

Chapter 64 Unified Development Code

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Section 1 Authority and Intent

- A. Purpose. This Appendix is zoning code for the Downtown Development District ("DDD") as defined herein. The new code may be known as and referred to as the "DDD Code."
- B. Authorization. The City Council adopted the DDD code pursuant to the authority of Alabama Code § § 11-52-70–11-52-84 (1975).
- C. Intent. The DDD Code is intended to:
1. Implement the purposes and objectives of the City's Comprehensive Plan, including the New Plan for Mobile;
 2. Guide the siting, form and use of private property and buildings to support walkability, safe streets and safe public spaces;
 3. Guide building siting and form to vary by context and intensity in coordination with community identity and preferences;
 4. Build on the work of the Mobile Historic Development Commission in protecting and enhancing the historic and cultural heritage of the City's historic downtown.

Section 2 Applicability

- A. Generally. The provisions of the DDD Code shall be the complete zoning code for the DDD. Where the DDD Code is in conflict with engineering ordinances, with the exception of the Storm Water Management and Flood Control Ordinance, the DDD Code shall govern. Where the DDD

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Code is silent on engineering issues, engineering ordinances shall govern. Where the DDD Code is in conflict with lot sizes allowed by the Subdivision Regulations, the DDD Code shall govern.

- B.** Geography. The DDD code applies to all properties located within the DDD as depicted on the adopted Zoning Map.
- C.** Terms used throughout the DDD Code shall take their commonly accepted meanings or as defined herein (the "definitions"). In the event conflicts arise between the definitions in this Appendix and definitions in the existing local codes, the definitions in this Appendix take precedence.
- D.** The definitions contain regulatory language that is integral to the DDD Code

Section 3 Establishment of Sub-Districts

- A.** Sub-Districts. The DDD is divided into the following zoning sub-districts, referred to herein as transect sub-districts, and special districts:
 - 1.** T-6: a mixed-use district of high intensity.
 - 2.** T-5: a mixed-use district of medium intensity. T-5 is further subdivided into T-5.1 and T-5.2 sub-districts.
 - 3.** T-4: a mixed-use district of low intensity, primarily residential uses and neighborhood retail.
 - 4.** T-3: a low-density residential district.
 - 5.** SD-WH: a special district established to guide the redevelopment of the portion of the DDD primarily dedicated to warehousing, manufacturing and buildings of similar characteristics.

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6. SD: all special districts except SD-WH require a master plan be completed in coordination with the Department. Transect sub-districts are assigned through the master plan process. Master plans shall be approved by the Planning Commission and the City Council.
- B.** Transect sub-districts and special districts. The transect sub-districts and special district boundaries are as shown on the DDD regulating plan as depicted on the adopted Zoning Map. Unless otherwise noted, transect sub-district boundaries are mapped along thoroughfare centerlines, and rear property lines and side property lines.
- C.** T-5 sub-districts. Regulations of this Appendix pertaining to T-5 apply to all sub-districts of T-5.
- D.** Planned Developments are not applicable within the DDD. Planned Developments as set forth in Article 2 of Chapter 64 of the City Code, are not applicable within the DDD.

Section 4 Administration, Instruction, Amendments and Variances

A. Administration

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

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Department. The CRC shall expedite the permitting process by providing a single interface between the developer and the agencies.

(a) The CRC shall be authorized to make minor adjustments to Site, Place and Building Design Documents so that minor deviations may be resolved administratively. Minor adjustments shall be limited to:

- (1) Landscaping and tree requirements;
- (2) Dimensional adjustments that do not constitute an increase or decrease of more than fifteen (15) percent for the following design elements: awnings, balconies, canopies, galleries, Stoops, terraces and signage.
- (3) Alternate building materials may be considered where the materials proposed are considered equivalent or better than the materials listed and regionally-available materials are preferred.
- (4) Transparency requirements for windows may be reduced up to five (5) percent of the minimum percentage required.

(b) The CRC is not authorized to approve dimensional adjustments for lot size, setbacks or building heights.

B. Instructions

1. This Section sets forth the standards applicable to the development and substantial improvement of structures and other elements of the built environment within private properties.
2. Plans required by this Section are subject to approval by the Planning & Zoning Department (herein referred to as Planning & Zoning).
3. All applications for development in the DDD require predevelopment meetings. The predevelopment meetings shall include the applicant, the applicant's design professionals, the associated City Departments, and the CRC. Planning & Zoning

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will be responsible for ensuring the applicable City Departments attend any predevelopment meetings. Predevelopment meetings will be scheduled at the request of the applicant.

4. This Section requires two types of submittals: Site Plan and Building Design Documents. The Building Design Documents required for zoning review do not include construction documents required for building permit review. Both sets shall be submitted together. Building Design Documents and Site Plans shall be sealed by a licensed design professional with the exception of a site plan for a single-family, detached dwelling less than three (3) stories.
5. Site Plans submitted for approval shall comply with:
 - (a) Nonconformities, if any see Section 5 below;
 - (b) Property use restrictions, see **Error! Reference source not found.**
 - (c) Property standards see Appendix ASection 9A;
 - (d) Building placement standards see Appendix ASection 9B;
 - (e) Parking standards see Appendix ASection 9C;
 - (f) Garbage collection standards see Appendix ASection 9D.
6. Building design documents submitted for approval shall demonstrate compliance with:
 - (a) Building and parking deck height standards, see Appendix ASection 10A;
 - (b) Building material standards see Appendix ASection 10B;
 - (c) Building frontage standards see Appendix ASection 10C;
 - (d) Signage standards see Appendix ASection 11.

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7. Work in Historic Districts. All properties located in the DDD and a local Historic District shall, in addition to complying with the development and use standards of this Appendix, receive a Certificate of Appropriateness from the Architectural Review Board as required by Chapter 44-76 of the City Code prior to receiving a Building Permit and/or undertaking work. Any deviation from the DDD requirements, as may be required by the ARB, will require a zoning variance prior to receiving a Building Permit and/or undertaking work.
- C. Conditional Use Permit.** Uses in the Use Table identified by “C” in any column are permitted only if a Conditional Use Permit is approved by the City Council (see Article 5, Procedures). Conditional Use Permits are also subject to any conditions and limitations specified in Article 5 or imposed as a condition of approval by the City Council. See Article 10 for application information.
- D. Special Exception.** Uses in the chart identified by "S" in any column are permitted in that particular district upon approval of a Special Exception by the Board of Zoning Adjustment, according to the criteria listed in this Appendix and Chapter 64, Articles 5 and 10. Such uses are also subject to any conditions and limitations imposed by the Board of Zoning Adjustment.
- E. Regulating Plan amendments**
1. Adjustments to the transect sub-district and special district boundaries are limited to the following:
 - (a) Increases to the next higher transect sub-district provided the lot is adjacent to a lot of the higher transect sub-district for which the increase is requested. Adjustments to transect sub-districts require approval by the Planning Commission and City Council.

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- (b) Reconciliations of transect sub-district require approval by the Planning Commission and City Council.
 - (c) Modifications of boundaries resulting in a change from SD-WH to an adjacent mapped transect sub-district require approval by the Planning Commission and City Council.
- 2. Master plans executed for Special District according to Appendix A Section 3 that assign or modify transect sub-district and special district boundaries must be recorded as an amendment to the Regulating Plan.
- 3. Amendments to a Regulating Plan shall follow the Procedures and Submittal Requirements of Chapter 64, Articles 5 and 10.

F. Variances

- 1. An applicant may appeal any decision of the Department and/or the CRC to the Board of Zoning Adjustment.
- 2. An applicant may request a variance from the requirements of this Appendix.
- 3. All applications to the Board of Zoning Adjustment shall be filed pursuant to Articles 5 and 10 of the UDC.

Section 5 Nonconformities

A. Uses

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

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2. Expansion or enlargement of nonconforming uses. A nonconforming use may be expanded or enlarged only within the premises on which such nonconforming use was located on the effective date of this ordinance or on the effective date of any amendment hereto by which the use became a nonconforming use. Premises as used in this subsection shall mean the building in which the use is being carried on and the accessory buildings, appurtenances, driveways, parking and loading spaces, and the curtilage thereof.
3. Abandonment of nonconforming uses. A nonconforming use that has been abandoned or discontinued for a period of two (2) years shall not thereafter be re-established.

B. Structures

1. Continuance of nonconforming structures. Except as hereinafter provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.
2. Expansion or enlargement of nonconforming structures. A nonconforming structure may be expanded or enlarged on the premises owned on the effective date of this ordinance or on the effective date of any amendment hereto by which the structure became a nonconforming structure; provided, however, that the enlargement or expansion shall conform to the requirements of the DDD code.
3. Restoration of damaged nonconforming structures. A nonconforming structure damaged in any manner and from any cause whatsoever may be restored, provided restoration is begun within one (1) year and completed within two (2) years of the date of the damage. The board of adjustment may grant an extension of the one-year or two-year period upon application and showing of hardship.

C. Parking lots

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1. Parking lots in existence as of the effective date of the original adoption of the Downtown Development District (May 13, 2014) were required to provide complaint screening and masking of parking lots no later than May 31, 2018.
2. Parking lots shall conform to the requirements Appendix A Section 9C.2(c) .
3. Existing evergreen vegetative buffers that accomplish the intent Appendix A Section 9C.2(c) are an acceptable alternative, provided they are maintained.
4. For properties along Broad, Beauregard, Water and Canal Streets, compliance shall coincide with the completion of physical improvements for the City projects along said streets adjacent to the property.
5. Location of required masking is subject to line of sight review and approval by Traffic Engineering.
6. Any parking lot that fails to timely conform shall be deemed an unlawful use and shall be discontinued.

Section 6 Complete Demolition Permits

A. Permit

1. Any applicant seeking a permit for complete demolition within the DDD must provide the Department with the following minimum information:
 - (a) The date the owner acquired the property, purchase price and condition on date of acquisition;
 - (b) If and when the structure has been cited or received a notice of violation of the City Code;
 - (c) Documentation whether the owner has complied with or attempted to bring the building into compliance with the City's International Property Maintenance Code (IPMC) and International Existing Building Code

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(IEBC) and if not, why. The amount of money it will cost to bring the building into minimal compliance with IPMC and/or rectify any notices of violation;

- (d) Whether the property has been listed for sale, prices asked and offers received, if any;
 - (e) Redevelopment plans for the property in question, the amounts expended upon such plans and the dates of such expenditures;
 - (f) The opinion from a licensed structural engineer that the structure is in danger of collapse, if the applicant proposes the demolition in order to protect public health and safety;
 - (g) Any such other information as may reasonably be required by the Department.
 - (h) The above notwithstanding, if the applicant is able to produce substantial evidence that the structure is beyond repair and structurally unsound, the consolidated review committee may recommend approval of a permit application for demolition based on this evidence alone.
2. Department Review. Upon review of the above information, the Department may approve or deny the demolition permit based on the following criteria:
- (a) Whether the demolition will impair the unique character of the DDD;
 - (b) Whether there are redevelopment plans for the site;
 - (c) Whether the redevelopment plans conform to the DDD code;
 - (d) Whether the demolition of the structure in question is necessary for the public health and safety due to the physical condition of the structure.
3. Administrative Appeal. Any applicant denied a demolition permit by operation of this Code may file an Administrative Appeal in accordance with Chapter 64,

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Articles 5 and 10, to the Board of Zoning Adjustment (BZA). The BZA may permit the structure to be demolished if it finds the structure is a hazard to the public health and safety due to its condition or that the enforcement of the DDD Code presents an unreasonable economic hardship on the owner.

- (a) This exception for unreasonable economic hardship shall be applicable to owners (or the owner's assignee or lessee) of structures who have expended significant sums of money on development plans involving the demolition of such structures.
 - (b) In determining whether to grant an Administrative Appeal under this exception, the BZA shall weigh the economic hardship and investment expectations of the owner (or the owner's assignee or lessee) against the potential damage to the structure and of the surrounding built environment in question.
 - (c) The mere purchase of a structure for future development without further development expenditures shall not be classified as an unreasonable economic hardship.
4. An owner or authorized representative of an owner appealing to the BZA shall submit by affidavit to the BZA at least the following:
- (a) Replacement construction plans for the property in question and amounts expended upon such plans, including an itemization of each and every expenditure, and the dates of such expenditures.
 - (b) Whether there are definite plans for reuse of the property if the proposed demolition is carried out.

Section 7 Noise Restrictions in the DDD

- A. Applicability.** The noise regulations in section 39-96 of the City Code shall apply throughout the DDD. The noise restriction regulations in

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paragraph 39-96.1 of the City Code shall apply to all sub-districts where residential uses are allowed by right.

Section 8 Use Table

A. Property use restrictions

1. Property use is limited according to Table A-8.1 Use Table.
2. Parking, except structured parking, is subordinate to uses permitted under the DDD Code and shall not be used as a primary use on a property.

Table A-8.1 Use Table

Use Category	Use Sub-Category	Transect Sub and Special Districts					
		T-3	T-4	T-5.1	T-5.2	T-6	SD-WH
Industrial	Warehousing & Mini-Storage			R	R	R	R
	Mixed-use Light Manufacturing Component			R	R	R	R
	Manufacturing-Light (5,000 sf max, non-toxic)			R	R	R	R
	Manufacturing-Heavy (over 5000 sf, non-toxic)						R
	Processing of Food and Beverage Products						R
	Laboratory Facility				R	R	R
	Distribution Facility						R
Utilities	Minor	R	R	R	R	R	R
	Intermediate	S	S	R	R	R	R
	Major				C	C	C
Agricultural	Nursery Stock Growing, Processing & Sales		R	R	R	R	R
	Produce Growing, Processing & Sales		R	R	R	R	R
Education	Private Educational Facility (Daycare)	R	R	R	R	R	R
	Private Educational Facility (Elementary)		R	R	R	R	R
	Private Educational Facility (All Levels)			R	R	R	R
Civic Support	Religious institution (including educational)	R	R	R	R	R	R
	Funeral home	-	R	R	R	R	R
	Hospital, medical offices, veterinary medicine, ambulance service	-	R	R	R	R	R
	Mystic society meeting hall	-	R	R	R	R	R
Automotive	Automotive Services-Light (5,000 sf max)	-	-	R	R	R	R
	Automotive Services-Heavy (over 5000 sf)	-	-	-	-	-	R
	Parking Structure	-	-	-	R	R	R
	Gas Station	-	-	S	S	S	S
Residential	Single-Family Dwelling	R	R	R	R	R	R
	Two-Family Dwelling	R	R	R	R	R	R
	Multi-Family Dwelling	-	R	R	R	R	R

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Use Category	Use Sub-Category	Transect Sub and Special Districts					
		T-3	T-4	T-5.1	T-5.2	T-6	SD-WH
	Accessory Dwelling Unit	R	R	R	-	-	R
	Senior & Elderly Housing	R	R	R	R	R	R
	Nursing & Retirement Housing	R	R	R	R	R	R
	Boarding Houses & Dormitories	R	R	R	R	R	R
	Homeless & Emergency Shelter	-	S	S	S	S	S
	Mixed-use Residential Component	-	R	R	R	R	R
Lodging	Hotel (no room limit)	-	-	-	R	R	R
	Inn (up to 20 rooms)	-	R	R	R	R	R
	Bed and Breakfast (up to 5 rooms)	R	R	R	R	R	R
Office	Home-office (non-primary use)	R	R	R	R	R	R
	Live-work (office up to 15% of building sf.)	R	R	R	R	R	R
	Work-live (office up to 80% of building sf.)	-	R	R	R	R	R
	Mixed-use Office Component	-	R	R	R	R	R
	Office Building	-	R	R	R	R	R
Communications Facilities	Class 1***	R	R	R	R	R	R
	Class 2 and 3***	S	S	S	S	S	R
	Class 4***			S	S	S	S
Commercial	Live-work (retail up to 15% of building sf.)	R	R	R	R	R	R
	Work-live (retail up to 80% of building sf.)	-	R	R	R	R	R
	Mixed-use Retail Component	-	R	R	R	R	R
	Retail Building	-	R	R	R	R	R
	Café	-	R	R	R	R	R
	Restaurant, bar, catering, entertainment, theater or brewpub with occupancy load over 100 persons. *Occupancy load under 100 is permitted by right	-	-	S*	S*	R	R
	Drive-Thru Retail	-	S	S	S	S	S
*Parking, except structured parking, is subordinate to uses permitted under the DDD Code and shall not be used as a primary use on a property.							
**None of the above permitted uses include an “Adult entertainment Enterprise” as defined in Chapter 64, Article 4.							
***Must meet all criteria and requirements set forth in Chapter 64, Article 4.							

R – By Right
S – By Special Exception

Section 9 Site Plan Standards

A. Property Standards

1. Frontage. The portion of a property abutting a right-of-way is assigned a primary frontage or secondary frontage as follows:

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- (a) Properties abutting more than one (1) street shall designate a primary frontage. The primary frontage shall be an A street if one (1) is abutted.
 - (b) Elements of the built environment within the front Setback are subject to all the requirements of Appendix A Section 10 C below.
2. Property Width Restrictions. Newly platted properties, subdivisions of existing properties and newly assembled properties shall comply with the following property width restrictions as measured along their primary frontage:
 - (a) T-3: Forty (40) feet minimum, one hundred twenty (120) feet maximum.
 - (b) T-4: Eighteen (18) feet minimum, one hundred twenty (120) feet maximum.
 - (c) T-5.1 & T-5.2: Fourteen (14) feet minimum, one hundred eighty (180) feet maximum.
 - (d) T-6: Fourteen (14) feet minimum, no maximum.
 - (e) In any sub-district, a property that exceeds the maximum property size as set forth above and existing as of the effective date of the original adoption of the Downtown Development District (May 13, 2014), may be developed as one (1) property.
3. Property Assembly. Properties may be assembled with Planning Commission approval according to the following:
 - (a) Where multiple properties to be assembled into a single property are within more than one (1) transect sub-district, the assembly requires a regulating plan amendment.
4. Setbacks and Number of Buildings per lot. The Setback and number of buildings per lot shall comply with the following standards as set out in Table A-9.1 Site Configuration **Error! Reference source not found.:**

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Table A-9.1 Site Configuration

Sub-District	Element	Setbacks				Buildings Per Lot Enclosed conditioned space
		Primary Frontage ²	Secondary Frontage	Side	Rear	
T-3	Primary Buildings	10 ft—18 ft ¹	5 ft min.	10 ft min ¹	20 ft min.	2 max
	Outbuildings	To rear of the Facade		Unrestricted if fire rating requirements are met		
	Parking			Unrestricted		
T-4	Primary buildings	12 ft max. ¹		Unrestricted if fire rating requirements are met		3 max
	Outbuildings	To rear of the Facade		Unrestricted		
	Parking			Unrestricted		
T-5.1	Primary buildings	12 ft max ¹		Unrestricted if fire rating requirements are met		No max
	Outbuildings	To rear of the Facade		Unrestricted		
	Parking			Unrestricted		
T-5.2	Primary Buildings	5 ft max. ¹	12 ft max. ¹	Unrestricted if fire rating requirements are met		No max
	Outbuildings	To rear of the Facade		Unrestricted		
	Parking			Unrestricted		
T-6	Primary buildings	10 ft max. ¹	12 ft max.	Unrestricted if fire rating requirements are met		No max
	Outbuildings	To rear of the Facade at ground floor unrestricted upper stories		Unrestricted		
	Parking			Unrestricted		
SD-WH	Primary buildings	10 ft max.	Unrestricted if fire rating requirements are met			No max
	Outbuildings	Unrestricted if fire rating requirements are met				
	Parking	Unrestricted				

¹May match Setbacks of adjacent buildings (along the same street frontage) where they differ from the standard.

²Buildings along Government Street may be set back an additional 12 feet beyond the maximum front Setback.

B. Building Placement Standards

1. Property coverage by buildings in T-3 and T-4 shall not exceed seventy-five (75) percent of net property area.
2. The number of buildings permitted on one (1) property shall not exceed the maximum buildings per property according to **Error! Reference source not found.** Where multiple buildings occupy a single property a principal building shall be designated.
3. Buildings shall be set back from the boundaries of their properties according to **Error! Reference source not found.** Buildings along Government Street may

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be set back an additional twelve (12) feet beyond the **Error! Reference source not found.** standards.

4. The Facade shall be parallel to the primary front property line. The primary entrance shall be through the Facade. Facades are not required to be parallel to the primary front property line within twenty (20) feet of corners.

C. Parking standards

1. Required vehicular parking.
 - (a) Vehicular parking is not required in T-3, T-4, T-5 and SD-WH, or for structures existing as of the effective date of the original adoption of the Downtown Development District (May 13, 2014).
 - (b) Within T-6, parking shall be provided for all new construction at the following minimum rates:
 - (1) Office: Three (3) spaces per one thousand (1,000) square feet.
 - (2) Lodging: One (1) space per bedroom.
 - (3) Residential: One (1) space per unit.
 - (4) Retail: no required parking.
 - (5) Restaurant and café: no required parking.
 - (c) On-street parking spaces in parking lanes corresponding to property frontages may be counted towards required parking in T-6. On-street parking shall remain available to the public and cannot be restricted to use by the fronting properties.
 - (d) Required parking in T-6 may be provided off-site by purchase or lease from a civic parking reserve or private parking lot or structure within one thousand, five hundred (1,500) feet of the property.

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2. Vehicular parking design requirements.
 - (a) All off-street parking spaces and aisles shall meet AASHTO size and configuration standards.
 - (b) Parking structures and parking lots over twenty (20) spaces are prohibited in T-3 and T-4.
 - (c) For parking lots along frontages, one (1) of the following masking options is required:
 - (1) Liner buildings may be used to mask parking lots.
 - (2) A hedge, evergreen vines, other evergreen planting materials, combined with a metal Fence or masonry wall, with or without a hedge or evergreen plantings, may be used to mask parking lots. Alternative materials for Fences or walls may be considered by the CRC provided the intent of masking is achieved and sufficient documentation is provided to justify allowance of the alternative material. Shrubs for hedges shall be a minimum of three (3) feet in height at the time of planting, evergreen vines or other evergreen planting materials shall be of a variety that will form an evergreen barrier as would be formed by a hedge; walls and Fences shall be a minimum of three (3) feet in height.
 - (3) When parking lots are surfaced with crushed stone, brick, rolled concrete pavers or cellular grassed concrete pavers, masking requirements may be satisfied by trees spaced a maximum of thirty (30) feet on center.
 - (d) For parking structures along frontages, one (1) of the following masking options is required:
 - (1) Liner buildings shall wrap a minimum of seventy (70) percent of the width of parking structures at ground floor frontages.

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- (2) Within B-street frontages, a hedge, evergreen vines or other evergreen planting materials combined with a metal Fence or masonry wall, with or without a hedge, may be used to mask parking structures.

Alternative materials for Fences or walls may be considered by the CRC provided the intent of masking is achieved and sufficient documentation is provided to justify allowance of the alternative material. Shrubs for hedges shall be a minimum of three (3) feet in height at the time of planting, evergreen vines or other evergreen planting materials shall be of a variety that will form an evergreen barrier as would be formed by a hedge; walls and Fences shall be a minimum of three (3) feet in height.

- (e) One interior heritage tree shall be planted for every fifteen (15) spaces for parking lots over fifty (50) spaces.
- (f) Parking lot accessory structures.
 - (1) Attendant huts, pay kiosks and other structures shall be permitted in parking lots. Such accessory structures shall only be sized and used to shelter collection and security operations related to the parking use.

3. Vehicular parking access.

- (a) Parking shall be accessed from the secondary frontage where available.
- (b) Where secondary frontages are not available, parking may be accessed by driveways at the primary frontage provided the property width exceeds the following:
 - (1) T-3 & T-4: Forty-two (42) feet minimum.
 - (2) T-5: Fifty-four (54) feet minimum.
 - (3) T-6: Seventy-two (72) feet minimum.

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- (4) SD-WH: Fifty-four (54) feet minimum.
 - (c) Driveways are limited to twenty-five (25) feet in width within the frontage. Driveways in T-3 and T-4 are limited to ten (10) feet in width within the front Setback along primary frontages.
 - (d) Crushed stone surfaces shall be limited to driveways.
 - (e) A maximum of one (1) curb cut per property frontage may be permitted. Curb cuts shall meet specifications established in Chapter 57 article IV, Driveways.
4. Bicycle parking.
- (a) Property owners in T-5 and T-6 may install bicycle racks within the right-of-way adjacent to their frontage subject to the following restrictions:
 - (1) Bicycle racks shall be inverted-U, pole and ring, or removable ring types.
 - (2) Bicycle racks shall not be located within the following areas:
 - a. Within five (5) feet of fire hydrants.
 - b. Within four (4) feet of loading zones and bus stop markers.
 - c. Within three (3) feet of driveways and manholes.
 - d. Within two (2) feet of utility meters and tree boxes.
 - e. Sidewalks where the distance from the face of the curb to the property line is less than seven (7) feet.
 - f. Bicycle racks parallel to the curb shall be set back from the curb two (2) feet. Bicycle racks perpendicular to the curb shall allow one (1) foot of distance between a bicycle properly locked and

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the curb. Where rings are added to existing poles, these requirements do not apply.

- g.** Bicycle rack placement shall not reduce the pedestrian sidewalk path to less than four (4) feet considering the placement of a fifty-six-centimeter (twenty-two-inch) bicycle properly locked.
- h.** Bicycle racks shall be spaced a minimum of thirty (30) inches where installed parallel to the curb and forty-eight (48) inches where installed perpendicular to the curb.

D. Garbage Collection Standards.

- 1.** Garbage containers may only be placed on the sidewalk with the following restrictions:
 - (a)** Containers shall be removed from the public right-of-way within two (2) hours of garbage collection and shall not be placed in the right-of-way between 7:00 a.m. and 5:00 p.m.
 - (b)** Grease containers shall not be placed outside within twenty (20) feet of a sidewalk at any time.
- 2.** Dumpsters.
 - (a)** The placement of a dumpster in the primary frontage or in the street right-of-way shall be prohibited.
 - (b)** Waste removal of a dumpster by a sanitation truck shall take place entirely within the paved surface of the building site. The street right-of-way may not be used by the truck for maneuverability.
 - (c)** All dumpsters shall be enclosed within an enclosure of at least the height of the dumpster which is being enclosed, but in no case to exceed eight (8) feet in height. The dumpster enclosure materials shall comply with materials as

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specified in Appendix A Section 10 B below, and may also be equipped with a door or gate constructed of wood or other opaque material that opens outward and which remains closed unless the dumpster is being filled or emptied. The dumpster enclosure must be of sufficient size to allow for placement and removal of dumpster without causing damage to the enclosure.

- (d) If required/provided, dumpster enclosures must be kept in good repair and condition by the property owners for the life of the dumpster/enclosure requirement.
- (e) Construction dumpsters, used for construction projects, are exempt from this paragraph.

Section 10 Building Specifications

A. Building Specifications and Parking Deck Height Standards

1. Building height is measured in stories for each above-ground level according to the following:
 - (a) Stories are measured from finished floor to finished ceiling.
 - (b) Stories above the ground floor are limited to a maximum of fourteen (14) feet. Stories combined to exceed fourteen (14) feet are counted as multiple stories.
 - (c) For residential uses, ground floor height exceeding eighteen (18) feet is counted as multiple stories.
 - (d) For non-residential and mixed-uses, ground floor height exceeding twenty-five (25) feet in all transect sub-districts and thirty-five (35) feet in SD-WH is counted as multiple stories.
 - (e) Unfinished attics are not included in building height measurement.

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- (f) Height may be increased to match structures on contiguous lots within the same transect sub-district.
 - (g) For free-standing parking structures, building height is measured in feet.
2. Building height is limited to the following maximum heights:
- (a) Two (2) stories in T-3 and T-4,
 - (b) Three (3) stories in T-5.1,
 - (c) Five (5) stories in T-5.2, except for buildings fronting Bienville Square that may be up to eight (8) stories, and
 - (d) Six (6) stories in SD-WH.
 - (e) There are no building height restrictions in T-6.
 - (f) Height may be increased to match structures on contiguous lots within the same transect sub-district.
3. Parking deck height is limited to the following maximum heights:
- (a) Thirty-four (34) feet in T-5.1,
 - (b) Sixty (60) feet in T-5.2 and SD-WH, and
 - (c) Eighty (80) feet in T-6.
 - (d) For parking structures attached to a building(s) for at least fifty (50) percent of their total perimeter or eighty (80) percent of their perimeter along frontages, the parking structure height may exceed the limit provided they not exceed the eave height of the attached building(s).
4. Ground floor non-residential uses shall have a minimum story height of fourteen (14) feet and ground floor residential uses shall have a minimum story height of ten (10) feet.

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5. Outbuildings are limited to two (2) stories in T-3 and T-4, in all other transect sub-districts outbuildings shall be no higher than the principal building.

B. Building Materials Standards

1. Mechanical equipment including, but not limited to, electric meters, gas meters, water meters, exhaust fans, HVAC equipment and refuse storage shall not be located along frontages. Mechanical equipment must be masked if visible from the street or sidewalk.
2. All openings, including but not limited to Porches, galleries, doors and windows, with the exception of shopfronts, shall be square or vertical in proportion.
3. Where multiple exterior materials are used on a single building, they shall only be combined on each Facade horizontally, with the heavier material below the lighter.
4. Exterior finish.
 - (a) Where multiple exterior materials are used on a single building, they shall only be combined on each Facade horizontally, with the heavier material below the lighter.
 - (b) Exterior finish in all sub-districts shall be wood or cementitious clapboard, shingles, board and batten, stucco, brick or stone.
5. Roofs.
 - (a) Roofing material shall be tile, standing seam metal, metal shingles, five v-crimp and shingles including: asphalt, fiberglass, cement fiber, wood or slate. Built-up or membrane roofing shall only be used on roofs with slopes less than three (3) and twelve (12) where hidden from view from the public right-of-way. Modern synthetic materials designed to resemble acceptable materials may be used.

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- (b) The following roofing materials are prohibited: corrugated fiberglass, asphalt roll roofing, corrugated metal, panel & batten, colored metal.
 - (c) Rooftop equipment such as turbine vents, skylights, satellite dishes, and T.V. antennae shall not be visible from the street.
- 6. Foundations.
 - (a) Foundation requirements do not apply to slab on grade construction as allowed in the following frontage types: common entry, pedestrian forecourt, vehicular forecourt, Gallery and Shopfront.
 - (b) Foundations of new additions may match those of the existing building.
 - (c) Raised foundations shall be pier and fill-panel construction, or chain wall construction with panels inset to resemble pier and infill panel construction, or raised slab foundations with piers faced with brick, stone or stucco.
 - (d) Lattice, if used, should be hung below the skirt board or siding between the piers and framed with trim. Lattice secured to the face of the foundation is inappropriate.
 - (e) Any solid infill between the piers should be recessed.
 - (f) Foundations shall be brick, stone, or stucco. Where another type of structural material is used, it must be faced with brick, stone or stucco.
 - (g) The following foundation materials are prohibited: metal infill, plywood panels, mineral board panels, plastic or vinyl sheeting, unfinished concrete block, wood piers, imitation brick or stone, vinyl lattice. Wood supports are acceptable for wood stairs.
- 7. Fences and Walls.
 - (a) Fences and walls shall only be permitted in frontages where explicitly allowed in the frontage standards.

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- (b) A Fence or wall may be installed along the side and rear property lines beyond the front façade of the building, with a maximum height of eight (8) feet (up to ten (10) feet may be approved in SD-WH).
 - (c) Unimproved lots may have Fences with a maximum height of six (6) feet along any property line.
 - (d) Materials.
 - (1) Fences shall be made of wood picket, wood slat, wood lattice, iron, steel or aluminum that appears to be iron.
 - (2) Walls shall be made of brick, stone or stucco over masonry.
 - (3) Fence and wall material may be allowed in combination as approved by the CRC and ARB as applicable.
 - (e) Prohibited Fence materials.
 - (1) Barbed and concertina wire is prohibited in frontages and in all areas that are visible from frontages.
 - (2) Chain-link Fences are prohibited in frontages and only allowed along interior property lines behind the façade of the building.
8. Transparency.
- (a) The use of reflective glass is prohibited along public frontages within the first six (6) stories from the ground level. Tinted glass may be allowed as follows:
 - (1) A minimum visible transmittance rating of .78 for all glass on the first and second floors. Awnings are preferable to tint if solar gain is an issue. On third stories and above, a minimum transmittance rating of .68 if an awning or sun screen is not a viable or preferred option.

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- (b) All building Facades along public frontages shall have a minimum of twenty (20) percent transparency measured on each floor. Higher percentages are required for some frontage types as stipulated in Appendix A Section 10 C below.
- (c) Security bars on windows or doors shall not be visible from the street.

C. Building Frontage Standards

1. Frontages general.

- (a) The frontage is the area of a property that faces a street or other public space and an assembly of components within that area. Frontage components include:
 - (1) The building Facade;
 - (2) Structures that project from the Facade such as Porches, Terraces, Stoops, Awnings, Canopies and bay windows;
 - (3) Any front yard landscape elements between the building Facade and the public street or space.
- (b) Frontage build-out shall be a minimum of eighty (80) percent in T-5.1, and one hundred (100) percent in T-5.2 and T-6. In the absence of a building Facade along any part of a frontage in T-5 or T-6 up to the minimum required frontage build out, a streetscreen is required as follows:
 - (1) Streetscreens shall be between four (4) and eight (8) feet in height.
 - (2) Openings in the streetscreen for vehicular access shall be no wider than thirty (30) feet.
 - (3) Streetscreens shall be made of the following materials: brick, stone, stucco over masonry, iron, steel or aluminum that appears to be iron. Non-opaque streetscreens require planting behind to increase opacity.

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- (4) Streetscreens are not considered Fences for the purposes of the regulations of this section.
- (c) Frontages are divided into the following types: lawn, terrace, Stoop, common entry, pedestrian forecourt, vehicular forecourt, Gallery and shopfront.
- (d) Property owners shall designate which frontage type corresponds to the building(s) they own or are proposing to build and shall comply with the standards for that type when new construction or substantial improvement is proposed, or when the frontage type is changed or when the primary frontage of the property is redesignated to another street on a corner lot. New additions to existing buildings are not required to designate frontage types.
- (e) A shop front frontage is required for all ground floor commercial uses fronting the A-Street portions of Dauphin, Conti and St. Joseph Streets shown on the Zoning Map. All other T-5 and T-6 ground floor commercial uses must have transparent windows covering a minimum of thirty (30) percent of the surface between two (2) and twelve (12) feet above the abutting sidewalk.
- (f) Where buildings have multiple frontages or multiple buildings are located on one (1) property, similar frontage types should be selected for all frontages.
- (g) Walkways providing access to the primary entrance and secondary entrances are limited to one (1) per frontage no wider than five (5) feet each.
- (h) Loading docks and service areas up to a combined width of thirty (30) feet may be incorporated into frontages as follows:
 - (1) At secondary frontages towards the rear of the property.

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- (2) At primary frontages where properties have no secondary frontage and property width exceeds one hundred twenty (120) feet.
 - (3) At all frontages within SD-WH.
 - (i) First floor elevation requirements in this section may be exceeded where the one hundred-year flood plain (AE) and five hundred-year flood plain (X-shaded) requires buildings be raised beyond the specified ranges. Note: On commercial developments only, flood proofing may be used to achieve compliance with the storm water management and flood control ordinance and is an alternative to elevating the structure (see Chapter 17).
- 2. Encroachments general.
 - (a) Balconies may project from the façade three (3) feet and may extend into the right-of-way with a permit and right-of-way use agreement from the City Engineer.
 - (b) Permanent encroachments/permanent structures greater than three (3) feet in height constructed in the right-of-way require a permit from the City Engineer and a Right-of-Way Use Agreement. The right-of-way permit and the Right-of-Way Use Agreement may require procurement and maintenance of general liability insurance naming the City as an additional insured.
 - (c) Awnings shall not be considered permanent structures and do not require a permit from the City Engineer.
 - (d) Canopies shall not be considered permanent structures and do not require a permit from the City Engineer unless supported by a pole or column(s) located in the right-of-way.
 - (e) Awnings and canopies shall not be located within two (2) feet of any curb.
- 3. Frontage Standards. Additions to Existing Buildings.

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- (a) Additions to existing buildings in general.
 - (1) Existing nonconforming buildings are not required to meet frontage type requirements unless the frontage is reoriented.
 - (2) Additions to existing buildings may match the foundations, Porch depth and finished floor elevations of the existing building.
 - (3) New addition encroachments into the front Setback are permitted as follows:
 - a. Porches, stairs, Stoops and ramps may encroach into the front Setback as follows:
 - 1. Up to fifty (50) percent of the front Setback depth in T-3 and one hundred (100) percent in all other sub-districts.
 - 2. Porches shall be no less than eight (8) feet deep in T-3, and five (5) feet deep in T-4.
- (b) Additions to existing buildings in T-3 sub-districts.
 - (1) The finished floor elevation, shall be between sixteen (16) and forty-eight (48) inches above average grade along the front property line if it does not match that of the existing structure.
 - (2) The front yard may be raised up to thirty-six (36) inches above sidewalk grade to form a terrace.
 - (3) A Fence or wall may be installed along the front property line and the side lot lines to the Facade of the building, with a maximum height of four (4) feet.
 - (4) Shopfronts and galleries are prohibited in T-3.
- (c) Additions to existing buildings in T-4 sub-districts.

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- (1) The first floor finished floor elevation, if it does not match the existing, shall be between sixteen (16) and forty-eight (48) inches above average grade along the front property line. If a shopfront frontage is incorporated, the finished floor may be at sidewalk level.
 - (2) The front yard may be raised up to thirty-six (36) inches above sidewalk grade to form a terrace.
 - (3) A Fence with or without masonry piers is permitted at the front property line and the side lot lines to the Facade of the building, with a maximum height of four (4) feet.
 - (4) T-4 Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
 - (5) Shopfronts maybe permitted in T-4. Galleries are prohibited.
- (d) Additions to existing buildings in T-5 sub-districts.
- (1) The finished floor elevation, if it does not match the existing, shall be a maximum of thirty (30) inches above average grade along the front property line.
 - (2) A raised terrace is permitted in the frontage up to twenty (20) inches above sidewalk grade.
 - (3) A Fence with or without masonry piers is permitted at the front property line and the side lot lines to the Facade of the building, with a maximum height of four (4) feet. Wood Fences are not allowed in T-5.2.
 - (4) Walkways providing access to the building entrances are limited to one (1) per entrance no wider than five (5) feet each.

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- (5) Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
 - (6) A primary entry courtyard may be incorporated into the frontage with a portion of the Facade recessed more than the maximum front Setback. The primary entry courtyard shall not exceed six hundred (600) square feet in yard area.
 - (7) Shopfronts and galleries are permitted in T-5.
- (e) Additions to existing buildings in T-6 sub-districts.
- (1) The finished floor elevation, if it does not match the existing, shall be a maximum of thirty (30) inches above average grade along the front property line.
 - (2) A raised terrace is permitted in the frontage up to twenty (20) inches above sidewalk grade.
 - (3) A Fence with or without masonry piers is permitted at the front property line and the side lot lines to the façade of the building, with a maximum height of four (4) feet. Wood Fences are not allowed in T-6.
 - (4) Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
 - (5) A primary entry courtyard may be incorporated into the frontage with a portion of the Facade recessed more than the maximum front Setback. The primary entry courtyard shall not exceed one thousand, six hundred (1,600) square feet in yard area.
 - (6) Shopfronts and galleries may be permitted in T-6.
- (f) Additions to existing buildings in SD-WH sub-districts.

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- (1) The finished floor elevation, if it does not match the existing, shall be a maximum of thirty (30) inches above average grade along the front property line.
- (2) A raised terrace is permitted in the frontage up to twenty (20) inches above sidewalk grade.
- (3) An iron Fence with or without masonry piers is permitted at the front property line and the side lot lines to the Facade of the building, with a maximum height of six feet.
- (4) Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
- (5) A primary entry courtyard may be incorporated into the frontage with a portion of the Facade recessed more than the maximum front Setback. The primary entry courtyard shall not exceed one thousand, six hundred (1,600) square feet in yard area.
- (6) Shopfronts may be permitted in SD-WH. Galleries are prohibited.

Table A-10.1 Frontage Type Summary

Frontage Type	Transect Sub-Districts					
	T-3	T-4	T-5.1	T-5.2	T-6	SD-WH
Lawn	R	R				R
Terrace	R	R	R	R		R
Stoop		R	R	R	R	R
Common Entry		R	R	R		R
Pedestrian Forecourt			R	R	R	R
Vehicular Forecourt					R	R
Gallery			R	R	R	
Shopfront		R	R	R	R	R

R - Allowed

Blank – Prohibited

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4. Frontage Types and Standards for New Construction. See Table A-10.1 Frontage Type Summary
 - (a) Lawn (permitted in T-3, T-4, and SD-WH only).
 - (1) General characteristics: The Facade is set back from the front property line with the first story elevated from the sidewalk for privacy and principal entry accessed by a Porch or Stoop.
 - (2) The finished floor elevation of the first floor shall be a minimum of sixteen (16) inches and a maximum of forty-eight (48) inches above average grade along the front property line.
 - (3) Encroachments into the front Setback are permitted as follows:
 - a. Porches, stairs and ramps may encroach into the front Setback up to fifty (50) percent of its depth in T-3 and one hundred (100) percent in T-4. Porches shall be no less than eight (8) feet deep in T-3 and four (4) feet deep in T-4.
 - b. Bay windows, roof overhangs, cornices, window and door surrounds and other Facade decorations may encroach into the front Setback up to two (2) feet.
 - c. Stoops may encroach into the front Setback up to four (4) feet.
 - d. Stoops may be covered by a roof structure supported by columns or wall brackets.
 - (4) Fences may be permitted as follows:
 - a. A Fence or wall may be installed along the front property line and the side lot lines to the Facade of the building, with a maximum height of four (4) feet.

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frontage. Additions to existing non-compliant structures are not required to meet percentage-specified requirement.

- b.** The terrace shall be a minimum of eight (8) feet deep and may extend to the front property line. Terrace surfaces may be paved or landscaped.
- (4)** Awnings are permitted as follows:
 - a.** Awnings shall be fabric and may be fixed or movable.
 - b.** Awnings at ground floor level shall span a minimum of eighty (80) percent of the frontage without gaps except between separate businesses and where an awning covers only the primary entrance, it shall be the width of the primary entrance.
 - c.** Awnings on the second floor or above shall cover only a window or door and shall be the width of the window or door.
 - d.** An awning may be installed over doors on secondary frontages provided that it projects no more than six (6) feet from the building.
 - e.** Awnings at the ground floor level shall extend from the Facade a minimum of six (6) feet and shall not extend beyond a terrace, if one exists. An exception is:
 - 1.** That an awning covering only the primary entrance may extend a minimum of three (3) feet.
 - f.** All awnings shall be set back from the curb a minimum of two (2) feet.
 - g.** A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk or terrace.

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- (5) Fences and walls are allowed only when they are necessary as part of the terrace structure or to provide a safety railing. Walls shall be brick, stone or stucco. Rails shall be iron, steel or aluminum that appears to be iron.
 - (6) In T-4, walkways providing access to secondary entrances are limited to one per entrance no wider than five (5) feet each.
 - (7) In T-5 and SD-WH, frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
 - (8) Terrace frontages may include all elements of a shopfront frontage located at the level of the terrace.
- (c) Stoop (permitted in T4, T5, T6, and SD-WH only).
- (1) General characteristics: The Facade is aligned close to the front property line with the first story elevated from the sidewalk for privacy, and an exterior stair and landing at the building entrance.
 - (2) The finished floor elevation of the first floor shall be a minimum of twenty (20) inches and a maximum of thirty-six (36) inches above average grade along the front property line.
 - (3) A Stoop is required as follows:
 - a. A masonry Stoop between twenty (20) and thirty-six (36) inches above sidewalk grade may encroach into the front Setback at the primary entrance. Additional Stoops may be located at secondary entrances.
 - b. Stoops shall be between four (4) and six (6) feet deep.
 - c. Stoops may be recessed into the building Facade as an alternative to encroaching into the Setback.

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- (1) General characteristics: A portion of the Facade is close to the front property line and remaining Facade is set back from the front property line to create an entry courtyard.
- (2) The finished floor elevation of the first floor shall be no more than eighteen (18) inches above average grade along the Facade, except at the entry, which shall be at grade.
- (3) An entry courtyard is required as follows:
 - a. The entry courtyard shall be located at the primary entrance.
 - b. The entry courtyard shall be no larger than six hundred (600) square feet.
 - c. The entry courtyard shall be bound by building Facades on a minimum of two (2) sides.
 - d. The width of the entry courtyard counts toward frontage build out.
- (4) Awnings and canopies are permitted as follows:
 - a. Canopies shall be fixed and constructed of metal or wood.
 1. A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk.
 - b. Awnings shall be fabric and may be fixed or movable.
 1. Awnings at ground floor level shall span a minimum of eighty (80) percent of the frontage without gaps except between separate businesses and where an awning covers only the primary entrance, it shall be the width of the primary entrance.

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2. Awnings on the second floor or above shall cover only a window or door and shall be the width of the window or door.
 3. An awning may be installed over doors on secondary frontages provided that it projects no more than six (6) feet from the building.
 4. Awnings at the ground floor level shall extend from the Facade a minimum of six (6) feet and shall not extend beyond a terrace, if one exists. An exception is:
 - i That an awning covering only the primary entrance may extend a minimum of three (3) feet.
 5. All awnings shall be set back from the curb a minimum of two (2) feet.
 6. A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk.
- (5) Pedestrian forecourt frontages may include all elements of a shopfront along front property lines and within the entry courtyard.
- (6) Pedestrian forecourt frontages may include all elements of a Gallery frontage except within the entry courtyard.
- (f) Vehicular forecourt (permitted T6 and SD-WH only).
- (1) General characteristics: A portion of the Facade is close to the front property line and remaining Facade is set back from the front property line to create an entry courtyard for vehicular access.
 - (2) Courtyards shall recess no more than fifty (50) percent of the building Facade.

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- (3) The finished floor elevation of the first floor shall be no more than eighteen (18) inches above average grade along the Facade, except at the entry, which shall be at grade.
- (4) An entry courtyard is required as follows:

 - a. The entry courtyard shall be located at the primary entrance.
 - b. The entry courtyard shall be no larger than one thousand six hundred (1,600) square feet and shall be no wider than fifty (50) percent of the width of the frontage.
 - c. The entry courtyard shall be bound by building Facades on a minimum of two (2) sides.
 - d. The width of the entry courtyard counts toward frontage build out.
- (5) Awnings and canopies are permitted as follows:

 - a. Canopies shall be fixed and constructed of metal or wood.

 1. A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk.
 - b. Awnings shall be fabric and may be fixed or movable.

 1. Awnings at ground floor level shall span a minimum of eighty (80) percent of the frontage without gaps except between separate businesses and where an awning covers only the primary entrance, it shall be the width of the primary entrance.
 2. Awnings on the second floor or above shall cover only a window or door and shall be the width of the window or door.

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3. An awning may be installed over doors on secondary frontages provided that it projects no more than six (6) feet from the building.
 4. Awnings at the ground floor level shall extend from the Facade a minimum of six (6) feet and shall not extend beyond a terrace, if one exists. Exceptions are:
 - i That an awning covering only the primary entrance may extend a minimum of three (3) feet; and
 - ii Awnings on vehicular forecourt frontages may extend twelve (12) feet except where installed as a porte-cochere in which case the maximum depth is thirty (30) feet.
 5. All awnings shall be set back from the curb a minimum of two (2) feet.
 6. A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk.
- (6) Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
- (g) Gallery (permitted in T-5 and T-6 only).
- (1) General characteristics: The Facade is aligned close to the front property line with an attached lightweight colonnade overlapping the sidewalk.
 - (2) The finished floor elevation of the first floor shall be no more than eighteen (18) inches above average grade along the Facade, except at the entry, which shall be at grade.

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- (3) A Gallery is required as follows:

 - a. Galleries may encroach into the public right-of-way to within two (2) feet of the curb provided that a minimum five (5) feet of continuous, clear, paved pedestrian path be maintained along the public sidewalk. A right-of-way permit is required for galleries.
 - b. Galleries shall be a minimum of seven (7) feet in depth and twelve (12) feet in height.
 - c. Galleries shall span a minimum of eighty (80) percent of the Facade without gaps.
- (4) Galleries shall be supported by columns, configured as follows:

 - a. Columns shall be centered on the spandrel beam.
 - b. Columns shall be round metal and have a diameter of three (3) inches minimum to six (6) inches maximum.
 - c. Columns shall have a base, shaft and capital.
 - d. Columns shall be located a minimum of seven (7) feet from the Facade.
- (5) Gallery decks shall be configured as follows:

 - a. Gallery decks shall be no more than nine (9) inches thick, including all structure and surface.
 - b. Gallery deck structure shall be exposed.
 - c. Gallery decks shall be located above the top of transom windows.
- (6) Second story railings shall be painted metal.

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- (7)** Second story columns and railing posts shall align with columns below.
- (8)** Where galleries interrupt street lighting, a minimum of one-half ($\frac{1}{2}$) foot candle lighting shall be provided within the Gallery.
- (9)** Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.
- (10)** Gallery frontages may include all elements of a shopfront frontage.

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Figure A-10.1 Shopfront Elevation Elements



Cornice: Trim required at the eave or top of parapet. May include one or more habitable floors for buildings over 6 stories.

Shaft: Determined by the building height.

Base: A minimum of 16 feet in height as measured from the average sidewalk grade at the building frontage. For buildings over 6 stories, the base should extend to the vertical extent of the second story.

- (h) Shopfront (permitted in T4, T5, T6, and SD-WH only).
- (1) General characteristics: The building Facade at the ground floor is substantially glazed to provide visibility into interior spaces. Shopfronts may include display cases that project forward and recessed entries. Shopfront frontages may be used alone as a frontage type or in combination with other frontage types.
 - (2) The finished floor elevation of the first floor shall be no more than eighteen (18) inches above average grade along the Facade, except at the entry, which shall be at grade.
 - (3) Shopfronts are subject to the following design requirements:
 - a. Shopfronts shall be designed with a bulkhead, display window and transom as generally described in Figure A-10.1 Shopfront Elevation Elements.
 - b. Bulkheads shall be eighteen (18) to thirty (30) inches in height.
 - c. Transom windows shall have dividing muntins and be free of signage.
 - d. Shopfront sign(s) shall be installed above transom windows.

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- b.** Awnings shall be fabric and may be fixed or movable.

 - 1.** Awnings at ground floor level shall span a minimum of eighty (80) percent of the frontage without gaps except between separate businesses and where an awning covers only the primary entrance, it shall be the width of the primary entrance.
 - 2.** Awnings on the second floor or above shall cover only a window or door and shall be the width of the window or door.
 - 3.** An awning may be installed over doors on secondary frontages provided that it projects no more than six (6) feet from the building.
 - 4.** Awnings at the ground floor level shall extend from the Facade a minimum of six (6) feet and shall not extend beyond a terrace, if one exists. An exception is:

 - i** That an awning covering only the primary entrance may extend a minimum of three (3) feet.
 - 5.** All awnings shall be set back from the curb a minimum of two (2) feet.
 - 6.** A minimum of eight-foot clearance to the bottom of the frame shall be maintained above sidewalk.
- (7)** Frontages may be paved up to one hundred (100) percent of their area. Paving shall consist of unit masonry or concrete.

Section 11 Signage

A. General requirements

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1. Signs must be permitted as specified in Article 10.
2. Signage may be permitted according to table 5, specifying the type, location and size of signs and copy. Signage is limited to one (1) of each permitted sign type for each separate business except that building signs, corner signs and marquees are limited to one (1) per building and painted wall signs are limited to one (1) per secondary frontage and wall internal to a lot but visible from sidewalks.
3. Parking lots throughout the district may install one (1) parking sign.
4. Signage, if illuminated, shall be illuminated externally. Neon and back-lit, reverse channel signs are allowed. Internally-illuminated letters are not allowed.
5. One (1) address number, no larger than one (1) square foot, shall be attached to the building in proximity to the primary entrance.
6. Sign materials shall be compatible with the materials of the building on which it is placed and the district. New materials that achieve the effect of traditional materials and lighting solutions will be considered on a case by case basis.
7. Signage projecting forward from building walls exceeding one (1) foot in depth shall maintain a minimum eight (8) foot clearance above adjacent grade.
8. All signage permitted in this section except for yard signs may encroach into the right-of-way.
9. Painted murals may be permitted along secondary frontages and walls internal to a property. Painted murals may include copy related to the building or business occupying the building, subject to the requirements of painted wall signs.
10. Banners that comply with Chapter 64, Article 4 of the City Code, as amended are permitted.

B. Neon and LED signs

1. Non-animated neon and LED signs are allowed inside storefront windows.

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2. The maximum brightness levels for such signs shall not exceed five thousand (5,000) nits when measured from the sign's face at its maximum brightness, during daylight hours.
3. The maximum brightness levels for such signs shall not exceed five hundred (500) nits when measured from the sign's face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.

C. Upper building signs

1. A maximum of two (2) upper building signs a minimum of forty (40) feet above grade may be installed on two (2) separate Facades on buildings more than ten (10) stories high.
2. Upper building signs are limited to the following:
 - (a) The identification of the building or the name of one (1) tenant of the building;
 - (b) A maximum of eighty (80) percent of the width of the building wall upon which it is placed;
 - (c) A maximum of one (1) horizontal or vertical line of letters or symbols;
 - (d) A maximum font size of eight (8) feet in any dimension;
 - (e) A maximum logo or emblem size of ten (10) feet in any dimension.

D. Abandonments

1. An abandoned sign must be removed within ninety (90) days from the: date official notice is given by the Department. Permanent on-site signs applicable to a business temporarily suspended because of a change in ownership or

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management of such business shall not be deemed abandonment unless property remains vacant for a period of six (6) months or more.

E. Residential uses, home offices and live-works in T-3 and T-4

1. Signage shall not be illuminated.
2. Home business signage may be permitted in accordance with Table A-11.1 Signage Standards, specifying the type, location and size of signs and copy. Signage is limited to one (1) of each permitted sign type per property.

Table A-11.1 Signage Standards

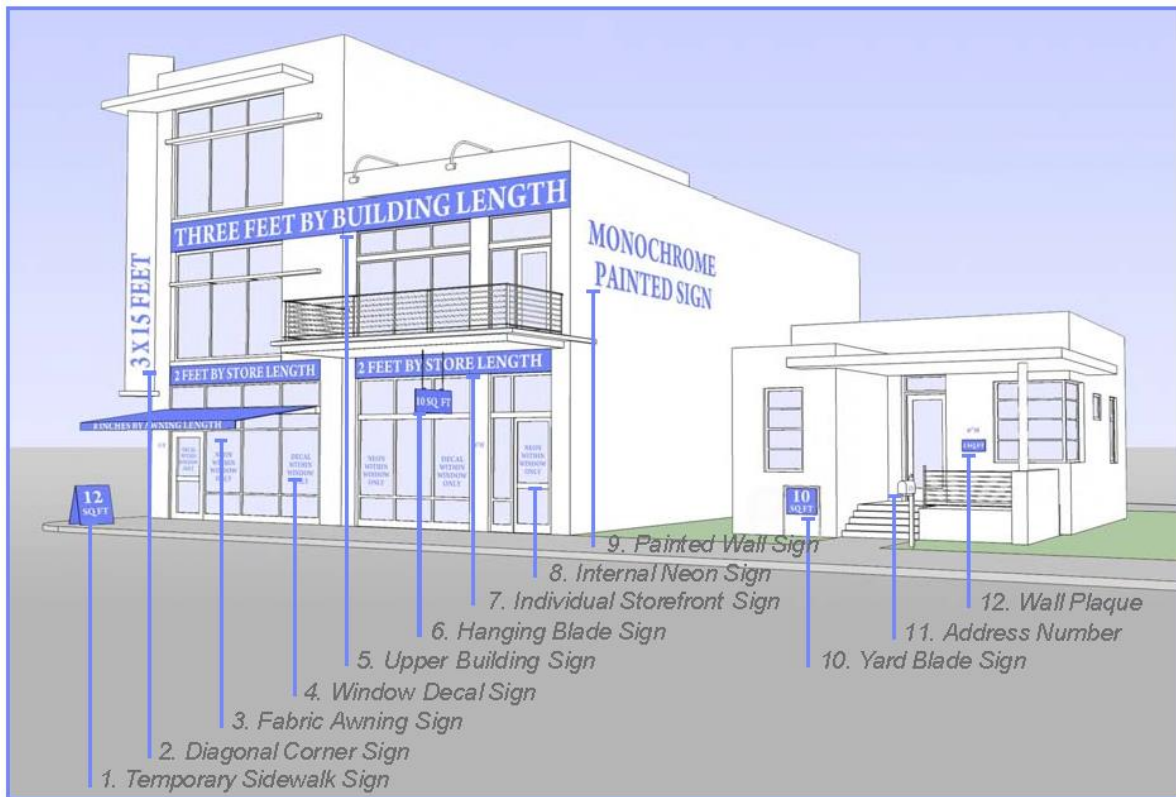
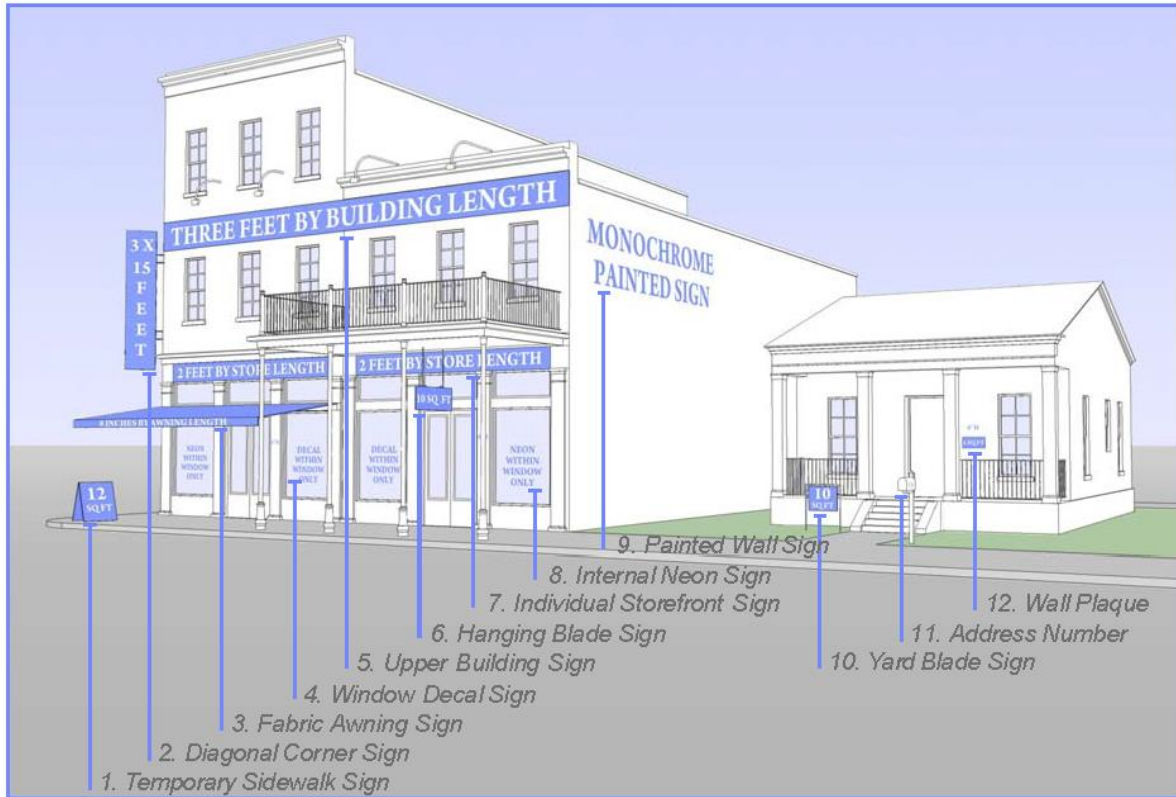
Sign Type	Restrictions			
	Number	Area	Copy	Sub-Districts
1. Sandwich Board	1 per business, shall be removed outside of business hours	Maximum 2 feet wide by 3 feet tall. Sandwich board shall not reduce pedestrian passage width to less than 4 feet	No restrictions	T-4, T-5, T-6, SD-WH
2. Diagonal Corner	1 per building at corners only, attached at a 45-degree angle	Maximum 3 ft. wide and 15 ft. tall	No restrictions	T-5, T-6, SD-WH
3. Fabric Awning	1 per awning	Maximum 8 inches tall by awning length	No restrictions	T-4, T-5, T-6, SD-WH
4. Window decal	1 per window (not including temporary signage within window)	Maximum 30% of window area	Applied decal within window	T-4, T-5, T-6, SD-WH
5. Upper Building	1 per building located within the frieze or upper portion of the storefront if there is not a frieze	Maximum 3-foot tall by building length	No restrictions	T-4, T-5, T-6, SD-WH
6. Hanging Blade	1 per business	Maximum 10 sq. ft. each face	No restrictions	T-4, T-5, T-6, SD-WH
7. Individual Storefront	1 per business	Maximum 2 ft. tall by store length (or to fit within a frieze or architectural feature)	No restrictions	T-4, T-5, T-6, SD-WH
8. Internal Neon	1 per window (not including temporary signage within window)	Maximum 30% of window area	Neon or LED within window	T-4, T-5, T-6, SD-WH

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Sign Type	Restrictions			
	Number	Area	Copy	Sub-Districts
9. Painted Wall	See signage requirement in the text of this Section	No restrictions	No restrictions	T-4, T-5, T-6, SD-WH
10. Yard Blade	1 per lot with home business or in non-residential use	Maximum 5 sq. ft.	No restrictions	T-3, T-4, T-5, T-6, SD-WH
11. Address Number	See signage requirements in the text of this Section	Maximum 1 sq. ft.	6 ft. high on wall, 4 ft. high on mailbox	T-3, T-4, T-5, T-6, SD-WH
12. Wall Plaque	1 per business (located on the building) 1 per parking lot (located on an architectural feature of the required parking lot screening)	Maximum: 2 sq. ft. in T-3, T-4, and 8 sq. ft. in T-5, T-6	No restrictions	T-3, T-4, T-5, T-6, and SD-WH
13. Wayfinding Sign	May be located on right-of-way or private property, 1 per block or site	Maximum 5 ft. tall; Maximum 20 sq.f.t of signage per face, Maximum total of 50 sq.ft. of signage on all faces.	No Restrictions	Allowed on A Streets in T-4, T-5, T-6, and SD-WH
14. Monument Sign	1 per site	Maximum 6 ft. tall; maximum 8 ft. wide; maximum 25 sq. ft. of signage each face, maximum total of 50 sq. ft. of signage on all faces.	No Restrictions	Allowed in T-4, T-5, and SD-WH
15. Free-Standing/Pole Signs	1 per site	Maximum 8 ft. tall; maximum 5 ft. wide; maximum 20 sq. ft. of signage each face, maximum total of 40 sq. ft. of signage on all faces	No Restrictions	Allowed in T-4, T-5, and SD-WH
16. Banners	1 per site; maximum of 3 occurrences per year, minimum of 30 days between occurrences	Maximum 4 ft. X; maximum 8 ft.; maximum 32 sq. ft. of banner material	No Restrictions	Allowed in T-4, T-5, T-6 and SD-WH
17. Parking Lot Identification Signs	1 per driveway	Maximum height 10 ft. (including mount); maximum 2 ft. tall; maximum 3 ft. wide; maximum 6 sq. ft. of signage	No Restrictions	Allowed in T-4, T-5, T-6 and SD-WH

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Figure A-11.1 Signage Standards



Section 12 Definitions

- A. Provisions This subsection provides definitions for terms in this Appendix A that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this section, then Department shall determine the correct definition.

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

Accessory Dwelling Unit: A secondary, independent living facility located in, or on the same lot as, a single-family residence. This includes a building or part of a building that provides complete independent living facilities, including a kitchen, living room, bathroom and bedroom, and that is attached to the principal dwelling or a detached building on the same lot.

Alley: A right-of-way located between rear or side property lines, which provides access to adjacent properties.

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

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

Architectural review board or *ARB:* The architectural review board established by chapter 44 of the Mobile City Code.

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

Awning: A fixed or movable, lightweight, rigid skeleton structure over which a covering is attached that provides weather protection and is wholly supported by the building to which it is attached.

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

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

Banner: Any sign of lightweight fabric or similar material that is securely mounted to a building.

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Bar: A retail, theater or entertainment establishment with an occupancy load of more than one hundred (100) persons that serves alcohol.

Blade Sign: A sign made from rigid material mounted perpendicular to a building wall with one (1) side attached or supported by a device extending from a building wall.

Brewpub: An establishment licensed as and meeting the qualifications of a Brewpub under the state alcoholic beverage control laws, including Title 28, Chapter 4A of the Code of Ala. 1975, as amended.

Building Height: The vertical distance from grade to the highest finished roof surface in the case of flat roofs, or to a point at the average height of roofs having a pitch of more than one (1) foot in four and one-half (4½) feet. In the O-SH and DDD, the vertical extent of a building measured in stories, from finished grade.

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

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

Cafe: A restaurant, bar, theater or entertainment venue with less than one hundred-(100) person occupancy load.

Canopy: A rigid structure over which a covering is attached that provides weather protection and is supported by the building to which it is attached, and which may or may not be attached to the ground at the outer end by at least one column or post.

Chapter: Refers to chapter 64 "Zoning" of the City Code.

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

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

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

Complete Demolition: The razing of one or more structure(s).

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

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

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

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

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

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

Encroachment: Any structural element that encroaches.

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

Fence: A barrier, independent of a building, made of wood picket, wood slat, wood lattice, iron or steel or aluminum that appears to be iron. In the DDD, a Fence may be of chain-link only in limited conditions along side and rear yards and never in frontages. See "Wall."

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

Freestanding Sign: Any sign supported by structures or posts that are placed on, or anchored in, the ground and that are independent from any building or other structure. This includes any monument sign or pole sign.

Front Setback: The distance from the frontage line to the point where a building may be constructed. This area shall be maintained clear of permanent structures with the exception of permitted encroachments.

Frontage: The portion of a site which faces a street right-of-way or civic space.

Frontage Buildout: The percentage of the property width that is occupied by the building Facade within the front Setback.

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

Gallery: A platform attached to the building, typically extending over a sidewalk, which is supported from the ground by light-weight columns or other form of structural support. A Gallery may be multiple floors and may have a roof.

Hedge: A foliated boundary formed by bushes, shrubs or climbing vines spaced less than three (3) feet apart.

Historic District: A geographically defined area designated by the City Council in Chapter 44.

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Historic District Guidelines: The general design standards applicable in considering the granting and denial of certificates of appropriateness adopted by the Architectural Review Board pursuant to Chapter 44, of the City Code.

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

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

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

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

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

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

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

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

Mobile Tree Act: The common name of the local law enacted by the Alabama State Legislature (Act. No. 929, Acts of Alabama, 1961 Regular Session), as amended, for the purpose of protecting the trees on both public and private property within the incorporated areas of the City.

Mobile Tree Commission: The agency designated by the Alabama State Legislature to enforce the Mobile Tree Act.

Monument Sign: Ground mounted sign with a maximum height of six feet, where the base is at least 2/3rds of the sign width.

Mural: Any graphic painted or otherwise applied directly or indirectly on an exterior wall or to a panel attached to an exterior wall.

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

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

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Outbuilding: Any detached building that is smaller than and separate from the main building of the lot.

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

Parking Lot Sign: A sign to identify the entrance of a parking lot. Maximum height, including mount, is ten (10) feet.

Parking Structure: A building containing one (1) or more stories of vehicular parking above or below grade.

Porch: A roofed structure, typically attached at the ground floor of a building, typically open at the sides.

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

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

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

Primary Frontage: The frontage of a site that establishes the orientation of the primary façade, and the primary pedestrian access.

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

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

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

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

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

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

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

Regulating Plan: Maps or set of maps that show the zoning sub-districts and street hierarchy(s) associated with form based districts such as the DDD.

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

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Residential: Characterizing premises available for long-term human dwelling. Includes accessory dwelling units, multiple-family dwellings, single-family dwellings, live-work units and supportive housing.

Retail: Premises available for the sale of merchandise, food service, entertainment, performance, and/or theater, and personal services such as hair salon, barber, seamstress or personal trainer, etc.

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

Secondary Frontage: A frontage that is not the principal frontage.

Setback: The distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

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

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

Sidewalk: The paved portion of the right-of-way and/or frontage dedicated exclusively to pedestrian activity.

Special District (SD): An area that, by its intrinsic function, placement or configuration, cannot or should not conform to one (1) or more of the normative transect sub-districts specified by this Appendix.

Stoop: A small, raised platform, with stairs or ramp, located at the entrance to a building, which may be covered by an awning, canopy or marquee.

Story: A habitable level within a building excluding a basement.

Streetscreen: A freestanding wall or Fence/planting combination built or located along the front property line, or on the same plane with a façade for the purpose of masking views and providing a street wall.

Terrace: A paved or landscaped front yard elevated above the grade of the sidewalk.

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

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

Utility, Intermediate: Facilities related to the local transport or storage of treated, untreated or wastewater, including water or sewage pumping stations, potable water storage facilities, regional stormwater storage facilities, and combined stormwater/

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sewage storage facilities gas regulator station as well as neighborhood scale electric substations.

Utility, Major: A building or other structure for production or generation of utilities for consumption by the general public including any utility scale electric power generating station (including any stations that use fossil fuel, fuel cell, wind, solar, geothermal, hydroelectric or tidal technologies), electric transmission line right-of-way for transmission lines with a capacity of 230 kilovolts (kv) or more, sewage treatment plant or potable water treatment facility.

Utility, Minor: All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm water, communications, electricity, transportation, gas, steam, and similar public services at a neighborhood or residential scale and may include storage for vehicles and equipment necessary to provide those services. This includes electric transmission or distribution lines with a capacity of 115 kilovolts (kv) or below, and residential scale electric power generation (including any generators that use fossil fuel, fuel cell, wind, solar, geothermal, hydroelectric, or tidal technologies), telephone exchanges, switch boxes, transformer boxes, and cap banks.

Wall: A barrier, independent of a building, made of masonry materials. See “Fence.”

Wayfinding sign: A sign that is intended to direct pedestrian or vehicular traffic to specific areas or amenities. Wayfinding signs are not internally lighted and are generally of a cohesive design for specific areas or types. Wayfinding signs are not advertisements for individual businesses.