

**Section 1. B-1 Neighborhood Business District.**

**Subsection 1. Generally.**

The regulations set forth in this Section or set forth elsewhere in this Ordinance, when referred to in this Section, are the regulations in the B-1 Neighborhood Business District.

**Subsection 2. Use regulations.**

A building or premises shall be used only for the following purposes:

1. Any use permitted in the R-5 Multiple Dwelling District.
2. Greenhouse having a retail outlet on the premises.
3. Bakery with sales of all bakery products at retail on the premises only; except, that catering services direct to consumer shall be permitted.
4. Barbershop, beauty shop, massage or similar personal service shops.
5. Catering shop, business, music, dancing, or similar school.
6. Dressmaking and tailoring; provided, that all work is done for individuals, at retail only, and on the premises.
7. Drugstore limited to size to that which is of service to the immediately surrounding neighborhood only.
8. Dwelling, jointly with other uses or as a principal use.
9. Laundromat or shop for the delivery or picking up of laundry or dry cleaning.
10. Medical or dental office or clinic and other professional or business office.
11. Parking lot or parking garage.
12. Restaurant or coffee shop; provided that the serving of food or beverages to patrons waiting in parked automobiles shall not be permitted.
13. Retail store, limited in character and size to that which is of service to the immediately surrounding neighborhood only, except for any such use listed for the first time in the B-2 or B-3 districts.
14. Service station, except, no up shall be located within fifty feet of a dwelling district, nor any portion of a structure within fifteen feet of a dwelling district.
15. Shoe repairing, repairing of household appliances and bicycles on an individual service call basis, and other uses of a similar character limited in size and nature to those which serve the immediately surrounding neighborhood.
16. Telephone exchange or outdoor public telephone booth.
17. Tourist home.
18. Utility installations.
19. Adult Care Facility or Child Care Center.

- 20. Accessory structures and uses, including signs subject to the following conditions:
  - a. Signs shall pertain to goods, products or services sold or offered on the premises.
  - b. Signs shall be attached to a vertical surface of the building or extend not more than eighteen inches therefrom.
  - c. Such signs shall not exceed in the aggregate forty square feet of gross surface area for any lot having forty feet or less of street frontage. On lots having a frontage greater than forty feet, such sign or signs shall not exceed in the aggregate one square foot in area for each linear foot of principal street frontage, but in no case shall the aggregate area of such sign or signs exceed sixty square feet, provided, however, in developments consisting of two or more establishments each use shall be allowed signs not to exceed the frontage occupied by such establishment, but in no case to exceed sixty square feet.

**Subsection 3. Area and dimensional regulations.**

Except as provided in Articles VI and VIII, the area and dimensional regulations set forth in the following table shall be observed.

Maximum Height of Structure Feet	Minimum Yards*			Minimum Lot Area Per Family	Minimum Lot Width
	Front	Rear	Side		
35 feet	None, except where the frontage between two intersecting streets is partly in an "E" or "R" district, in which case the front yard requirements of the "E" or "R" district shall apply.	None, except on the rear of a lot abutting a dwelling district, in which case there shall be a rear yard of not less than 20 feet.	None, except on the side of a lot abutting a dwelling district, in which case there shall be a side yard of not less than 5 feet.	5,000 square feet for single family dwellings.	50 feet when lot is used solely for dwelling purposes, except that in attached and semi-attached dwellings the minimum lot width shall be not less than 16 feet.
Or the height of an abutting residential district which ever is least restrictive.				2,500 square feet for two-family dwellings.	
				1,800 square feet for attached and semi-attached dwellings.	
				1,000 square feet for multiple dwellings	

**Subsection 4. Site Development Plan.**

- 1. Except for Single Family and Two Family Dwellings, a site development plan is required in conjunction with all building permits for new construction and when a building or part thereof is enlarged or extended to at least fifty percent of its current floor area. At a minimum, the Site Development Plan, must show:
  - a. The direction of north, appropriate scale and existing and finished

- topography in not greater than two foot contour intervals.
  - b. The proposed location including any easements that may exist on site and elevation drawings of all sides of each building prototype.
  - c. The use of all structures and premises.
  - d. The location of proposed driveways and marked off-street parking spaces.
  - e. The edge of pavement for existing and proposed streets, driveways and walkways.
  - f. All service and loading spaces as well as the location of solid waste containers. Also, provide enclosure details for large solid waste containers, including their access in compliance with Article VI, Section 5.
  - g. Location and areas of illumination of all exterior lighting.
  - h. The location, size, number and character of all exterior signs.
  - i. The location, character and extent of landscaping, retaining and screen walls and other treatment for the protection of adjoining property or fences, and other measures for screening or buffering views from incompatible land uses. This includes detailed landscaping plans for structures and parking areas. The Landscaping plan shall include plant location, corresponding plant schedule and planting instructions. In addition to landscape requirements for off-street parking as specified in Article V, landscaping of the remainder of the lot, exclusive of areas occupied by structures and parking, shall not be less than five (5) percent. Said landscaping shall include a combination of shrubs, trees, and ground cover.
  - j. Plans and facilities for stormwater drainage of the premises.
  - k. Any proposed re-subdivision of the subject property; when applicable.
2. Any proposed condominium must also conform to Article VIII of the Birmingham Subdivision Regulations. The deed restrictions and covenants must show the treatment of all land held in common interest.

**Subsection 5. Parking and loading regulations.**

Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article V.

**Subsection 6. Other Regulations.**

Attached and semi-attached dwellings must comply with the requirements set forth in Article VI, Section 15.

**Section 2. B-2 General Business District**

**Subsection 1. Generally.**

The regulations set forth in this Section or set forth elsewhere in this Ordinance, when referred to in this Section, are the regulations in the B-2 General Business District.

**Subsection 2. Use regulations.**

A building or premises shall be used only for the following purposes:

1. Any use permitted in the B-1 Neighborhood Business District; except that the limitations upon extent of service area shall not apply.
2. Signs or billboards.
3. Automobile or trailer display and sales room.
4. Public garage.
5. Amusement or recreation service except drive-in theater or practice golf driving range.
6. Business, dancing or music school.
7. Display room for merchandise to be sold at wholesale.
8. Dwellings, jointly with other uses or as a principal use.
9. Frozen food lockers.
10. Farm implement display and sales room.
11. Hotel, motel or motor court.
12. Hospital or clinic for animals, but not including open kennels.
13. Radio or television broadcasting station, studio or office.
14. Retail store or shop.
15. Self-storage structure.
16. Tavern or drive-in restaurant.
17. Undertaking establishment or mortuary.
18. Used car lot.
19. Bank or lending institution.
20. Utility service buildings.
21. Medical or dental laboratory.
22. The following uses provided all materials stored and all work done on the premises is done within a building:
  - a. Dyeing and cleaning establishment or laundry; provided pickup or delivery of clothing is not made to other pickup points.
  - b. Painting decorators.
  - c. Radio or television repair shop.
  - d. Dressmaking, millinery, or tailoring establishment.
  - e. Upholstering shop, not involving furniture manufacturing.
  - f. Plumbing and electrical shops.
  - g. Any other general service or repair establishment of similar character.
23. A shopping center or facility composed of any one or more of the foregoing uses or any combination thereof.
24. Accessory structures and uses.

**Subsection 3. Area and dimensional regulations.**

Except as provided in Articles VI and VIII, the area and dimensional regulations set forth in the following table shall be observed.

Maximum Height of Structure Feet	Minimum Yards*			Minimum Lot Area Per Family	Minimum Lot Width
	Front	Rear	Side		
75 feet	None except where the frontage between two intersecting streets is partly in an "E" or "R" district, the front yard requirements of the "E" or "R" district shall apply to the "B" district.	None, except on the rear of a lot abutting a dwelling district, in which case there shall be a rear yard of not less than 20 feet.	None, except on the side of a lot abutting a dwelling district, in which case there shall be a side yard of not less than 5 feet.	5,000 square feet for single family dwellings. 2,500 square feet for two-family dwellings. 1,600 square feet for attached and semi-attached dwellings. 1,000 square feet for multiple dwellings	50 feet, when lot is used solely for dwelling purposes, except that in attached and semi-attached dwellings the minimum lot width shall be not less than 16 feet.

**Subsection 4. Site Development Plan.**

1. Except for Single Family and Two Family Dwellings, a site development plan is required in conjunction with all building permits for new construction and when a building or part thereof is enlarged or extended to at least fifty percent of its current floor area. At a minimum, the Site Development Plan, must show:
  - a. The direction of north, appropriate scale and existing and finished topography in not greater than two foot contour intervals.
  - b. The proposed location including any easements that may exist on site and elevation drawings of all sides of each building prototype.
  - c. The use of all structures and premises.
  - d. The location of proposed driveways and marked off-street parking spaces.
  - e. The edge of pavement for existing and proposed streets, driveways and walkways.
  - f. All service and loading spaces as well as the location of solid waste containers. Also, provide enclosure details for large solid waste containers, including their access in compliance with Article VI, Section 5.
  - g. Location and areas of illumination of all exterior lighting.
  - h. The location, size, number and character of all exterior signs.
  - i. The location, character and extent of landscaping, retaining and screen walls and other treatment for the protection of adjoining property or

fences, and other measures for screening or buffering views from incompatible land uses. This includes detailed landscaping plans for structures and parking areas. The Landscaping plan shall include plant location, corresponding plant schedule and planting instructions. In addition to landscape requirements for off-street parking as specified in Article V, landscaping of the remainder of the lot, exclusive of areas occupied by structures and parking, shall not be less than five (5) percent. Said landscaping shall include a combination of shrubs, trees, and ground cover.

- j. Plans and facilities for stormwater drainage of the premises.
  - k. Any proposed re-subdivision of the subject property; when applicable.
2. Any proposed condominium must also conform to Article VIII of the Birmingham Subdivision Regulations. The deed restrictions and covenants must show the treatment of all land held in common interest.

**Subsection 4. Parking and loading regulations.**

Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article V.

**Subsection 5. Other Regulations.**

Attached and semi-attached dwellings must comply with the requirements set forth in Article VI, Section 15.

**Section 7. R-5 Multiple Dwelling District.**

**Subsection 1. Generally**

The regulations set forth in this Section or set forth elsewhere in this Ordinance, when referred to in this Section are the regulations in the R-5 Multiple Dwelling District.

**Subsection 2. Use regulations.**

A building or premises shall be used only for the following purposes:

1. Any use permitted in the E-1 Estate District.
2. Two-family dwelling.
3. Multiple dwelling.
4. Attached and semi-attached single family dwellings.
5. Condominiums (residential).
6. Religious, educational, charitable or public institution or building, except a penal or mental institution or a communal living facility. Permitted uses are schools, churches, and residential accessory uses limited to rectories, parsonages and dwellings for resident administrators, watchmen, custodians or caretakers. Other similar institutional uses not within 1,000 feet of such uses are permitted on appeal, subject to approval of the Zoning Board of Adjustment.
7. Private club or lodge, excepting one, the chief activity of which is a service customarily carried on as a business.
8. Family Group Day / Night Care Facility.
9. Accessory structures and uses, not including Accessory Use Child Care Centers.
10. One name plate, to be lighted with only indirect non-intermittent light, not exceeding six square feet in area attached to the wall at an entrance.

**Subsection 3. Area and dimensional regulations.**

Except as provided in Articles VI and VIII, the area and dimensional regulations set forth in the following table shall be observed:

Maximum Height of Structure Feet	Minimum Yards		Minimum Side Yards		Minimum Lot Area Per Family	Minimum Lot Width
	Front	Rear	One side	Total on both Sides		
35 feet	25 feet	25 feet	5 feet	14 feet	5,000 square feet for single-family dwellings.	50 feet except that in attached and semi-attached dwellings the minimum lot width shall not be less than 16 feet with an average of 18 feet in an attached row.
				In attached and semi-attached dwellings, none required for interior walls; exterior side yards same as listed above.	2,500 square feet for two family dwellings.	
					2,000 square feet per lot area for semi-attached dwellings.	
					2,000 square feet per lot area for multiple dwellings.	

**Subsection 4. Site Plan.**

1. The site plan, when required, must show:
  - a. The direction of north, appropriate scale and topography in not greater than two foot contour intervals.
  - b. The proposed location and heights of all structures.
  - c. The use of all structures and premises.
  - d. The areas and proportionate amount of parking to be developed.
  - e. The location of streets, driveways and walks.
  - f. All service and loading spaces.
  - g. Location and areas of illumination of all exterior lighting.
  - h. The location, size, number and character of all exterior signs.
  - i. The location, character and extent of landscaping, retaining and screen walls and other treatment for the protection of adjoining property.
  - j. The facilities for surface drainage of the premises.
  - k. The proposed resubdivision of the subject property.
  
2. The deed restrictions and covenants must show the treatment of all land held in undivided common interest.

**Subsection 5. Parking regulations.**

Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Article V.

**Subsection 6. Other regulations.**

Attached and semi-attached dwellings must comply with the requirements set forth in Article VI, Section 15.

\*When any lot having a width of less than one hundred feet is used for a multiple family dwelling, such multiple family dwelling shall be constructed in a manner that the front of the structure and all front doors shall face and open toward a dedicated street and all rear doors shall face and open toward the rear yard, as defined in Article II, Section 56, Chapter 57, General City Code 1944, as amended.



**Section 1. E-1 Estate District.**

**Subsection 1. Generally.**

The regulations set forth in this Section or set forth elsewhere in this Ordinance, when referred to in this Section, are the regulations in the E-1 Estate District.

**Subsection 2. Use regulations.**

A building or premises shall be used only for the following purposes:

1. Single-family dwelling.
2. Nurseries or truck gardens; except, that no retail sales shall be made on the premises.
3. Noncommercial greenhouse; provided, that no greenhouse heating plant shall be operated within twenty-five feet of any lot line.
4. Publicly owned or operated park, playground or community building, museum, library or art gallery; provided that any building shall be located not less than twenty-five feet from any side lot line.
5. Church or other place of worship; provided that any building shall be located not less than twenty-five feet from any side lot line.
6. Public school, elementary or high, or a parochial or private school having a curriculum including the same courses ordinarily given in a public school, but not providing residential accommodations for students; provided, that any such building shall be located not less than twenty-five feet from any side lot line.
7. Golf club or golf course, except a par three golf course, miniature course or practice golf driving range operated for commercial purposes.
8. Home occupations.
9. Accessory structures and uses, not including Accessory Use Child Care Centers.
10. A church or public building may have one bulletin board or one sign, located on the same lot as the main structure, said bulletin board or sign not to exceed 27 square feet in area nor to be animated or illuminated with intermittent light.
11. Temporary signs not exceeding a total of eight square feet in area located on the same lot pertaining to the lease, hire or sale of a building or premises.
12. A temporary sign not exceeding a total of eight square feet in area relating to the development, sale or lease of lots or houses in a subdivision containing not less than five lots, which sign shall not remain more than two years or after the sale of the last lot, whichever occurs first.
13. Family Day / Night Care Home.
14. Wireless communications facility, in accordance with Article VI, Section 18.

**Subsection 3. Area and dimensional regulations.**

Except as provided in Articles VI and VIII, the area and dimensional regulations set forth in the following table shall be observed:

<u>Maximum Height of Structure</u> Feet	Minimum Yards			Minimum Lot Area Per Family	Minimum Lot Width
	Front	Rear	Each Side (two required)		
35 feet	40 feet	40 feet	15 feet	½ acre (21,780 sq. ft.)	100 feet

**Subsection 4. Parking regulations.**

Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Article V.