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Ordinance No. _2026-####-PZ

An Ordinance to Repeal Appendix A, Article VI, Section 30 of the Code of Ordinances and Replace it with the Ordinance Below regarding the Cahaba Homestead Village Historic Overlay District.

BE IT ORDAINED by the City Council of the City of Trussville, Alabama, that Appendix A, Article VI, Section 30 of the Code of Ordinances be and is hereby repealed in its entirety.

BE IT FURTHER ORDAINED by the City Council of the City of Trussville, Alabama, that the following replaces Appendix A, Article VI, Section 30 of the Code of Ordinances:

I. Intent.

The Cahaba Homestead Village ("Village") is a historically significant, mixed-use area of the City of Trussville within the Survey of Cahaba, in which certain protections are desired. The Village, established in the 1930's, consists of single-family homes, duplexes, and multiplexes, as well as parks, schools, and public buildings. The Village was added to the National Register of Historic Places in 2006. The Cahaba Homestead Village Historic Overlay District ("District") is established to address the mixed land uses within the Village and to maintain the aesthetic integrity of the Village, including the uses of the parcels contained within the Village. A map and legal description of the District is attached as Exhibit A. The District shall be overlaid on the Village to apply home design standards and promote the use of the District for the welfare of the present and future residents of the City of Trussville. The general intent for the District includes, among others, the following purposes:

To preserve and protect the following:

A. The architectural value and appearance of buildings and other structures, in a historically significant area of the City of Trussville,
B. To promote these attractions to residents and visitors,
C. To regulate exterior design and materials used within the district to ensure compatibility with the design of structures within the District,
D. To preserve green spaces and harmonious sight lines throughout the District,
E. To support uses of land that favorably impact property values in the District, including retaining and enhancing the architecture of the District, and
F. To promote the use of the District for the education, pleasure, and welfare of the present and future citizens of Trussville.

II. Applicability. Except for Article V, all provisions contained within this Ordinance shall not take effect as to each parcel of residentially zoned property within the District until the first Transfer of Title of each residential parcel in this District. "Transfer of Title" means the conveyance, sale, assignment, transfer, or other disposition of all or any portion of the legal or equitable ownership interest in an asset, property, or other interest from one Person or entity to another, whether voluntarily or involuntarily, and whether by sale, exchange, gift, contribution, merger, operation of law, foreclosure, or otherwise. The term includes any transaction or series of transactions that results in a change in the Person or entity holding legal or beneficial ownership of such asset or property.

III. Uses Permitted.

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A. The following uses are permitted without any further action:

1. Detached Single Family Residences
2. Duplexes (North Mall, South Mall, and West Mall Only)
3. Multiplexes (Corner of North Mall and Parkway Drive and Corner of South Mall and Parkway Drive only)
4. Park/Public Buildings, as allowed under the Federal Land Grant documents.
5. Customary accessory structures and buildings
6. Public Utility Service

B. The replacement of any Duplexes or Multiplexes shall not exceed the number of units in the original structure. Any replacement structure constructed within the District shall be constructed within such areas as designated within this Section. However, this Section will not restrict Duplexes and Multiplexes from converting to single-family dwellings as long as the street facing elevations are consistent with the setbacks and square footage requirements as set forth within this ordinance. "Duplexes" are defined as a house divided into two separate dwelling units, with a separate entrance for each. "Multiplexes" are defined as a detached structure that consists of 3 or more separate dwelling units arranged side-by-side and/or stacked, typically with a shared entry from the street.

IV. Special Exception Uses.

The following uses may be permitted subject to a special exception use permit being granted by the Board of Zoning Adjustment and further subject to appropriate permits being issued:

A. Home Occupation, subject to Article VIII, Section 5.0

B. Public Utility Facility

V. Dimensional Requirements.

Lot Size	Minimum Square Feet	Dwelling Square feet Minimum
Single – Family Residential	20,000	895
Duplex (each unit)	15,000	1,150
Multiplex (each unit)	15,000	750

Setbacks:	Front Yard	Front setbacks shall be determined in the following order: a. the average setback of the immediately adjoining properties, b. the front of the existing foundation of a demolished home; or

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		c. 40'.
	Rear Yard	40'
	Side Yard	15'
* Corner lots shall observe front yard setbacks on all sides abutting streets or rights – of – way		

Accessory Structures. See Article VII, Section 6.0, for accessory structure requirements.

Setbacks:	Rear	10'
	Side	8'
* Corner lots shall observe front yard setbacks on all sides abutting streets or rights – of – way		

VI. Buffer Requirements.

All Public Utility Facilities shall require a buffer of no less than twelve (12) feet on all side and rear property lines.

VII. Subdivision of Properties

No lots in this district shall be further subdivided into new building lots.

VIII. Cahaba Project Overlay District Requirements for Lots Zoned Residential.

All residential structures (but no accessory structures) shall meet the following requirements:

A. Building Height. All residential structures shall be no more than two (2) stories. A basement shall be considered as one (1) story. The height of a residential structure shall not be more thirty-six feet (36') in height measured from front building line to the ridge of the highest point of the roof structure.

B. Roof.

1. The visual roofline of the structure shall have a pitch of not less than 8:12 and not greater than 10:12.

2. All newly constructed roofs shall consist of a gable roof, hip roof, or a combination thereof.

3. All roofs shall be covered with metal shingles or a commercially manufactured roofing product that maintains the appearance, scale, and profile of individual metal shingles.

C. Building Materials. Only the following building materials are permitted to be used in the exterior construction of the structure:

1. Horizontal Lap Siding installed horizontally with an exposed face of not less than five inches (5") and not greater than nine inches (9");

2. Brick;

3. Stone or manufactured stone; or

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4. any other exterior building material that is architecturally consistent with the original building material of the structure.

D. Windows. The height of any street facing elevation windows shall be greater than the width of the window and architecturally consistent with the original windows of the structure.

IX. Design Plan and Drawings Approved by the City's Building and Inspections Department.

A. All design plans for the renovation or construction of a residential structure shall be submitted to the City's Building and Inspections Department for review. The City's Chief Building Official or his or her designee shall be authorized to review the plans for compliance with this Ordinance along with all other applicable building codes within the City.

B. Once reviewed and compliance is completed, the Chief Building Official or his or her designee may issue an approved building permit.

C. The Building Official or his or her designee is authorized to create an "administrative check list" in substantial conformity with this, and any applicable City ordinance or building standards, for the purposes of assisting any contractor or homeowner in the design process and to facilitate the review of all submitted design and construction plans.

D. In the event the submitted plans comply in all respects with this and all other building ordinances, the Building Official or his or her designee shall approve the plans The Building Official or his or her designee is authorized to use his or her discretion to deny the permit application or request additional information for any design or construction plans as provided herein.

E. The City's Building and Inspections Department is permitted to charge a fee consistent with the issuance of a residential building permit for processing the application.

X. Nonconformance. Within the District, there exist lots, structures, uses of land and structures, and characteristics of use that were lawful before the District ordinance was adopted and that would be prohibited, regulated or restricted under the terms of this ordinance or future amendment. It is the intent of this ordinance to permit these nonconformities to continue in the District so long as they remain otherwise lawful, subject to the following provisions:

A. No such nonconformity may be enlarged or altered in a way which increases its nonconformity but may be altered to decrease its nonconformity.

B. Should such nonconformity be destroyed by any means to an extent of more than 50 percent of replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this ordinance.

C. Should such nonconformity be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the District.

D. Should such nonconformity be abandoned or discontinued for more than one calendar year, it shall thereafter conform to the regulations for the District.

E. Such nonconformity shall not be changed to another nonconforming use, nor be used as grounds for adding other structures or uses prohibited elsewhere in the District.

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F. To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual construction has been carried on diligently and continuously.

XI. Additional Requirements (when applicable).

A. Off-Street Parking and Loading Requirements, Article IX

B. Special Use Regulations, Article VIII

C. Supplemental Regulations, Article VII

D. Sign Regulations, Article XI

E. General Regulations, Article III

XII. Severability. If any part, section, or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

XIII. Effective Date Following Publication. This Ordinance shall become effective following its adoption, approval, and publication as required by law.

ADOPTED AND APPROVED THIS THE ____ DAY OF _____, 2026.

_____
Jamie Melton Anderson,
Council President

_____
Ben Short,
Mayor

Attest:_____
Dan Weinrib, City Clerk

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Certification of City Clerk

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the ____ day of _____, 2026.

The above and foregoing ordinance as published on the ___ day of _____, 2026, by posting copies thereof in the three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this the ___ day of _____, 2026.

_____
Dan Weinrib MMC, City Clerk

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