

Bay Minette Planning Commission

Regular Meeting Minutes

Minutes September 10, 2020

Monthly Meeting No. 9

The Bay Minette Planning Commission met in Regular Session on Thursday, September 10, 2020. The meeting was called to order at 8:03 a.m., by Chairman, Todd Stewart, in the Council Chambers located in Bay Minette City Hall, in Bay Minette, Alabama; this being the proper place, date and hour as advertised to hold such meeting.

IN ATTENDANCE At 8:03 a.m. the following members were present:

Todd Stewart, Chairman
Scotty Langham, Commission Member
Neal Covington, Commission Member
John Biggs, Council Member
Pat Robinson, Building Official

Commission Members absent:

Jessica Davis, Commission Member
Robert A. "Bob" Wills, Mayor
Wynter Crook, Commission Member

Commission Member(s) late:

Other persons in regular attendance:

Scotty Lewis, Attorney
Clair Dorrough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Leslie Johnston, SARPC
Steven Stewart

GUESTS Debbie Bryars
Renee Matthews

INVOCATION Chairman Stewart gave the invocation, followed by the pledge.

ITEM 3. Approval of Minutes of the August 13, 2020 meeting. Commission Member Langham made a motion to approve the minutes as written. The motion was seconded by Commission Member Biggs and it was unanimously carried.

ITEM 4. Old Business:

a.) AS-2017 – Hinote Exempt Family Division

Request: Subdivision correction for a family division into 5 parcels

Location: The subject property is located on the north and south side of Airport Road

Chairman Stewart introduced the subdivision request to correct a family division, and states there are two representatives in attendance, Debbie Bryars and Renee Matthews. Chairman Stewart states when the Hinote subdivision request was originally submitted, the ordinance regulations did not allow the requested division, but the ordinance has changed since that time and will now allow. Mrs. Dorrough distributed drawings to the members and states in her recent review of a request to subdivide the property, she realized the property had already been illegally subdivided and the initial denial was due to the parcels southernmost lot easement access not meeting regulations at that time. She states the owners have paid their fines and the division is now in compliance with our current ordinance regulations. Chairman Stewart asked the Commission if there were any comments or questions to which Scotty Lewis inquired about Lot 5 and the initial recording. Mrs. Dorrough states there were recording issues but by default it will become parcel 5. With no other questions or comments, Councilman Biggs made a motion to authorize the Chairman to sign the plat. Commission Member Langham seconded, and the motion was unanimously carried.

b.) RA-2002 – Proposed Zoning Ordinance Amendments – Public Hearing

Chairman Stewart introduced the Proposed Zoning Ordinance Amendments and states there will be a Public Hearing. Mrs. Dorrough reviews the proposed changes, highlighting the section regarding Fencing, Section 7.16. She explains the current regulations only regulate for corner lots and in Commercial Districts, but the proposed ordinance would now include height, material, and a clearer setback regulation in residential districts. Chairman Stewart inquired if there was a clause for safety standpoint for Fire or Police. Mrs. Dorrough states there is a 4 ft. maximum

on any front facing fences, which would allow emergency personnel to access the property in response to appropriate emergencies. Commission Member Covington inquired if the 7 ft. height regulation was standard, to which everyone agreed 8 ft. would be too tall and 7 ft. was an appropriate fence height. Councilman Biggs inquired if chain link fences would be allowed to which Mrs. Dorough states chain link fences are allowed as long as it is not an electrically charged chain link fence. There was a discussion on properly maintaining the fences, and who will enforce the regulation should the fence become in disrepair. Mrs. Dorough states enforcement of regulations would fall under the Code Enforcement position which falls under the Planning and Development department. Mrs. Dorough also states the fees will be altered so the only fee will be on the Planning side instead of the Building Department side and the proposed regulations will reflect that going forward.

Mrs. Dorough states Article 13 and Article 14 previously catered to the Building Official, but some of the titles have been altered to say Zoning Administrator. Mrs. Dorough states Article 13 indicates changes made regarding the Land Use certificates including the application fee and procedure, which will now be included in the Ordinance. Mr. Lewis inquires on delegation of work in case the Zoning Administrator was unable to work due to sickness, vacation, or other unforeseen circumstances. There was more discussion, to which it was decided to add a line item to state "or their designees" to the City Planner definition. Tammy Smith stated there is a need to revisit the fee schedule to which Scotty Lewis agreed it would be best to have a clean fee schedule. Mrs. Dorough points out Section 15.6 will affirm the new fee schedule is the most current, until a clean Fee Schedule can be updated. Mrs. Dorough states there is also a revision regarding dwellings within other districts other than residential, and various housekeeping improvements to help improve the ordinance.

Chairman Stewart opened the Public Hearing at 8:30a.m. to review RA-2002 – Proposed Zoning Ordinance Amendments. There were no comments or questions. Chairman Stewart closed the Public Hearing at 8:30a.m. Commission Member Covington made a motion for City Council to adopt the Proposed Ordinance Amendments with the addition of adding line item "and/or designee" to the City Planner definition. Commission Member Langham seconded the motion, and it was unanimously carried. Chairman Stewart asked Mrs. Dorough to attend the next City Council meeting.

c.) RA-2003 – Section 9.8 Mobile Vending Unit Pilot Program – Public Hearing

Chairman Stewart introduced the new proposed Mobile Vending Unit Pilot Program and stated a public hearing will also be held. Mrs. Dorrough briefly reviewed previously discussed pilot program and stated she did remove the food court option. She also stated the pilot program will have a 365-day trial period, should the Commission want to remove, change, or make permanent. Scotty Lewis stated he would like to add language stating Ordinance 994 would expire after 365-days. Tammy Smith stated it would become a permanent ordinance if no further action.

Chairman Stewart opened the Public Hearing at 8:38a.m for RA-2003 Mobile Vending Unit Pilot Program. There were no questions or comments. Chairman Stewart closed the Public Hearing at 8:39a.m. Commission Member Covington made a motion to make a recommendation to City Council to adopt the Mobile Vending Unit Pilot Program Ordinance for 365 days. Councilman Biggs seconded the motion, and it was unanimously carried.

ITEM 5. New Business:

ITEM 6. Reports:

A. Mayor/Council Report

- None

B. Attorney

- None

C. Commissioner

- None

D. Planning Staff

- None

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 8:42 a.m.

DONE THIS THE 10TH DAY of SEPTEMBER 2020



Todd Stewart, Chairman

ATTEST:



Jessica Peed, Planning Assistant