

Bay Minette Planning Commission

Regular Meeting Minutes

Minutes March 11, 2021

Monthly Meeting No. 3

The Bay Minette Planning Commission met in Regular Session on Thursday, March 11, 2021. The meeting was called to order at 8:03 a.m., by Chairman 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
Robert A. "Bob" Wills, Mayor
Scotty Langham, Commission Member
Earl Emmons, Commission Member
William Taylor, Commission Member
Wynter Crook, Commission Member

Commission Members absent:

Jessica Davis, Commission Member
Neal Covington, Commission Member

Commission Members late:

Patrick Robinson, Building Official

Other persons in regular attendance:

Scotty Lewis, Attorney
Clair Dorrough, City Planner
Jessica Peed, Planning Assistant
Tammy Smith, City Administrator
Leslie Johnston, SARPC
Jeremy Sasser, NBU

GUESTS None

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

ITEM 3. Approval of Minutes of the January 14, 2021 meeting. Chairman Stewart states there is a minor revision needed for Section 6c to state the "Mega Site is wrapping up for the building pads". Commission Member "Mayor" Wills made a motion to approve the January minutes with the minor revision to Section 6c regarding the Mega Site. The motion was seconded by Commission Member Emmons and was unanimously carried.

Commission Member Robinson joined the Planning Commission meeting at 8:05am.

ITEM 4. Old Business

a.) AS-2015 - C. Wayne Scott Exempt Subdivision at E. Hurricane and Old Daphne Road

Chairman Stewart stated the drainage for the subdivision has been modified. Mrs. Dorrough stated the subdivision request was changed from an Exempt Subdivision request to an Administrative Subdivision request with the change that instead of a 6-lot division it is now a 3-lot subdivision. She also states that the drainage calculations from the engineer were in progress, but Mr. Scott decided to reconfigure lots, making lot 3 larger to potentially decrease the possibility of drainage impacts from the property. Chairman Stewart states the main concern was water drainage.

Mrs. Dorrough states that there was a proposal to bring in 300 loads of dirt, but the sale fell through. She also states there are no land disturbance regulations for her to be able to review, if a structure is not also being built on a property, and she would like to meet with Jeremy Sasser and determine how to best review those type situations. Chairman Stewart states this situation will continue being watched until regulations are set in place.

ITEM 5. New Business:

a.) Discussion on "Tiny Homes" and other non-conventional dwellings

Chairman Stewart introduces the topic of "tiny homes" and states they are becoming more prominent, and there are currently no zoning regulations put in place to properly review or deny requests. He states the Planning Commission needs to decide whether to allow or deny the "tiny home" requests, also known as Accessory Dwelling Unit's (ADU), and write certain criteria into the Zoning Ordinance. Mrs. Dorrough provided a slideshow of different examples of tiny homes and regulations in other areas, and states the primary concerns are property values, mobility, building/fire codes that will have to be met, and that some tiny homes have wheels making them

mobile. She states there are different ways to consider tiny homes, in which they could be the primary use or an accessory use. She also states that depending on the "use", different regulations or conditions will need to be met including lot coverage, definition of a dwelling, foundation versus properly strapping down, which zoning designation would apply to a permanent tiny home versus a tiny home that is mobile, and minimum size regulations. Mrs. Dorrough states the different types of "tiny home" proposals the Planning and Building Departments have received are the converted sheds into livable homes, a shipping container in a R-3 zoning designation behind Standard Furniture, and cabin kits. There is a discussion regarding definitions, accessory structures, and utility hookup requirements. Mrs. Johnston states that while she worked with another municipality, the goal was to not allow bathrooms in accessory dwelling units. Commission Member Emmons states there are travel trailers that are currently hooked to houses, and he would like to make the recommendation to not allow "tiny homes". Chairman Stewart states if the Planning Commission decides to not allow these type homes, then there must be regulations put in place for the Planning Staff to be able to deny the requests. There is more discussion on current definitions regarding accessory dwellings and mobile homes. Mrs. Johnston states the most important issue is safety, not size, to which Commission Member Robinson states people will generally block an exit due to size limitations that could create a safety issue. Commission Member Emmons inquired to the number of occupants allowed in a "tiny home", to which Mrs. Dorrough states the current regulation for single family residential is one family per dwelling. Councilman Taylor inquired on allowable size, and states neighbors should have the right to state their opinion if a "tiny home" were to locate adjacent to their property. Mrs. Dorrough states that at the time of the "tiny home" ordinance adoption, there will be a public hearing that allows the public to voice their concerns, questions, and comments. Mayor Wills states he would like to discourage "tiny homes" being allowed. Mrs. Johnston inquires how difficult it is for a shipping container or tiny house to meet building code, to which Commission Member Robinson states it is not as difficult as one might think. There is more discussion on possible definitions, building codes, district zoning allowances, sq. footage minimums, and attached versus detached dwelling units. Chairman Stewart states it seems the consensus is to dissuade the use of "tiny homes" within city limits, but a list will be presented at a future meeting to bullet point items taking the different approaches to allowing or disallow.

ITEM 6.

Reports:

a.) Mayor/Council Report

- Mayor Wills stated the City is moving ahead with the Justice Center, and the previous owner, Mr. Ballard, has until the end of the month to remove any belongings. He also stated the Chamber of Commerce had their annual retreat

at Coastal College, and Ashley Jones Davis and her staff did a great job and have great plans for next year. Mayor Wills also states the Council is considering shutting down the Bowling Alley due to significant funding losses for many years. He states their intent is to close the bowling alley but leave the Recreation Center open and "tweak" a few financial items to try and save money.

b.) Attorney - NONE

c.) Commissioner- NONE

d.) Planning Staff

- Mrs. Dorrough states there is a house bill, SB107, that is proposing the possibility of freezing the Police Jurisdiction. She states the Police Jurisdiction currently goes out three miles, and if the bill passes then it will freeze the jurisdiction in the future, regardless whether the City annexes. Mrs. Smith comments that for reporting purposes, audit report requirements are also included in the bill. Chairman Stewart states the subdivision applications and the building permits will be directly impacted. Mr. Lewis states the bill is currently pending its 3rd reading in the House, but the previous two readings have been unanimously in favor of passing the bill. He also states this will dramatically affect city authority. There is a discussion on jurisdiction regarding annexations and non-contiguous annexations. Chairman Stewart inquires if the other municipalities are for or opposed to the bill, to which Mayor Wills states the other mayors are opposed. Mayor Wills also states that Alabama is 1 of 3 states that has an Extra-territorial jurisdiction in which Mrs. Johnston comments that is it rare. Mrs. Dorrough states the Quick Notes page that was provided is "homework" for the Planning Commission and mentions the upcoming CAPZO training or recertification courses. She also states attendance is very important for the April Planning Commission meeting, as the Red Hill Subdivision - Final Plat, a Special Exception - Sober Living, and possibly a Site Plan approval for an automotive shop will be on the agenda. Chairman Stewart also mentions that Popeye's recently broke ground.

ITEM 8. With no further business Chairman Stewart adjourned the meeting at 9:09 a.m.

DONE THIS THE 11th day of March, 2021



Todd Stewart, Chairman

ATTEST:

Jessica Peed, Planning Assistant