

HOW LONG WILL IT ALL TAKE?

Once a completed application has been received, ("completed" means that all the information listed in STEP 2 has been provided) and all fees paid, your request should be heard by the Zoning Advisory Committee within 2 - 3 weeks and the final decision made by the City Council approximately 6 weeks after being heard by the ZAC.

- What:** The Zoning Advisory Committee (ZAC)
Who: Katrina Scales (205) 254-2288
Katrina.Scales@birminghamal.gov
When: 1st and 3rd Tuesdays at 7:00pm
Where: Council Chambers, 3rd Floor City Hall
How long: Approximately 8-9 weeks for the complete rezoning process or approximately 2 weeks for a site development plan review
How much: \$350 (flat rate fee)

ONE STOP PERMITTING

**ZONING ADVISORY COMMITTEE
OF THE BIRMINGHAM
PLANNING COMMISSION**

CITY OF BIRMINGHAM

**WILLIAM A. BELL, SR.
MAYOR**



**DEPARTMENT OF PLANNING,
ENGINEERING AND PERMITS**

www.birminghamal.gov

Andre V. Bittas, Director

ZONING ADVISORY COMMITTEE (ZAC)

The Zoning Advisory Committee (ZAC) is a subcommittee of the Birmingham Planning Commission whose principal purpose is to advise the City Council directly on changes to the Zoning Ordinance and the Zoning District map. The Committee recommends decisions on matters related to the physical development of land, restriction of uses, and the pattern of development for property within the city limits of Birmingham. For purposes of rezoning property from one zone district classification to another or amending the text in the Zoning Ordinance, the ZAC is an advisory committee only with the City Council, the legislative body of the City, having the final authority for approval. The ZAC meets the first and third Tuesday of each month beginning at 7:00 pm in the City Council Chambers on the 3rd Floor of City Hall. The ZAC has seven members and a quorum of at least four members is necessary to render a decision.

YOU MUST APPEAR BEFORE THE ZAC WHEN YOU WILL BE:

- Requesting a Rezoning of a parcel or parcels of land;
- Requesting Development Plan Approval within an R-8, B-5, B-6, PRD or M-3 zone district;
- Requesting an amendment of Q conditions previously adopted by the City Council in a zoning case;
- Seeking site plan approval for a proposed development on property that has been rezoned where Q conditions have been imposed which require site plan review and approval by the Zoning Advisory Committee;
- Requesting an amendment of development standards which have been imposed by Q conditions as a part of a zoning case; and
- Requesting a text change of the regulations in the Zoning Ordinance;

The Rezoning Process

A rezoning is a time-consuming process, usually initiated by the property owner, but at times may be initiated by the Birmingham Planning Commission and/or the City Council. Typically, the process begins when an undeveloped piece of property is planned for development, or a developed piece of property is proposed to be used for a use other than one permitted by the current zoning.

- There are six primary **STEPS** involved in the process of filing a request for an action from the ZAC and the City Council. Each step provides information that is vital to the next; therefore, each must be fully completed before the request is advanced.
- The **first step** is for the applicant to pick up a copy of the "Applicant's Guidelines to the Process & Procedural Steps for Filing a Rezoning Application" as well as obtaining a copy of the rezoning application. The application and guidelines are available in Room 210 of City Hall or on-line at www.birminghamal.gov.
- Upon completion of the rezoning application which shall include the applicant and property owner signatures (if different), the **second step** shall be submission of the application, a detailed description of the proposed request, and a site plan. A site plan is a drawing or plan (minimum of 8 1/2 by 11 inches in size) drawn to scale, that shows what is, or will be, placed, built or developed on the subject property.
- A completed application and other necessary supporting documentation must be submitted to the Planning, Engineering, and Permits staff at least **14** days prior to the next regularly scheduled ZAC meeting date.
- Once the required submittal materials have been received and reviewed for thoroughness and accuracy by the staff, if all is in order, the applicant will be assigned a case number and scheduled for the next available ZAC meeting date. ***The applicant will also then be scheduled to appear before the appropriate Neighborhood Association. That meeting will occur generally after the ZAC meeting but before the City Council meeting.*** The appropriate neighborhood association and property owners within 500 feet of the subject property will be notified of both the ZAC meeting date and the City Council public hearing date.
- The **third step** is the presentation of the request before the ZAC. It is crucial that the applicant and/or his/her representative be present to make a thorough presentation

of the request and be able to answer any questions and/or defend the case.

- Once a decision/recommendation has been rendered by the ZAC, the **fourth step** involves the staff forwarding the case to the full City Council for scheduling a public hearing. A synopsis of the rezoning request is then published in a newspaper of general circulation.
 - The rezoning request must be advertised twice in a newspaper of general circulation prior to being heard by the City Council. Because of state law requirements, this advertisement takes about 5 weeks from the time a case has been "scheduled" for a public hearing before the Council will actually hold a public hearing and make a decision on the zoning case.
 - The **fifth step** will involve a review and the rendering of a recommendation of the case by the City Council's Planning and Zoning Committee, a subcommittee of the City Council. This generally occurs during the 5 week advertisement period.
 - The **last step** is the City Council public hearing of the rezoning case. It is important that the applicant and/or his/her representative be present to make a presentation of the request and answer any questions. As noted earlier, the City Council is the final authority in changing the zoning of property or amending the zoning regulations.
- [Note: Cases involving Development Plan Review and Approval and Amendment of Standards end at step 3.]**

WHAT DOCUMENTS WILL I NEED FOR PRESENTATION TO THE ZAC?

- A site plan (which shall comply with criteria outlined in the "Applicant's Guideline to the Process & Procedural Steps For Filing a Rezoning Application");
- A business summary (if applying for commercial zoning) outlining the name of the business, days and hours of operation, number of employees, and brief description of business activities;
- Legal description of the property (in some cases a legal survey); and
- Any required maps, plans or studies for any significant or high impact development.