

**ARCHITECTURAL GUIDELINES FOR
COMMERCIAL PROPERTIES IN THE
FIVE POINTS SOUTH COMMERCIAL REVITALIZATION AREA**

Article I. Definitions

For the purpose of these guidelines, certain terms and words are hereby defined.

- A. **Neighborhood Revitalization and Improvement Plan** - An Urban Renewal Plan so entitled and adopted by the Birmingham City Council subsequent to January 31, 1979.
- B. **Commercial Revitalization Project Area** - That portion of an Urban Renewal Plan area consisting of a Rehabilitation Area as defined herein which may further include an Optional Rehabilitation Area, which is defined as that portion of the Commercial Revitalization Project Area which lies outside of the designated Rehabilitation Area.
- C. **Rehabilitation Area** - That portion of a designated Urban Renewal Plan area in which all properties must comply with Design Standards adopted by the Design Review Committee.
- D. **Design Review Committee** - A committee appointed by the City Council to review and approve the private physical development of Commercial Rehabilitation Areas according to the provisions of the Ordinance 84-141 and other duties as assigned by the City Council (Section 60-6, Article IV of Ordinance 79-66).
- E. **Commercial Rehabilitation Incentive Program** - A program of financial incentives (rebates) adopted by the City Council to encourage the rehabilitation of commercial structures in Commercial Rehabilitation Areas.
- F. **Public Improvement Area** - An area in which the City has undertaken extensive physical improvements to public facilities.
- G. **Public Right-of-Way** - Any street, alley or other public way which has been dedicated to the public use.

Article II. - Rehabilitation of Existing Commercial Properties

The following standards shall be applied to all existing commercial properties whether occupied or vacant in the commercial rehabilitation area.

A. Building Fronts and Windows

- (1) A building front shall include the building face, porches and any entrance areas leading to the door, sidelights, transoms, display platform devices, including lighting and signage designed to be viewed from the public right-of-way or parking lots.
- (2) Windows, including entrances, signs, lighting, sun protection porches, security grilles, etc., shall be compatible and harmonious with the scale and character of the structure. All front elements must be located within their original height, unless approved by the Design Review Committee.
- (3) Windows shall not be painted for permanent advertising purposes but may be painted for authorized identification of the place of business as authorized by the Design Review Committee, and in accordance with Article II, Section D, "Signs."
- (4) Window trim, mullions or muntins not consistent or compatible with overall facade design, shall be replaced or painted in a manner complementary to other building front elements.
- (5) Glass shall be transparent; clear, bronze or gray tinted. Translucent, opaque, reflective or colored glass, other than gray or bronze tinted, shall be permitted only with prior approval by the Design Review Committee.
- (6) Unless approved by the Design Review Committee solid or permanently closed or covered building fronts shall not be permitted, unless treated as an integral part of building facade using wall materials and window detailing compatible with the upper floors, or other building surfaces; all damaged, sagging or otherwise deteriorated building fronts, windows or entrances shall be repaired or replaced.

B. Windows

- (1) Windows not in the front of buildings shall be kept properly repaired or, with Fire Department approval, may be closed, in which case, sills, lintels and frame must be removed and the opening properly closed to match the adjacent wall.
- (2) All windows must be tight fitting and have sashes of proper size and design to be compatible and harmonious with the scale and character of the structure. Sashes with rotten wood and/or deteriorated metal, broken joints or loose mullions or muttons shall be replaced. All broken and missing window glass shall be replaced with new glass or approved glazing material.
- (3) If ceilings, partitions or other interior elements terminate inside the window area, and are visible through the window from the exterior, they shall be stopped short of the glass and the exterior edge or face shall be treated in such a manner so as not to be obvious from the exterior. Boxes, crates, etc. shall not be stacked inside windows unless concealed by shutters, blinds, drapes or other appropriate window covering.

C. **Building Fronts, Sides and Rears Abutting Streets, Public Parking Lots or Public Areas**

- (1) All structural and decorative elements of building fronts, sides and rears abutting and/or prominently visible from streets or public improvement areas shall be repaired or replaced to match as closely as possible the original materials and construction of that building. Rotten, deteriorated or weakened portions shall be removed, repaired and replaced to match as closely as possible the original.
- (2) All exterior front, side or rear walls which have been wholly or partially resurfaced or built over shall be repaired and/or improved in an acceptable manner. Unpainted masonry walls may be painted where necessary to conceal misused material or patched wall coverings. Other unpainted masonry walls may be painted only with the approval of the Design Review Committee. Existing painted masonry walls shall have loose material removed and be painted a single color except for trim which may be another color. Samples of all proposed colors shall be submitted for approval to the Design Review Committee with proposed improvement plans. Patched walls shall match the existing adjacent surfaces as to the materials, texture, color, bond and jointing.
- (3) As approved by the Design Review Committee, applied facing material shall be either repaired, or replaced or removed to reveal the original exterior material which shall be cleaned and repaired as required.
- (4) Existing miscellaneous elements on the building fronts, such as empty electrical conduits, unused sign brackets, etc., shall be removed and the building surface repaired or rebuilt as required to match adjacent surfaces.
- (5) Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary and shall be neatly located and securely installed. Gutters and downspouts that require painting shall be painted to harmonize with the other building front elements.

D. **Signs**

- (1) Signs shall be limited to those identifying the property or identifying the use conducted therein. Advertising by material or product manufacturers and suppliers, other than the primary use of the property, shall not be permitted. All lighting elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.
- (2) Signs and displays for advertising or promotion are not permitted in public rights-of-way unless specifically authorized in writing by the Design Review Committee, in addition to securing the necessary permits from the City.
- (3) Projecting signs shall not be permitted on any portion of any building, except where specifically approved by the Design Review Committee. Generally, the Design Review Committee will consider approval of a projecting sign which adds a desirable design element harmonious and compatible with the overall desired character and rehabilitation goals of the entire Five Points South Commercial Revitalization Area, and otherwise does not detract from or pose a visual impedance to adjacent businesses.

- (4) Painted or sewn signs designating only business name and address on awnings, existing marquees, or canopies may be permitted, subject to Design Review Committee approval.
- (5) Flat signs shall be placed parallel to the building face and shall not project more than twelve (12) inches from the surface of the building and shall not exceed in area two times the width in feet of the frontage of the building. Flat signs shall be placed no higher than the bottom of the second story window where windows exist or approximately sixteen (16) feet above grade level, whichever is lower.
- (6) In the case of corner properties, one flat sign per side is permitted. The area of each sign shall not exceed two times the lesser frontage width in feet. The depth and height limitations shall apply as in paragraph "5" above.
- (7) Painted signs on framed backings or use of separate cut out letters shall be permitted in accordance with the above limits for flat signs.
- (8) Lettering applied to ground floor show windows or entrance doors shall not exceed six (6) inches in height, and the text shall be limited to identification of the primary business therein.
- (9) Signs identifying the business occupant shall be permitted at rear entrance doors if they are mounted flush against the building and do not exceed six (6) square feet in size, except where authorized by the Design Review Committee.
- (10) Signs in upper floor windows are generally not permitted.
- (11) Pole or "lollipop" signs shall not be permitted except with prior approval of the Design Review Committee.
- (12) If approved methods of identification are not available, property landscaped monument signs may be permitted if they are in scale and character with surrounding buildings and only with prior approval of the Design Review Committee.
- (13) Roof top signs, signs on or above the parapet of a building, billboards, or outdoor advertising signs painted or mounted on billboards or other structures, except as otherwise herein provided, shall not be permitted.
- (14) Temporary signs such as lease or rental signs, with prior Design Review Committee approval, may be permitted, but shall not be posted for a period that exceeds ninety (90) days. Flashing, moving or portable signs shall not be permitted except with the approval of the Design Review Committee.
- (15) All signs not conforming to these requirements shall be removed within two (2) years from the project initiation date. No lease for billboards expiring after the project initiation date shall be renewed.

E. **Awnings**

- (1) If compatible and harmonious with the scale and character of the structure, and adjoining structures, soft, flameproof awnings are permitted over the first floor and on upper floors above windows only.

- (2) Awnings shall not project more than seven (7) feet from the building front, shall not be lower than eight (8) feet above grade and shall terminate against the building at a height not to exceed approximately fourteen (14) feet above the pavement, except with approval of the Design Review Committee.
- (3) Rigid or fixed awnings or canopies are not permitted unless an integral part of the structure, in good condition, of similar materials, compatible with and harmonious with the scale and character of the structure and adjacent structures. New rigid or fixed awnings or canopies may be added to existing structures subject to restrictions outlined above and with prior approval by the Design Review Committee.

F. **Buildings Visible from Public Ways**

- (1) If a building, side or rear, is exposed to view from a public parking lot, the face of the building so exposed shall be improved in a manner consistent with these architectural guidelines as necessary to avoid visually detracting from the area.

G. **Mechanical and Electrical Equipment on Exterior Walls**

- (1) New individual room air-conditioning units shall not be installed in front or side wall windows, if visible from streets or public improvements, without prior approval by the Design Review Committee.
- (2) Through wall air condition units may be installed, subject to prior approval by the Design Review Committee, provided where visible from streets or public improvements, the units do not project beyond any adjacent exterior face of the building and are properly screened and ventilated and do not detract from the building character and appearance.
- (3) Where through wall air-conditioning units cannot be flush mounted, awnings may be used in order to make the units as unobtrusive as possible. In such a case, they must be compatible with the scale and character of the building and must be approved in advance by the Design Review Committee.
- (4) Grilles, louvers, vents and other mechanical and electrical items may be installed in or on exterior walls, where unavoidable and necessary for the function of the building, subject to prior approval by the Design Review Committee. Where visible from streets or public improvements, the necessary items shall be painted or otherwise made as unobtrusive as possible and shall not detract from the building character and appearance.

H. **Roofs**

- (1) Chimneys, elevator penthouse or any other auxiliary structure on the roofs shall be repaired and required in Article II, Section F, Paragraph I, "Buildings Visible from Public Ways."
- (2) Any mechanical equipment placed on a roof shall be concealed from public view and be as inconspicuous as possible from other viewpoints. Equipment shall be screened with suitable elements of a permanent nature or finished so as to harmonize with the rest of the building. Where such screening is unfeasible, equipment shall be painted in a manner as to minimize its visibility.

- (3) Roofs shall be cleaned and kept free of trash and debris. Other elements which are not a permanent part of the building are not permitted.

I. **Auxiliary Structures**

- (1) Structures at the rears of buildings, attached or unattached to the principal commercial structure which are structurally deficient, shall be properly repaired or demolished.

J. **Rear and Side Yards and Parking Areas**

- (1) When a rear or side yard exists or is created through demolition, the owner may utilize the space for storage and loading or parking provided the area is appropriately landscaped and/or screened from all adjacent streets, alleys and public improvement areas. An appropriate sign not exceeding six (6) square feet may be used to identify and control parking and loading subject to Design Review Committee approval.

K. **Vacant Lots**

- (1) When a vacant lot exists, whether temporary or permanent, or is created through demolition, the owner must properly landscape and/or screen the improvement areas; cover all areas not actively used for storage, parking or loading with grass or other ground cover approved for the property by the Design Review Committee; and maintain said ground cover and keep all the property free of trash and debris.

L. **Other**

- (1) All other repairs to a building as determined during the initial inspection as necessary to safeguard the health and safety of possible building occupants; shall be made in accordance with applicable sections of the City Building Code and as approved by the Design Review Committee.

M. **Demolition**

No structure shall be demolished without prior approval by the Design Review Committee. In general, no request for approval of a demolition permit will be considered without detailed plans for the proposed use of the site after demolition.

Article III. *New Development of Properties*

The following standards shall be applied to all new structures or additions to existing structures in the Five Points South Commercial Rehabilitation Area.

A. Building Design

- (1) Each building unit, (whether existing or proposed) shall be an integral element of the overall site design and the Neighborhood Revitalization and Improvement Plan and shall reflect and complement the character of the surrounding area.
- (2) Locations of proposed commercial buildings shall be compatible with surrounding residential areas and organized in a manner to coordinate customer and employee physical requirements. Building facades shall be complementary to those adjacent in terms of amenity and appearance.

B. Parking Design

- (1) Off-street areas shall be designed with careful regard to orderly arrangement, landscaping and ease of access as an integral part of the total site design. Off-street parking areas, except at entrance ways, shall be separated from streets by appropriate landscaping or screening.
- (2) Vehicular access to parking areas shall be direct and not in conflict with general vehicular movement serving the uses within the site. Ingress and egress points shall be well distanced from intersections to avoid congestion and interference with traffic.

C. Loading and Service Area Design

- (1) Loading and service space shall be provided in convenient off-street facilities to serve business uses in the proposed development to the maximum extent possible.

D. Street, Pedestrian Walkways and Open Space Design

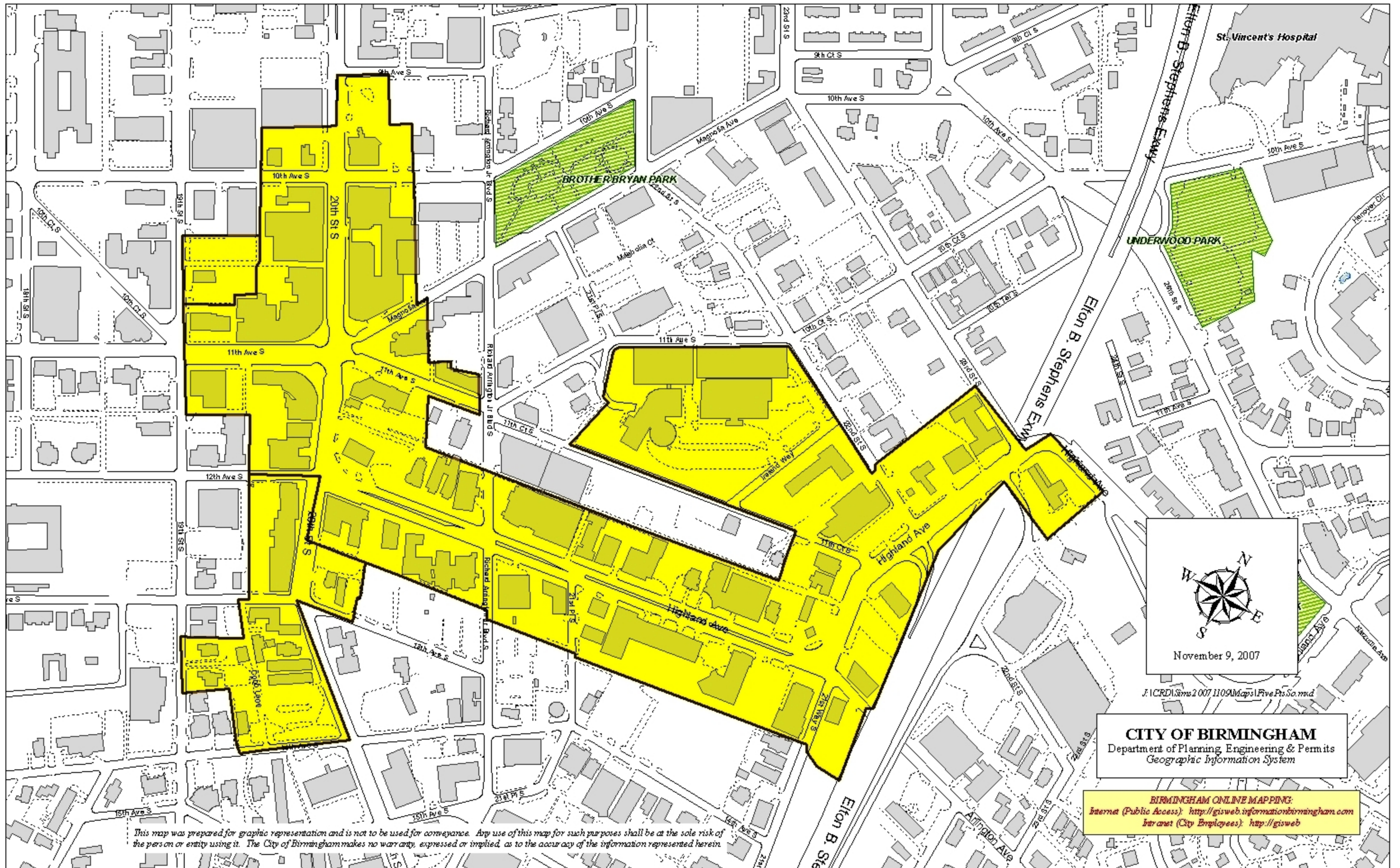
- (1) Proposed development shall consider the provision of appropriate open space in combination with the proper siting of buildings. Streets, pedestrian walkways and open spaces including street furniture and signs shall be designed as an integral part of the overall design, properly related to adjacent existing and proposed buildings.

E. Landscape Design

- (1) A coordinated landscape program for the proposed development shall be incorporated for the entire proposed site including landscape treatment for open space, streets and parking areas. Landscaping shall include trees, shrubbery and planting in combination with related paving and surface treatments.

F. Signs

- (1) All signs for new structures and additions to existing structures shall conform to the requirements set forth in Article II, Section D, "Signs."



Five Points South Commercial Revitalization District