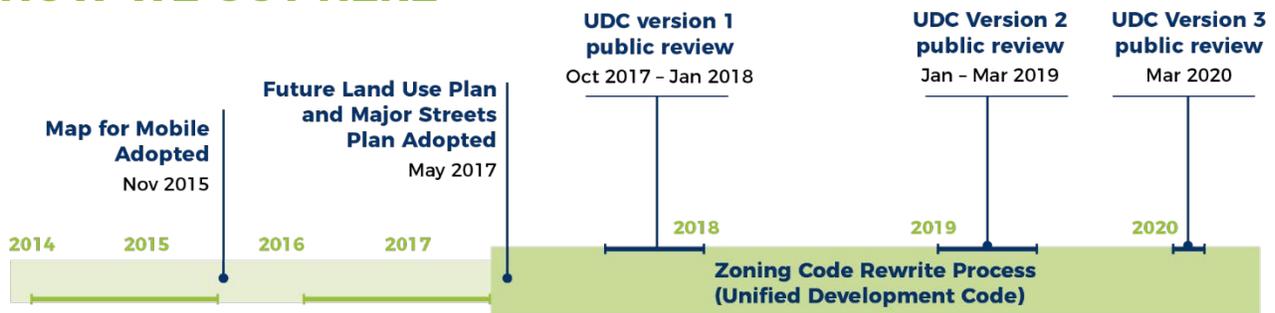# What you'll see in UDC Version 3

Summary of changes to the proposed Unified Development Code
February 28, 2020

We heard you! The draft zoning code overhaul, known as the Unified Development Code (UDC), is the result of nearly three years of effort to modernize the city's 1960s-era land use regulations and implement the community's vision in Map for Mobile, our comprehensive plan. Based on a large amount of community feedback on the initial public review draft, the current draft UDC (now version 3) has been significantly revised. This document summarizes those revisions.

HOW WE GOT HERE

UDC version 1 public review
Oct 2017 – Jan 2018

UDC Version 2 public review
Jan – Mar 2019

UDC Version 3 public review
Mar 2020

Future Land Use Plan and Major Streets Plan Adopted
May 2017

Map for Mobile Adopted
Nov 2015

2014   2015   2016   2017   2018   2019   2020

Zoning Code Rewrite Process (Unified Development Code)

Map for Mobile Process

Over 500 citizens participate in the Map for Mobile process at various workshops through 2014 and 2015.

Future Land Use Plan and Major Streets Plan Process

Public workshops held in late 2016 and early 2017.

During the public review period for UDC version 2...

75+
small group meetings were convened

600+
comments were collected on the draft zoning map

400+
comments were collected on the draft articles

MAP FOR MOBILE
FRAMEWORK FOR GROWTH

MAJOR CHANGES AT A GLANCE

1. **The existing zoning map and district names will be retained** to address over 600 site-specific concerns. While the code contains some new districts, they are not currently applied to the map. Keeping existing names reduces confusion and improves consistency between other adopted plans and ordinances. (See Article 2: Zoning Districts)

2. **Commercial Warehouse and Maritime zoning classifications will be retained from Version 2 but will not be mapped** to provide potential future zoning options for property owners. (See Article 2: Zoning Districts)

3. **The table of uses has been expanded and clarified** to include certain previous omissions and the addition of a new category: "special exception." (See Article 2: Zoning Districts, and Article 6: Procedures)

4. **Form-based standards have been simplified and limited** to apply to multifamily and commercial developments only and to reflect the complexities of existing urban/suburban development patterns. (See Article 3: Development Standards)

5. **Neighborhood Overlay districts have been moved from the appendices to individual articles.** This includes the Spring Hill, Africatown, and Peninsula overlays, as well as the Historic District Overlay. These overlays are all mandatory standards.

6. **Tree protection and preservation requirements will be a new chapter of city code.** The Mobile Tree Commission and Urban Forestry's requirements will not be part of the UDC.

7. **Definitions have been clarified** to address comments and improve clarity, terms and phrases have been edited to have the same meaning throughout the UDC. (See Article 8. Definitions)

NEXT STEPS

After the informal comment period for Version 3 and the subsequent edit period, draft Version 4 will be released. At that time, the formal hearing and adoption process begins. Regarding the adoption of the new zoning code, Alabama state law requires at least two public hearings – one with the Planning Commission and one with the City Council.
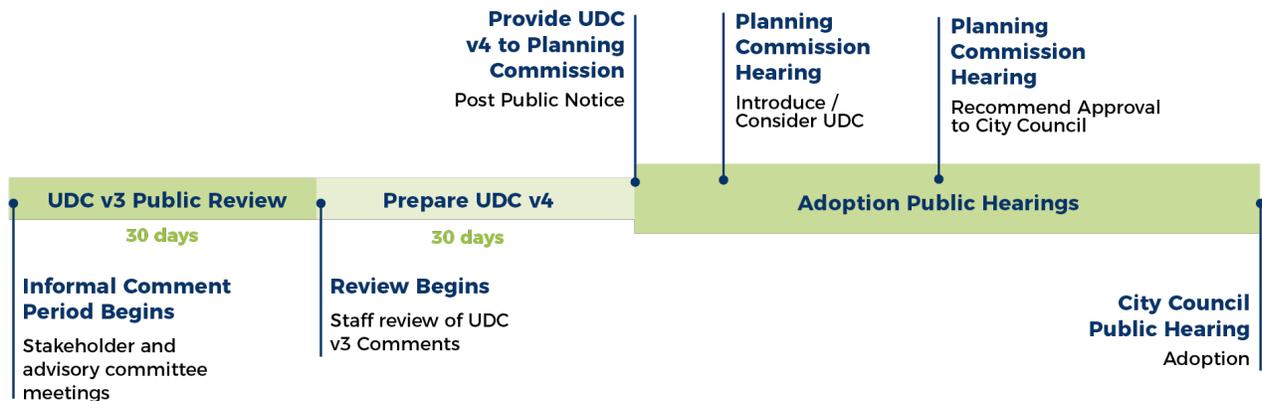
MAJOR CHANGES BY ARTICLE

The UDC is organized into fourteen articles and two appendices. Articles 2, 3, 4, 5 contain the most frequently used information and most of the recent revisions. This section outlines major changes within each article.

Article 2: Zoning Districts

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
The UDC now uses the City's current zoning map and existing zoning district categories.	Reverting to the City's current zoning district categories should reduce confusion and make the changes to the zoning code easier to understand.	Article 2 (Sec. 64-2-4 – 64-2-22)	Article 2 (Sec. 64-14 – 64-27)
To supplement existing zoning categories, four of the proposed districts from Version 2 (Commercial Warehouse and the three Maritime zoning classifications) were retained	These districts provide future rezoning options for property owners. They accommodate specific uses which may be appropriate to support the City's port / maritime industrial and freight warehousing sectors. The districts accommodate land uses not permitted in any existing zoning district category.	Article 2 (Sec 64-2-16, 64-2-18 – 64-2-20)	Article 2 (Sec. 64-22 & 64-24)

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
in UDC Version 3. These districts will provide future rezoning options.			
The Use Table has been reevaluated, creating three categories of uses; 'Permitted by Right' (R) uses, 'Conditional' (C) uses, and 'Special Exception' (S). The number of Conditional uses were reduced, with most changing to a new category called 'Special Exception' (S).	Conditional uses were reserved for the most intense uses and Special Exception process was added for other uses requiring public review. Uses that previously required Planning Approval are now either a Conditional Use or a Special Exception. Conditional uses will still require two public hearings, Planning Commission and City Council. See Special Exception below…	Article 2 (Sec. 64-2-24)	Article 2 (Sec. 64-31)
The Use Table now includes a 'Special Exception' (S) designation.	Some uses that should involve additional level of scrutiny, standards, and public review require approval by the Special Exception. That process involves a public hearing with the Board of Adjustment.	Article 2 and Article 5 (Sec. 64-2-24 & 64-5-12)	Not included in Version 2
The Use Table was revised to reflect existing zoning districts and their use allowances which addressed noted gaps in Version 2. Other previously approved use allowances have been retained.	Maintaining the City's current zoning district categories and corresponding use allowances helps to maintain existing protections for neighborhoods. This change provides for certain neighborhood-scale commercial and buffer business uses, such as offices, while restricting more intense commercial uses adjacent to residential neighborhoods.	Article 2 (Sec. 64-2-24)	Article 2 (Sec. 64-31)
The Use Table has been reorganized to be alphabetized by use category.	The alphabetical format should allow users to quickly locate use categories within the table.	Article 2 (Sec. 64-2-24)	Article 2 (Sec. 64-31)
Historic District Overlay (HDO) provisions were retained from UDC Version 2, but are now a separate Article within UDC Version 3 (Article 14: Historic District Overlay).	The relocation of the HDO provisions is not based on public comment but represents a desirable organizational change within the document.	Article 14	Article 2 (Sec. 64-30)

Other note:

The UDC phases out Planned Unit Development (PUD) and introduces the Planned District (PD) to accommodate very unique developments. This concept was included in UDC version 2 and has been retained in UDC version 3. The PUD was a site-specific plan review required for instances including shared-access and multiple buildings on a single site: these instances will no longer require a PUD. Existing PUDs can be amended under the UDC. In contrast, the PD zoning district is being created to solely address very unique developments which need their own set of zoning regulations.

Article 3: Development Standards

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
Building design composite standards now only apply to multi-family residential and commercial zoning districts, not to single-family districts.	The most valuable design standards from Version 2 have been retained but defined in a much simpler format within one article in Version 3.	Article 3 (Sec. 64-3-1)	Article 3 and Article 4
Building and site design standards have been simplified in Version 3.	Composite standards were perceived as too complex. Concerns were expressed that new site design standards, which varied based on zoning districts and subtypes, would adversely affect or prevent future development in various areas of the City.	Article 3	Article 3 and Article 4
Frontage type and building facade design provisions have been relocated and consolidated into Article 3, Development Standards.	This change streamlines the organization of the UDC by consolidating frontage and façade standards with the building design and height provisions existing in Article 3, Development Standards.	Article 3	Article 3 and Article 4
Some zoning districts now have two versions, or subdistricts, either 'Suburban' or 'Urban.' Different development standards apply depending on the subdistrict.	This change is an acknowledgement of the fact that lot sizes, setbacks, building heights, architecture, coverage limits, and other characteristics vary extensively within the City, as a result of past development patterns. These existing conditions make the universal application of form-based, composite building design standards more difficult. See next page for more detail.	Article 2 (Sec. 64-2-5, 64-2-6, 64-2-7, 64-2-10, 64-2-12, 64-2-13, 64-2-14)	Article 2 (Sec. 64-14, 64-15, 64-16, 64-21, 64-24)
Landscaping and tree site development standards were updated.	Revisions enhanced clarity within the section. Additionally, the section includes references to certain discretionary actions of the City's Urban Forester, providing flexibility and promoting a more vibrant, diverse urban canopy.	Article 3	Article 4 (Sec. 64-56)
Riparian Buffer standards were updated.	The definition for the starting point of the Riparian Buffer was amended to provide more clarity.	Article 3 (Sec. 64-3-10)	Article 4 (Sec. 64-59)

Zoning subdistrict designations

Each parcel of land in the City is assigned to a Zoning District. The Zoning Districts govern allowable uses and specific site standards such as lot size, building height, and building placement. Several of the zoning districts in the UDC Version 3 have two versions, or "sub-districts." The intent behind the subdistricts Is to provide standards to allow development compatible with existing neighborhoods, in order to enhance and protect the established character of traditional or environmentally sensitive communities. Sub-districts are listed below and are shown on the Zoning Map.

Subdistricts
- Urban
- Suburban
- Conservation (applies only to R-1)

Zoning Districts where sub-districts apply
- Residential (R-1, R-2, R-3)
- Business (B-1, LB-2, B-2, B-3)

Comparing urban and suburban standards

The distinction between urban and suburban applies to site development standards that determine lot dimensions and where buildings may be located on a lot. These standards vary for each zoning district.

Compared to a suburban sub-district, a zoning district with **an urban sub-district may have:**

- **Lot area**: Typically smaller lots (lower minimum allowed)
- **Density:** If applicable to the district, a greater residential density may be allowed
- **Coverage:** In some districts, a greater percentage of a lot's area can be developed
- **Yards:** Minimums may be less. Some districts may include a maximum front yard.
- **Landscaping and open space:** Less may be required.

Determining where urban and suburban standards apply.

The sub-district distinction is based on physical conditions, historic development patterns, or existing policies in place. Urban areas generally have multiple of the following attributes.

- Historic districts
- Pre-1950s subdivisions
- Historic streetcar routes
- Small lots

Conservation Subdistrict

The R-1 conservation subdistrict option provides for flexibility in development standards (such as increased site coverage and no minimum lot size) in order to protect environmentally sensitive land

Article 4: Use

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
Some regulated use categories were revised or deleted.	Uses such as hazardous substance storage and telecom facilities were updated.	Article 4	Article 5

Article 5: Procedures

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
'Special Exception' (S) approval procedures were added to address use types of neighborhood impact.	This procedural change is a policy decision based on development types or uses which have historically been of neighborhood concern. Special Exception approval process includes Board of Adjustment hearings.	Article 2 and Article 5 (Sec. 64-2-24, 64-5-12)	Not included
'Conditional Use' (C) approval procedures were reserved for a limited number of intensive uses.	The revision provides for final project consideration of Conditional uses by both the Planning Commission and City Council.	Article 2 and Article 5 (Sec. 64-2-24, 64-5-7)	Article 2 and Article 6 Sec. 64-31, 64-109)

Article 6: Nonconformities

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
Updates were made to enhance clarity, consistency, and understanding regarding nonconformities.	Changes to the Nonconformities regulations added additional clarity and enhance understanding by the public.	Article 6	Article 7

Article 10: Definitions

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
Definitions were revised, added, or deleted, as applicable.	Various new or revised definitions correspond to provisions within state law concerning specific uses. Also	Article 8	Article 10

Appendices

Changes in Version 3	Rationale	Reference in Version 3	Reference in Version 2
Appendix A now includes only the Downtown Development District code.	The Neighborhood Conservation Overlays, Africatown, Peninsula, and Village of Springhill have been moved into separate Articles in UDC v3	Articles 11, 12, 13, and Appendix A	Appendix A and C
The Blueprint for Spring Hill is included in the UDC as Article 13. This previously optional development code is now mandatory.	The Blueprint document was previously adopted by the City of Mobile. Inclusion of these regulations into an Article of the UDC supports the objective of consolidating the City's development regulations into a single-source document.	Article 13	Appendix A