

Bay Minette Planning Commission Agenda
Conference Room at City Hall
January 11, 2018
8:00 a.m.

1. Called to Order
2. Invocation and Pledge
3. Approval of Minutes for the December 14, 2017 Regular Meeting
4. Administrative Subdivision Request:
 - a) Agnes H. Easley for Property located at Hwy 112/Easley Lane
 - b) David and Tena M Bryars for property located at Hwy 138
5. Old Business:
 - Certified Alabama Planning & Zoning Official Training to be held January 18-19, 2017 in the Bay Minette City Council Chambers
6. New Business:
 - None
7. Reports:
 - a) Mayor/Council
 - b) Attorney
 - c) Commissioner's Comments
8. Adjourn

Bay Minette Planning Commission Regular Meeting Minutes

Minutes December 14, 2017

Monthly Meeting No. 12

The Bay Minette Planning Commission met in Regular Session on Thursday, December 14, 2017. The meeting was called to order by Chairman Stewart at 8:00 a.m., in the Conference Room 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 8:00 a.m. the following members were present:

Todd Stewart, Chairman
Ed Pepperman, Vice-Chairman
John Biggs, Councilmember
Oscar Waters, Building Official
Scotty Langham, Commission Member

Absentee:

Robert A. "Bob" Wills, Mayor
David Diehl, Commission Member
Clair Dorough, Commission Member

Late Arrival:

Dollie Mims, Commission Member arrived at 8:45 a.m.

Other person in regular attendance:

Scotty Lewis, Attorney
Rita Diedtrich, City Clerk
Leslie Johnston, SARPC

GUESTS Dody Rhodes, Rhodes Properties, LLC

INVOCATION Commission Member Langham gave the invocation and followed by the pledge. Chairman Stewart welcomed everyone to the meeting.

ITEM 3. Approval of Minutes of the November 9, 2017 Regular Meeting. After discussion of the minutes; Commission Member Pepperman moved to approve the minutes. The motion was seconded by Commission Member Langham and unanimously carried

ITEM 4. Chairman Stewart introduced Item 4: Administrative Subdivisions.

- a) Rhodes Property located at Armstrong Avenue and West 3rd Street. After much discussion, Commission Member Pepperman moved to authorize Chairman Stewart to approve the administrative subdivision. The motion was seconded by Commission Member Langham and unanimously carried.
- b) Rhodes Property located at Day Avenue and West 2nd Street. After much discussion, Commission Member Pepperman moved to authorize Chairman Stewart to approve the administrative subdivision. The motion was seconded by Commission Member Biggs and unanimously carried.

ITEM 5. Chairman Stewart introduced Item 5: Old business:

- a) Informational: Certified Alabama Planning and Zoning Official Training to be held January 18-19, 2018 in the Bay Minette Council Chambers

ITEM 6. Chairman Stewart introduced Item 5: New Business:

- a) Proposed update to Ordinance 977 to add wind speed of 120 mph. After much discussion. Chairman Stewart and Commission Member Water agreed to review the requested changes and for notices to be sent by NBU bills in January.
- b) Discussion on Pipe Size for Driveways. After much discussion, Commission Member Waters and Commission Member Biggs will discuss this issue with the Public Works Superintendent, Murray Stewart.

ITEM 7. Reports:

A. Mayor/Council Report:

- No Report

B. Attorney Report

- No Report

C. Commissioner's Report

- No Report

ITEM 8.

With no further business, Chairperson Stewart adjourned the meeting at 8:55 a.m.

DONE THIS THE 14th DAY OF DECEMBER 2017

Todd Stewart, Chairman

ATTEST:

Rita Diedtrich, City Clerk



City of Bay Minette

Application for Administrative Subdivision

Date: 11/30/17

Name of Subdivision: _____

Name of Owner: Agnes H. Easley

Address: 45290 Easley Ln. Bay Minette AL 36507
Street / PO Box City State Zip

Name of Agent / Professional Land Surveyor, if other than applicant:

Kathy L. Bryars

Address: P.O. Box 306, Bay Minette, AL 36507
Street / PO Box City State Zip

Subdivision Location: Hwy 112 / Easley Lane (East of town)

Total Acreage: 13 # of Parcels Existing: 1

Average Lot Size: 4-9 ac # of Lots Proposed: 2

Submittal Requirements:

- Application
- Fee
- Survey/Plat showing existing parcel(s)
- Survey showing proposed subdivision in accordance with Subdivision Regulations

Agent / Applicant Name: Agnes H. Easley / Kathy L. Bryars, Agent

Signature: Agnes H. Easley Kathy L. Bryars

Date: 11/30/17

Total \$ 170⁰⁰

Cost - \$150.00 plus \$10.00 per parcel

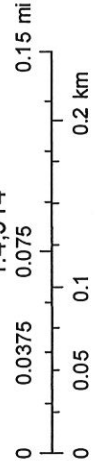
Viewer Map



December 20, 2017

- polylineLayer
- Override 1
- Misc
- Parcels
- Lot Lines
- County Boundary

1:4,514



*Agnes H. Easley parcel
before proposed division*

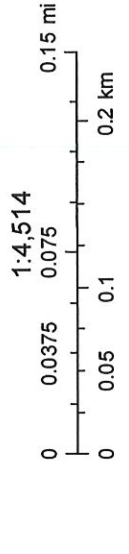
KCS
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,

Viewer Map



December 20, 2017

- polylineLayer
- Override 1
- Override 2
- Misc
- Parcels
- Lot Lines
- County Boundary



KCS
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,

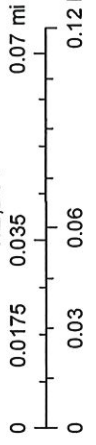
Viewer Map



December 20, 2017

- Parcels
- Override 1
- Lot Lines
- County Boundary
- Misc

1:2,257



KCS
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,

Viewer Map



December 20, 2017

- parcels
- County Boundary
- Override 1
- - - Lot Lines
- Misc

1:2,257



KCS
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan,



City of Bay Minette

Application for Administrative Subdivision

Date: 12-28-17

Name of Subdivision: _____

Name of Owner: David R and Tena M Bryars

Address: 1

Street / PO Box

City

State

Zip

Name of Agent / Professional Land Surveyor, if other than applicant:

Whittle Survey

Address: _____ Brewton Al 36

Street / PO Box

City

State

Zip

Subdivision Location: Hwy 138

Total Acreage: 1 acre # of Parcels Existing: _____

Average Lot Size: _____ # of Lots Proposed: _____

Submittal Requirements:

- Application
- Fee
- Survey/Plat showing existing parcel(s)
- Survey showing proposed subdivision in accordance with Subdivision Regulations

Agent / Applicant Name: _____

Signature: Tena Bryars

Date: 12-28-17

Total \$ 1160.⁰⁰

Cost - \$150.00 plus \$10.00 per parcel



CERTIFIED ALABAMA PLANNING & ZONING OFFICIAL TRAINING

City of Bay Minette

Council Chambers

301 D'Olive Street, Bay Minette, AL 36507

Instructor: Todd McDonald, AICP

Registration Form

Name _____

Position Held _____

Bill to _____

Mailing Address _____

City _____ State _____ Zip _____

Phone (Day) _____ (Evening) _____ (Cell) _____

Fax _____ Email _____

Payment Method: (please circle one)

- Check (payable to UNA)
- VISA
- Discover
- MasterCard
- Purchase Order
- Money Order

Total Amount: _____

Plus **\$2 registration fee per order**

Credit Card # _____

Expiration Date _____

Verification No. _____

Authorized Signature _____

- Personal Credit Card
- Company Credit Card

CERTIFIED ALABAMA PLANNING & ZONING OFFICIAL COURSES

(Classes are condensed at this location (simple takeaway work will be given so that you receive full credit for the classes).)

Class ID: 18SPAPI101-0118A/ The Legal Foundation for Planning and Zoning in Alabama
January 18, 2018 – Thurs. 8:00 am – 10:00 am - Tuition: \$82.00

Class ID: 18SPAPI102-0118B / Powers, Duties, & Responsibilities of Planning Commissions & Boards of Adjustment
January 18, 2018 – Thurs. 10:00 am – 12:00 pm - Tuition: \$82.00

Class ID: 18SPAPI103-0118C / Comprehensive Planning: How to Prepare, Update, & Implement Your Plan
January 18, 2018 – Thurs. 12:30 pm – 2:30 pm - Tuition: \$82.00

Class ID: 18SPAPI104-0118D / Basic Zoning & Subdivision Regulations
January 18, 2018 – Thurs. 2:30 pm – 4:30 pm - Tuition: \$82.00

Class ID: 18SPAPI105-0119A / Meeting Management
January 19, 2018 – Friday - 8:00 am – 12:00 PM - Tuition: \$169.00

Community Planning in Alabama: A Primer for PC and BZA Members-Home Study- Required to complete CAPZO
Class ID: 18SPAPI106-1001 - Start Date: upon registration – you may register at any time; Self-Paced - Tuition: \$139.00

RECERTIFICATION CLASS

Class ID: 18SPAPI-RECERT-0119B / **An Overview of Comprehensive and Regulatory Planning in Alabama**
January 19, 2018 – Friday – 12:30 – 4:30 pm - Tuition: \$199.00

To Register: Scan form to Lavonne Gatlin (lgatlin@una.edu)

Fax form to - 256-765-4872

Call Direct: 256-765-4787 or 800-825-5862 ext.4787

Online: www.una.edu/continuing-studies (select Alabama Planning Institute; select Certification); you will need a credit card if registering online. For Company Invoicing, call either of the direct numbers.

Rita Diedtrich

From: Gatlin, Lavonne <lgatlin@una.edu>
Sent: Monday, December 18, 2017 4:42 PM
To: Rita Diedtrich
Subject: RE: Registration Forms
Attachments: Home Study Questions.docx

[See attached.](#)

From: Gatlin, Lavonne
Sent: Monday, December 18, 2017 4:41 PM
To: 'Rita Diedtrich' <RDiedtrich@ci.bay-minette.al.us>
Subject: RE: Registration Forms

Rita,

We are out of Home Study books until after January 4. I will mail them to you as soon as we receive them. However, if anyone has books that the participants can borrow, I will go ahead and send you the work sheets, and then mail the books as soon as we get them. I'm sorry, the books went out of publication and APA quit carrying them; now the new company is going to print books for us.

I'll go ahead and send you the work sheets just in case someone is anxious to finish before the last class on January 19. They will need to be sure they use the book, [The Citizens' Guide to Planning, 4th Edition](#).

We will be closed Dec. 21 – January 3, and will reopen on the 4th. You can go ahead and send me registrations if you get anymore before January 4, or you can wait until after we return.

Merry Christmas, and Happy New Year!!

From: Rita Diedtrich [<mailto:RDiedtrich@ci.bay-minette.al.us>]
Sent: Thursday, December 14, 2017 11:28 AM
To: Gatlin, Lavonne <lgatlin@una.edu>
Subject: Registration Forms

Lavonne,

Please Invoice us:

City of Bay Minette
301 D'Olive Street
Bay Minette, AL 36507

I may have one or two more, I just don't have their forms yet.

Rita Diedtrich, City Clerk

City of Bay Minette

301 D'Olive Street

Bay Minette, AL 36507

(251) 580-1637

rdiedtrich@ci.bay-minette.al.us





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HOME STUDY COURSE

MEMO

TO: Registrants for *Community Planning in Alabama*, Home Study Course
FROM: Lavonne Gatlin, Senior Program Planner, Continuing Education and Outreach
SUBJECT: Home Study Course Materials

It is a pleasure to have you participating in our home study course, *Community Planning in Alabama: A Primer for PC and BZA Members*. This course counts as 10 hours of the 30 needed for certification.

In this packet you will find:

- Quizzes, one set for each of the 5 Assignments.
- Answer Sheet
- The Citizens' Guide to Planning, 4th Edition, the book to read for your assignments
- A copy of *Municipal Planning in Alabama*, A Manual for Members of Planning Commissions and Boards of Adjustment. (There are no assignments from this manual, but it is excellent reference material; you may copy this manual for others in your organization.)

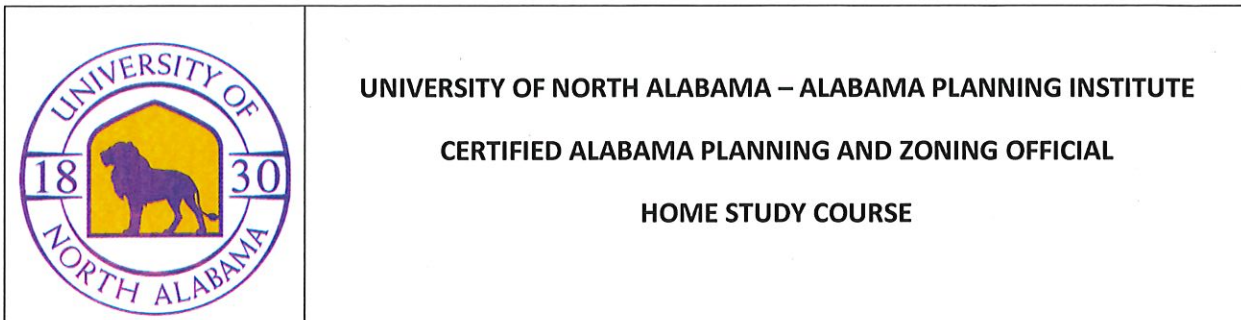
Directions:

1. The "quizzes" are in the form of "statements" and as you read your assignments from The Citizens' Guide to Planning, make note of the page(s) where the statements are found, and record those page number(s) on the answer sheet.
2. Email (lgatlin@una.edu) or Fax (256-765-4872) the Answer Sheets after completing all five lessons.
3. Continuing Education and Outreach will notify you via email once the answer sheet has been graded to let you know that you passed (or that you need to retake any of the quizzes). Please include an email/telephone number so that we can contact you.
4. Continuing Education and Outreach will record the hours completed so that you have access to your transcript and profile.
5. A certificate of completion will be mailed to the address noted on the Answer Sheet. Please provide a copy of the certificate to your organization.

If you have any questions, please let us know.

Contact Information:

Toll Free Office Phone: 800-825-5862, Ext. 4862 FAX : 256-765-4872
Main Office Direct: 256-765-4872
Email : Lavonne Gatlin (lgatlin@una.edu) Phone : 256-765-4787



The Alabama Planning Institute (API), through Continuing Education and Outreach at the University of North Alabama (UNA), offers a thirty-hour sequence of workshops to members of city councils, city planning commissions, boards of adjustment, and interested citizens.

THE CERTIFICATION PROGRAM

The Home Study Course is the capstone of the API certification program. This program was launched in 2000. It is mainly designed for members of city councils, city planning commissions, and boards of adjustment; but others interested in planning can obtain the certification. To earn the designation as a **Certified Alabama Planning and Zoning Official (CAPZO)** requires that you successfully complete 20 hours of classroom instruction and this **Home Study Course**.

THE HOME STUDY COURSE

The Home Study Course requires that you read a book that has been written to serve as a reference for the citizens who are involved and/or interested in local planning; and especially for the members of a city council, a planning commission, and board of adjustment. The book is entitled:

The Citizen's Guide to Planning (Fourth Edition)

By Christopher Duerksen, C. Gregory Dale, and Donald L. Elliott

This book has a long history. It was first published by the Chandler-Davis Publishing Company in 1961. The author, Herbert H. Smith, was a city planner with a long and varied career. He worked with many different cities and their planning personnel, and he drew on his experience to write a book that was designed to help local officials and citizens to understand their responsibilities, duties, and opportunities for local planning activities.

The first edition was a best seller and was reprinted seven times. In 1979 a second, updated edition was published, this time by the American Planning Association. A third edition was introduced in 1993. Herb Smith authored both these revised editions. The third edition has been used for the Home Study program since the certification program was inaugurated, but in 2009 the fourth edition was published and it is now the text for this course.

During the sixteen years between 1993 and 2009, and especially during the past decade, there have been many changes in planning techniques and attitudes. The fourth edition was written by three persons who have been involved in the fashioning and implementing of many of the new approaches to resolving urban development issues. Duerksen is an attorney. Dale and Elliott are practicing planners, and each is a Fellow of the American Institute of Certified Planners. These authors have produced a book that complements the material that we present in our workshops, will bring you up-to-date with current and evolving approaches to planning, and will become a valuable reference for you.



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HOME STUDY COURSE

THE HOME STUDY ASSIGNMENTS

When you register for the Home Study program you will receive a copy of *The Citizen's Guide to Planning (Fourth Edition)*. This book contains eight chapters which have been grouped into five assignments, as follows:

Assignment 1

Chapter 1: Why Plan?

Chapter 2: Navigating the Planning Landscape

Assignment 2

Chapter 3: The Comprehensive Plan

Chapter 4: What Are We Trying to Achieve?

Assignment 3

Chapter 5: Putting the Plan to Work – Implementation

Assignment 4

Chapter 6: The Plan in Action – The Application Review Process

Assignment 5

Chapter 7: The Law of Planning

Chapter 8: Behaving Yourself – The Ethics of Planning

Each of these assignments features a numbered list of quotations from the text book. For the purpose of this program, quotations are taken from Chapters 1 through 8; there are no quotations taken from the "Introduction," or the conclusion "Being a Leader." The quotations are listed sequentially, just as they appear in the book. Occasionally you will find two quotations from the same page.

Chapters 1 through 8 of the book cover 206 pages of text. There are 134 pages from which one quotation has been selected, eleven pages with two quotations, for a total of 145 quotations. There are 61 pages from which no quotation was selected.

Since 1993 when the Third Edition was published, urban planning has been subjected and responded to many changes, especially to the more difficult and critical approaches to implementation of plans. The 2009 Fourth Edition addresses these changes and covers a much wider range of topics and more complicated techniques of analyses than those discussed in the Third Edition. The current version of the



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HOME STUDY COURSE

book still deals with basic procedures and issues, but it also addresses the new techniques and procedures which are now a part of contemporary planning. The quotations listed in the five assignments of the course have been selected in an effort to emphasize the new material presented in the course book.

HOW TO COMPLETE THE HOME STUDY COURSE

Your task is to read the book; identify the page on which each quotation is located; record the page number on the Answer Sheet; and then send your Answer Sheets to Continuing Education and Outreach at the University of North Alabama.

For example:

1. As you begin reading the first chapter of the text for the First Assignment, you will find that the first quotation is located on Page 4.
2. Enter "4" into Cell No. 1 on the Answer Sheet.
3. Continue reading, and as you find subsequent quotations, enter the page number in the corresponding cell in the Answer Sheet until you have completed the assignment.
4. Then enter the personal information requested in the panel at the bottom of the Answer Sheets.
5. Finally, send the completed assignment(s) to UNA. Scan to Lavonne Gatlin at lgatlin@una.edu or fax to 256-765-4872

Submit your completed answer sheets to UNA. All five assignments **MUST** be completed before you can be awarded the CAPZO designation, and you **MUST** have at least 102 correct answers (70 percent of the total number of quotations) to pass the Home Study Course.

If you pass the course you will be informed by mail, email, or fax. If you do not pass the course a staff member from UNA will call you and ask you if you want to retake the assignment.

Your completed Answer Sheets should be submitted to UNA as follows:

Mail: Continuing Education and Outreach
University of North Alabama
UNA Box 5036
Florence, AL 35632-0001

Fax: 256-765-4872

Email: Lavonne Gatlin (lgatlin@una.edu)



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HOME STUDY COURSE

ASSIGNMENT 1

For this assignment you must first read Chapters 1 and 2 of *The Citizen's Guide to Planning; Fourth Edition*. Then identify the page on which each of the quotations listed below are located, and record the page number on the corresponding space on the Answer Sheet.

Chapter 1. Why Plan?

1. Large early American cities like Washington, Philadelphia, and Boston were engaged in at least basic planning even before independence.
2. But beautiful cities don't just happen; they require plans and then rules to encourage private buildings to fit into the pattern, and so the modern planning profession was born.
3. During the late industrial era the advent of the motor vehicle created a need for more and wider streets and highways, and sometimes for the separation of people from heavy traffic.
4. The Standard Zoning Enabling Act and the Standard Planning Enabling Act were published to encourage cities to think ahead, establish "clean" planning processes, and organize their land uses to avoid "nuisances" and other problems.
5. Even today, the effects of the social reform movement can be seen in calls for "environmental equity" in the siting of unpopular or difficult land uses (like landfills or maintenance yards for public services).
6. As a society, we are facing increased pressure to be more efficient in our consumption of natural resources, to reduce pollution, to reduce greenhouse gas emissions, and to create sustainable patterns of development so that our children and grandchildren can enjoy the same types of choices and opportunities we have.
7. Planners are trained to think about a broad range of issues over the long term in order to avoid the mistakes arising from shortsighted, single-issue decisions.
8. Planning keeps local government connected not only to the deeper values and desires of the community but also to the impacts of its decision on the rest of the city, the region, and the world.
9. Clearly, planning is a key tool for sustainable communities – ones that meet the needs of the present while ensuring that future generations have the same or better opportunities.
10. In fact, over the past 20 years "visioning" has become mandatory in most comprehensive or neighborhood planning efforts, and we have developed many new ways of eliciting dreams from our citizens and businesses.

Chapter 2. Navigating the Planning Landscape



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HOME STUDY COURSE

11. Each state has its own enabling legislation, and knowing the scope and application of the laws is a starting point for understanding how your state addresses planning.
12. The elected officials are the center of local planning authority and have the primary responsibility for implementing policy through the various legal mechanisms described in Chapter 7.
13. In its first role, the planning commission advises the elected officials on matters related to long-term community planning.
14. When planning commissions devote all their time to processing development applications, the local planning function is shortchanged.
15. The zoning appeals board typically operates under a special category of decision making referred to as “quasi-judicial,” meaning that it decides how laws made by the elected officials will apply to specific facts.
16. Design standards should be based on a solid understanding of the purpose of the regulation, should have clear guidelines or standards for review, and should be administered by the design review board in a fair and efficient manner.
17. The comprehensive plan should establish an overall vision for the community and include a plan for physical growth, development, and preservation of the land within the planning area.
18. Many local governments prepare plans to supplement the comprehensive plan and focus on particular geographic areas of the community.
19. As a supplement to long-range transportation and infrastructure plans, capital improvement plans (CIPs) identify specific capital-improvement investment needs relative to the annual budgeting process.
20. Pedestrian and trail plans typically involve a combination of separate trails or paths, sidewalks, and public streets to achieve a pedestrian network.
21. There are a variety of natural resources that can be addressed through natural resource protection plans, including water quality, air quality, wildlife and vegetation protection, among others.
22. Other communities are focusing more directly on the issue of “life span” housing – that is, on providing a range of housing options for young adults, young families, maturing families, empty-nesters, retirees, and senior citizens.
23. Keep in mind that land-use regulations such as zoning and subdivision are usually reactive, meaning they come into play only when someone proposes to do something with a property.
24. While communities often see their role as providing infrastructure in response to market forces, some use their ability to invest in infrastructure as a tool to shape growth.



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25. Local planning efforts should be continuing. Many people think of planning in terms of documents, such as the comprehensive plan. In fact, the documents are merely by-products of an ongoing process.

ASSIGNMENT 1 - ANSWER SHEET

Write the page number for each quotation in the corresponding numbered space on this Answer Sheet

1.	2.	3.	4.	5.
6.	7.	8.	9.	10.
11.	12.	13.	14.	15.
16.	17.	18.	19.	20.
21.	22.	23.	24.	25.

NAME:	EMAIL ADDRESS:
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HOME STUDY COURSE

ASSIGNMENT 2

For this assignment you must first read Chapters 3 and 4 of *The Citizen's Guide to Planning; Fourth Edition*. Then identify the page on which each of the quotations listed below are located, and record the page number on the corresponding space on the Answer Sheet.

Chapter 3. The Comprehensive Plan

1. Cities and counties progress faster and better when there is agreement on a shared purpose.
2. The comprehensive plan is a policy document, making it fundamentally different from the tools often used to implement it – such as zoning regulation, subdivision regulations, capital improvement plans, infrastructure financing strategies, and others discussed in Chapter 6.
3. In fact, the trend in comprehensive planning is to avoid the voluminous, technical, detailed documents that often characterized comprehensive plans in the past, and to create readable, concise, graphically friendly, and usable guides for citizens and community leaders.
4. In other words, a good community plan should balance both “right brain” and “left brains” thinking while not going too far toward either end of the spectrum.
5. The relationship between a comprehensive plan and infrastructure and capital facility plans is particularly important and is a linkage often lacking in the local community planning process.
6. While planning certainly needs to proceed step by step, some of these steps run concurrently, and the process should remain flexible.
7. It is important for a comprehensive planning process to be supported – but not controlled – by professional planning expertise.
8. In order to truly reflect a local vision the planning process should incorporate regular citizen participation from start to finish.
9. The citizens of your community should have a sense of ownership of the plan, and that almost never happens unless they have had a hand in crafting it.
10. The key for workshops is to keep them organized and structured with specific objectives identified to avoid “open mike” gripe sessions.



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HOME STUDY COURSE

11. The Internet is an excellent tool to use to notify the public and to provide a central location for making planning documents accessible to the public.
12. When the community is considering its future, it needs to have a solid understanding of the underlying forces that create both constraints and opportunities.
13. Do not fall prey to “analysis paralysis” and exhaust participants with too much background.
14. A housing analysis helps explain the relationship between the demographics and the local housing market – whether there are gaps that are not being filled, and whether those gaps are getting larger or smaller over time.
15. Given the amount of undeveloped land that a community has, how much growth could it support under different assumptions, and how does that relate to the forecasted demand?
16. Growth forecasts are not predictions – they are planning reference points. Forecasts and capacity analyses do not constitute planning policies or recommendations – they merely allow the discussion of “what ifs.”
17. The goals and objectives are where the art and science aspects of planning should meet, where the community creates the “policy” part of the plan. By “policy,” we mean simply an explanation of what the community aspires to be.
18. While the research and analysis asked questions about what “could” happen under certain circumstances, the goals address what “should” happen.
19. The conventional future land-use map has often included specific depictions of future land uses on a details geographic basis.
20. As an alternative to the parcel-specific map, a character-based approach to land-use plans involves identifying larger geographic areas based on existing or desired character with the range of possible land uses. Rather than being parcel-specific, it tends to focus on a neighborhood, business district, or corridor.
21. Most important, if citizens find none of the potential implementation tools politically acceptable, or are unwilling to allocate the money needed to implement a particular goal or policy, then perhaps that goal or policy does not belong in the plan.



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HOME STUDY COURSE

22. Good plans also need to address how they will be administered, particularly with respect to monitoring and updating.

Chapter 4. What Are We Trying to Achieve

23. Whether we are planning for new development or historic areas, virtually all communities stress the importance of neighborhoods – places that promote a sense of togetherness.
24. Many cities and counties are paying increased attention to the mix of housing that is being built, and many are focusing closely on the affordability of that housing.
25. On the one hand, most people want a quiet and peaceful neighborhood setting; on the other hand, there is increasing concern that isolated residential subdivisions with few vehicular or pedestrian connections outside the subdivision do not promote strong neighborhoods that are part of a larger community.
26. While efficient traffic flow is an important community objective, the convenience of traffic flow should be balanced with neighborhood character.
27. Techniques such as stream setbacks, tree preservation, wildlife corridors, storm water management, flood control, dust control, and others are increasingly common elements in a local regulatory framework.
28. Citizens say they want to maintain a “sense of place” or “small-town character,” but it is not quite clear what those terms mean.
29. While design standards relate to the way individual developments are designed, community form can be thought of as the way in which individual developments relate to one another, or how they can be better “stitched together...”
30. As a result, there is growing interest in exploring alternatives to this segregated land-use pattern, including efforts to promote more mixed use development patterns, where single family, multifamily, local commercial, civic, and other uses can peacefully coexist, as they once did.



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ASSIGNMENT 2 - ANSWER SHEET

Write the page number for each quotation in the corresponding numbered space on this Answer Sheet

1.	2.	3.	4.	5.
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ASSIGNMENT 3

For this assignment you must first read Chapter 5 of *The Citizen's Guide to Planning; Fourth Edition*. Then identify the page on which each of the quotations listed below are located, and record the page number on the corresponding space on the Answer Sheet.

Chapter 5. Putting the Plan to Work - Implementation

1. Inherent in traditional zoning is the idea that some land uses need to be separated from others – for example, that residential and industrial uses do not belong in the same area.
2. Zoning is often the first plan implementation tool considered – in fact, it is often the only tool considered, but that is a mistake.
3. Subdivision regulations generally link back to zoning regulations by requiring that each building lot meet the minimum requirements of the zone in which it is located.
4. Many cities and counties now require that plats show steep slopes, geologically unstable areas, wetlands, wildfire hazard zones, wildlife habitat areas, or distinctive rock outcroppings and landforms.
5. Because land acquisition costs money, and many local governments are short of money, this tool is often not considered in general discussions of plan implementation – but it should be.
6. Adequate public facilities (APF) ordinances regulate the location of new development by requiring that it occur only where public facilities and services have enough unused capacity to serve the new development.
7. . . . concurrency requirements simply state that no certificates of occupancy will be issued for new buildings until adequate roads, pipes, and schools are in place.
8. TDR systems define “sending areas” (where more development is not wanted) and “receiving areas” (where additional development would be more consistent with planning goals).
9. Dimensional standards determine how small building lots can be, how close a building can come to lot lines, and how tall a building can be.
10. More recently, zoning has focused on the need for buildings to fit in with those nearest them, so some regulations now require that buildings have “contextual” heights and setbacks similar to those for nearby buildings.
11. An FAR of 0.5:1 meant that the building could contain a maximum of one-half square foot of floor area for each foot of lot area. That could mean a single-story building covering half the lot, or a two-story building covering one-fourth the lot, or other combinations leading to the same FAR.



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12. Form-based tools have long been used in historic districts where there is a dominant historical style that new buildings need to match, but now they are also being used outside historic districts.
13. One attractive difference of form-based tools is that they are often expressed through drawings or visual examples of what is required, rather than through printed text.
14. Design regulations go beyond standard dimensional controls (i.e., defining a box within which a building must fit) but stop short of establishing required building forms.
15. Typical landscaping requirements include the provision of street trees along street frontages, buffering along site edges (especially where the adjacent site has a land use or building that differs significantly in size, intensity, or height), building foundation landscaping, and parking lot landscaping. . .
16. In addition to controlling the amount of parking that must or may be provided, parking standards often address minimum landscaping requirements for parking lots.
17. Common areas identified for protection include hillsides, ravines, rock outcroppings, geologically sensitive areas, forests, wetlands and riparian areas, wildlife habitats and corridors, and areas with endangered or threatened plant or animal species.
18. Scenic view controls are complex because they need to define a view of something (a mountain peak, a river valley, a hay meadow, or an important building) *from* somewhere (generally a segment of road or a public park or public building site).
19. For example, a requirement that development within 300 feet of a designated stretch of highway may not exceed one story in height, or that it be finished in natural materials and colors, does not need to be mapped to be understandable.
20. Performance standards say, in essence, that the local government will measure the performance of the facility and ensure that it meets defined standards.
21. The downside of performance standards is that defining the right standard can sometimes be difficult, and standards can be labor-intensive to measure and enforce over time.
22. Transportation impact analyses calculate the traffic expected to be generated by a proposed development and evaluate whether the existing roads can handle that additional traffic.
23. LOS "A" is generally a free-flowing road with few cars on it, while LOS "F" is a gridlocked road that is not moving cars well at all.
24. After World War II, local governments began requiring that each new residential development dedicate its "fair share" of land needed for schools and parks to serve new residents.



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25. Obviously, a proposed subdivision of 10 houses will not require a full school site, and that subdivision might not be the best place to locate a school anyway, so most land dedication requirements have a “cash-in-lieu” option.
26. When planning goals address the impact of development on local government finances, then a fiscal impact analysis (FIA) can be a good tool.
27. Nevertheless, FIAs can be a very powerful plan implementation tool because they can educate the public and decision makers about the true costs of development over time, and they allow comparisons among the costs imposed by different land uses and layouts.
28. Development impact fees require that applicants pay the fair share costs of new public facilities required for the new residents and occupants of their development.
29. The home building industry has been very active in monitoring state legislation to ensure that local governments are not allowed to over collect development impact fees...
30. If one city adopts impact fees and a neighboring city does not, builders might choose to build in the neighboring city to reduce their costs.
31. The costs of land and housing construction are rising faster than the incomes of many buyers, and the need to construct “affordable” or “attainable” housing is rising.
32. A special taxing district is a new legal entity (or a subentity of the city) that is given the power to levy certain taxes on a defined area for a certain purpose.
33. As taxing and spending limits restrict traditional ways for cities and counties to raise money for public services and facilities, the use of special taxing districts has increased both in cities and in unincorporated areas.
34. “Environmental equity” elements want to end the practice of placing unwanted land uses (e.g., polluting industry or correctional facilities) in predominantly poor neighborhoods.
35. Advocates for environmental justice argue that overconcentration of unpopular or environmentally unhealthy uses in these areas is unfair and that plans should aim to stop or reverse this trend.
36. The law has long supported the twin concepts that while it is unfair for the government to take land without paying for it, it is also unfair for a single property owner to prevent the city or county from building public facilities where they are needed.
37. At the end of a long planning process, it is very tempting to simply list everything that needs to be done and leave it to staff or elected officials to sort out what to do and in what order. But too often that means only the easy tasks get tackled.



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- 38. Unfortunately, when politically unrealistic steps are included in implementation strategies and those steps aren't taken, the failure can taint the rest of the strategy and the plan itself.
- 39. But over the course of a planning project dreaming needs to be tempered by reality checks, and by the time an implementation plan is drawn up financial reality should be a prime topic of discussion.
- 40. Many plans phase their implementation steps into short-, medium-, and long-term categories and then assign dates to those labels.

ASSIGNMENT 3 - ANSWER SHEET

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ASSIGNMENT 4

For this assignment you must first read Chapter 6 of *The Citizen's Guide to Planning; Fourth Edition*. Then identify the page on which each of the quotations listed below are located, and record the page number on the corresponding space on the Answer Sheet.

Chapter 6. The Plan in Action – The Application Review Process

1. In some jurisdictions, even an application that meets the technical requirements of the zoning ordinance or the subdivision regulations will be denied if the comprehensive plan discourages the applicant's type of development in that area.
2. A few cities have made neighborhood meetings mandatory. In some cases the application is not considered complete until there is documentation that a meeting was held.
3. Application fees are generally nonrefundable – they reimburse the city or county for the staff time and expense of reviewing the application – but paying the fee does not guarantee approval.
4. Although the planning department is usually the point of contact for applications, it is not the only local government department interested in development approvals.
5. Because of the time involved in sending applications to referral agencies and then collecting their comments, some local governments have created formal or informal development review committees.
6. But the majority of development application reviews involve some degree (often a large degree) of judgment. Zoning does not lend itself to cookie-cutter approaches.
7. Unless there is a state law or local ordinance on the topic, planning staff are generally free to include or not include referral comments or conditions in the staff report.
8. Sometimes more than one public hearing is required for a single approval – it is not unusual for a city to require public hearings on a PUD rezoning and then a second hearing when detailed site plans for the PUD are presented.
9. Because public testimony is often driven by emotions or very local concerns, most review and decision-making bodies generally welcome comments focusing on the consistency with planning goals.
10. If the city council delegates any decision-making power to the planning commission, it must give the commission criteria to guide its decision, and the decision must be made based on those criteria.



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11. Importantly, judicial review of city or county decisions is generally not available until the applicant or neighbor has gone through the available local appeal procedures.
12. Although the opinions of neighbors will be taken into consideration (and often weighed heavily) by the board of adjustment, neighbors do not have veto power over a requested variance.
13. Generally, conditional uses include those that might or might not have adverse impacts on their neighbors depending on what is developed nearby and the proposed layout of the development.
14. . . . many cities and counties have adopted site-plan review ordinances that require the layouts, landscaping, and lighting of some types of development to be reviewed even if the use is a permitted use in the zone district.
15. Unfortunately, some citizens and neighborhood groups use the site plan review process to object to overall project uses and densities – issues that are almost never part of this process.
16. Individual site-specific rezonings are sometimes called “quasi-judicial” rather than “legislative” because they involve decisions about which set of preexisting rules should apply to a specific property, rather than general discussions of what rules would be good for the community as a whole.
17. While an applicant for a standard rezoning is asking the local government to change his or her property from one known zoning district to another, the applicant for a PUD is asking to negotiate a unique zoning district intended to apply to just his or her property.
18. . . . PUDs often involve not only a land-use approval but also contracts between the city and the applicant over the order in which the property will be developed, who will pay for infrastructure, when the city will extend services to the area, or how the developer will deliver benefits that are outside the realm of normal zoning rules.
19. The roles for citizens are biggest early in the planning process; that is the best and clearest time to ensure that the vision for your city or neighborhood or corridor is the way you want it to be.
20. Often, citizens who support or oppose a development proposal have not read the neighborhood plan, the comprehensive plan, or the zoning that already applies to the area.
21. To be effective, citizens need to know what the zoning regulations already allow the applicant to do with property and how the applicant is trying to change those rules through a proposed conditional use, rezoning, or PUD.
22. The most important facts are usually those related to (1) consistency with the plan, (2) consistency with the zoning ordinance, and (3) impacts on surrounding areas.



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23. Local review bodies and decision makers are aware of their duty to promote the public interest, so comments that help them see where the public interests overlap with private interests are particularly helpful.
24. People frequently buy land with the expectation that it can be rezoned to create more value, but the government is not obligated to do that either.
25. Just as it is unfair for applicants to try to avoid meetings with the citizens or to avoid public hearings during the process, it is unfair for citizens to attempt to derail an application that complies with the law and has followed the proper procedures.

ASSIGNMENT 4 - ANSWER SHEET

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ASSIGNMENT 5

For this assignment you must first read Chapters 7 and 8 of *The Citizen's Guide to Planning; Fourth Edition*. Then identify the page on which each of the quotations listed below are located, and record the page number on the corresponding space on the Answer Sheet.

Chapter 7. The Law of Planning

1. Although legal issues will always be important and challenging in the making of planning decisions, the good news is that courts show great deference to local planning authorities and will be reluctant to overturn decisions . . .
2. In the early 1900s, as a reaction of the Industrial Revolution and the daunting challenges of urbanization, cities began to enact zoning regulations that specified where certain uses could be located.
3. Noting that zoning laws were of recent origin and necessary under "the complex conditions of our day," Sutherland stated that they "must find their justification in some aspects of the police power."
4. Enabling authority typically states who makes decisions and the procedures that must be followed.
5. The Fifth Amendment to the U.S. Constitution provides in part that "private property shall not be taken for public use without just compensation."
6. Courts in many jurisdictions have struck down attempts by local governments to take private property when it was clear that the taking was for the private benefit of a few, not for a genuine public benefit and purpose.
7. As with the police power, the powers of local governments in this area are often prescribed in some detail by state law, so local planners must familiarize themselves with the essential elements of those laws.
8. Many states allow local governments or developers to create special taxing districts that have the authority to tax and spend for specific purposes, such as building roads or parks within their boundaries.
9. Aggrieved parties – whether a frustrated developer or irate neighbors who did not get what they wanted from the local planning and development review process – can take their case to court.
10. The key rule to remember is that a landowner must be afforded some reasonable use of the property – not the "highest and best use," or the most lucrative use, but some reasonable use.
11. In most instances the landowner must file an actual development proposal before bringing a takings challenge.
12. The First Amendment creates an interesting intersection with land-use regulations – especially regulations that apply to churches and religious institutions, to signs, and to adult uses.



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13. In a nutshell, local governments may regulate signs but must be particularly careful when regulating so-called noncommercial speech.
14. The Fifth Amendment provides that “no person shall be . . .deprived of life, liberty, or property, without due process of law.
15. As zoning regulations address increasingly complex issues such as urban design, neighborhood conservation, and environmental protection, they have necessarily become more sophisticated and complex.

Chapter 8. Behaving Yourself – The Ethics of Planning

16. While acting within the bounds of the law is critical, laws merely set the minimum standards for behavior.
17. N/A
18. In small communities, off-the-cuff conversations among friends and neighbors about development proposals are common even when one of them is on the planning commission, but they can create the impression that government is not treating everyone equally.
19. It is also important to know that many state and local governments have adopted legal requirements related to ethics.
20. Conflict of interest definitions vary from state to state and even within them, but they typically involve a monetary interest in the outcome of a decision by decision makers or members of their immediate family.
21. If they decide to excuse themselves, they should do so at the beginning of any discussion related to the matter.
22. One practice that damages the integrity or perception of local planning is “ex parte” contacts.
23. Stated simply, when a public official receives information from interested parties outside the public process, other interested parties do not have access to that information.
24. It is natural for elected officials to appoint individuals who share their personal political or planning philosophies.
25. We also expect them to act in a fair and open manner that not just respects but advances the integrity of the local government planning process.
26. The core ethical issues often come down to the fundamental notion of fairness that is engrained in our culture.



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ASSIGNMENT 5 - ANSWER SHEET

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