

ORDINANCE NO. 1764

AN ORDINANCE TO AMEND CHAPTER 19 OF THE ZONING ORDINANCES OF THE CITY OF MOUNTAIN BROOK, ALABAMA BY ADDING ARTICLE XXIX RESIDENCE F DISTRICT - TOWNHOME DWELLING UNITS

BE IT ORDAINED by the City Council of the City of Mountain Brook as follows:

1. **Amendatory Provision.** Chapter 19 is amended by adding Article XXIX as follows:

Article XXIX. Residence F District – Townhome Dwelling Units

Sec. 19-29-1. Purpose and Applicability.

The Residence F District is intended to provide compact, appropriate-scaled buildings in the Villages for residential use. The district may be applied to limited sites which can establish an effective transition from the Villages to adjacent neighborhoods. The sites shall provide a high degree of pedestrian connectivity within the Villages to increase accessibility and patronage of businesses, and to enhance the pedestrian character of the Villages. The Residence F District is only applicable as a Base Zoning District in association with the Village Overlay Standards, where building scale and orientation to streetscapes and surrounding parcels have been considered in association with a specific area master plan, or the Residence F district may be used as a base zoning district in a PUD plan for areas identified as being appropriate for a PUD in the Village Master Plans.

Sec. 19-29-2. Permitted uses.

The uses permitted in the Residence F district shall be townhome dwelling units.

Sec. 19-29-3. Area and dimensional requirements.

All lot and building standards shall be as specified in the Village Overlay Standards, or where the Residence F District is used in conjunction with a PUD Plan, the lot and building standards shall be based upon those specified in the Village Overlay Standards and modified only as specifically identified in an approved PUD Plan.

Sec. 19-29-4. Parking.

- (1) Minimum off-street parking per dwelling unit: 2 spaces
- (2) Visitor and accessory parking shall be provided based on the following:

1 to 10 dwelling units	:	½ parking space per unit;
11 or more units	:	5 spaces plus ¼ additional parking space for each unit over 10;
- (3) Any off-street surface parking, interior parking or parking structures for the dwelling units and for visitor or accessory parking shall meet the parking design and vehicle access limitations of the Village Overlay Standards.

Sec. 19-29-5. Additional requirements.

- (a) *Sidewalks.* Sidewalks of not less than five (5) feet in width shall be provided between any parking area and the building or buildings which they serve, and there shall be a curb between all parking areas and any adjacent sidewalk.

- (b) *Exterior lighting.* If artificial illumination is provided for a parking area, it shall be arranged so as to shine and reflect away from any adjacent residential areas and away from any streets adjacent to or near the parcel. No lighting fixtures used for any parking area shall be elevated more than fourteen (14) feet above the ground, except for a light which is installed on the ceiling of a porch of a dwelling unit and is designed to illuminate only such porch. Each lighting fixture shall be designed and installed so as to direct its beam of light below the horizontal plane of such lighting fixture.
- (c) *Development Plan.* Any rezoning proposal for the Residence F District shall submit a development plan in conformity with Section 19-14-4 of this Code demonstrating compliance with all site and building standards of this District, the applicable Overlay Standards, and conformance with the Village Master Plan and Design Guidelines.
2. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama, that are inconsistent with the provisions of this ordinance are hereby expressly repealed.
3. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.
4. **Effective Date.** This ordinance shall become effective five (5) days after adoption and publication as provided by law.

ADOPTED: This 25th day of February, 2008.



Virginia C. Smith, Council President

APPROVED: This 25th day of February, 2008.



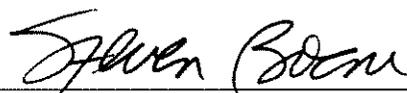
Lawrence T. Oden, Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook, Alabama, as its meeting held on February 25, 2008, as same appears in the minutes of record of said meeting, and published by posting copies thereof on February 26, 2008, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Gilchrist Pharmacy, 2850 Cahaba Road
The Invitation Place, 3150 Overton Road

Joe Muggs Newsstand, 2037 Cahaba Road
Piggly Wiggly Food Store 4, 93 Euclid Avenue



Steven Boone, City Clerk