

**ZONING**  
**ORDINANCE**

**August 12, 1985**

**City of Montgomery**

**Alabama**

between the main building including covered porches and the right-of-way line. On corner lots, the narrower side shall be considered the front regardless of the location of the main entrance of the dwelling. Where both frontages of the lot are equal, the front yard shall be considered the side on which the majority of the lots front in the block.

- b. Rear Yard: The yard extending across the entire width of the lot between the main building, including covered porches, and the rear lot line.
- c. Side Yard: The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches and carports, and such lot line.

## **ARTICLE VII DISTRICT REGULATIONS**

### **1. Regulations Applying to All Districts**

#### **a. Uses Permitted**

- (1) Public utilities (but not including power and gas substations and pumping stations).
- (2) Public buildings of a governmental nature, including public schools and libraries.
- (3) Recreational facilities, including parks, playgrounds, stadiums, etc.
- (4) Accessory structures.
- (5) Home occupations.

#### **b. Uses Permitted on Appeal: (Ord. No. 31-73) (Ord. No. 126-79)**

- (1) Public utilities, not otherwise specified, including power and gas substations and pumping stations.
- (2) Public buildings of a proprietary nature.
- (3) General hospitals for humans (including nursing homes).
- (4) Semi-public buildings and uses, including private school and churches.
- (5) Lights for recreational facilities, including private and semi-public tennis courts, ball fields, etc. located in residential districts, provided the lights are designed for this use. Spot lights or flood lights shall be restricted on such courts and play fields.

#### **c. Minimum Yard Size: (Public and Semi-Public Buildings) Structure shall not be nearer than 35 feet to any property line.**

#### **d. Maximum Height: (Public and Semi-Public Buildings) No Limit. (Ord. No. 31-73)**

#### **e. Off-Street Automobile Parking:**

- (1) Churches, auditoriums, stadiums, and similar uses: One parking space for each five (5) seats.
- (2) Schools: Five (5) spaces for each school room.
- (3) Hospitals: One (1) space for each three (3) beds.
- (4) Other uses permitted in Article VII, Sub-Section 1, shall be provided parking spaces as determined by the Board of Adjustment.

#### **f. Off-Street Loading and Unloading:**

See Article VI-5. (Ord. No. 13-64)



**2. Residential Districts (continued)**  
 (Ord. No. 31-73; Ord. No. 79-2017)

R-75-s  
 R-75-d  
 R-75-m

ITEM	DISTRICT		
	R-75-s	R-75-d	R-75-m
Classes of structures or uses permitted	A	A & B	A, B, C, D & H
Classes of structures or uses permitted on appeal	F	F	F
Classes of structures or uses restricted	B, C, D, E, G & H	C, D, E, G & H	E & G
Required lot areas, width, etc.:			
Minimum lot area, one family, in sq. ft.	10,000	10,000	10,000
Each additional family		2,500	2,500
Minimum lot width at building line, in ft.	75	75	75
Minimum depth of front yard, in ft.	30	30	30
Minimum depth of rear yard, in ft.	30	30	30
Minimum width of each side yard, in ft.	10	10	10
Side yard abutting a street	30	30	30
Maximum building area, percent of gross lot area	40%	40%	40%
Maximum building height: Feet	35	35	35
Stories	2	2	2
Off-street requirements:			
Car spaces per family dwelling unit	2	2	2

**CLASS:**

- “A” Single family dwellings.
- “B” Residential structures containing two family units
- “C” Residential structures containing two, three or four family units.
- “D” Apartments for any number of families.
- “E” Lodges and clubs, not operated for a profit; offices; hotels.
- “F” Agriculture, poultry, and livestock raising, but not including the operation of chicken brooder houses; and provided no structure, pen or corral housing animals be located closer than 200 ft. to any property line.
- “G” Any commercial or industrial use not specifically permitted.
- “H” Townhouses.

**2. Residential Districts (continued)**  
 (Ord. No. 31-73; Ord. No. 79-2017)

R-65-s  
 R-65-d  
 R-65-m

ITEM	DISTRICT		
	R-65-s	R-65-d	R-65-m
Classes of structures or uses permitted	A	A & B	A, B, C, D & H
Classes of structures or uses permitted on appeal	F	F	F
Classes of structures or uses restricted	B, C, D, E, G & H	C, D, E, G & H	E & G
Required lot areas, width, etc.:			
Minimum lot area, one family, in sq. ft.	8,400	8,400	8,400
Each additional family		2,000	2,000
Minimum lot width at building line, in ft.	65	65	65
Minimum depth of front yard, in ft.	30	30	30
Minimum depth of rear yard, in ft.	30	30	30
Minimum width of each side yard, in ft.	10	10	10
Side yard abutting a street	30	30	30
Maximum building area, percent of gross lot area	40%	40%	40%
Maximum building height: Feet	35	35	35
Stories	2	2	2
Off-street requirements:			
Car spaces per family dwelling unit	1	1	1

**CLASS:**

- “A” Single family dwellings.
- “B” Residential structures containing two family units
- “C” Residential structures containing two, three or four family units.
- “D” Apartments for any number of families.
- “E” Lodges and clubs, not operated for a profit; offices; hotels.
- “F” Agriculture, poultry, and livestock raising, but not including the operation of chicken brooder houses; and provided no structure, pen or corral housing animals be located closer than 200 ft. to any property line.
- “G” Any commercial or industrial use not specifically permitted.
- “H” Townhouses.

**2. Residential Districts (continued)**  
 (Ord. No. 31-73; Ord. No. 79-2017)

R-60-s  
 R-60-d  
 R-60-m  
 R-60-a

ITEM	DISTRICT			
	R-60-s	R-60-d	R-60-m	R-60-a
Classes of structures or uses permitted	A	A & B	A,B,C,D & H	A,B,C,D & H
Classes of structures or uses permitted on appeal	B & F	C & F	E & F	E & F
Classes of structures or uses restricted	C,D,E,G & H	D,E,G & H	G	G
Required lot areas, width, etc.:				
Minimum lot area, one family, in sq. ft.	7,200	7,200	7,200	7,200
Each additional family		1,500	1,500	None
Minimum lot width at building line, in ft.	60	60	60	60
Minimum depth of front yard, in ft.	20	20	20	20
Minimum depth of rear yard, in ft.	20	20	20	20
Minimum width of one side yard, in ft. (see note)	10	10	10	10
Minimum width of other side yard, in ft. (see note)	5	5	5	5
Side yard abutting a street	20	20	20	20
Maximum building area, percent of gross lot area	50%	50%	60%	60%
Maximum building height: Feet	35	35	35	35
Stories	2	2	2	2
Off-street requirements:				
Car spaces per family dwelling unit	1	1	1	1

**CLASS:**

- “A” Single family dwellings.
- “B” Residential structures containing two family units
- “C” Residential structures containing two, three or four family units.
- “D” Apartments for any number of families.
- “E” Lodges and clubs, not operated for a profit; offices; hotels.
- “F” Agriculture, poultry, and livestock raising, but not including the operation of chicken brooder houses; and provided no structure, pen or corral housing animals be located closer than 200 ft. to any property line.
- “G” Any commercial or industrial use not specifically permitted.
- “H” Townhouses.

**NOTE:** Minimum distance between main structures shall be 15 ft.

**2. Residential Districts (continued)**  
 (Ord. No. 31-73)

R-50

<b>ITEM</b>	<b>DISTRICT</b>
	<b>R-50</b>
Classes of structures or uses permitted	A
Classes of structures or uses permitted on appeal	B & F
Classes of structures or uses restricted	C,D,E & G
Required lot areas, width, etc.:	
Minimum lot area, one family, in sq. ft.	6,000
Each additional family	1,200
Minimum lot width at building line, in ft.	50
Minimum depth of front yard, in ft.	20
Minimum depth of rear yard, in ft.	20
Minimum width of one side yard, in ft. (see note)	9
Minimum width of other side yard, in ft. (see note)	5
Side yard abutting a street	9
Maximum building area, percent of gross lot area	50%
Maximum building height:    Feet	35
Stories	2
Off-street parking requirements:	
Car spaces per family dwelling unit	1

**CLASS:**

- “A” Single family dwellings.
- “B” Residential structures containing two family units.
- “C” Residential structures containing two, three or four family units.
- “D” Apartments for any number of families.
- “E” Lodges and clubs, not operated for a profit; offices; hotels.
- “F” Agriculture, poultry, and livestock raising, but not including the operation of chicken brooder houses; and provided no structure, pen or corral housing animals be located closer than 200 ft. to any property line.
- “G” Any commercial or industrial use not specifically permitted.

**NOTE:** Minimum distance between main structures shall be 14 ft.

**2. Residential Districts (continued)**  
(Ord. No. 31-73)

Mobile Dwelling Park R-99-p  
Mobile Dwelling Subdivision R-99-s

ITEM	DISTRICT	
	R-99-p	R-99-s
Classes of structures or uses permitted	A,B,C,D & F	A,C & D
Classes of structures or uses permitted on appeal	None	None
Classes of structures or uses restricted	E	B,E & F
Densities:		
Maximum mobile dwellings per acre	8	6
Minimum lot size, in sq. ft.	4,000*	6,000*
Clearances:		
Side, feet	20	25
End, feet	15	20
Enclosed storage space required, per mobile dwelling in cubic feet	200	-0-
Off-street parking requirements:		
Parking spaces per mobile dwelling lot	2	2
Required open space, percent of gross area	13%	10%**
Prior approval of development plan	Required	Required

**CLASS:**

“A” Mobile dwellings.

“B” Office and service uses associated with the operation of mobile dwelling parks.

“C” Accessory structures, self-service laundries.

“D” Lodges and clubs not operated for profit.

“E” Any use or structure not specifically permitted.

“F” Travel trailer parks – in areas designated for travel trailer parks.

\* In no case shall a mobile dwelling be placed on a lot less than three (3) times the area of the mobile dwelling.

\*\* This requirement applies only to subdivisions with a total area greater than 5 acres.







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**Classes of Structures Permitted:**

- "A" Single family dwellings.
- "B" Residential structures containing two, three, or four family units.
- "C" Apartments for any number of families.
- "D" Townhouses.

**Classes of Structures Permitted with Specific Recommendation of the Planning Commission:**

- "A" Restaurants; stores selling food, general merchandise, apparel, furniture, housewares and household wares, drugs and sundries, jewelry, gift items, flowers, sporting goods, and similar types; small dry cleaning and laundry pick-up stations; barber and beauty shops; shoe repair; banks; post offices; offices and similar services.
- "B" Lodges and clubs not operated for profit.
- "C" Business or professional offices, public buildings, hospitals for humans, veterinary offices and/or hospitals, nursing homes.
- "D" Nurseries or kindergartens.

**Classes of Uses Permitted on Appeal:**

Due to the flexibility and range of authority granted the Planning Commission in the review and approval of Planned Unit Developments; and as Planned Unit Developments are to be developed in accordance with a unified, comprehensive plan that shall provide for all appropriate uses and structures; in Planned Unit Development Districts the powers of the Board of Adjustment shall be limited to the granting of variances as to yard and height requirements and signs where permitted, and shall not include the power to grant special exceptions.

**Classes of Structures or Uses Restricted:**

- "A" Any commercial, industrial, or agricultural use not specifically permitted by the Planning Commission when granting final approval of PUD.
- "B" Mobile dwellings.

**Minimum Area:**

The minimum area required to qualify for a PUD District shall be not less than 15 contiguous acres of land.

**Ownership:**

The tract of land for a PUD must be either in one ownership, or the subject of an application filed jointly by the owners of all the properties included (the holder of a written option to purchase land shall for purposes of such application be deemed to be an owner of such land).

**Location of PUD District:**

This district shall be applicable to any area of the City or the Police Jurisdiction thereof where the applicant can demonstrate that the characteristics of his holdings will meet the objectives of the PUD District as stated in Article VI of this Ordinance.

**Land Use and Density:**

Because land is used more efficiently in PUD Districts, improved environmental quality can often be produced with a greater number of dwellings units per net acre than usually permitted in traditionally zoned residential districts. The City Planning Commission, with the technical advice and assistance of the Planning Controls Division, shall determine in each case the appropriate land use pattern and dwelling unit density for individual projects, including the amount of land to be reserved for common open space and/or recreational uses. These determinations shall be completely documented and justified.

**NOTE:** Buildings housing clubs, lounges, taverns, dance halls, musical entertainment facilities and other similar places of assembly, which serve alcoholic beverages on premise (excluding restaurants) as defined in Chapter 3, Section 3-1 of the Code of Ordinances of the City of Montgomery, Alabama, the minimum setback for structures shall be 250 ft. from any residential district boundary or planned unit development residential boundary (based on approved master plan). The distance for setback shall be measured from the closest door of the building, or closest door of a tenant space in a multi-tenant building, to any residential or PUD residential district line. Facilities operating prior to the adoption of this ordinance shall be considered legal non-conforming.