhoods
- Additional housing choices
- Improved streetscapes

9 POLICY-BASED RECOMMENDATIONS

01: FUTURE LAND USE



02: ZONING



03: URBAN FORM



04: MOBILITY



05: PARKING



06: STREETSCAPE DESIGN STANDARDS



07: GREENSPACE



08: GREEN INFRASTRUCTURE

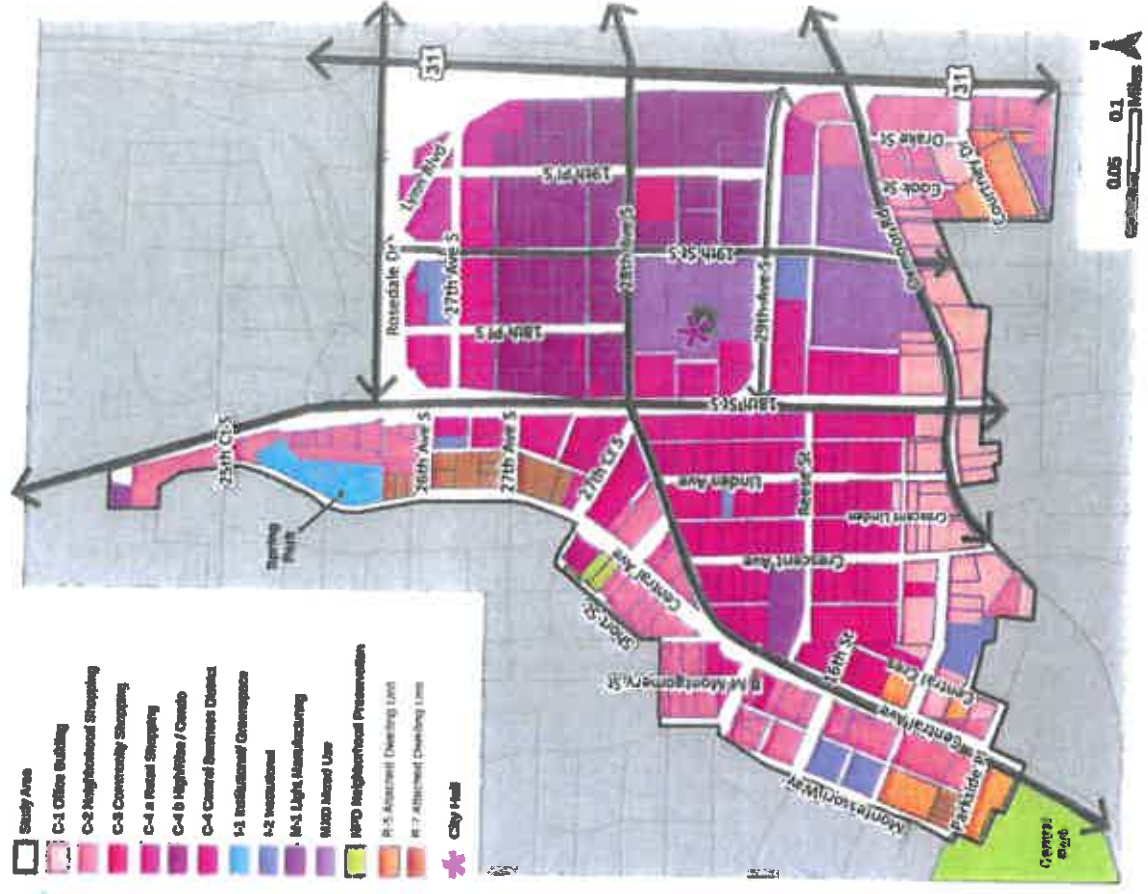


09: IDENTITY + ACTIVITY



- [illegible]

- **Revise the permitted land use regulations to allow for live-work units.**
- **Consolidate the following commercial districts to align with the new Mixed-Use categories on the Future Land Use Map:**
 - **C-3 Commercial Shopping**
 - **C-4 Central Business District**
 - **C-4a Retail Shopping**
 - **C-4b High Rise/Condo**
- **Create design standards and guidelines.**



DOWNTOWN DISTRICT ZONING CODE – PROJECT TIMELINE

Jan 2019	Feb 2019	March 2019	April 2019	May 2019	June 2019	July 2019	Aug 2019	Sept 2019	Oct 2019	Nov 2019	Dec 2019
-------------	-------------	---------------	---------------	-------------	--------------	--------------	-------------	--------------	-------------	-------------	-------------

Work sessions with
Planning Commission
to review the
Recommendations
Report

Drafts Released for Public Input
& Comment

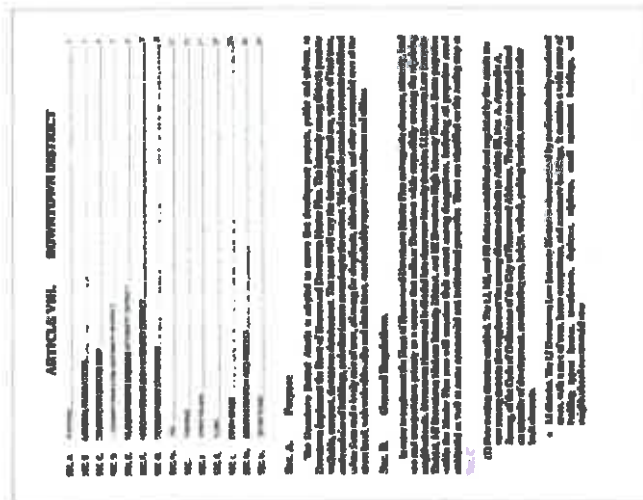
1st Draft
of Code

2nd Draft
of Code

Final Draft of
Code
Released

Property
Owners
Notified

Public Hearings and
Adoption



LOW INTENSITY DISTRICT (LI)

- 2 stories maximum height

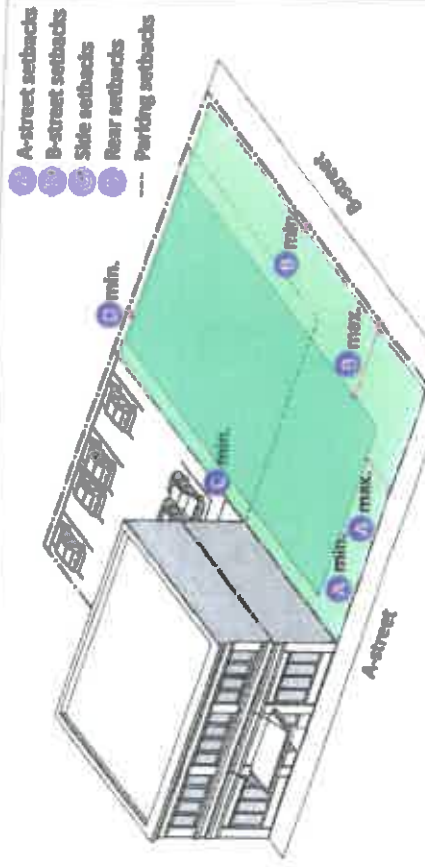


Sec. D. LI Downtown Low Intensity District.

All lots in the LI district must meet the standards of **Table 1. LI Building and Site Standards**. This district is intended to provide a transition in building scale and use from the main street character of MI and the city-center character of HI into the surrounding neighborhood.

Table 1. LI Building and Site Standards

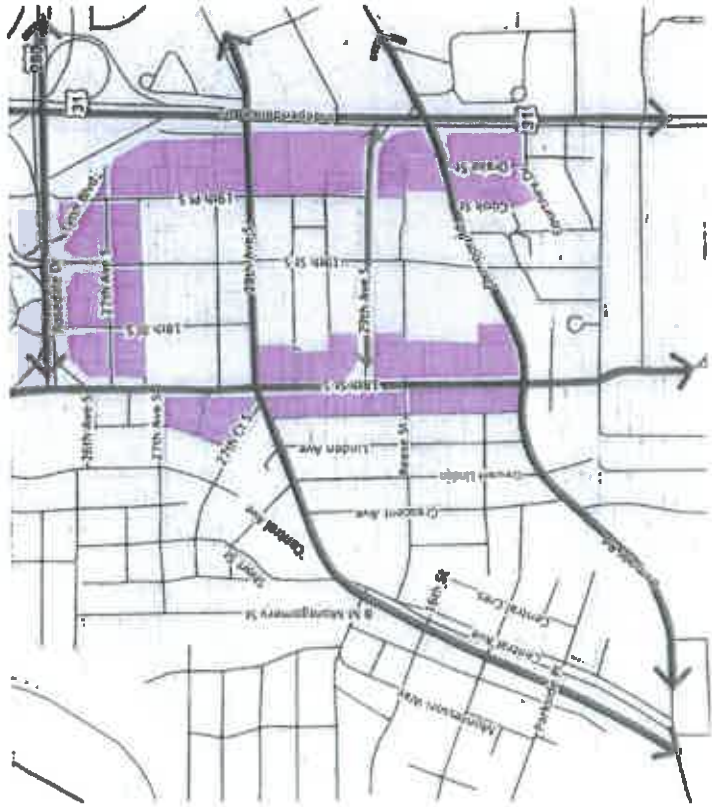
BUILDING STANDARDS		PARKING, LOADING AND STORAGE STANDARDS	
a. A-street	16 ft. max.	A-street	30 ft. min. or behind building
b. B-street	8 ft. min. - 24 ft. max. ¹	B-street	30 ft. min. with screening per Sec. 1
c. Side property line ²	0 ft. or 5 ft. min.	Side property line	3 ft. min.
d. Rear property line	9 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING WIDTH		LOT COVERAGE	
A-street	60% min.	Lot coverage by buildings	70% max.
B-street	30 ft. min.	Building width	100 ft. max.
FACADE TYPES		FACADE TYPES	
A-street	30% min.	Porch	Stoop
B-street	15% min.	Common entry	Terrace
Upper floors	n/a	Shopfront	
Building	2 stories max.	Parking structure	n/a



¹ B-street setbacks at the intersection with an A-street is 24 ft. min., providing a 0 ft. setback.
² Side property line is 5 ft. min. when adjacent to any non-density district.

MEDIUM INTENSITY DISTRICT (MI)

- 4 stories maximum height, except the height is further restricted to a maximum of 2 stories on 18th Street between Oxmoor Road and 28th Street
- Lot coverage by building may now be 100% to reflect existing conditions

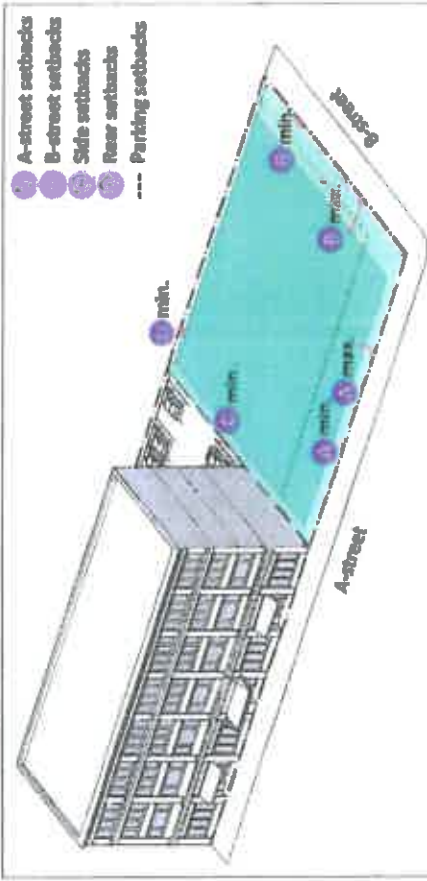


Sec. E. MI Downtown Medium Intensity District.

All lots in the MI district must meet the standards of **Table 2. MI Building and Site Standards**. This district is intended enhance the main street character of 18th Street and create a similar character in other areas of Downtown. This district consists of predominantly mixed-use with shopfronts along street-level streets with large sidewalks.

Table 2. MI Building and Site Standards

BUILDING SETBACKS		PARKING, LOADING AND STORAGE SETBACKS	
a. A-street	8 ft. max.	A-street	30 ft. min. or behind building
b. B-street	2 ft. min. ~ 16 ft. max.	B-street	20 ft. min. with screening per Sec. I
c. Side property line ¹	0 ft. min.	Side property line	3 ft. min.
d. Rear property line	3 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING HEIGHT		LOT COVERAGE	
A-street	70% min.	Lot coverage by buildings	100% max.
B-street	40 ft. min.	Building width	120 ft. max.
MINIMUM GLASS		FACADE TYPES	
A-street	50% min.	Shopfront	Common entry
B-street	30% min.	Terrace	Scoop ²
Upper floors	15% min.		
Building	4 stories max. ³	Parking structure	3 stories max.



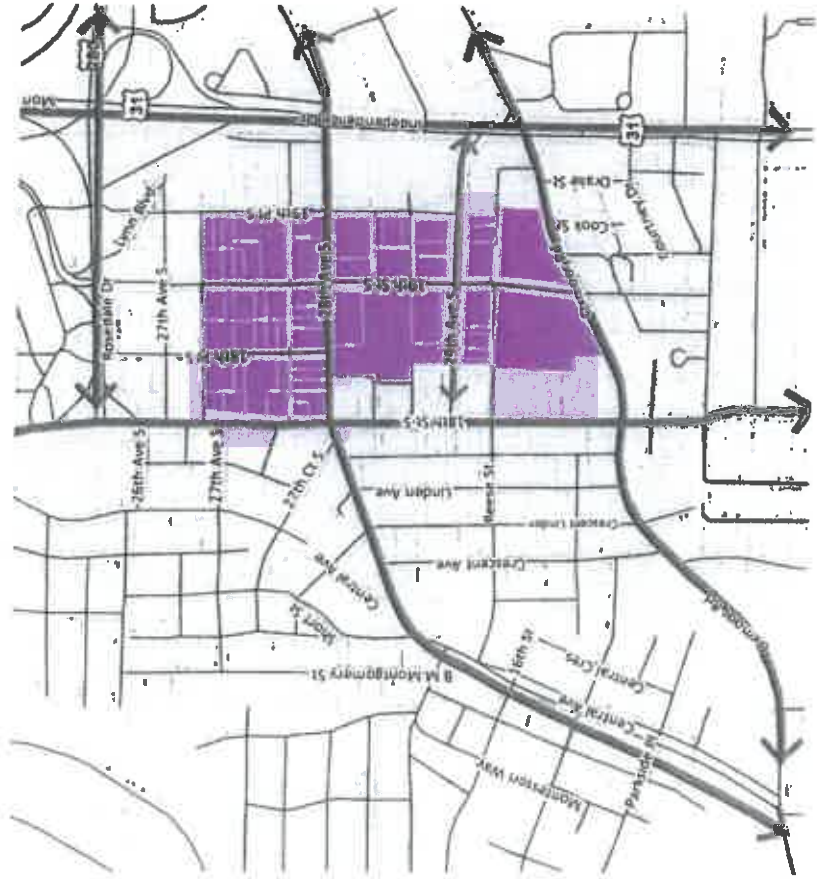
¹ Side property line is 5 ft. min. when adjacent to residential use districts.

² A scoop facade is not permitted on 18th St. S.

³ Height is limited to 2 stories max. facing 18th St. S. between Oxmoor Rd. and 28th Ave. S.

HIGH INTENSITY DISTRICT (HI)

- Lot coverage by building may now be 100% to reflect existing conditions
- 5 stories maximum height



Sec. V. HI Downtown High Intensity District

All lots in the HI district must meet the standards of [Table 3. HI Building and Site Standards](#). This district is the core of Downtown Honolulu and has the greatest intensity of the city.

Table 3. HI Building and Site Standards

BUILDING SETBACKS		PARKING, LOADING AND STORAGE SETBACKS	
a. A-street	12 ft. max.	A-street	30 ft. min. or behind building
b. B-street	2 ft. min. - 18 ft. max.	B-street	30 ft. min. with screening per Sec. I
c. Side property line	0 ft. min.	Side property line	0 ft. min.
d. Rear property line	3 ft. min.	Rear property line	3 ft. min.
MINIMUM BUILDING WIDTH		LOT COVERAGE	
A-street	70% min.	Lot coverage by buildings	100% max.
B-street	50 ft. min.	Building width	200 ft. max. ¹
MINIMUM GLASS		FACADE TYPES	
A-street	50% min.	Shopfront	Common entry
B-street	30% min.	Terrace	
Upper floors	15% min.		
Building	5 stories max.	Parking structure	4 stories max.

¹ Buildings may be wider than 200 feet if they include a courtyard facing the street that is at least 30 feet deep and 28 feet wide.

SECTION H: USE

- Live-work units are permitted in all categories
- Low intensity office use is limited to 3,000 SF Per floor
- Adult-oriented services are prohibited
- Tattoo parlors are prohibited

Sec. H. Use.

Intensity districts are subject to the requirements of [Table 5. Use Matrix](#).

- (1) Uses not mentioned. Uses not listed in [Table 5](#) and not prohibited by other laws are permitted should the Building, Engineering & Zoning Director determine them to be similar in nature to and compatible with other uses permitted within the zone; consistent with the stated purpose of the zone and consistent with the policies of the [Heart of Homewood Downtown Master Plan](#).
- (2) Multiple uses. Multiple uses within a single site or building are permitted in all intensity districts and areas.
- (3) Notations. Intensity districts are subject to the requirements of [Table 5 below](#), where the notations have the following meanings:
 - a. "P" means the use is permitted by right.
 - b. "A" means the use is permitted as an accessory use located on the same lot with a permitted use.
 - c. "R" means the use is allowed upon meeting the conditions set forth in [Table 6. Restrictions per district](#).
 - d. "X" means the use is prohibited.

Table 5. Use Matrix

USE	ZONING DISTRICT		
	U	MI	HI
RESIDENTIAL			
Single-family detached	P	X	X
Two-family	P	P	X
Three-family	P	P	X
Townhouse	P	P	X
Multi-family, including senior and assisted living	X	P	R
Live-work	P	P	P
Accessory dwelling	A	A	X
Accessory structures	A	A	A
Group home	X	P	P
Home occupation	A	A	A
Manufactured or mobile home park	X	X	X
TOURISM			
Bed and breakfast	P	P	X
Hotel	X	R	P
Motel	X	X	X
OFFICE			
Outpatient medical, dental, research, government service	R	R	P
Professional	R	R	P
RETAIL			
Adult retail	X	X	X
Automotive rental and sale	X	X	X
Bakery	R	P	P

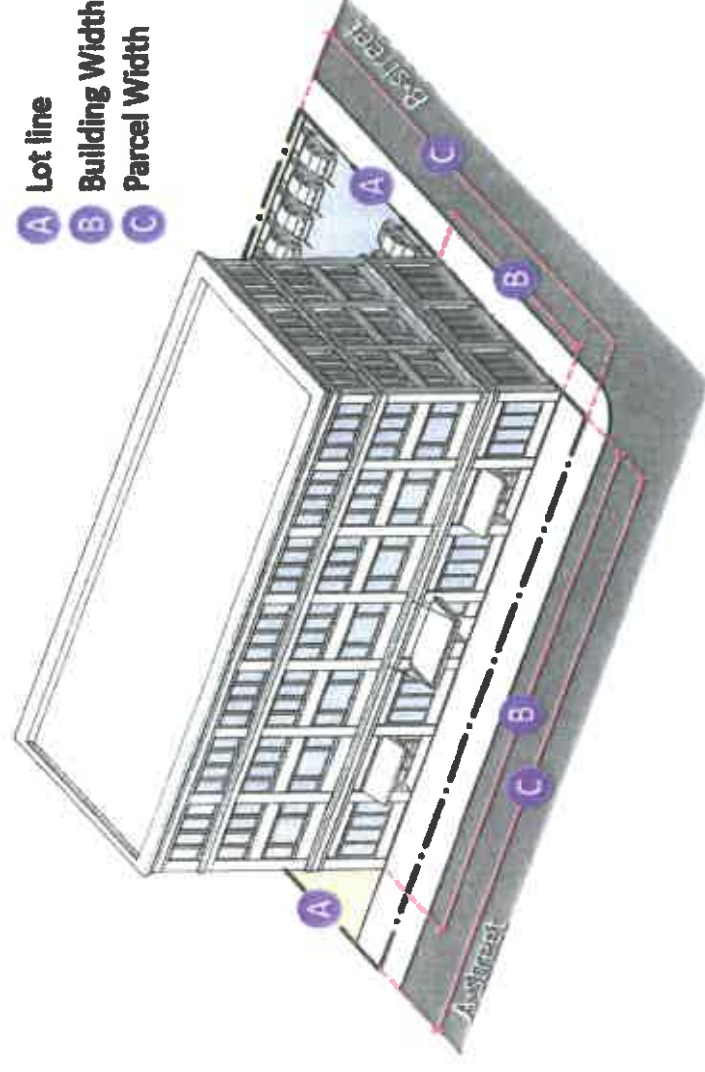
SECTION G: DEVELOPMENT STANDARDS

- **A-grid – pedestrian oriented streets**
 - Buildings should frame the street
 - Streets should provide sidewalks and streetscape improvements
- **B-grid (other streets) – service-oriented streets**



SECTION G: DEVELOPMENT STANDARDS

- Setbacks
- Building Height – measured in stories
(from finished floor to finished floor)
- Building Materials Permitted:
 - Brick
 - Stucco
 - Heavy timber
 - Cementitious siding
 - Slate
 - Metal roofing
 - Tile
 - Wood (as accent material)



SECTION I: PARKING


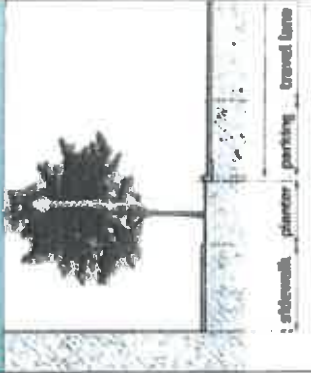
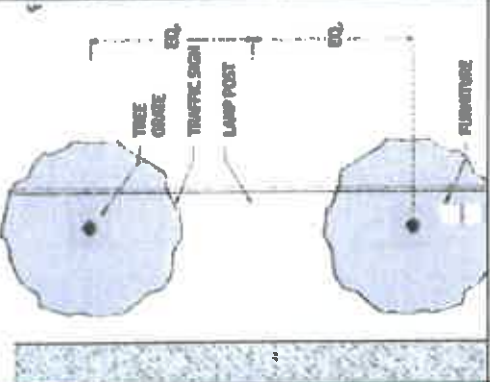
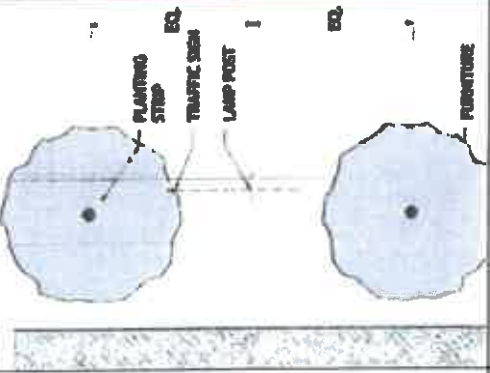
- No minimum parking requirements apply in the LI, MI or HI Districts.
- Surface parking lots should be landscaped with native plants and shade trees to reduce stormwater runoff.



SECTION J: STREETSCAPE

- Streetscape improvements are required if the width of the proposed development / redevelopment is greater than 100 feet
- Sidewalks and planters must meet the requirements in Table 9 (right)

Table 9. Streetscape Standards

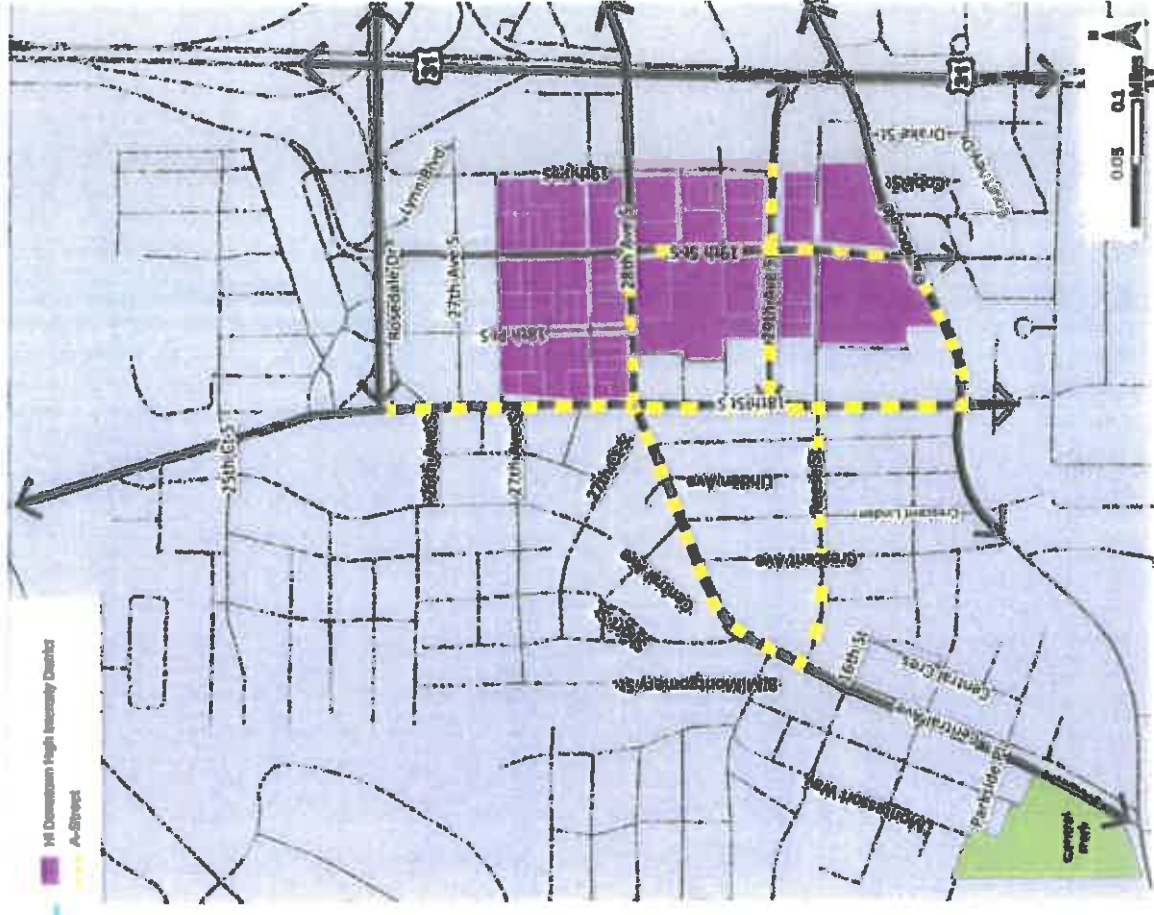
ZONING DISTRICT	Street Illustration	
	MU III	MU II
		
		
(1) Sidewalk width	12 ft. min. including planter and pedestrian area	5 ft. min.
Pedestrian area width	8 ft. min.	See sidewalk width
Planter size	4 ft. by 6 ft. min.	5 ft. by 14 ft. min.
Tree spacing	40 ft. on center average, adjusted to accommodate shopfront needs	30 ~ 40 ft. on center
Parking lane width	8 ft. from front of curb	8 ft. from front of curb

SECTION K: SIGNS

- Signs can be regulated by type, area, and height... Not content.
- Nonconforming signs that provide information that isn't current, or is in a state of disrepair, or left blank for more than 30 days must be replaced or removed.
- Prohibited signs:
 - Off-premise signs
 - Signs utilizing animation or which contain the optical illusion of sign movement
 - Noisy signs
 - Inflatable signs
 - Portable signs, except a-frame grounds signs
 - Flags, banners, or streamers
 - Yard signs
 - Pole signs
 - Any unsafe signs

SECTION L: OPENSOURCE

- Publicly-accessible open space is required for development applications **exceeding 1 net acre in the High Intensity (HI) district**
- Or developers can pay into a fee-in-lieu that will be utilized for streetscape improvements along the A-grid, or public openspace within the High Intensity (HI) district



SECTION M: ADMINISTRATION & PROCESS

Heart of HOMEWOOD PLAN

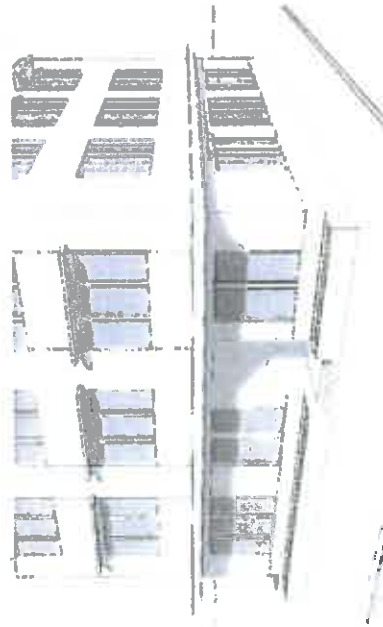
- Permit process
- Waivers and interpretation review
- Approval Authority

	REVIEW AUTHORITY					CITY COUNCIL	BOARD OF ADJUSTMENT
	BUILDING OFFICIAL	ZONING ADMINISTRATOR	PLANNING COMMISSION				
ADMINISTRATIVE							
Verification of zoning compliance		S					X
Building permit	S	R					X
Interpretation		S					
APPLICATION REVIEW							
Rezoning		R	R		A		
Uses on appeal							A
Waiver requests		A					
Variance requests							A
SPECIAL PERMITS							
Use of public sidewalk		R	A				X
Temporary use permit		R	A				X
LEGISLATIVE							
Zoning reclassification		R	R		A		
Zoning text amendment		R	R		A		

SECTION N: DEFINITIONS

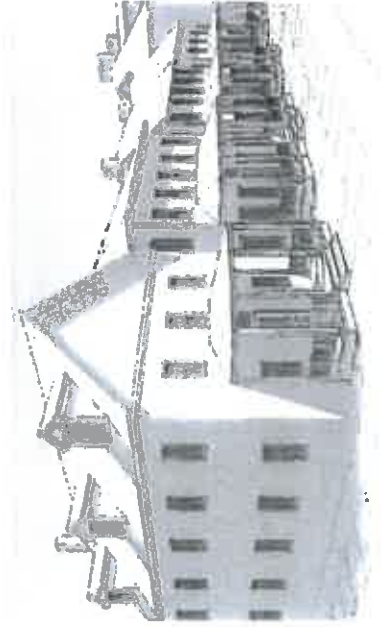
The definitions for this Article are found in Article II and Article IV Sec. EE and include the following new terms.

Common entry: a facade that provides a single collective entry to a lobby at the primary building entrance. This type is common to residential and office uses. See Table 4, Facade Types and the illustration to the right.

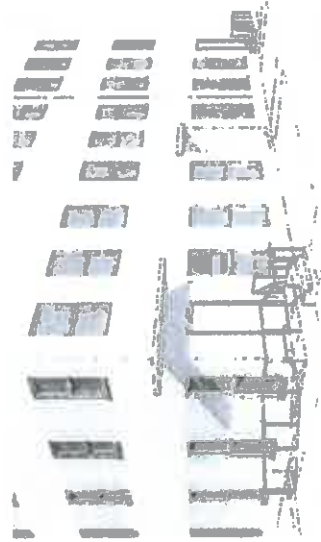


Pedestrian area: The portion of a MI and HI sidewalk dedicated to pedestrian use. This occurs between the planters and the face of the building. The planter area may also be used for utility, furnishing and ground signs, but the pedestrian area must be kept clear for circulation.

Porch: a facade common to single-family houses and townhouses where the building is set back from the front lot line and a porch encroaches into the front setback. The porch should be a minimum of six feet in depth. See Table 4, Facade Types and the illustration to the right.



Stoop: a facade common to ground-floor residential use, where the building is aligned close to the front lot line and the first story is elevated from the sidewalk to provide privacy for the windows. The entrance includes a stair and landing that may be external or recessed. The stoop may be parallel to or perpendicular to the facade. See Table 4, Facade Types and the illustration to the right.



Storefront: a facade common to retail use, with substantial glass and may include an awning or canopy. The storefront is aligned close to the front lot line with the building entrance at sidewalk grade. See Table 4, Facade Types and the illustration to the right.



Terrace: a facade that may be used for either commercial or residential uses that is set back from the front lot line by an elevated terrace. This type defines ground floor residential from the sidewalk or provides semi-private space for outdoor cafe. See Table 4, Facade Types and the illustration to the right.



