

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

Birmingham City Commission-Planning Board Minutes
June 16, 2025
Department of Public Works
851 S. Eton
7:30 p.m.
Vimeo Link: <https://vimeo.com/1092634913>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
--

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL
Commission

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe	
		MPT Baller	
		Commissioner Emerine	
		Commissioner Haig	
		Commissioner Host	
		Commissioner Long	
		Commissioner Schafer	
	Absent:	None	
Planning Board			

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

II. ROLL CALL			
Commission			
ROLL CALL:	Present:	Mayor Longe MPT Baller Commissioner Emerine Commissioner Haig Commissioner Host Commissioner Long Commissioner Schafer	
	Absent:	None	
Planning Board			
ROLL CALL:	Present:	Chair Scott Clein Vice Chair Bryan Williams Janelle Whipple-Boyce Duncan Currie, alternate Carter Andersen, student	
	Absent:	Robin Boyle	

Staff: Assistant City Manager Fairbairn, Deputy City Clerk Brown, Planning Director Dupuis, City Attorney Gaudenzi

III. PUBLIC COMMENT

III. PUBLIC COMMENT Public comment occurred after each discussion topic.

IV. DISCUSSION TOPICS

IV. DISCUSSION TOPICS

PD Dupuis presented the item and answered informational questions.

Commissioners and Planning Board members raised the following points during discussion:

- Commissioners and Planning Board members raised the following points during discussion:
- The Commission expects that the Planning Board will actively contribute to and endorse the RFP for the zoning ordinance update process.
 - The City should err on the side of over communication with the public. Proactively communicating what this process both does not and does entail will be essential. Public communication regarding this process should be very clear.
 - The 2040 Plan recommended very little change overall to the City's ordinances, and that should be kept in mind.
 - This process would involve bringing the ordinance into alignment with the 2040 Plan's recommendations. Likely types of changes could include modified definitions, modified boundaries, or efforts to streamline ordinances.
 - One of the priorities of this process should be increasing user-friendliness. The present complexity of Birmingham's ordinances likely results in many phone calls to staff.
 - Revising the ordinance should include future-proofing both the format and the

content to make it compatible with relevant technologies.

- The potential legal implications of all changes must be well-reviewed. This process would involve the City Attorney, and could also use additional legal counsel if desired.
- Prior to starting this process, the City should clarify the extent to which properties might be impacted by these zoning updates, what the impacts might be, and how those impacts might be best addressed by the City. This should include consideration of how potential creation of pre-existing non-conforming properties through this process might be addressed.
- Any changes impacting specific properties should be communicated to the relevant property owners with consideration and clarity.
- While this process would consider parking at a high level, it does not include a comprehensive review of the City's parking requirements or capacity at this time.
- Residential zoning would be considered as part of this process.
- Transitional zones are recommended in the 2040 Plan, and have generated increased public comment in the past. The public's interest in discussing these zones should be anticipated as part of this process, and an adequate public engagement process around this topic should be designed to match.
- While much of the 2040 Plan is comprised of recommendations, bringing the zoning ordinance into alignment with the land use map in the Plan is required.
- These updates should aim to maintain and promote each neighborhood's particular character without venturing into inappropriate restrictiveness.
- The City's Planning Board and staff are superlative, and the City is fortunate to have them guiding this process.
- It will largely be the Planning Board and staff designing the public engagement process. Execution of the public engagement plan would be within the consultant's purview.

B. Outdoor Dining Platforms

PD Dupuis presented the item and answered informational questions.

Commissioners and Planning Board members raised the following points during discussion:

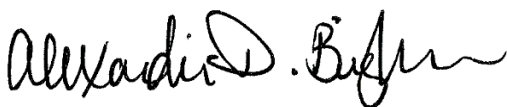
- Whether the Planning Board should study possible limitations on dining decks is a policy issue that should be determined at the Commission level.
- Number, density, location and adjacency were all important variables to consider.
- The Planning Board's June 11, 2025 review of two outdoor dining requests raised interesting issues regarding potential impacts on barrier-free spaces and on parallel parking buffer zones. Policy decisions should be made and implemented regarding both these issues.
- There was no Commission support for outdoor dining decks that could impact barrier-free spaces.
- Given the success of outdoor dining in the City, it may be time to consider whether new standards for granting outdoor dining located within parking spaces might be appropriate.
- It might be appropriate to require that restaurants locate outdoor dining on the sidewalk where able before a dining deck in a parking space might be considered.
- There may be a density of decks on an individual street the City would not like to exceed. This could be measured by percentage, or possibly by other metrics.
- Creating caps could result in concerns about fairness, and any possible legal implications would have to be further explored. A process would have to include considerations of whether all dining deck requests are considered equally every year, whether granting is first come, first serve, and other considerations.
- There should be study of whether caps on outdoor dining decks might discourage new restaurants from moving into Birmingham.
- It might be appropriate to limit the number of outdoor dining decks allowed for each establishment.
- Some owners of retail businesses have expressed concern that the number of parking spaces occupied by outdoor dining negatively impacts whether their customers can easily park and access their stores.
- Some establishments have insufficient sidewalk space and insufficient access to a parking spot in which a dining deck could be located. The City might consider how it could increase the availability of outdoor dining spaces for these establishments in order to increase fairness.

- Alternatively, the owners purchased or rented these locations with awareness of the limitations, and it may not be possible or appropriate for the City to attempt to provide equitable access to outdoor dining spaces for private business use.
- Questions remained about whether density or adjacency issues should be part of the evaluation process.
- Outdoor dining space is valuable for the activation it provides to the City. If certain outdoor dining spaces are consistently unoccupied, they are not providing City benefit. It may be appropriate to find some way of addressing those instances.
- The percentage of parking spaces occupied by dining decks versus the total number of parking spaces in the downtown is exceedingly small.
- Soliciting Advisory Parking Committee input on whether the present percentage of outdoor dining decks in the City seems too high from their perspective could be considered.
- Barrier-free spaces should not be moved to accommodate outdoor dining.
- Locating two outdoor dining decks opposite one another along a narrower road may feel limiting for drivers.
- Encouraging people to park in the parking decks remains preferable.
- It seemed that there was Commission consensus that it was appropriate to further study the matter.
- Knowing the rate of growth of dining decks over time could help inform whether and what kind of limitations might be appropriate.
- Overall, outdoor dining results in very little public complaint. While it may be appropriate to implement a few policy changes, it did not yet seem necessary to significantly increase regulations.
- Maintaining the Planning Board's and Commission's discretion in these issues seems valuable.
- It may be worth considering whether outdoor dining decks should come before the Commission for consideration even if no alcohol is served.
- It might be appropriate for the Commission to consider whether there might be opportunities to reduce fees associated with the review process, since they can be onerous or even potentially prohibitive for smaller businesses.
- A high number of food and drink establishments in the City could still pursue outdoor dining, even if they do not presently have it. This is another reason to evaluate present processes.

V. COMMUNICATIONS

VI. ADJOURN

The Commission motioned to adjourn at 8:44 p.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist