

**Draft Zoning Ordinance language as of February 02, 2021
regarding the B-3 Downtown District and a new MXD Mixed-Use District**

§5.15. B-3 Downtown District (previously called the Historical Business District)

Intent. This district is intended to promote the development and redevelopment of downtown Calera with a diverse mix of land uses that are consistent and compatible with the unique elements of the downtown area. The district regulations are designed to encourage the rehabilitation and re-use of existing historic and/or older buildings and structures to allow upper-story dwellings in mixed-use buildings.

5.15.1. Use Regulations.

Refer to Table 5.3 Permitted Uses for B-3 and MXD Districts ([see pages 16-17 below](#)) and the provisions herein:

1. Any existing single-family dwellings shall be permitted and may be altered or expanded though no new single-family dwellings shall be permitted.
2. Bed and breakfasts may be permitted in an existing dwelling.

Uses may be further restricted according to Table 5.4 Use Restrictions for B-3 and MXD Districts ([see page 18 below](#)).

5.15.2. Area and Dimensional Regulations.

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall apply (see also §4.12 General Regulations for Non-Residential Districts):

1. Minimum Yard Setbacks.
 - a. Front: All commercial and mixed-use buildings shall be located within ten (10) ft of the front lot line, with the exception of subsection 3 below.
 - (1) Institutional buildings shall be located within twenty (20) ft of the front lot line.
 - (2) No parking, gas pumps, drive-through facilities or other vehicular areas shall be permitted forward of the front building line.
 - (3) Buildings shall be set back as necessary to accommodate a sidewalk of at least twelve (12) ft, measured from the curb to the front building line. Such setback may be in the form of an easement or may be dedicated as part of the adjoining street right-of-way.
 - b. Side: 0 ft and/or as required by the Building and Fire Codes
 - c. Rear: five (5) ft
2. Building Standards.
 - a. Maximum Building Height: Sixty-five (65) ft or 5 stories
3. Building Facades.
 - a. All buildings shall maintain a public entrance, accessible by public sidewalk, along the street on which the building fronts.
 - b. At least 15% of each story of the facade must be glass. Each story is calculated independently from finish floor to finish ceiling.
 - c. At least 70% of the first story of commercial use buildings must be clear, un-tinted glass. Area is calculated between two feet and ten feet above the adjacent sidewalk. Any existing historic building is exempt from this requirement.

- d. Building facades must use durable materials. Durable materials include brick, stucco (EIFS is not permitted within 36 inches of finished grade), heavy timber, cementitious siding, wood, slate, metal roofing, tile, metal may be used as an accent material. Vinyl is not considered a durable material.

5.15.3. Parking Standards.

1. Parking Location.

New parking on the site must comply with the following:

- a. Parking is required to be behind the building, with the exception of on-street parking.
- b. Sites with alley access must use the alley for parking access.

2. Parking Requirements.

Table 8.3.4 Required Off-Street Parking Spaces for B-3 and MXD Districts (see page 19 below) regulates parking requirements per use in the B-3 district, with the following exemption: No minimum parking requirements apply in the City’s Main Street District bounded by 13th Street, 18th Avenue, State Route 25, and the CSX Railroad [to the north and east].

5.15.4. Sign Regulations.

This section sets a higher standard than the City of Calera Sign Ordinance and replaces those standards when in conflict.

- 1. No sign will be regulated for content or type as assigned by content. Signs will only be regulated for size, structural type, number, and location.
- 2. Signs permitted in the B-3 district are regulated by Table 5.5 B-3 Downtown District Sign Regulations, where the notations have the following meanings:
 - a. “P” means the sign is permitted subject to the size restrictions.
 - b. “X” means the sign is prohibited.
- 3. Awning signs and projecting signs may extend into the public right-of-way to within two feet of the curb. Awning and projecting signs within the right-of-way must maintain an eight foot clearance above the sidewalk.
- 4. Sandwich board signs are permitted in B-3 districts between the hours of 9 AM and 9 PM and must maintain a clear pedestrian area a minimum of five feet in width. Sandwich board signs must be constructed of durable materials.

Table 5.5 B-3 Downtown District Sign Regulations			
Sign	Number	Area	Copy Height
Awning	1 sloping plane & 1 valence per awning	75% of awning area	18 in. on sloping plane, 6 in. on valence
Banner	1 per tenant	32 sq. ft.	n/a
Canopy	1 per canopy	2 sq. ft. per linear ft.	24 in.
Monument	1 per street facade	48 sq. ft., 6 ft. high max.	12 in.
Sandwich Board	1 per tenant	9 sq. ft.	n/a
Projecting	1 per tenant	6 sq. ft.	12 in.

Suspended	1 per tenant	6 sq. ft.	n/a
Facade	1 per tenant	3 sq. ft. per linear ft.	16 in.
Window	1 per window	20% of glass area	12 in.

5.15.5. Additional Regulations (When Applicable).

1. All repair services, including any permitted vehicular repair, shall be within an enclosed building or within a side or rear yard screened in accordance with §9.4.
2. Utilities. All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade or concealed from street view with a screen or wall. These facilities may not encroach into any setback.

§5.22 MXD Mixed-Use District

5.22.1. Purpose and Intent.

The purpose and intent of the Mixed-Use District is to allow market-driven development that is compact, diverse and walkable and that enhances character and form through appropriate design. It allows for a mix of compatible uses that are either mixed horizontally within a site or vertically within individual buildings. The Mixed-Use District prioritizes the form of development rather than the uses. This makes it possible to create special destinations with a "sense of place" and appeal. It also:

1. Encourages the development of mixed-use centers and/or buildings that combine restaurants, offices, housing, live-work spaces, civic buildings, cultural buildings and other complementary uses arranged in an environment that is convenient for customers, employees, residents and tourists;
2. Promotes new infill residential and non-residential development;
3. Promotes site design that accommodates and enhances pedestrian activity along the street, that is not dominated by parking and that reduces conflicts between pedestrians, bicycles and vehicles;
4. Provides unique places for people to live, work, shop, play and learn; and
5. Encourages appropriate transitions between higher-intensity uses and adjacent lower-density residential districts.

5.22.2. Permitted Uses.

Uses are subject to Table 5.3 Permitted Uses for B-3 and MXD Districts ([see pages 16-17 below](#)) and uses may be further restricted according to Table 5.4 Use Restrictions for B-3 and MXD Districts ([see page 18 below](#)).

5.22.3. Area and Dimensional Regulations.

Where in conflict, these standards superseded those of Article 6 Supplemental Regulations.

1. Blocks and Streets

- a. Development utilizing the existing city blocks must meet the following standards for street construction:
 - (1) Streets must have a sidewalk on both sides of the street, and it must be a minimum of ten feet in width.
 - (2) Streets must have a landscaped buffer or planting strip with street trees between the sidewalk and the curb, where applicable. The buffer strip must be a minimum of four feet in width.
- b. Development that vacates existing streets and alleys must meet the following standards:
 - (1) Dimensional platting requirements of this article supersede those of Section 4.3.1 of the City of Calera Subdivision Regulations. These regulations supersede the dimensional requirements of Section 5.2 of the City of Calera Subdivision Regulations and Article 2 of the City of Calera Public Works Manual.
 - (2) Block perimeters are limited to 2,400 feet in total length of all sides except blocks abutting natural waterways and slopes greater than 10% are exempt. Blocks abutting county, state, or federal roadways where access is limited are exempt.
 - (3) Streets must connect to other streets, forming a network. The city engineer is authorized to permit a deviation to this requirement, permitting a dead-end street terminating in a cul-de-sac. Cul-de-sacs must provide connectivity for bicycles and pedestrians. No cul-de-sac may exceed 300 feet to the center of the bulb.

- (4) Sight distance requirements, according to Article 2 Section 3 of the City of Calera Public Works Manual are not required for mixed-use zone intersections controlled by a traffic signal or stop sign.
- (5) Streets must have a sidewalk on both sides of the street, and it must be a minimum of ten feet in width.
- (6) Streets must have a landscaped buffer or planting strip with street trees between the sidewalk and the curb, where applicable. The buffer strip must be a minimum of four feet in width.
- (7) Streets must have parallel parking on at least one side of the street, and it must be a maximum of eight feet in width. This width supersedes Article 8. Section 3.2 and Article 2. Section 1 of the City of Calera Public Works Manual.
- (8) Intersection curb radii of 15 feet is required at intersections. On-street parking creates an actual turning radius of 23 feet.

2. Site Standards.

The requirements of this section apply to all site plans and building permit applications.

- a. Setbacks. Buildings must be set back from lot boundaries according to Table 5.7 Development Standards for MXD Districts. Mixed-use districts have minimum and maximum setbacks.
- b. Buffers. Buffers are not required within or between mixed-use districts, except as specifically required by Table 5.7 Development Standards for MXD Districts.
- c. Parking location. New parking on the site must comply with the following:
 - (1) Parking is required to be behind the building;
 - (2) Parking must be accessed from an alley for applications larger than three acres; and
 - (3) Open parking areas must be screened from the street by a building or a streetscreen. Streetscreens must comply with §9.4.1.
- d. Outdoor dining areas. Outdoor seating is permitted within any setback area and temporary seating may be permitted within rights-of-way, provided the sidewalk remains clear to a width of five feet. String lights are permitted for outdoor dining areas.

3. Building Standards.

The requirements of this section apply to all building permit applications.

- a. Building height. Maximum building heights are regulated according to Table 5.7 Development Standards within MXD.
- b. Building width. Maximum building widths are regulated according to Table 5.7 Development Standards within MXD.
- c. Building facades. Facades facing public rights-of-way must conform to the following regulations:
 - (1) The main building entrance must face a street;
 - (2) One functional entry must be provided for every 80 feet of façade and must lead to habitable space;
 - (3) Building facades facing side streets are exempt from entry frequency requirements if the side facade is under 50 feet in length;
 - (4) At least 15% of each story of the facade must be glass. Each story is calculated independently from finish floor to finish ceiling;

- (5) At least 30% of the first story of commercial use buildings must be clear, un-tinted glass, except manufacturing uses must have 15% clear, un-tinted glass. Area is calculated between two feet and ten feet above the adjacent sidewalk; and
- (6) Building facades must use durable materials. Durable materials include brick, stucco (EIFS is not permitted within 36 inches of finished grade), heavy timber, cementitious siding, wood, slate, metal roofing, tile, metal may be used as an accent material. Vinyl is not considered a durable material.

Table 5.7 Development Standards for MXD Districts	
Setbacks	
Front	0 ft minimum., 12 ft maximum
Side street	8 ft minimum, 20 ft maximum
Side	0 ft minimum and/or as required by the Building and Fire Codes
Rear	3 ft minimum, no maximum
Encroachments	
Porch, stoop, terrace	10 ft maximum
Balcony, bay window	4 ft maximum
Awnings	May encroach right-of-way to within 2 ft of the curb
Building dimensions	
Maximum Height	45 ft or 3 stories
Maximum Width, facing street	200 ft
Landscaping	
Buffers	A 10 ft landscaped buffer abutting residential districts.
Street trees	A minimum of one deciduous canopy tree per 40 feet of street frontage, or fraction thereof, shall be provided and evenly spaced. May be adjusted for sign visibility.

5.22.4. Parking Standards.

Refer to §8.3 Required Off-street Parking Spaces and §8.5 Off-Street Loading and the following requirements (see page 19 below):

- 1. Required parking. Minimum required vehicular parking may be fulfilled in the following locations:
 - a. Parking spaces provided on-site, or between multiple connected sites with a recorded shared use parking agreement.
 - b. Parking spaces that are provided on-street corresponding to the lot frontages.

- (1) On-street parking may be restricted in proximity to intersections, driveways, fire hydrants, and other utilities.
- c. Parking spaces leased from a public or private parking facility.
 - (1) A shared parking agreement with the parking facility owner is required.

2. Access. Parking access must meet the following requirements:

- a. Driveways are limited to twenty (20) feet in width; and
- b. Sites with alley access must use the alley for parking access.

3. Delivery vehicle access. Businesses requiring delivery vehicles must have a separate area for these vehicles, with no parking allowed in the required parking spaces for customers, in accordance with the requirements for specific uses set forth in §8.5 Off-Street Loading ([see page 19 below](#)).

5.22.5. Landscaping and Screening Standards.

Landscaping must be provided in accordance with the requirements for specific uses set forth in Table 5.7 Development Standards for MXD Districts and Article 9 Landscaping Regulations. When in conflict, this article supersedes §9.2 Buffers and §9.5 Design Standards for Fences.

1. Fences must comply with the following requirements:

- a. No wall or fence will exceed six (6) feet in height for rear yards or three (3) feet in height for front yards.
- b. Prohibited materials include chain link, barb wire, or temporary materials. Construction sites with temporary fencing are exempt.
- c. Hedges in fences must be evergreen.
- d. Wood fences must be painted or stained.
- e. When erected on a lot line, all of the fence and any of its supporting structures must be contained within the lot.
- f. The supporting members and posts must be on the inside, and the smooth or flat faces on the outside. If two faces are used, each face must be of the same type and finish.

5.22.6. Signage.

This section sets a higher standard than the City of Calera Sign Ordinance and replaces those standards when in conflict.

- 1. No sign will be regulated for content or type as assigned by content. Signs will only be regulated for size, structural type, number, and location.
- 2. Signs permitted in the MXD district are regulated by Table 5.8 MXD Mixed-Use District Sign Regulations, where the notations have the following meanings:
 - a. "P" means the sign is permitted subject to the size restrictions.
 - b. "X" means the sign is prohibited.
- 3. Awning signs and projecting signs may extend into the public right-of-way to within two (2) feet of the curb.
- 4. Sandwich board signs are permitted between the hours of 9 AM and 9 PM and must maintain a clear pedestrian area a minimum of five (5) feet in width. Sandwich board signs must be constructed of durable materials.

Table 5.8 MXD Mixed-Use District Sign Regulations

Sign	Number	Area	Copy Height
Awning	1 sloping plane & 1 valence per awning	75% of awning area	18 in. on a sloping plane, 6 in. on valence
Banner	1 per tenant	32 sq. ft.	n/a
Canopy	1 per canopy	2 sq. ft. per linear ft.	24 in.
Monument	1 per street facade	48 sq. ft., 6 ft. high max.	12 in.
Sandwich Board	1 per tenant	9 sq. ft.	n/a
Projecting	1 per tenant	6 sq. ft.	12 in.
Suspended	1 per tenant	6 sq. ft.	n/a
Facade	1 per tenant	3 sq. ft. per linear ft.	16 in.
Window	1 per window	20% of glass area	12 in.

5.22.7. Additional Regulations.

1. All outdoor storage areas shall be located behind the front building line and screened, as necessary, from public view.
2. All outdoor electrical, plumbing, and mechanical equipment must be located behind the front facade or concealed from street view with a screen or wall. These facilities may not encroach into any setback.
3. Loading and service areas. Building orientation shall be such that loading and service areas do not face the street right-of-way, except in the case of double frontage lots, where such areas must be located in a rear or side yard which faces the right-of-way. All loading and service areas shall be screened from view from off the premises.
4. Artisan Manufacturing Standards.
 - a. Outdoor storage. Any activity storing materials outdoors shall construct an opaque fence to screen the ground-level view from any public right-of-way or of any residential or retail use. Materials shall not be piled or staked higher than the opaque fence.
 - b. Loading docks. Where the site abuts a residential or retail use, the building wall facing such lots shall not have any service door openings or loading docks oriented toward the residential or retail use.
5. Performance Standards.

All manufacturing uses shall conform to the following performance standards. Any violation of these standards is a violation of the Zoning Ordinance.

 - a. Noise or vibration. No noise or vibration, other than related to transportation activities and temporary construction work, shall be discernible without instruments at any point on a lot line of the building site.

- b. Radioactivity. No activity shall result in the emission of radioactivity in any amounts.
- c. Electrical disturbance. No activity shall cause electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- d. Inflammable or explosive materials. No inflammable or explosive materials shall be produced, used, stored, or handled unless provided at all points with adequate safety devices and procedures against hazards of explosion and all equipment and devices for fire prevention and fire-fighting approved by the Calera Fire Department.
- e. Air pollution. No air pollution or smoke shall be produced which is in violation of the requirements of the Alabama Department of Environmental Management.
- f. Glare or heat. No direct or sky-reflected glare or heat shall be produced which is discernible without instruments at any point on a lot line of the building site.
- g. Odorous gases. No emission of any odorous gases or matter shall occur in quantities that are discernible without instruments at any point on a lot line of the building site.
- h. Dust, dirt or particulate matter. No discharge into the air of any dust, dirt or particulate matter shall occur from any activity or from any products stored on the building site that is discernible without instruments at any point on a lot line of the building site.
- i. Liquid contaminants. No discharge into any public sewer, private sewage disposal system, stream, or into the ground of any liquid contaminants or materials of such nature or temperature which contaminates any water supply, interferes with bacterial processes and sewage treatment, or in any way causes the emission of dangerous or offensive materials shall occur.
- j. Adjacency. Manufacturing uses in MXD shall be subject to a 50 foot separation in place of the required setback. The separation shall be landscaped with shade trees, understory trees, and evergreen shrubbery to provide a visual and sound barrier.

5.22.8. Procedures.

1. General.

Applications vary in scale and requirements from the adaptive reuse of a building to the creation of new mixed-use blocks. Table 5.9 Procedures Summary for MXD Districts specifies the applications required for each scale. The scales are described below.

- a. Building. The building scale refers to any changes to existing buildings or new buildings that require a building permit according to the provisions of §2.2 Building Permit Required.
- b. Block. The block scale involves any development that includes lot consolidations or subdivision, either minor or major.

Application	Building	Block
Rezoning	X	X
Master Development Plan		X
Building Permit	X	X

2. Application Process.

- a. Rezoning. All applications for rezoning shall be reviewed according to the provisions in §2.10 Amendments to the Zoning Ordinance or the Zoning Map and the rezoning application requirements listed in Appendix A.
- b. Master Development Plan. The Master Development Plan process requires the following procedure:
 - (1) Initial Conference. Before submitting an application, the applicant shall schedule an appointment and meet with City staff to discuss procedures for approval, submittal requirements and design standards.
 - (2) Approval. Approval of the application for MXD by the Council shall be an approval of the Master Development Plan and the Planning Criteria of the application (the "Plan"). All approved materials become part of the zoning designation for the property. In the case of differing regulations between the master development plan and the zoning ordinance of the City of Calera, the regulations of this article apply to the development. The developer may proceed with the development of the property in accordance with the Plan, and no further approvals will be required except as set forth in §5.22.8.2.c Building Permit below.
 - (3) Special Exceptions not Applicable. §2.8.3 Special Exception Uses shall not apply within areas having MXD designation as provided in §5.22. Special exception uses may be submitted as part of the original application and be reviewed by the Commission and approved by the Council without being heard by the ZBA.
- c. Building Permit.
 - (1) General. The developer of the mixed-use building or parcel may proceed with the development of the property in accordance with the Plan and in accordance with any subdivision approval, and no further approvals will be required except as set forth in this section. If plans are submitted for the construction of improvements on any particular parcel, a Building Permit shall be approved or disapproved according to the procedure set forth in this section

(2) Issuance of Permits for Permitted Principal Uses. Upon application for a Building Permit for the construction of improvements on any MXD parcel, if the Building Official shall determine that the intended use of the improvements is a "principal permitted use" within MXD, then a Building Permit shall be issued in accordance with the provisions of §2.2 Building Permit Required.

d. Subdivision Plats and Roads. Nothing in this subsection shall be construed to require a Building Permit for approval of subdivision plats or road designs. The construction of roads within MXD require approval of preliminary and final subdivision plats and all required design drawings according to the Subdivision Regulations of the City to build roads and infrastructure and the requirements of §5.22.3 4.

3. Master Development Plan Submittal Requirements.

Master Development Plan applications must include drawings clearly indicating the information specified below:

- a. Date, title, north arrow, graphic scale, and written scale provided on each drawing. The maximum drawing scale shall be 1" = 500'.
- b. Vicinity Map showing all existing subdivisions, streets and tract lines and parcels. Scale shall be 1" = 1,000'.
- c. Location of the development.
- d. Name and registration of engineer (with signature and seal).
- e. Existing and proposed zoning of the site.
- f. Adjoining property zoning, owners and tax parcel identification numbers within 100 ft.
- g. Topography based on US Geological Survey or U.S. Coast and Geodetic Survey, maximum contours of 2 feet.
- h. Street names and rights-of-way widths – within 100 feet.
- i. Dimensioned property lines, including bearings.
- j. New lots – dimensioned.
- k. Location, dimensions and purposes of all easements.
- l. Location of waterways and water bodies, 100-year floodplain limits (note Flood Insurance Rate Map Panel Number), steep slopes or mined areas, bridges, ditches, and all other prominent site features.
- m. Location of storm drainage, storm water detention and floodplain management controls, if applicable.
- n. Natural features to be preserved or removed.
- o. Location of streets, alleys, and sidewalks – dimensioned.
- p. Natural or man-made open spaces, including area in acres – dimensioned.
- q. Location of existing or proposed utilities (public and private), including sewage disposal system and water system.
- r. Phasing and construction traffic.
- s. Grading plan and monuments.
- t. Sequencing and erosion and sedimentation control.
- u. Necessary fire hydrants and fire lanes.

4. Planning Criteria.

The Master Development Plan shall include the following written statements and other matters and shall be included on site plan(s) where locations are requested:

- a. List of owners of the property together with disclosure of name(s) and address(es) of the applicant(s) and/or owner(s):
 - (1) If corporation, principal officers and members of the Board of Directors;
 - (2) If partnership, general and managing partners;
 - (3) Any material change to the above shall be submitted within 60 days.
- b. Property legal description.
- c. A general description of the surrounding area, including current zoning and/or land uses.
- d. A statement of planning objectives to be achieved by the applicant and how the request is consistent with all applicable provisions of the Calera Comprehensive Plan.
- e. If the development is to be staged, a general indication, of how the staging is to proceed, including an estimated date when construction of the site will begin.
- f. A statement of compliance with the standards in §5.22.
- g. Principal ties to the community at large with respect to transportation, water supply, utilities, sewage disposal, and locations thereof, conditional to the approval of the appropriate regulatory authority.
- h. A general statement as to how common open space is to be owned, used and maintained.
- i. Deed restrictions and/or covenants.
- j. A conceptual storm water management plan identifying the proposed patterns of major storm water runoff, location of storm water infiltration areas, and other significant storm water best management practices.
- k. A copy of any best management practices (BMP) application or certificate, stamped, signed, and dated by a professional engineer licensed by the State of Alabama.
- l. Description of the materials with which the parking, driveway and sidewalk areas will be covered.
- m. A general statement concerning any planned street/subdivision sign designs, including street, traffic and informational signs or other standards.
- n. Any planned interim uses.
- o. Typical street cross sections including streetscaping elements (sidewalks, street trees, street and pedestrian lighting, parking etc).
- p. A utilities plan showing underground and above ground lines and structures for sanitary sewers, electricity, gas telecommunications, etc.
- q. If walls and fences are proposed for the development, a plan shall be provided showing these items.

5. Building Permit Application Requirements.

Building permit applications must include the information specified below. These application requirements supersede those set forth in §2.2.1 Plot Plan and §2.2.2 Site Plan Review.

- a. Address of the property under consideration.
- b. Name, signature and address of the property owner or authorized agent of the property owner.
- c. Date, title, north arrow, graphic scale, and written scale provided on each drawing. The maximum drawing scale shall be 1" = 50'.
- d. Vicinity map showing the location of the property.

- e. Property legal description.
- f. Topography.
- g. Existing zoning and proposed land use of the site.
- h. Actual shape, proportion and dimensions of the lot to be built upon.
- i. Use, location, size, and height of all existing and proposed structures.
- j. All easements and rights-of-way.
- k. Dimensioned setbacks of structures in compliance with §5.22.3 and Table 5.7 Development Standards
- l. Typical proposed elevations of buildings facing street indicating height, entries and glass in compliance with §5.22.3.
- m. Location of new parking in compliance with §5.22.3.
- n. Location and number of parking spaces in compliance with §5.22.4.
- o. Driveway access in compliance with §5.22.4.
- p. Dimensioned landscaping and screening in compliance with §5.22.5 and Table 5.7 Development Standards.
- q. Location, dimensions, and types of all exterior signage in compliance with §5.22.6.
- r. Location of necessary fire hydrants with adequate water flow.
- s. Deed restrictions and/or covenants – provide copies to the Zoning Administrator where necessary.

6. Amendments to the Plan.

- a. Intent. It is the intent of this §5.22 to provide for flexibility in the development of the property submitted for the Master Development Plan, and to approve minor changes administratively. Accordingly, additional approvals are required for major changes as defined below.
- b. Major change. A "major change" in the plan shall be defined as a change in the boundaries of any mixed-use district reflected on the Master Development Plan that exceed a 20% difference in land area, and any changes in the planning criteria submitted with the Master Development Plan, including a change in an approved use from one that is permitted to one that is categorized as "special exception" within the applicable MXD land use district. No segment, tract, lot or parcel of land within the approved MXD shall be processed for a change of land use districts, to other MXD land use district or conventional zoning districts unless the total MXD is submitted along with the rezoning request. Any other changes shall be considered "minor changes" and shall not require any additional approvals, other than the plat approval which shall be obtained through the typical plat approval procedures of the City. All plats for MXD will be reviewed and approved on the basis of the approved planning criteria of the MXD only.
- c. Approval of Major Changes. A major change in the Plan requires an application for change which shall be reviewed in accordance with the provisions of §5.22.8.2 Application Process.
- d. Subdivision Plats and Roads. Nothing in this §5.22 shall be construed to require a Building Permit for approval of subdivision plats or road designs. The construction of roads with the MXD development requires approval of preliminary and final subdivision plats and all required design drawings according to the City of Calera Subdivision Regulations to build roads and infrastructure and compliance with the requirements of §5.22.3 4.

Other Sections in the Calera Zoning Ordinance to be modified that are applicable to the B-3 and MXD Districts

Changes to the Table of Contents

Article 5 §5.15 B-3 Historical Business District will be renamed to §5.15 B-3 Downtown District

Add to the end of Article 5 the new §5.22 MXD Mixed-Use District

Add new Table names to “Index of Tables”

- Table 5.3 Permitted Uses for B-3 and MXD Districts
- Table 5.4 Use Restrictions for B-3 and MXD Districts
- Table 5.5 B-3 Downtown District Sign Regulations
- Table 5.6 Development Thresholds for Mixed-Use Developments
- Table 5.7 Development Standards for MXD Districts
- Table 5.8 MXD Mixed-Use District Sign Regulations
- Table 5.9 Procedures Summary for MXD Districts
- Table 8.3.4 Required Off-Street Parking Spaces for B-3 and MXD Districts
- Table 8.5.3 Required Off-Street Loading Spaces for the MXD District

Changes to Article 3 Definitions

The following new definitions will be added:

ADULT-ORIENTED BUSINESS Any establishment which as a regular or substantial course of conduct offers to its patrons products, merchandise, services or entertainment relating to specified sexual activities or specified anatomical parts. “Adult-oriented business” does not include those uses or activities, the regulation of which is preempted by state law. “Adult-oriented business” shall also include any establishment which provides or allows performers, models, actors, actresses or employees to appear in any place in lingerie or similar attire which does not opaquely cover specified anatomical parts.

ALTERNATIVE FINANCIAL SERVICES Any business, excluding those licensed by an appropriate state or federal agency as a bank, saving and loan association, or credit union, that operates as a check cashing business, pawnshop/ pawnbroker, payday loan (deferred presentment) business, or title loan business.

BREW PUB An establishment, meeting the qualifications of a brew pub under the State alcoholic beverage control laws in Title 28, Chapter 4A of the Code of Alabama 1975, as amended, where beer is manufactured or brewed, in a quantity not to exceed 10,000 barrels in any one year, for consumption on the premises or for sale to any designated wholesaler for resale; and which contains a restaurant or otherwise provides food for consumption on the premises.

CBD SHOP A free standing business establishment for which more than fifty (50) percent of the gross floor area is devoted to the display, sale, use and storage of CBD products.

CONSIGNMENT STORE. A retail establishment where more than fifty percent (50%) of the goods are placed on consignment. Consignment is the art of placing goods in the hands of another, while still retaining ownership, until the goods are sold.

GOLD OR SILVER OBJECT DEALERS An establishment that offers to buy gold or silver, or gold or silver objects.

MANUFACTURING, ARTISAN The shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing,

fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to electronic goods, food and bakery products; beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

MASSAGE PARLOR Any establishment where nonmedical, nonsurgical, nonosteopathic and nonchiropractic manipulative exercises, massages or procedures are practiced upon the human body, for other than cosmetic or beautifying purposes, with or without the use of mechanical or other devices, by anyone not a physician, surgeon, osteopath, chiropractor, or certified massage therapist certified by the state in accordance with the Alabama Massage Therapy Licensure Act of 1996.

- (1) The definition shall not include the practice of Massage in any licensed hospital or nursing home, nor by a physician, surgeon, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur or professional athlete or athletic team or school athletic program, nor by any Alabama State licensed physical therapist.
- (2) The term "massage parlor" shall not include a spa, wellness center, health club, beauty salon, gymnasium, or other business providing health, beauty, medical or physical fitness services in which massages are incidental and one of a series of services provided.

MICROBREWERY Any building used for the production of beer that manufactures less than 40,000 barrels per year, with a barrel containing 31 U.S. liquid gallons. A microbrewery, actively and continuously engaged in the manufacture of alcoholic beverages on the manufacturer's licensed premises, may conduct tastings or samplings on the licensed premises, and for that purpose give away or sell alcoholic beverages manufactured there for consumption on only the premises where manufactured.

SECONDHAND STORE. A retail establishment that sells previously used merchandise, more than thirty percent (30%) of which is not donated, such as clothing, furniture, appliances, household goods, sporting goods, books, recreational equipment, toys or other merchandise not considered to be antique, that is in good repair or has been restored or reconditioned to a clean and useable condition. This definition excludes antique stores, pawnshops, thrift stores, consignment stores and precious metal dealerships.

SELF-STORAGE FACILITY. A building or structure containing separate storage spaces of limited sizes that are leased or rented on an individual basis, which does not include warehouses or loading docks.

TATTOO OR BODY ART ESTABLISHMENT Any establishment in which body piercing or tattooing is offered or performed.

THRIFT STORE. A retail establishment that derives more than thirty percent (30%) of its sales from donated, previously used merchandise such as clothing, furniture, appliances, household goods, sporting goods, books, recreational equipment, toys or other merchandise not considered to be antique.

TOBACCO, VAPE, OR E-CIGARETTE SHOP A business establishment for which more than fifty (50) percent of the gross floor area is devoted to the display, sale, use and storage of vape or tobacco products, including electronic cigarettes and related accessories. Related accessories include any apparatus, equipment or instrument used for smoking tobacco and/or inhaling vapor from nicotine enriched solutions and/or the burning or vaporizing of controlled substances.

Changes to Article 4 General Regulations

Add to the section below to 4.6.3 Non-conforming Improvements.

3. Improvements, restoration, renovations, expansions, or changes in use in the B-3 Downtown District require compliance with §5.15.2 3. Building Facades.

Changes to Article 5 Establishment of Districts on page 5-1

Change B-3 Historical Business District to B-3 Downtown District

Add to the end of the list the new MXD Mixed-Use District

Add the following new tables to the end of Article 5 (page 5-30)

- Table 5.3 Permitted Uses for B-3 and MXD Districts
- Table 5.4 Use Restrictions for B-3 and MXD Districts

Table 5.3 Permitted Uses for B-3 and MXD Districts		
	B-3	MXD
Residential Uses		
Accessory Dwellings, §7.17	SE	SE
Duplexes		Y
Cottage Subdivisions, §7.20		Y
Live-Work/Upper Story Dwellings, §7.22	Y	Y
Multi-family Dwellings, §7.15	R	R
Mixed-use building	Y	Y
Single-family Dwellings, Semi-detached		Y
Townhouses		Y
Home Occupations, §7.9	Y	Y
Single-family Detached Dwellings		Y
Commercial Uses		
Adult-Oriented Service		
Alternative Financial Services		
Bakeries	Y	Y
Banks or Financial Services	Y	Y
Bed and Breakfasts, §7.18	Y	
Businesses or Professional Offices	Y	Y
Business Support Services	Y	Y
Brew Pub	Y	Y
CBD Shop	SE	SE
Clinics	SE	SE
Commercial Schools	Y	Y
Consignment Stores		
Convenience Stores		R
Day Care Facilities, §7.21	Y	Y
Entertainment, Indoor	Y	Y
Funeral Homes	SE	SE
Garages, Repair		
Garden Centers or Nurseries	Y	Y
Gasoline Service Stations, §7.4		Y
General Retail, Enclosed	R	R
General Retail, Unenclosed	C	C
Gold or Silver Object Dealers		
Grocery Stores / Supermarket	R	R
Home Improvement Centers	R	R
Hotels	R	Y
Inns	Y	Y
Liquor Lounges	Y	Y
Massage Parlors		
Microbrewery	Y	Y

Mini-warehouses		
Medical Support Services	Y	Y
Motels		
Personal Services	Y	Y
Pet Services, without boarding	SE	Y
Printing Establishment, Minor	Y	Y
Restaurants	R	R
Seasonal Sales, §7.14	Y	Y
Secondhand Stores		
Self-storage facilities		
Studios	Y	Y
Thrift stores		
Tattoo and /or Body Art Establishments		
Tobacco and/or Vape Shops		
Vehicle Repair, Minor		Y
Vehicle Sales or Rental		C
<i>Institutional Uses</i>		
Cultural, including libraries, museums, galleries and auditoriums	R	Y
Parks	Y	Y
Places of Assembly	SE	SE
Public Buildings	R	R
Public Utility Facilities		
Public Utility Services	SE	SE
Schools	R	
<i>Industrial Uses</i>		
Industrial Uses, General		
Industrial Parks		
Manufacturing, Artisan		Y
Manufacturing, Light		SE
Warehousing, wholesaling and distribution		R
Salvage Yards		
<i>Telecommunications Uses</i>		
Satellite Dish Antennas, §6.7	SE	SE
Transmission Towers (Commercial), §7.13	SE	SE
Wireless Facilities, §7.11	SE	SE

Y – The use is permitted by right subject to any limitations of the applicable district. Similar uses to those listed may also be permitted subject to §2.6 Interpretation of Uses and §2.7 Unclassified Uses.

SE – Special Exception Use, requires approval by ZBA (see §2.8). May also be subject to district limitations.

C – Conditional Use, requires approval by the Commission (see §2.9). May also be subject to district limitations.

R - means the use is allowed upon meeting the conditions set forth in Table 5.4 Use Restrictions for B-3 and MXD Districts.

A use followed by a numeric cross-reference is also subject to the regulations referenced.

A blank cell indicates that the use is not permitted.

Use	B-3	MXD
Residential Uses	20 units or rooms max.	32 units or rooms max.
Commercial Use	30,000 sq.ft. max	30,000 sq.ft. max
Hotels	50 rooms max.	
Drive-up facilities	Must meet the requirements in §7.23 Drive-through Facilities	
Institutional Uses	On-site parking may not exceed 30 spaces.	On-site parking may not exceed 50 spaces.
Industrial Uses		25,000 sq.ft. max

Changes to §6.2 General Yard Requirements on page 6-1

Add introductory sentence that says: “This section is not applicable to B-3 and MXD Districts.”

Changes to §7.15 Multiple-family Dwellings on page 7-7

Add introductory sentence that says: “This section is not applicable to B-3 and MXD Districts.”

Changes to §7.16 Public Buildings on page 7-7

Add introductory sentence that says: “This section is not applicable to the B-3 and MXD Districts.”

Changes to §7.22 Upper-story Dwellings on page 7-12

Delete this portion of the first sentence: “and no non-residential use shall be located on the same floor in the same building.”

Upper-story dwellings in mixed-use buildings shall be located on a floor level above a use of another type. In all cases, provision of emergency egress and fire separation shall comply with all requirements of the Building and Fire Codes.

Add a new section called §7.23 Drive-through Facilities on page 7-12

This section applies to all drive-through facilities in the B-3 and MXD districts.

Drive-through facilities are subject to the following requirements:

1. Drive-through facilities and lanes must be located behind the principal building.
2. Queuing lanes must not interfere with pedestrian circulation.
3. Drive-through canopies and other structures, where present, must be constructed from the same materials as the primary building, and with a similar level or architectural quality and detailing.

Changes to §8.3 Required Off-street Parking Spaces on page 8-1

First paragraph - add to the second sentence the reference regarding the new Table 8.3.4.

“Unless otherwise provided for, all uses shall conform with the minimum parking space requirements outlined in Table 8.3.1 and Table 8.3.4. In situations where the required number of parking spaces is not readily determinable by Table 8.3.1 or Table 8.3.4, the Zoning Administrator is authorized to determine the parking space requirements using the table as a guide.”

Add new table below.

Table 8.3.4 Required Off-Street Parking Spaces for B-3 and MXD Districts	
Residential Uses	1 per dwelling unit
Lodging Uses	1 per room
Retail, including food service, and Services Uses	4 spaces per 1,000 gross square feet
Office Uses	2 spaces per 1,000 gross square feet
Assembly Uses	¼ per each fixed seat
Industrial Uses	2 spaces per 1,000 gross square feet

Changes to §8.5 Off-Street Loading on page 8-6

Add introductory sentence that says: “This section is not applicable to B-3.”

Add new Table 8.5.3 below

Table 8.5.3 Required Off-Street Loading Spaces for the MXD District	
Residential Uses	1/100 units
Lodging Uses	1/300 rooms
40,000 – 160,000 Square Feet All Other Uses	1
160,001 – 320,000 Square Feet All Other Uses	2
320,001 – 400,000 Square Feet All Other Uses	3
>400,000 Square Feet All Other Uses	1/180,000

Changes to §9.2 Buffers on page 9-2

Add introductory sentence that says: “This section is not applicable to B-3 and MXD.”

Changes to §9.3 Landscaping for Vehicular Areas

Add introductory sentence that says: “This section is not applicable to B-3.”

Changes to §9.4 Screening on page 9-5

Under 9.4.1 add the following:

8. Open parking areas must be screened from the street by a building or a streetscreen.

Under 9.4.3 add the following streetscreen standards:

8. A streetscreen must have openings no wider than the driveway or sidewalk plus a setback of 18 inches at driveway intersections.
9. Streetscreen materials are limited to the following: brick, stone, stucco over masonry, iron, steel or aluminum that appears to be iron. Non-opaque streetscreens require evergreen planting behind to provide opacity.

Changes to Zoning District Area and Dimensional Regulations Table in Appendix B-1

Modified row for B-3 and added a row for MXD