



City of Bay Minette

Planning Commission

301 D'Olive Street · Bay Minette, Alabama 36507
Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

AGENDA

April 13, 2023
Regular Meeting
8:00 a.m.

City Hall Council Chambers
301 D'Olive Street, Bay Minette

- 1.) **Call to Order**
- 2.) **Invocation and Pledge**
- 3.) **Announcements & Registration to Address the Commission**
- 4.) **Approval of Minutes for the March 9, 2023 Regular Meeting**
- 5.) **Disclosure of Prior Communications and/or Conflicts of Interest**
- 6.) **Old Business**
 - a.) **RA-23001, Proposed Zoning Ordinance Amendments ***Discussion Only*****
 - b.) **RA-23002, Temporary Work Force Housing Pilot Program ***Discussion Only*****
- 7.) **New Business**
 - a.) **SE-23001, TPQ Special Exception**
Disclosure of Prior Communications and/or Conflict of Interest
Request: Special Exception Request to allow a duplex in the R-3, Higher Density Single Family Residential District
Location: Southwest corner of the Clay Street and Moran Street intersection
 - b.) **Z-23002, Kleinatland Property Rezoning ***Public Hearing*****
Disclosure of Prior Communications and/or Conflict of Interest
Request: Rezone .30± ac. from R-3, Higher Density Single Family Residential to R-5, Manufactured/Mobile Home Residential
Location: Southeast corner of the Clay Street and Elm Street intersection
 - c.) **Z-23003, Baldwin Ventures LLC Property Pre-Zoning ***Public Hearing*****
Disclosure of Prior Communications and/or Conflict of Interest
Request: Pre-Zone 413.4± ac. to R-3, Higher Density Single Family Residential, R-4, High Density Multi-Family Residential and B-2, General Business District
Location: East side of State Hwy 59, south of Holly Hills Municipal Golf Course

(continued)



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April 13, 2023 Regular Meeting Agenda

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- d.) **Z-23004, Pierce & English Property Pre-Zoning ***Public Hearing*****
Disclosure of Prior Communications and/or Conflict of Interest
Request: Pre-Zone 58.67± ac. to B-2, General Business District
Location: Southeast corner of the I-65 and Hwy 225 Exit Ramp
- e.) **Revision to the Meeting and Application Deadline Schedule for 2023-2024**
- f.) **Updates & Upcoming Cases**

8.) **Reports & Comments**

- a.) **Mayor/Council/Administration**
- b.) **Attorney**
- c.) **Commissioners**
- d.) **Planning Staff**
- e.) **Citizen Comments**

9.) **Adjournment**

****Next Regular Meeting – May 11, 2023****

Bay Minette Planning Commission Regular Meeting Minutes

Minutes March 9, 2023

Monthly Meeting No. 3

The Bay Minette Planning Commission met in Regular Session on Thursday, March 9, 2023. The meeting was called to order at 8:00 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 8:00 a.m. the following members were present, and a quorum established:

Todd Stewart, Chairman
Neal Covington, Vice Chairman
Robert A. "Bob" Wills, Mayor
Rob Madison, Building Official/Commission Member
Hiram Templeton, Commission Member
William Taylor, City Council/Commission Member

Commission Members absent:

Scotty Langham, Commission Member
Earl Emmons, Commission Member
Ray Clark, Commission Member

Commission Members late: NONE

Other persons in regular attendance:

Clair Dorough, City Planner
Jessica Peed, Planning Coordinator
Tammy Smith, City Administrator
Steven Stewart, Fire Inspector
Lauren Collinsworth, Attorney
Kristina Pittman, North Baldwin Chamber of Commerce

GUESTS Jonathon Hoover, (*Z-23001 Owner/Applicant*)

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

ITEM 3. Announcements/Registration to address the Commission

ITEM 4. Approval of the Minutes of the February 9, 2023, Regular meeting. Mayor Wills made a motion to approve the February minutes as written. The motion was seconded by Neal Covington and was unanimously carried.

ITEM 5. Disclosure of Prior Communications and/or Conflicts of Interest- NONE

ITEM 6. Old Business - NONE

ITEM 7. New Business:

a.) Z-23001, Hoover Property Rezoning

Disclosure of Prior Communications and/or Conflict of Interest: None

Request: Rezone 1.52± acres from R-2, Medium Density Single Family Residential to B-2, General Business

Location: The subject property is located at 2417 S US Hwy 31

Mrs. Dorough introduces the request, also stating the applicant Jonathon Hoover is in attendance. She includes the surrounding zoning designations, businesses and the opinion that the proposal would not negatively impact the surrounding businesses, maps that were generated in association with the request, the current structure located on site, historical use of property, previous and current street view of site as it had been cleaned up, staff report findings and no commentary on proposal, driveway width and the potential ALDOT access requirements if changing from residential to business use, and states the applicant is aware of the requirement that is he receives a successful rezoning to B-2, he would have to apply for Special Exception approval to use the structure as single family again. With no further comments, Chairman Stewart opened the Public Hearing at 8:15am. With no public commentary, Chairman Stewart closes the Public Hearing at 8:15am. Commission Member Templeton made a motion to recommend approval to the City Council from the current R-2 zoning designation to a B-2 zoning designation. Vice-Chairman Covington seconded and with none opposed, the motion carried.

b.) RA-23001, Proposed Zoning Ordinance Amendments ****Discussion Only****

Chairman Stewart introduces the discussion and Mrs. Dorough proceeds to review the proposed changes including temporary office buildings, Conex storage, time limits imposed, metal building façade options to which a discussion ensues on surrounding cities and regulations, accessory structures for industrial and commercial uses, site plan approval requirements, application review process including deficient applications, pre-application conferences, clarification on Planning Commission action and post meeting procedures, language modification/clarification throughout the Ordinance, and RV occupancy zoning designation allowance. Mrs. Smith interjects that she would like to see the City Codes Chapter 13 Variance for emergency situations modified.

c.) RA-23002, Temporary Work Force Housing Pilot Program ****Discussion Only****

Mrs. Dorough proceeds to introduce the discussion of implementing a temporary workforce housing pilot program. She reviews the current proposal including definitions, permit requirements within certain districts, required standards for applicants to meet, Fire and/or Building Codes to be included, potential building/housing options and layouts of mess halls, Conex buildings, tents, and portable trailers that could be considered permanent or semi-permanent housing, estimation of duration of use, water/sewer disposal contingencies, site plan review requirements, restoration plan, ordinance language discussion, and noise pollution. After discussions, Chairman Stewart stated for each Commission member to review the proposals and conduct individual research. Mrs. Pittman included that the Chamber of Commerce has been approached by 3 separate companies regarding this need and stated the need to be prepared due to the Novelis plant being constructed at the Mega Site.

Vice Chairman Covington left the Planning Commission meeting at 9:43am.

Discussion ensues regarding location requirements and City involvement through the process. Chairman Stewart states to be prepared to hold a Public Hearing at the upcoming meeting with the intent to move forward in establishing guidelines and regulations.

d.) Status Updates and Upcoming Case Briefing:

- Seafood Market by Shrimp Basket
- Pre-Zoning requests for Legislative Annexations:
 - Baldwin Ventures (Old Towne Commons) which is located next to Holly Hills and includes 400+ acres

- Pierce and English Property located at I65 and St Hwy 225
- Rezoning application for Clay Street to go from R-3, Medium Density Single Family Residential to R-5, Manufactured/Mobile Home Residential District for the purpose of occupying a mobile home

ITEM 8. Reports

a.) Mayor/Council Report – None

Kristina Pittman stated the Chamber is preparing for a major event at Bicentennial Park and expecting approximately 4,000 people to be in attendance. She also included the upcoming events for the Crawfish Cookoff at Halliday Park and the statement that the Chamber is currently planning events into the fall season.

b.) Attorney – None

c.) Commissioner – None

d.) Planning Staff – Mrs. Dorough states CAPZO training will be held on March 16-17th.

ITEM 9. With no further business, Chairman Stewart adjourns the meeting at 9:51 am.

DONE THIS THE 9TH DAY OF MARCH 2023

Chairman, Todd Stewart

ATTEST:

Jessica Peed, Planning Coordinator

Motion Summary:

- 1.) **Minutes:** Approval of the Minutes of the February 9, 2023, Regular meeting. Mayor Wills made a motion to approve the February minutes as written. The motion was seconded by Neal Covington and was unanimously carried.
- 2.) **Z-23001, Hoover Property Rezoning:** Chairman Stewart opened the Public Hearing at 8:15am. With no public commentary, Chairman Stewart closes the Public Hearing at 8:15am. Commission Member Templeton made a motion to recommend approval to the City Council from the current R-2 zoning designation to a B-2 zoning designation. Vice-Chairman Covington seconded and with none opposed, the motion carried.

Zoning Ordinance of the City of Bay Minette

~~Amended March 7, 2022 Ordinance 1002~~

RA-23001, Proposed Zoning Ordinance Amendments

Version 2 - Presented April 13, 2023

ARTICLE 4. ADOPTION

This ordinance was adopted by the City of Bay Minette, Alabama, on the _____ day of _____ 2020__.

/s/ _____
Mayor

/s/ _____
City Clerk

I, _____, City Clerk of the City of Bay Minette, Alabama, certify that the document described herein, identified as the "Zoning Ordinance Of The City of Bay Minette, Alabama," is a true and correct copy of the Ordinance number _____, adopted by the City of Bay Minette, this _____ day of _____, 2020__.

Seal of the City of Bay Minette.



5.2 Words and Terms Defined.

Best Management Practices (BMPs). A structural or nonstructural management-based practice used singularly ~~on~~ or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

~~**Bulk.** Height and percentage of land coverage of a building.~~

~~**Bulkhead.** A structure separating land and water areas, primarily designed to resist earth pressures.~~

Entertainment Venue. A site or facility, whether located on public or private property, that functions primarily to provide a community-centered meeting hall for members of the public to carry out local community-oriented activities and public and civic functions. Examples include, but are not limited to, convention centers, banquet halls, civic centers, stadiums, and arenas. Typically consisting of one or more meeting or multipurpose rooms and a kitchen and/or outdoor barbecue facilities, they are available for use by various groups for such activities as public assemblies, meetings, corporate events, fundraising, parties, weddings, receptions, and dances.

Event Facility. A site or facility, with or without permanent structures, for the purpose of conducting private or public events by renting or leasing on a commercial basis. It may include multi-purpose meeting and/or recreational facilities, typically consisting of one or more meeting or multipurpose rooms and a kitchen and/or outdoor barbecue facilities, available for use by various groups for such activities as meetings, parties, weddings, receptions, and dances. Examples include community centers.

Public Event. An event for the display, presentation, or performance of musicals, concerts, or other live stage entertainment or other social events, where food and drink may be consumed on site, but which provides no overnight accommodations.

Private Event. An event that is periodic or special in nature and not open to the general public, where food and drink may be consumed on site, but not providing overnight accommodations. Examples include weddings, banquets, receptions, ceremonies, parties, or other social events with or without live entertainment.

Event. Any gathering of more than twenty (20) people for one to twelve (12) hours where the purpose is for fundraising, profit or is political, public, social, or educational in nature. A gathering which consists of friends or family of the owner of an event venue or other commercial facility that is not for the purpose of fundraising, profit, or is political, public, or educational in nature and no donation or compensation of any kind is exchanged in relationship to the gathering is not considered an event.

(REORGANIZATION ONLY)

Manufactured/Mobile home park. A residential development on a parcel of land in one (1) ownership providing rental spaces for two (2) or more mobile homes on a long-term basis, with recreation and service facilities for the tenants, whether or not a charge is made for such accommodation.

Manufactured/Mobile home space. A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home or travel trailer.

Manufactured/Mobile home subdivision. A residential development designed for the accommodation of mobile homes on individually owned lots or in condominium or cooperative ownership, including recreation and open space areas held in common ownership, but not including developments serving tourist or vacation-oriented travel, motor homes, campers, etc.

Temporary use. Except as otherwise provided herein, any Any use not longer than three (3) calendar months within any given calendar year.

6.2.6 *R-5, Manufactured/~~Mobile~~ Home Residential District.* The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of permanent manufactured/~~mobile~~ homes parks or subdivisions and for the amenities conducive to an adequate living environment. Public or private community water and sewer facilities are required except where lots are equal to Health Department requirements for private wells and septic systems.

7.2.2 All lots shall front on a public or private street and shall have a minimum frontage width as indicated in ~~Section 8.12.~~ **Section 8.11.** On irregularly shaped lots, a minimum street frontage of 30 feet is required and residential lots shall not front on a collector street without Planning Commission approval. An "irregularly shaped lot" includes any lot located on a cul-de-sac or abutting a curved section of a roadway with a centerline radius of less than 200 feet.

7.12 Utilities

7.12.2 Water and Sewer Connections.

7.12.2.2 While parked or stored, no recreational vehicle shall be occupied or used as a temporary or permanent residence as defined herein and shall not be connected to sanitary sewer.

7.16.5.5 Fences may not be located within five (5) feet of the **right-of-way edge of pavement or other roadway surfacing**, or public sidewalk.

~~8.3.6 Non-permanent structures such as trailers, sheds and other such buildings used for business purposes may be permitted in business districts on a temporary basis pending construction of a permanent building. Such structures may be permitted for six-month periods, renewable, upon written request from the business owner, up to a maximum of one (1)-year.~~

8.3.6 All **business commercial and industrial** structures shall be so designed as to present an aesthetically pleasing appearance, as determined by Planning Commission, that is generally compatible with existing buildings in the district, except those less desirable in appearance that have been grandfathered under *Article 7* of this Ordinance.

~~8.3.6~~ **8.3.7** Non-permanent structures such as trailers, sheds and other such buildings used for business purposes may be permitted in business districts on a temporary basis pending construction of a permanent building. Such structures may be permitted **by the City Planner** for six-month periods, renewable, upon written request from the business owner, up to a maximum of ~~one (1) year~~ **two (2) years. Any additional renewals would be subject to the review and approval of the Planning Commission.**

~~8.3.7~~ **8.3.8** Non-permanent structures such as trailers and shipping containers used in conjunction with an existing non-residential use and used for storage of excess inventory, may be permitted by the City Planner provided the following requirements are met.

8.6 Metal Buildings. On properties sited closer than 200 feet from the right-of-way **of Alabama Highway 59, Highway 31 or Hand Avenue north of Highway 31 to McMeans Avenue, Highway 138, State Highway 287 and D'Olive Street**, or properties visible from ~~said roadways~~ **Alabama Highway 59, Highway 31 or Hand Avenue north of Highway 31 to McMeans Avenue, Highway 138, State Highway**

~~287 and D'Olive Street~~, any metal structures for residential multi-family projects involving the construction of three (3) or more dwelling units, all commercial structures and all industrial structures, are required to meet the following standards and criteria:

- 8.6.1** The exterior metal walls of the front and any sides of a building facing said public street, that will be constructed with metal cladding as the primary siding material, shall not be constructed to expose ~~more than 50% percent of~~ bare metal siding ~~façade on any front or side exterior wall~~ facing said right-of-way or roadway. **An external façade shall be required to cover 100% of the front and any exterior walls facing said roadways, which shall apply to all metal structures whether new construction, renovation, remodel, expansion or otherwise altered from their current state as of the effective date of this Ordinance.**
- 8.6.2** For developments with phased plans, the exterior façade required by this provision shall be completed within the first phase of construction. A Certificate of Occupancy shall not be issued, additional building permits received nor additional zoning approvals for the site if this requirement has not been completed in accordance with approved plans and to the satisfaction of the City Planner or Planning Commission.
- 8.6.3** Acceptable materials for the external facade of metal buildings include stucco, brick, scored and split face block and wood. **For the purpose of this Section, paint of any kind including textured or rubberized coatings shall not be considered acceptable façade materials.** It is recommended that large walls be broken up through the use of architectural features or embellishments such as color bands, wainscot, protrusions, recessed windows or entries. ~~Alternative materials must be approved through the site plan approval process.~~
- 8.6.4** All metal buildings shall have at least two exterior architectural features for articulation, such as front porches, gables, awnings, or other exterior siding materials, on the front elevation and any other elevation that is adjacent to or visible from a public street or right-of-way.
- 8.6.5** **To improve the aesthetics of the building and lot**, landscaping shrubs and/or trees ~~shall should~~ be planted and maintained in front of ~~bare metal siding those~~ portions of the building, facing the roadway or right-of-way, ~~to improve the aesthetics of the building and lot.~~
- 8.6.6** Alternative design or alternative materials must be approved through the site plan approval process.

8.7.1.4 No accessory structure shall be constructed or moved upon a lot until the construction of the primary structure has commenced.

8.7.1.5 In residential districts an accessory use will conform to the following requirements:

8.7.1.6 For residential multi-family, commercial or industrial uses, accessory structures shall conform to the following requirements:

- a. Shall be clearly incidental to the primary permitted use of the premises.
- b. For all such accessory structures that require a Building Permit, engineered plans shall be submitted prior to the issuance of a Building Permit.
- c. A non-residential detached accessory structure shall not be closer than ten (10) feet to another structure, nor closer than five (5) feet to any lot line or encroach into any existing drainage or utility easements.
- d. No detached accessory structure may: (1) be located forward of the building frontage of the primary structure; or (2) be closer than twenty (20) feet to any right-of-way.
- e. Where a business district abuts any part of a residential district, the detached accessory structure shall be located no closer than ten (10) feet to the property line; where an industrial district abuts any part of a residential or business zone, the detached accessory structure shall be located no closer than twenty (20) feet to the property line.
- f. Detached accessory buildings shall not exceed one and one half (1.5) stories or twenty (20) feet in height.
- g. Detached accessory structures allowed with Land Use Approval by the City Planner or designee:
 - 1) Total size does not exceed 600 square feet.
 - 2) Intended for unconditioned or open-air storage of vehicles, tools, equipment or other similar utility use. No accessory structure will be allowed with Land Use approval for any use higher than a Group S or U Occupancy Classification as defined by the current International Building Code adopted by the City.
 - 3) Shall meet all other pertinent sections of this Ordinance.
 - 4) Any residential multi-family, commercial or industrial accessory structure not conforming to the provisions of this section shall be required to receive Site Plan Approval from the Planning Commission.

8.7.2 Home Occupations

Home occupations are permitted in all districts where residences are permitted, if licensed by the City and conforming to the conditions of this section and any applicable laws or ordinances. Home Occupations are subject to administrative review and require an approved Land Use Certificate. Home occupations shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part. No home occupation shall be permitted which might interfere with the general welfare of the surrounding residential area due to potential noise, increased pedestrian and vehicular traffic or any other condition which would constitute an objectionable use of residentially zoned property.

8.7.2.1 Limitations on Type of Home Occupation are as follows:

- a. **No more than one (1) home occupation shall be approved in any residential dwelling unit.**
- b. Area used for a home occupation shall not exceed twenty percent (20%) of the gross floor area in the principal building, **up to a maximum of 500 square feet.**
- c. ~~The home occupation shall be confined entirely to the principal building.~~ **No internal or external addition, alteration or expansion of the dwelling is permitted to accommodate the home occupation.**
- d. **The operation of a home occupation shall not create any nuisance or adversely affect the residential character of the neighborhood, including but not limited to an increase in traffic, on-street parking, excessive noise, heat, fire hazards, electrical interference (including radio, television and telephone interference) or a fluctuation in line voltage.** Chemical, mechanical or electrical equipment that creates **any vibration, fumes, dust** air emissions, odors, light, glare or noises that are detectable outside of the dwelling shall be prohibited.
- e. **The existence of a home occupation shall not be visible from or detectable beyond the property boundaries. The outdoor display or storage of ~~No display of~~ products, materials, goods, supplies or equipment used in relation to the home occupation is expressly prohibited. ~~shall be visible from the street and~~**
- f. ~~only~~ **Only** articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, which service shall be the principal use in the home occupation, may be sold on the premises. **Other on-site sales, excluding those by phone, fax, mail, internet and similar remote methods, shall be prohibited.**
- g. Patrons to the business shall be limited to one (1) client at a time.
- h. Instruction in music, dancing, and similar subjects shall be limited to two (2) students at a time.
- i. The activity carried on as a home occupation shall be limited to the hours between 7:00 a.m. and 8:00 p.m.
- j. **Home occupations shall be legally established and licensed in conformity with the ordinances of the City. Any home occupation**

operating without a business license or with an expired business license shall be required to obtain current Land Use approval prior to the issuance or re-issuance of a business license.

- k. Customary home occupations shall not include the following:
1. Uses which do not meet the provision listed above.
 2. Automobile and/or body and fender repairing.
 3. Food handling on a large-scale basis, processing or packing.
 4. Repair, manufacturing and processing uses; however, this shall not exclude the home occupation of a dressmaker where goods are not manufactured for stock, sale, or distribution.
 5. Restaurants.
 6. Rental, sale, storage or repair of vehicles or equipment of any kind.
 7. No outdoor or indoor window signs of any kind are permitted for a home occupation.

8.7.2.2 Any home occupation not conforming with *Section 8.7.2.1* may be subject to Planning Commission approval and Site Plan Review.

8.9 Site Plan Approval

An application for Site Plan Approval ~~site-plan~~ shall be required for all residential multi-family projects involving the construction of three (3) or more dwelling units; all new or expanding commercial structures; all new or expanding industrial structures; and, other uses as required by the Planning Commission prior to a building permit being issued. Site Plan Reviews shall be accomplished by the Planning Commission to assure compliance with the provisions of this Zoning Ordinance to ensure conformity with its purpose as stated in *Article 1*. ~~Eleven (11) sets of site plans shall be submitted no less than ten (10) days prior to the Planning Commission meeting at which they are to be reviewed. The City Planner shall have the discretion to accept electronic submittals in satisfaction of some or all of the submittal requirements.~~

- 8.9.1 **Pre-Application Conference.** Applicants are urged to consult early and informally with the City Planner to facilitate the Site Plan application process. A pre-application conference with City Staff is mandatory prior to submitting a Site Plan Approval Application. The purpose of Pre-Application Conference is to acquaint the applicant with the regulations governing the proposed development, procedures for approval, and other agencies or officials who must approve any part of the plan. Neither the applicant nor the Planning Commission are bound by considerations delivered during

the Pre-Application Conference.

8.9.2 Review Procedures.

8.9.2.1 Staff shall distribute the pre-application submittals and plans to all other City departments, County and State agencies and other officials and agencies, as may be applicable, for preliminary review and recommendations. Following staff review and comments, the applicant shall submit a formal application and revised submittals which shall reflect the initial review comments.

8.9.2.2 Once applications are deemed administratively complete, Planning Staff will schedule the application for presentation to the Planning Commission in accordance with the established Meeting and Deadline Schedule.

8.9.2.3 While a public hearing is not required, notice of a public meeting will be posted on the property. The owner, or their agent, of the property for which Site Plan Approval is sought, adjacent property owners and any other parties identified that may have interest in the request, shall be notified by regular mail.

8.9.3 Where any project or site is to be developed in stages or phases, no application for Site Plan Approval for any fraction of the site shall be accepted for review unless a Master Plan is submitted or has been previously approved. The Master Plan shall be a conceptual plan showing the entire development site and all component stages or phases, and shall express the overall development concept for the site at build-out.

8.9.4 Upon approval of the site plan, either as submitted or with changes and/or special conditions required by the Planning Commission, the Building Official may issue a building permit for a portion or all of the proposed development; provided that the application is in compliance with all applicable City, County, State and Federal requirements. **Construction must follow the Site Plan as approved by the Planning Commission.**

8.9.5 The **City Planner or** Planning Commission may waive certain requirements contained in Section 8.9.5 of this Ordinance if it is determined that the requirements are not essential to a proper decision on the project; or, **it** may supplement the list with other requirements deemed necessary to clarify the nature of the proposed development. **At the time of application, submittals must include:**

- **Three (3) large-format, printed plan sets,**
- **A digital version in PDF format, and**
- **A digital version in GIS shapefile, CAD drawing or equivalent.**

8.9.6 **Minimum Requirements for Submittals.** Site plans shall include the following information **related to the existing and proposed conditions** unless some or all of these requirements are waived by the **City Planner or** Planning Commission.

- a. The location and size of the site including its legal description and a current certified survey.
- b. A vicinity map showing the site relation to surrounding property.
- c. The recorded ownership or developer's interest if the developer is not the owner.
- d. The relationship of the site to existing development in the area including streets, utilities, residential, and commercial development, and physical features of the land including significant ecological features. This information may be combined with requirements for the vicinity map specified in this section.
- e. The density or intensity of land use to be allocated to all parts of the site together with tabulations by acreage and percentages thereof itemized by use and density. **Site calculations shall include the detailed information on the dimensions and/or area of the following:**
 - 1) Existing Structure square footage
 - 2) Proposed Structure square footage
 - 3) Existing Impervious Surface area including parking areas and access/driveways
 - 4) Proposed Impervious Surface area including parking areas and access/driveways
 - 5) Proposed Landscaped/Open Space areas
 - 6) Number of Parking Spaces provided with dimensions and provisions for accessible parking and travel paths.
- f. The location, size and character of any common open space, commonly owned facilities and form of organization which will own and maintain any common open space and such facilities.
- g. The use and maximum height, bulk and location of all buildings and other structures to be located on the site.
- h. The substance of covenants, grants of easements or other restrictions which will be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities or other purposes.
- i. The provisions for disposition of open space, including tree protection, landscaping provisions and buffering requirements.
- j. In the case of plans which call for development over a period of years, a schedule showing the proposed times within which applications for building permits are intended to be filed.
- k. Where required by the Alabama Department of Transportation ("ALDOT"), City Planner shall be provided proof that the applicant has submitted a driveway permit application

to ALDOT. In the event that any type of traffic study is required by the ALDOT, copies thereof shall be provided to the City Planner.

- I. Front and side architectural elevations.
- m. The location and size of all signs to be located on the site. In the event that a sign is pre-existing and fails to conform to the requirements as set forth in this ordinance, site plan approval will be granted only under the condition that all signs will comply with the regulations as set forth in the sign ordinance.
- n. Landscape plans, **in accordance with Section 10.4 Landscape Plan Standards**.
- o. Any additional data, plans or specifications which the applicant or the City believes is pertinent and which will assist in clarifying the application including, but not limited to plans for screening, lighting and space, surface drainage, erosion and sediment control, water and sewer connections, landscaping, and signs.

8.9.7 Application Review & Incomplete Submittals

Planning Staff will review applications for administrative completeness. Incomplete, partial, or inaccurate submittals will not be accepted, but will be returned to the applicant for re-submission for a later meeting. Once applications are deemed complete, Planning Staff will schedule the application for presentation to the Planning Commission in accordance with the established Meeting and Deadline Schedule. The City Planner, or designee, shall review complete applications to determine if the submittals meet all the requirements herein. Staff shall submit the Site Plan application and plans to all other City departments, County and State agencies and other officials and agencies, as may be applicable, for review and recommendations. The completed analysis will be presented to the Planning Commission for review and decision.

8.9.8 Withdrawal or Tabling Procedures

8.9.8.1 Withdrawal. If, for any reason, an item scheduled for presentation before the Planning Commission is withdrawn within seven (7) calendar days of submission, then the application fee shall be credited toward future resubmittal of the application; however, beyond the seven (7) calendar day period, fees shall not be refunded nor credited toward subsequent submittals. The request to withdraw the item shall be submitted in writing, signed by the applicant or authorized agent, and submitted to the Planning and Development Department prior to the scheduled hearing date.

8.9.8.2 Tabling. If, for any reason, an item scheduled for presentation before the Planning Commission is requested to be tabled without having been presented, then

the request to table the item and reschedule shall be submitted in writing, signed by the applicant or authorized agent, and submitted to the Planning and Development Department prior to the scheduled hearing date.

8.9.9 Fees.

8.9.9.1 To partially defray costs of filing an application, staff and engineer review, and other administrative costs, a fee according to the current schedule of fees established by the City Council of Bay Minette must be paid to the City by the applicant at the time of filing of the application. Fees are not subject to refund or adjustment, irrespective of the final outcome of the application.

8.9.9.2 Plan Review. There will be no cost for the Pre-Application Conference or initial plan review for submitted Site Plan applications. Subsequent plan submittals or revisions will incur a Plan Review Fee of \$150.00 per submittal.

8.9.10 Planning Commission Action. For Site Plan Approval, no public hearing is required. The applications, submittals and prepared staff report will be reviewed during the regularly scheduled meeting of the Planning Commission in accordance with the established meeting schedule. The applicant, or an authorized representative with sufficient knowledge of the project, is required to be in attendance.

8.9.10.1 The Planning Commission makes the final decision and has the option to:

- a.) Approve the Site Plan as presented
- b.) Approve the Site Plan with conditions, stating the conditions required
- c.) Deny the Site Plan, with stated factors for the denial
- d.) Table the Site Plan Request, due to lack of information

Regardless of outcome, the applicant will receive a Notice of Action from the Planning Department within seven (7) business days detailing the decision(s) of the Planning Commission, including any requested revisions, related conditions or action items to be completed.

8.9.10.2 Upon approval of the site plan, either as submitted or with changes and/or special conditions required by the Planning Commission, the Building Official may issue a building permit for a portion or all of the proposed development; provided that the application is in compliance with all applicable City, County, State and Federal requirements. Prior to the issuance of a Certificate of Occupancy, an electronic version of As-Builts must be submitted in the following formats:

- A digital version in PDF format, and
- A digital version in GIS shapefile, CAD drawing or equivalent.

8.9.10.3 Construction shall follow the Site Plan as approved by the Planning Commission. Minor modifications may be approved by the City Planner if the proposed modification does not material change, alter or diminish the intent and character of the approved plan. Modifications determined to significantly deviate from the Planning Commission’s approved version will be required to submit for Planning Commission review.

8.9.10.4 Site Plan requests that are tabled, will not receive further review by the Planning Commission until all additional information requested has been received and reviewed for compliance by the Planning Department.

8.9.10.5 Site Plan requests that are denied will not receive further review by the Planning Commission until all noted deficiencies have been addressed and revised documentation received and reviewed for compliance by the Planning Department.

8.9.10.6 Any resubmittals, revisions, additional information or permit applications related to the application must be received within 180 days from the date of Planning Commission action, or a new Site Plan Application will be required.

Extension for 180 days – requested/reviewed administratively

8.10 Table of Permitted Uses

The following Table contains a list of land uses permitted in each district. Opposite each land use, in the appropriate district column or columns, the letter “R” identifies those districts in which a particular land use is permitted by right and the letter “S” identifies those districts in which a particular land use is permitted only by special exception. The letter “P”, identifies those uses that must be reviewed and approved by the Planning Commission.

| | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | B-1 | B-2 | M-1 | M-2 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Accessory buildings and uses, home swimming pools, when located on the same lot or parcel as the principal residential structure or use and customarily incidental thereto, allowed by right provided the requirements in all pertinent sections of this ordinance are met. Accessory buildings and uses, swimming pools, when located on the same lot or parcel as the principal commercial/industrial structure or use and customarily incidental thereto, allowed with Planning Commission approval by right provided the requirements in Section 8.7.1.6 and all other pertinent sections of this ordinance are met. Other Accessory structures allowed with Planning | R | R | R | R | R | R | PR | PR | PR | PR |

| | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|
| Commission Site Plan Approval provided all other pertinent sections of this ordinance are met. | | | | | | | | | | |
| Entertainment venue or event facility: provided that sufficient buffering is established to obstruct noise, glare and view from adjacent residential uses or districts | | | | | | | P | P | P | P |
| Recreational vehicle – for occupancy/use as living quarters. Shall be permitted only in an approved Recreational Vehicle Park. | | | | | | R | | R | R | |
| Recreational vehicle – parking and storage on private property, does not require approval. Occupancy of the recreational vehicle and unauthorized utility connection is not permitted. | R | R | R | R | R | R | R | R | R | R |
| Recreational vehicle parks. | | | | | | P | | P | P | |

8.12 Minimum Setbacks

- a. The building setback lines in the downtown historic business district overlay zone shall be similar and consistent with what is ~~existing~~ existing on the same street within the same block of the proposed building.

9.1 Manufactured / Mobile Home Parks

9.1.2 Manufactured Home Space Requirements

- Space Width:* 40 feet minimum
- Front Yard:* 10 feet minimum
- Side Yard:* 20 feet between ~~mobile~~ manufactured homes
- Parking:* Two (2) spaces for each ~~mobile~~ manufactured home space off-street, and shall be hard surfaced with all-weather materials.

9.1.3 Other Requirements

- e. Manufactured homes may not be used for non-residential use within **mobile manufactured** home parks.
-

9.2.3 Parking Schedule

- e. **Mobile Manufactured** home courts and parks:
-

9.8 Mobile Food Vending Vehicles and Mobile Merchandise Vending Units **Pilot Program**

10.6.4 *Greenbelt Zone.* All developments along or abutting the right-of-ways of U.S. Highway 31 South, U.S. Highway 31 North, State Highway 59, State Highway 287, McMeans Avenue, D'Olive Street and North Hand Avenue shall maintain a minimum of ten (10) feet of the required thirty (30) foot setback as a landscaped greenbelt along the entire front width of the property except where curb cuts provided ingress and egress. If any of the thirty (30) foot front setbacks is used for parking, said greenbelt shall be in addition to the landscape requirements for parking areas **describe described** in ~~Section 9.2~~ **Section 10.10** of this Ordinance. Said greenbelt shall be planted with trees, shrubs, and grass or other ground cover so that an attractive appearance is presented as detailed in the developer's required landscape plan. The trees shall be shade **of or** flowering trees and shall be at least three and one half (3 ½) inches or greater in caliper and twelve (12) feet in height at planting. There shall be a minimum of one (1) tree planted for every twenty-five (25) feet or fraction thereof of lot frontage, fifty (50) percent of which shall be shade trees having a maximum crown of seventy (70) feet.

10.10.8 A minimum of five (5) feet side and rear landscaping may be required in the landscape plan depending on the topography and arrangement of **packing parking** facilities. If required, such areas shall be planted with a combination of trees, shrubs and grass or other ground cover adequate to break the expanse of contiguous parking areas and to present an attractive appearance as determined by the City Planner. Adjacent property owners may jointly agree on the establishment of a common landscaped area between their properties that meets such agreement and the planting and maintenance of the common area shall be binding upon both parties and their successors in interest, heirs, and their assigns.

10.11 **Buffer Zones Requirements.** Except as otherwise provided herein, **buffer zone requirements shall be based on the proposed developing use and the existing abutting use, regardless of current zoning districts. For this section, 'abutting' property includes property adjoining, facing or across a roadway.**

10.11.1 All districts shall comply with the following minimum standards:

- a) Where a business district **or use** abuts any part of a residential district **or use**, a buffer zone 10 feet wide shall be required;
- b) Where an industrial district **or use** abuts any part of a ~~residential or~~ business ~~zone district or use~~, a public or semi-public use, mixed-use or multi-family residential district or use, a buffer zone of 20 feet shall be required.
- c) where an industrial district or use abuts any part of a two-family or single-family residential district or use, a buffer zone 30 feet wide shall be required.
- d) Where a public or semi-public use, mixed-use or multi-family residential district or use, abuts any part of a single-family residential district or use, a buffer zone 10 feet wide shall be required.
- e) The buffer shall run the entire length of the abutting lot line(s) **and shall be maintained in such manner as to accomplish its purpose continually.** ~~The buffer shall run the entire length of the abutting lot line(s).~~ Under no circumstances shall this buffer impair vehicular flow and shall be part of the yard requirements.
- f) **Buildings, dumpsters, and outdoor storage are prohibited within required buffers.**

10.11.2 Buffer Requirements. Buffers shall be constructed of at least one of the following three (3) designs.

- a. Wall or Fence. If a wall or fence is provided as a protection buffer, it shall be six (6) feet high and of a construction and a design approved by the Planning Commission. Said wall or fence shall be maintained in good repair by the owners of the property.
- b. Screen planting strip. If a screen planting strip is provided as a protection buffer, it shall be at least then (10) feet in width, shall be planted with materials in sufficient density and of sufficient height (but in no case less than six (6) high at the time of planting) to afford protection to the residential or business district from the glare of lights, from blowing papers, dust and debris, from visual encroachment, and to effectively reduce the transmission of noise. Screen planting shall be maintained in a clean and neat condition and in such manner as to accomplish its purpose continually.
- c. Natural Forest. Natural undisturbed forest which provides a nearly impervious visual barrier due to the dense nature of the plants and/or trees. If this option is chosen, the width of the buffer one shall be twenty-five (25) feet in width and shall be included on the Site Plan. The Bay Minette City Planner shall determine whether the barrier is satisfactory via site inspection prior to landscape approval. Said buffer strip shall maintain its healthy condition as to accomplish its purpose continuously.

10.12 **Special Designs Modifications.** Buffer requirements may be modified by the Planning Commission as follows:

- 10.12.1 More stringent design and landscape standards may be required in any district if it is determined that the design would be more compatible with the development and more beneficial to the aesthetics of the City of Bay Minette.
- 10.12.2 If the developing use abuts an existing nonconforming use on a property that is designated for a different use within the Comprehensive Plan and when the abutting property is zoned in accordance with the Comprehensive Plan, a required buffer may be modified for consistency with the projected use of the abutting property.
- 10.12.3 If a buffer is required along a public alley, up to one-half (1/2) of the alley width may be considered as a portion of the required buffer width, but the buffer height and density shall not be reduced.
- 10.12.4 Where appropriate, pedestrian access may be permitted through a required buffer.
- 10.12.5 Vacant Land. If a buffer is required along vacant land, the requirements shall be based on the zoning of the abutting property or the use projected by the Comprehensive Plan, whichever is lesser.
- a) When determining buffer requirements based on the zoning or projected use of abutting vacant land, the range of possible future uses shall be considered, and requirements based on the use(s) that require a lesser buffer.
 - b) When the proposed use and abutting vacant land both lie in the same zoning district and such district permits uses of greater intensity or density than the proposed use, the proposed development shall provide half the width of the required buffer that would normally be required between the proposed use and the projected use of the vacant land.
- 10.12.6 Where an abutting use is discontinued, altered or modified so that the required buffer is reduced, the width of the previously required buffer may be proportionately reduced.

ARTICLE 11. PLANNED UNIT DEVELOPMENT (PUD)

The intent of this section is to provide an opportunity for the best use of land, protection of valuable natural features in the community, provide for, larger areas of recreational open space, more economical public services and opportunity for mixed use. The purpose of this provision is to encourage the unified development of tracts of land, much more creative and flexible concepts in site planning than would otherwise be possible through the strict application of minimum and maximum requirements of zoning districts established in this Zoning Ordinance **and requirements of the Subdivision Regulations**.

For the purposes of this Ordinance, each Planned Unit Development shall be a minimum of 5 acres and of sufficient size to accommodate the development. The burden is placed on the developer to demonstrate a benefit to the City and the surrounding area.

Each Planned Unit Development shall have an Ordinance that establishes the development of regulations for the district. In approving a Planned Unit Development, the ordinance shall reference the site plan, which shall prescribe development standards. The site plan after approval shall become part of the amending ordinance. All development shall be in conformance with the approved Site Plan and development regulations.

13.2 Land Use Certificates

- 13.2.1 Authorization. A Land Use Certificate shall be obtained from the Planning & Community Development Services Office prior to the commencement of development and issuance of a building permit including electrical, HVAC and plumbing permits. A Land Use Certificate shall be required for all new construction, including accessory structures; a change of occupancy; and renovations/alterations, except for minor changes or repairs not regulated by these ordinances.
- 13.2.2 Application Procedure
- a. The City Planner shall receive the application for a Land Use Certificate upon jurisdictional determination and determination that it complies with all submission requirements.
 - b. Where appropriate, the City Planner shall circulate the application to the Building Official, Fire Inspector, Code Enforcement Officer or others as deemed necessary, for review and comment.
 - c. The Land Use Certificate shall be issued or denied within ~~seven (7)~~ **fifteen (15)** business days ~~of~~ **after** receipt of a complete application, otherwise it shall be deemed to be approved.
-

Formatting Corrections

7.18.2.1 Any improvements, alterations, repairs or installation of new fixtures or equipment for an existing non-conforming structure may be accomplished by the owner of the structure upon obtaining the proper permits or applications from the City Planner **and Building** Official, provided that such improvements will bring into conformity, if possible, or that it will at least not increase, unnecessarily, the nonconformity and will in all other respects, meet the requirements of the district in which it is located.

7.18.6 **Uses** *Under Special Exception Provisions Not Non-Conforming Uses.* Any use which is permitted as a special exception in a district under the terms of this Ordinance (other than a change through Board of Adjustment action from a non-conforming use to another use not generally permitted in the district), shall not be deemed a non-conforming use in such district, but shall without further action be considered a conforming use.

8.2 Multi-Family Dwelling Review Requirements

All multi-family dwellings intended for occupancy by three (3) or more families shall be submitted to the Planning Commission for site plan approval prior to issuance of the building permit. Site plans shall be submitted in accordance with **Section 8.9**.

8.3.2.1 **Wall or Fence**. If a wall or fence is provided as a protection buffer, it shall be six (6) feet high and of a construction and a design approved by the Planning Commission. Said wall or fence shall be maintained in good repair by the owners of the property.

8.7.1 **Accessory Uses**. Any use may be established as an accessory use to any permitted principal use in any district provided that such accessory use:

9.2.2 **Parking Decks**.

9.6.4 **Gasoline Pump Islands**.

9.6.6 **Other Site Improvements**.

9.6.7 **Storage of Flammable Products**.

10.4.3 The locations, species, and D.B.H. (Diameter at Breast Height) of existing significant trees indicating those to be retained, and those significant trees to be removed, along with written justification for removal of ~~may~~ any significant trees.

RA-23002, Temporary Work Force Housing Pilot Program

Proposed Zoning Amendments

Version 2 – Presented to the PC April 13, 2023

Temporary Work Force Housing Pilot Program Proposed Amendments to the Zoning Ordinance

Article 9, Special Provisions

Section 9.8.3 Temporary Work Force Housing Pilot Program

9.8.3.1 Purpose and Applicability. The purpose of this pilot program is to provide for the issuance of Temporary Use Permits (TUPs) and establish standards and procedures related to the placement, operation, and duration of Temporary Work Force Housing developments to promote safe, healthy, and sanitary living conditions for temporary workers while ensuring that temporary work force housing does not negatively impact surrounding land uses. This section is intended to provide flexibility in land use regulation in order to address a critical need while ensuring that the temporary uses and activities do not negatively impact surrounding land uses or create public health and safety hazards.

9.8.3.2 Definitions.

Operator. The person, firm, corporation, or other entity responsible for the management and operation of the temporary work force housing.

Recreational Vehicle. A self-propelled vehicle used for temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this chapter, this category also includes travel trailers, campers, motor homes, and camping trailers capable of being towed by a passenger motor vehicle and motor homes.

Recreational Vehicle Park. A development for the accommodation of tourists or vacationers on a short-term basis as temporary living quarters for recreation or vacation purposes, providing rental spaces for each individual recreational vehicle, travel trailer, camper, motor home, etc., and service facilities for the use of the tenants, whether publicly or privately owned and whether operated for or without compensation. For the purposes of this chapter, this category also includes camps and campgrounds. Said development shall be located, established and maintained for short-term occupancy in accordance with city regulations, ordinances and adopted plans.

Temporary Use Permit (TUP). A permit issued by the City Council that authorizes a temporary use or activity for a specified period of time.

Temporary Work Force Housing. A group dwelling facility located in one or more buildings that are occupied on a temporary basis by workers that are not from the immediate area but are employed in the area for a specific purpose (such as oil exploration/drilling and related activities, construction projects or similar activities) and for a defined period of time. The facilities are intended to accommodate temporary housing and living quarters for construction-related workers, and can include the occupancy of recreational vehicles, but does not include recreational vehicle park, a mobile home, a mobile home park, a manufactured home, a manufactured home park, a tourist camp, a tourist campground, a tourist home, a trailer or a

trailer camp as defined and regulated herein. Temporary work force housing is also referred to as construction camps, crew camp housing, temporary modular housing and man camps.

9.8.3.3 Temporary Use Permit Required. The use of temporary work force housing or construction camps, as set forth below, requires approval of Temporary Use Permit. The Planning Commission shall review and make a recommendation to the City Council for the issuance of a Temporary Use Permit. A permit may be approved or denied based on the criteria herein, including the compatibility with surrounding land uses and compliance with the Zoning Ordinance.

9.8.3.4 Standards for Temporary Work Force Housing Developments.

- a.) Temporary work force housing developments shall only be permitted in areas designated in the RA, B-1, B-2, M-1 or M-2 zoning districts with an approved Temporary Use Permit, provided:
- b.) The parcel on which the housing facility is located meets the lot area and width requirements for the district in which it is located.
- c.) Placement of temporary work force housing units and related facilities shall comply with all setback, buffer, and other zoning requirements applicable to the zoning district in which it is located.
- d.) Temporary work force housing shall not be located within 500 feet of any residential zoning district or residential use.
- e.) The housing facility is located along, or with direct access to a paved roadway. If the roadway is not improved, the developer/operator would be responsible for construction and paving of said roadway to City, County or State standards, if required based on site location, prior to operation of the housing facility.
- f.) No primary entrances or exits shall direct traffic into adjacent residential districts.
- g.) The temporary housing facility provides accommodations for at least twenty (20) workers and no more than eight hundred (800) workers.
- h.) The density of the temporary housing facility does not exceed 20 units per acre.
- i.) Adequate waste disposal facilities shall be provided.
- j.) The temporary housing facility must be fenced and access limited.
- k.) The facility shall be constructed to minimize erosion, alteration of natural features and removal of vegetation to the greatest extent possible.
- l.) The temporary housing facility must comply with all applicable State and Federal requirements, including the requirements of the Department of Health.
- m.) The temporary housing facility shall be provided with adequate parking for residents based on design capacity, to accommodate personal vehicles, work vehicles, and other vehicles and equipment parked on the site. Parking shall not be allowed between housing units. Off-street loading and unloading space for service and supply vehicles shall also be provided with satisfactory ingress and egress for trucks.

9.8.3.5 Standards for Temporary Work Force Housing. Temporary work force housing units shall comply with the following standards:

- a.) All temporary work force housing units shall be designed, sited, constructed, and maintained in accordance with applicable state and local building codes, health codes, and fire codes.
- b.) The temporary housing units or spaces must be numbered in a logical fashion in order to facilitate emergency response and subject to the review of Baldwin County E-911.
- c.) The temporary housing facility shall provide for adequate access for emergency vehicles, and adequate security for the facility.
- d.) The operator of the temporary housing facility is responsible for establishing and enforcing any house rules or regulations for residents.
- e.) Each temporary work force housing unit provided by the operator shall have a minimum of 100 square feet of living space per occupant. Common dining areas and recreation areas shall not be included in determining the square feet per resident.
- f.) All temporary work force housing units provided by the operator shall be equipped with smoke detectors and carbon monoxide detectors.
- g.) All temporary work force housing units provided by the operator shall have adequate heating, ventilation, and air conditioning systems to maintain safe and healthy living conditions.

9.8.3.6 Application. The Temporary Use Permit application shall be submitted as a Site Plan Approval request on the applicable form, meeting and fee schedule as established. In addition to the Site Plan required submittals, the application shall be accompanied by the following information:

- a.) A written narrative that includes a general description of the operation, including a good faith estimate of the duration of use; a description of the temporary housing units to be used and how the housing units are to be set and/or anchored to the ground; a description of how the units are to be numbered; and a description of the source of potable water supply, method of sewage disposal, method of waste disposal and method of dust control and proposed maintenance of the site.
- b.) A scaled site plan showing the overall dimensions of the site; required setbacks; the location of housing units, other structures, parking areas, fences, and landscaping; the location of existing and proposed roads and access ways within and adjacent to the site; and the location of wells, sewage treatment system(s), and waste management areas.
- c.) Plans for essential services, including Emergency medical and fire facilities and security services.
- d.) Service Availability Letters for utilities
- e.) A storm water management plan
- f.) A traffic impact analysis, if required by the City's Engineer, to determine if any improvement to City, County or State roadways, including the paving of roadways or the installation of turning lanes, is warranted. If warranted, roadway improvements will need to be installed at the operator's expense prior to operation of the facility.
- g.) Copies of the facility's proposed house rules and regulations, onsite security plan, and on-site emergency management plan (including contingencies for fire, tornado, hurricane and other natural disasters).
- h.) Consent of Landowner. Prior to the approval of any proposed temporary residence under this section, the applicant must demonstrate proof of the consent and approval of the property owner if the property is not owned by the proposed operator. An Agent Authorization form, contract, lease or purchase agreement will suffice.
- i.) Any other information required by the Planning Commission or City Planner to make an informed decision on the request.

9.8.3.7 Review Criteria. The Planning Commission shall review the request at a regularly scheduled meeting and make a recommendation to the City Council for final determination. The Planning Commission and City Council may attach any conditions or reporting requirements to the temporary use permit that it deems necessary and prudent. A TUP may be issued by City Council for a temporary use or activity that meets the following criteria:

- a.) The proposed use or activity will be of a temporary nature and will not create a permanent change to the site or surrounding area.
- b.) The proposed use or activity will not create a significant impact on surrounding land uses or the environment.
- c.) The proposed use or activity will comply with all applicable health, safety, and building codes.
- d.) The proposed use or activity will not create a public nuisance or hazard.
- e.) The zoning authority may impose conditions on the issuance of a TUP in order to ensure compliance with the above criteria.

9.8.3.8 Approval. If the TUP is approved, all required City, County and State permits shall be obtained prior to construction/installation of the temporary housing facilities, including, but not limited to, building permits, electrical permits, plumbing permits and mechanical permits. After a TUP is granted, the following shall be provided to the City in conjunction with construction and prior to operation of the temporary housing facility:

- a.) The name and address of the onsite manager and contact information.
- b.) Copies of required permits or approvals from the Department of Health, Baldwin County Commission, Alabama Department of Transportation, and US Army Corps of Engineers.
- c.) A plan for the closing of the facility and reclamation of the site, including how structures and equipment will be removed; how trash and construction debris will be removed; how concrete footings and foundations will be removed or buried; how the sewage disposal system will be removed and disposed of; how the site will be graded and re-contoured to blend into the surrounding topography; how topsoil will be replaced and the site seeded with an appropriate seed mix to establish sufficient cover to stabilize the site and prevent erosion, and how unneeded access roads will be regarded and re-vegetated.
- d.) An irrevocable surety bond shall be submitted to the City Administrator in an amount equal to an engineer's estimate of the cost of removing or demolishing such facilities following termination of the use in accordance with the approved

plan and shall be held for the duration of the temporary work force housing operation. The amount of the bond may be reviewed by the City Council on an annual basis and adjusted if needed.

- 9.8.3.9 Term. A temporary use permit for a temporary housing facility approved in accordance with this Article shall be valid for a period of one (1) year, and is renewable in one (1) year increments upon submittal of a request for an extension and approval in accordance with the provisions of this Article. The request for an extension must also include a written narrative describing the facility, its compliance with the requirements contained herein and any conditions placed upon it and demonstrate the continued need for the facility.
- 9.8.3.10 Revocation and Modification. TUPs may be revoked or modified by the zoning authority if the temporary use or activity fails to comply with the criteria for issuance or any conditions imposed by the City Council.
- 9.8.3.11 Operation and Maintenance. The operator of temporary work force housing shall comply with the following requirements:
- a.) The operator shall obtain all necessary permits and licenses required by the zoning jurisdiction, including a permit for temporary work force housing.
 - b.) The operator shall maintain accurate records of all occupants of the temporary work force housing, including their names, addresses, and employment information.
 - c.) The operator shall maintain the temporary work force housing units in a clean and sanitary condition, and shall provide regular cleaning and trash removal services.
 - d.) The operator shall provide adequate security measures to ensure the safety and well-being of occupants.
 - e.) The operator shall ensure that all occupants of the temporary work force housing comply with all applicable rules and regulations.
 - f.) The operator of a temporary worker housing facility permitted by the Planning Commission shall notify the City Planner of the sale of the facility or the transfer of ownership of the property.
 - g.) The operator shall provide the following to the City on an ongoing basis for the duration of operations:
 - 1.) The name and address of the onsite manager and contact information.
 - 2.) A current occupancy list to be maintained and provided to the City on a monthly basis.
 - 3.) Any changes to the facility's house rules and regulations, on-site security plan, and on-site emergency management plan.
- 9.8.3.12 Restoration of Site. The applicant shall provide a written plan and agreement setting forth how the facility will be dismantled, and the area restored to an unoccupied condition. The temporary housing facility and any associated structures must be removed from the site within ninety (90) days of closure. Within ninety (90) days after the removal of the facility is complete, a reclamation report shall be submitted to the City Planner indicating that the site was reclaimed as set forth in the approved reclamation plan.
- 9.8.3.13 Enforcement and Penalties. Violation of any provision of this regulation shall be a violation of the zoning ordinance and shall be subject to the penalties provided therein. In addition, the zoning enforcement officer may revoke the permit for the temporary work force housing if the operator fails to comply with any provision of this regulation.
- 9.8.3.14 Compliance. The City Council, in its discretion, may require a bond or other financial guarantee to ensure that all facilities and services are provided. In the event the applicant fails to provide the services and facilities required, the Temporary Use Permit shall be revoked and the facility ordered to vacate. These remedies are in addition to the remedies provided in this ordinance for failure to comply with the zoning requirements.
- 9.8.3.15 Consistency. *FORTHCOMING*



City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Planning Commission Meeting Date: April 13, 2023

Case Number: SE-23001

APPLICATION SUMMARY

| | |
|--|---|
| <p>Project Name: TPQ, LLC Duplex Request Property Location: SW Corner of Moran St and Clay St Property PID/PPIN: 05-23-05-16-1-003-001.001 // 34390 Property Size: .379± acres // 16,529± sq ft</p> | <p>Requested Action: Special Exception approval for the construction of a duplex Applicant: Mike Phillips Property Owner: TPQ, LLC</p> |
|--|---|

| Subject Property | Zoning | Existing Land Use |
|-------------------|--------|--|
| Z-23002 | R-3 | Vacant Residential |
| Adjacent Property | Zoning | Existing Land Use |
| North | R-3 | Clay Street, Residential |
| South | R-3 | Residential |
| East | R-3 | Moran Street & Brady Road, Residential, Church |
| West | R-3 | Residential |

SITE AND REQUEST SYNOPSIS

The subject property, which consists of one parcel containing .379± acres, is located on the Southwest side of the intersection of Moran Street and Clay Street. This is also the location of the intersection of Bay Street/Brady Road and Stanmeyer Street connects to Clay Street approximately 100 feet to the east. The applicant is Mike Phillips on behalf of the property owner: TPQ, LLC. The request is for Special Exception approval for the construction of a duplex in the R-3, Higher Density Single Family Residential District. The property is cleared but vacant/undeveloped, with 140 feet of frontage on Clay Street and 172 feet of frontage on Moran Street. The duplex is proposed as a 67'2" x 42" structure facing Moran Street with 30-ft setbacks on the front, rear and side along Clay Street with a 10-ft side setback on the southern lot line adjacent to PIN 17762.

ZONING DISTRICT AND TABLE OF PERMITTED USES

ZONING DISTRICT

6.2.4 R-3, Higher Density Single Family Residential District. This district is intended to provide for a higher density of single-family structures on smaller lots than those allowed in the R-1 and R-2 districts. Duplexes will be allowed as a special exception.

TABLE OF PERMITTED USES

The proposed use and similar/related land uses from Section 8.10 Table of Permitted Uses are listed below. Opposite each land use, in the appropriate district column or columns, the letter "R" identifies those districts in which a particular land use is permitted by right and the letters "S" identifies those districts in which a particular land use is permitted only by special exception. The letter "P", identifies those uses that must be reviewed and approved by the Planning Commission.

| Table of Permitted Uses and Conditions | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | B-1 | B-2 | M-1 | M-2 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Dwelling, one-family. | R | R | R | R | R | R | S | S | S | S |
| Dwelling, two-family. | | | | S | R | R | P | P | | |
| Dwelling, multi-family. | | | | S | R | R | P | P | | |
| Accessory buildings and uses, home swimming pools, when located on the same lot or parcel as the principal residential structure or use and customarily incidental thereto, allowed by right provided the requirements in all pertinent sections of this ordinance are met. Accessory buildings and uses, swimming pools, when located on the same lot or parcel as the principal commercial structure or use and customarily incidental thereto, allowed with Planning Commission approval provided the requirements in all pertinent sections of this ordinance are met. | R | R | R | R | R | R | PR | PR | PR | PR |

RELATED COMPREHENSIVE PLAN STATEMENTS & STRATEGIES

The City's Comprehensive Plan is a policy document that functions as the long-range plan for future growth and development. It identifies the goals, objectives, and strategies of the community, determined by its residents and property owners. City officials can use the document to make policies that effectively provide a coordinated approach for future growth. Though adopted by the City Planning Commission, the Plan is intended to provide guidance for future legal and policy decisions as determined by City Council and through analysis of existing and predicted conditions. The Plan also serves as the statutory basis for many of the City's land use and subdivision regulations as well as the application of zoning districts, as zoning and future land use must be in accordance with the Comprehensive Plan. The Goals, Objectives, Statements and Strategies below are pulled from the Plan as they are deemed relevant to this specific application by Planning Staff.

Housing

Goal: Provide a wide variety of safe and attractive living environments for all socioeconomic groups.

Statements: "City requires a diversity of housing types and densities to accommodate all socioeconomic groups of a community. The housing supply of a community must support existing and forecasted housing demands to ensure the resident's quality of life and the vitality and growth of the City. A community must foster continued maintenance, rehabilitation, and new construction of their housing stock to maintain the City's sustainability."

"Future residential growth should utilize infill development techniques where possible to prevent residential sprawl away from the community's core of commercial areas, schools, and pedestrian/public transit access. Creating isolated residential neighborhoods only adds stress to the public infrastructure including roads, water and sewer, and City services."

#1 Promote a choice of rural, suburban, and urban living environments and housing types to accommodate all household incomes. This includes anticipating and planning for future land requirements associated with future population projections and projected housing types.

#3 Protect the quality of life in existing and new neighborhoods by implementing subdivision regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas; promote the connectivity of roads, schools, parks, and open spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#10 Maintain the public infrastructure at a level needed to continue adequate service to existing and new residential dwellings. This includes correcting existing deficiencies in infrastructure and upgrading or constructing new infrastructure to accommodate new developments. Deny new development if the infrastructure is not in place to support it without compromising the service to existing housing. Require that all new development be connected to the City's existing public water and sewer lines at the developer's expense.

#12 Identify undeveloped lots within existing residential neighborhoods that would be suitable for residential infill of single family and multifamily developments. Encourage developers to consider these target areas for future residential development.

Land Use

#3 Protect the quality of life of existing and new developments by implementing land use regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas with each new development; promote the connectivity of roads, schools, parks, and open spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#4 Encourage through land use regulations infill development of undeveloped lots as opposed to urban sprawl to support the conservation of rural lands within Bay Minette's planning area.

#5 Increase the diversity of residential land uses by encouraging multi-family residential land uses to locate in the more densely populated center of the City. Discourage multi-family development in the more rural, less dense planning area where agricultural land uses and rural character can be encroached upon. This also decreases the strain of public infrastructure and public service cost.

#6 Ensure, through site plan review and/or subdivision plat review, that all types of land use developments have a design and scale compatible to adjoining properties and are buffered from different incompatible land uses and adverse impact due to encroachment.

DEPARTMENT AND AGENCY COMMENTS

Due to the nature of the special exception request, additional department/agency review may be required when developed.

North Baldwin Utilities – No comments received.

Bay Minette Public Works – See Staff Analysis Item #3

Bay Minette Police Department – Stated No Comments.

Bay Minette Fire Department – Stated No Comments.

Baldwin County E-911 – N/A

ALDOT – N/A

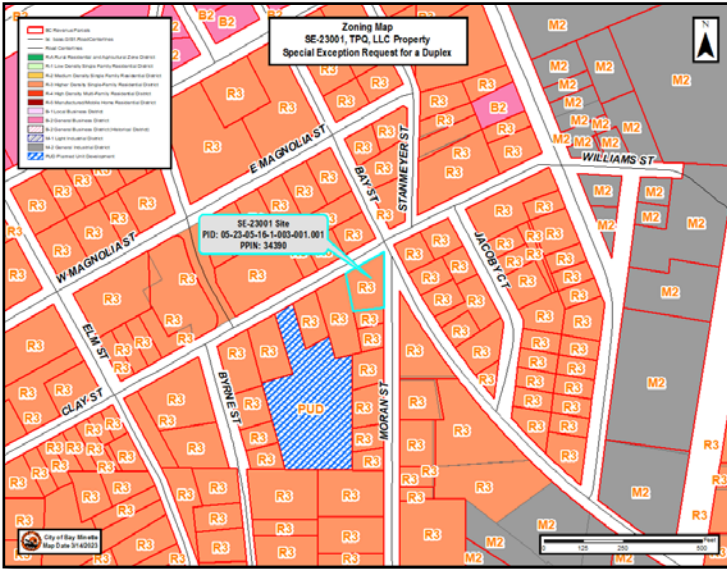
City Engineering Consultants

Civil: Tensaw Engineering, Benjamin White, P.E. – No comments received.

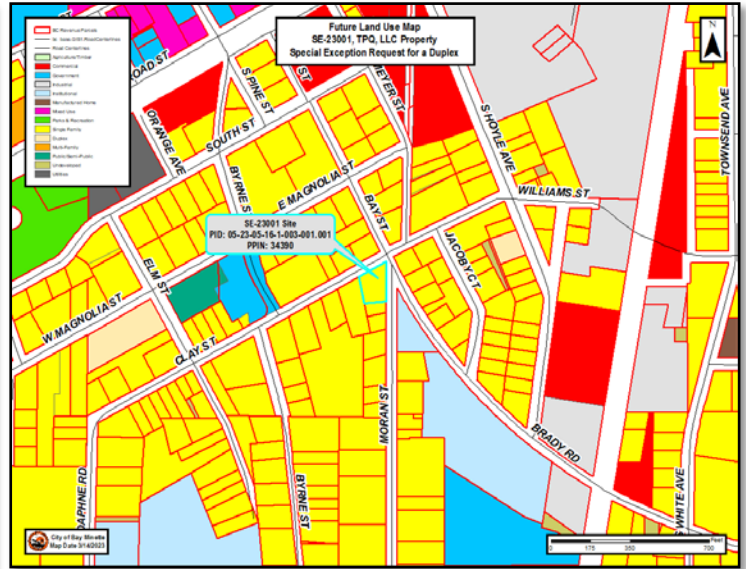
Transportation: Neel-Schaffer, Shane Bergin, PE, PTOE, PTP, RSP1 – Stated No Comments.

MAPPING

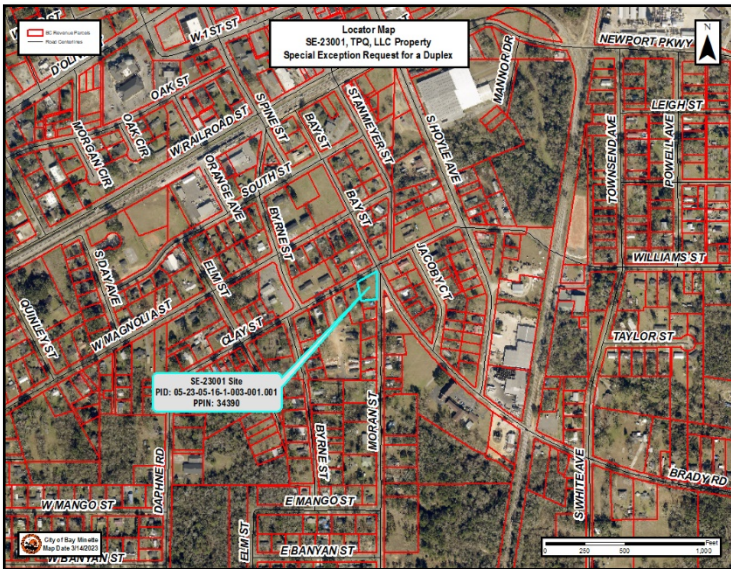
Zoning Map



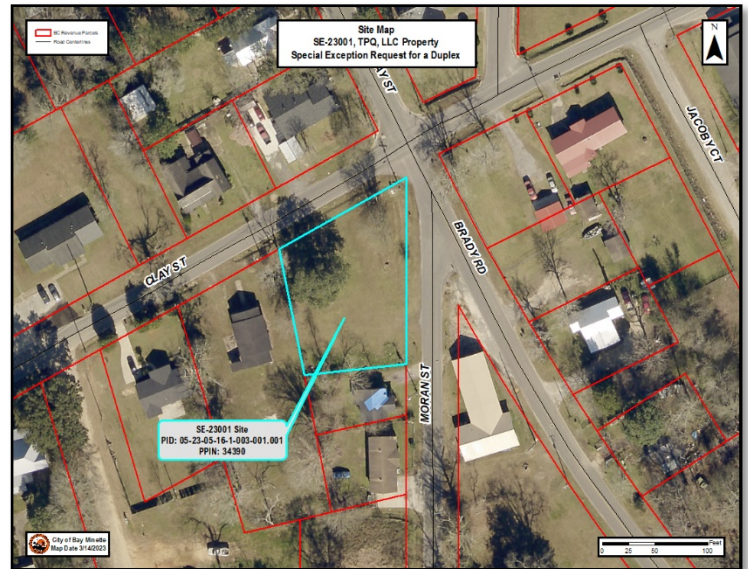
Future Land Use Map



Locator Map



Site Map



STAFF ANALYSIS

The following standards for reviewing special exception requests are found in **Section 14.4 Establishment and Membership of the Board of Adjustment** of the *Zoning Ordinance of the City of Bay Minette*. These factors are to be considered when an application is being reviewed for a Special Exception request. The Planning Commission will review the request against the criteria below and submit an advisory recommendation to the Board of Adjustment. The BOA shall review the request against the criteria below and, after a public hearing, make the final decision only upon the concurring vote of four Board members.

1.) Compliance with the Comprehensive Plan *COMPLIANT*

The property is designated as Single Family on the Future Land Use Map; as is the bulk of property in the immediate vicinity with the exception of the property being designated Institutional for Faith Community and South Side Baptist Church. However, that same area plus more is currently zoned R-3, Higher Density Single Family, allowing for the two-family use by Special Exception. The

Comprehensive Plan goals, recommendations and strategies listed above include providing a wide variety of safe and attractive living environments for all socioeconomic groups with diversity of housing types and densities, specifically stating that:
"The housing supply of a community must support existing and forecasted housing demands to ensure the resident's quality of life and the vitality and growth of the City. A community must foster continued maintenance, rehabilitation, and new construction of their housing stock to maintain the City's sustainability."

This proposed development is on a vacant/undeveloped parcel in the immediate and general vicinity of other two-family and multi-family dwellings. The Comprehensive Plan further states:
"Future residential growth should utilize infill development techniques where possible to prevent residential sprawl away from the community's core of commercial areas, schools, and pedestrian/public transit access. Creating isolated residential neighborhoods only adds stress to the public infrastructure including roads, water and sewer, and City services."

2.) Compliance with any other approved planning document **NOT APPLICABLE**

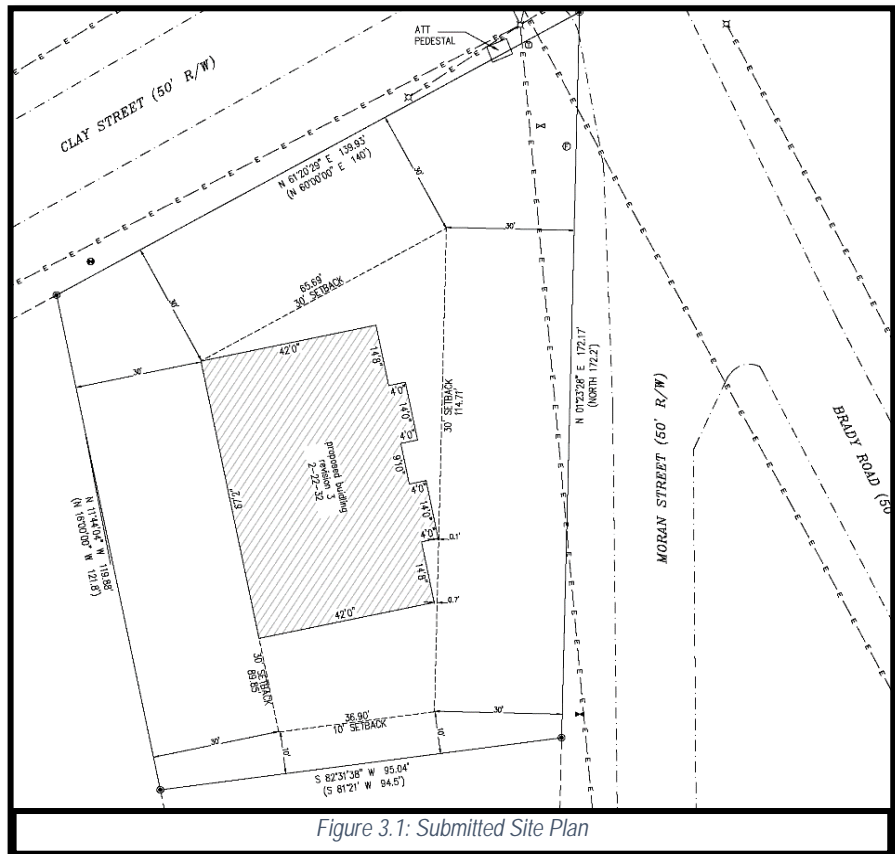
N/A

3.) Compliance with the standards, goals and intent of this ordinance

COMPLIANT WITH CONDITIONS

The Zoning Ordinance was intended to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the comprehensive plan, and other public requirements.

The intent of this ordinance, among others, is to provide for the orderly development of the city, in order to promote the health, safety, convenience, order, prosperity and general welfare of the residents. This proposed use is compatible with the surrounding property and as the property is currently vacant, development would be beneficial to the area. The submitted site plan (See Figure 3.1) shows the proposed duplex as a 67'2" x 42" (2,821 sq ft) structure fronting Moran Street, which is classified as a Major Collector, with 30-ft setbacks on the front and rear, and a 10-ft side setback on the southern lot line adjacent to PIN 17762. The side yard along Clay Street shows a 30-ft side yard setback, as Clay Street is also considered a Major Collector.



The primary consideration for compliance would be the site access in relation to the property's proximity to the intersection of Clay St, Bay St and Brady Road and the convergence of Brady Road and Moran Street. As the subject property's zoning would allow for single family development (and access) by right, the additional impact of a duplex would not have a negative impact to a degree significantly greater than a single-family residence. One- and two-family dwellings are both required to provide a minimum of two off-street parking spaces for each dwelling unit. The submitted site plan (See Figure 3.1) shows the structure facing Moran Street, no access or parking area is shown, but the location of utilities and a ditch along Clay Street would prevent any reasonable access to Clay. The connection of Moran St to Brady Road occurs around the midpoint of the Eastern property line, which could cause potential conflicts if an additional access point is added into the mix. The City's Public Works Supervisor requested that the site's access point be located as

close to the southern property line as possible to prevent issues with oncoming traffic. Planning Staff agrees that from a traffic safety stand-point, the area would be better served with an access as far south of the Moran/Brady intersection as possible. (See Figure 3.2). The City's Transportation Engineer consultant stated they had no comments on the application as submitted, but since access was not detailed on the site plan, his review would be beneficial once an access point is determined. As a special exception request, the Planning Commission can recommend, and the Board of Adjustment can impose such conditions and safeguards as are appropriate. Staff recommends:

1. Access be restricted to Moran Street only and located as far south as feasible from the Moran/Brady intersection.
2. Access be restricted to one shared driveway and parking area.
3. Access be reviewed by the City's Transportation Engineer prior to the issuance of a Land Use/Building Permit.

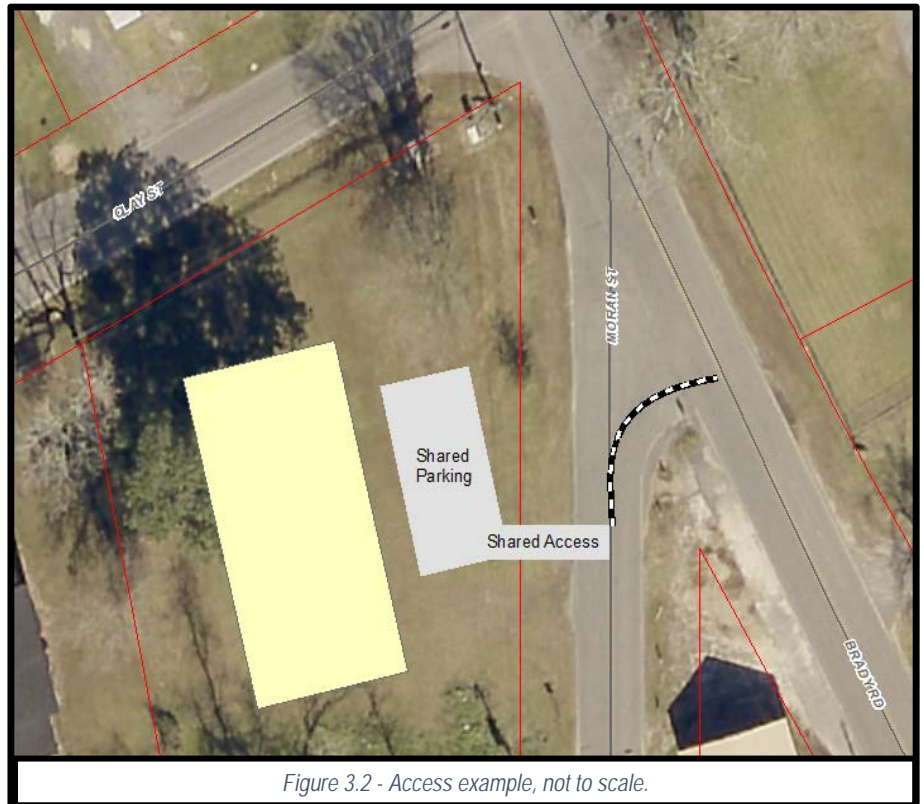


Figure 3.2 - Access example, not to scale.

4.) The character of the surrounding property, including any pending development activity

COMPLIANT

The property is adjacent to existing single-family residences in all directions as well as the Faith Community Church to the East across Moran St. Nearby to the Southwest, between the subject property and the intersection of Byrne Street, is the 2.28± acre development that was rezoned from the R-5, Manufactured/Mobile Home Residential District and approved for a PUD in 2019 to construct single family homes similar in size to 'typical' manufactured homes (See Figure 4.1). To date, four have been constructed. On the North side of Clay Street and along Byrne Street is an existing duplex and a multi-family dwelling unit owned by the Housing Authority. One block north at E Magnolia and Byrne Street is another multi-family building and duplex owned by the Housing Authority, with another duplex on the same property facing South Street. Two blocks to the West of the subject property, there is an active rezoning request proposed, Case Z-23002, to rezone .30± acres from R-3 to the R-5 district. Staff is unaware of any other pending development in the immediate vicinity.



Figure 4.1: Aerial imagery from December 2022 for Clay Street PUD Development

5.) Adequacy of public infrastructure to support the proposed development *COMPLIANT*

The Bay Minette Police Department and Bay Minette Fire Department stated they had no comments on the application. No comments were received from North Baldwin Utilities.

6.) Impacts on natural resources, including existing conditions and ongoing post-development conditions *COMPLIANT*

Impacts on natural resources are expected to be nominal. The proposed structure is shown at 67'2"x42' for an estimated building size of approximately 2,821 sq ft. The lot coverage maximum is 35%, which would be 5,785sq ft. A single-family residence is allowed by right, which has no minimum or maximum square footage beyond the 30% lot coverage max, which would be 4,958sq ft.

7.) Compliance with other laws and regulations of the City *NOT APPLICABLE*

N/A

8.) Compliance with other applicable laws and regulations of other jurisdictions *COMPLIANT*

The subject property sits within the city limits of Bay Minette and falls under the city's jurisdiction.

9.) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values *COMPLIANT*

Negative impacts are expected to be minimal as this property is adjacent to existing residential and there are existing duplex and multi-family uses in the immediate vicinity.

10.) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values *COMPLIANT*

Negative impacts are expected to be minimal as this property is adjacent to existing residential and there are existing duplex and multi-family uses in the immediate and general vicinity.

11) Overall benefit to the community *COMPLIANT*

The property is currently undeveloped. There is a severe need for housing in the community that this proposal can help alleviate.

12.) Compliance with sound planning principles *COMPLIANT*

The intent of this ordinance, among others, is to provide for the orderly development of the city, in order to promote the health, safety, convenience, order, prosperity and general welfare of the residents. This proposed use is compatible with the surrounding property and based on the existing adjacent property, is an orderly progression of development. The existing zoning designation allows for the use through the Special Exception process and no obvious reasons for denial have surfaced.

13.) Compliance with the terms and conditions of any zoning approval *NOT APPLICABLE*

N/A

14.) Any other matter relating to the health, safety and welfare of the community *NOT APPLICABLE*

N/A

15.) Other matters which may be appropriate *COMPLIANT*

If approved, the applicant will be required to submit a Land Use and Building Permit prior to construction.

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff recommends the Special Exception request for the construction of a duplex be:

Recommended to the Board of Adjustment for Approval Subject to the Following Conditions:



1. Access be restricted to Moran Street only and located as far south as feasible from the Moran/Brady intersection.
2. Access be restricted to one shared driveway and parking area.
3. Access be reviewed by the City's Transportation Engineer prior to the issuance of a Land Use/Building Permit.

PLANNING COMMISSION ACTION

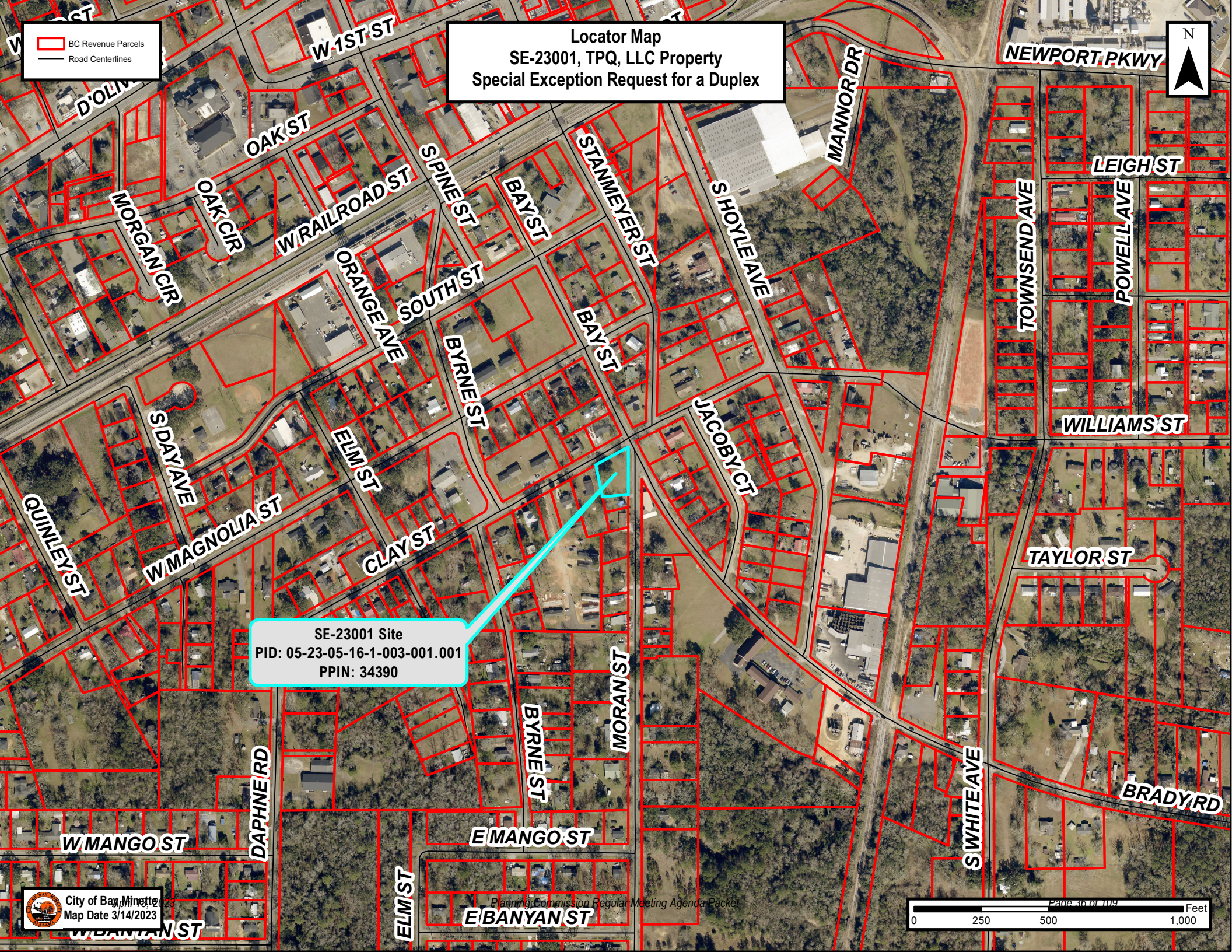
For Special Exception applications, the Planning Commission makes an advisory recommendation to the Board of Adjustment who makes the final decision after a public hearing. The Planning Commission has the option to:

- Make a recommendation for approval of the request to the Board of Adjustment as presented
- Make a recommendation for approval of the request with conditions to the Board of Adjustment
- Make a recommendation for denial to the Board of Adjustment, with stated factors for the denial.
- Table the request due to a lack of information.

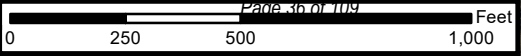
14.4.2.2(f) Limitation on resubmittal. An application for the same parcel of land shall not be submitted within 365 days of the final decision of the Board of Adjustment. Any application may be withdrawn without prejudice prior to the opening of the hearing by the Board of Adjustment. All notices to withdraw shall be submitted in writing

 BC Revenue Parcels
 Road Centerlines
















Locator Map
SE-23001, TPQ, LLC Property
Special Exception Request for a Duplex



SE-23001 Site
 PID: 05-23-05-16-1-003-001.001
 PPIN: 34390

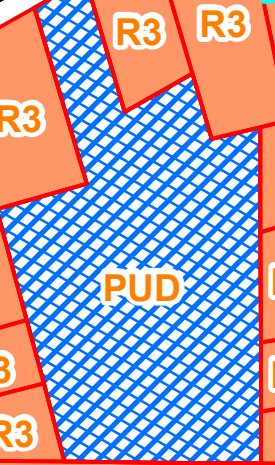


Zoning Map
SE-23001, TPQ, LLC Property
Special Exception Request for a Duplex


















-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines
-  R-A Rural Residential and Agricultural Zone District
-  R-1 Low Density Single Family Residential District
-  R-2 Medium Density Single Family Residential District
-  R-3 Higher Density Single-Family Residential District
-  R-4 High Density Multi-Family Residential District
-  R-5 Manufactured/Mobile Home Residential District
-  B-1 Local Business District
-  B-2 General Business District
-  B-2 General Business District (Historical District)
-  M-1 Light Industrial District
-  M-2 General Industrial District
-  PUD Planned Unit Development



SE-23001 Site
 PID: 05-23-05-16-1-003-001.001
 PPIN: 34390



Future Land Use Map
SE-23001, TPQ, LLC Property
Special Exception Request for a Duplex

-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines
-  Agriculture/Timber
-  Commercial
-  Government
-  Industrial
-  Institutional
-  Manufactured Home
-  Mixed Use
-  Parks & Recreation
-  Single Family
-  Duplex
-  Multi-Family
-  Public/Semi-Public
-  Undeveloped
-  Utilities

SE-23001 Site
 PID: 05-23-05-16-1-003-001.001
 PPIN: 34390



BC Revenue Parcels
Road Centerlines

Site Map
SE-23001, TPQ, LLC Property
Special Exception Request for a Duplex



CLAY ST

MORAN ST

BRADY RD

JACOBY CT

SE-23001 Site
PID: 05-23-05-16-1-003-001.001
PPIN: 34390



City of Bay Minette

Special Exception Application

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

| Office Use Only | |
|-----------------|--|
| SE - | <u>23001</u> |
| Fee: | \$300 + \$10 per Certified Letter |
| Paid: | <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card |
| | <input checked="" type="checkbox"/> Check - # <u>1283</u> |
| Date Paid: | <u>3/9/2023</u> |
| | <u>\$370.00</u> |

Are you the property owner? Yes No
(If you are not the property owner you must submit an Agent Authorization Form signed by the property owner)

Name: TPQ LLC Date: 3/9/23

Mailing Address: 10631 Durant Road

City: Bay Minette State: AL Zip Code: 36507

Phone Number: 251-937-9098 Email: mikep@reedconstruct.com

Site Information

Property Address: 304 Moran Street

or Property Location: Corner of Moran Street and Clay Street

*Parcel No.: 23-05-16-1-003-001.001 *PPIN No.: 34390

**Parcel or PPIN information must be completed*

Current Zoning: R3

The purpose of this Special Exception is to allow:
To construct a duplex

What grounds or conditions exist to warrant the approval of the Special Exception?
**Special Exception ordinance excerpt and review criteria is included in packet*

Zoning

I, the undersigned applicant, understands that payment of these fees does not entitle me to approval of this Special Exception and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting. I understand and authorize City Staff to conduct site visits, as needed, in relation to this request.

[Signature] 3-9-23

Signature of Applicant (Owner of Property or Authorized Agent) Date

- Submittal Requirements
- Application
 - Fee \$300 + \$10 x 7 letters = \$370.00
 - Agent Authorization Form (if applicant is not the owner)
 - Complete Legal Description of Property
 - Plot Plan or Survey – indicating any existing structures, proposed structures, and setbacks from property lines.

Version 1.4 – 1/18/2023

From: [AL Tolbert](#)
To: [Jessica Peed](#)
Cc: [Jason Padgett](#); [Steven W. Stewart](#); [Mike Minchew](#); [Rob Madison](#); [Tammy S. Smith](#); shane.bergin@neel-schaffer.com; [Clair Dorough](#)
Subject: Re: SE-23001, TPQ LLC- Duplex
Date: Wednesday, March 15, 2023 10:30:33 AM
Attachments: [image001.png](#)

BMPD is good.

Chief Al Tolbert
Bay Minette Police Department
300 North Hoyle Ave
Bay Minette, AL 36507
Office: 251-580-1682/ 251-580-2559
Cell Phone: 251-239-0554
Email: al.tolbert@cityofbayminetteal.gov



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On Mar 15, 2023, at 9:23 AM, Jessica Peed
<Jessica.Peed@cityofbayminetteal.gov> wrote:

Good morning,

Please see the attached Special Exception application submittals and Site Map for the property located at the corner/intersection of Clay St, Moran St, and Brady Rd, PIN 34390.

Applicant is requesting Special Exception approval for the purpose of constructing a duplex in a R-3, Higher Density Single Family Residential zoning designation, per the Zoning Ordinance Table of Permitted Uses.

If you have any questions or comments, please let me know.

Thank you,

Jessica Peed
Planning Coordinator

City of Bay Minette
Planning & Development Services Department

[301 D'Olive Street](#)

[Bay Minette, AL 36507](#)

(251) 580-1650, Ext. 7065

cityofbayminetteal.gov

[Planning & Development Services Department Site](#)

<image001.png>

<SE-23001 Application.pdf>

<SE-23001 Site Map.pdf>

<Layout.pdf>

From: [Steven W. Stewart](#)
To: [Jessica Peed](#); [AL Tolbert](#); [Jason Padgett](#); [Mike Minchew](#); [Rob Madison](#); [Tammy S. Smith](#); shane.bergin@neel-schaffer.com
Cc: [Clair Dorough](#)
Subject: RE: SE-23001, TPQ LLC- Duplex
Date: Wednesday, March 15, 2023 9:33:22 AM
Attachments: [image001.png](#)

No comments from Fire

From: Jessica Peed <Jessica.Peed@CITYOFBAYMINETTEAL.GOV>
Sent: Wednesday, March 15, 2023 9:23 AM
To: AL Tolbert <AL.Tolbert@CITYOFBAYMINETTEAL.GOV>; Jason Padgett <JPadgett@NBUMAIL.COM>; Steven W. Stewart <SWStewart@CITYOFBAYMINETTEAL.GOV>; Mike Minchew <MMINCHEW@CITYOFBAYMINETTEAL.GOV>; Rob Madison <Rob.Madison@CITYOFBAYMINETTEAL.GOV>; Tammy S. Smith <TSmith@CITYOFBAYMINETTEAL.GOV>; shane.bergin@neel-schaffer.com
Cc: Clair Dorough <Clair.Dorough@CITYOFBAYMINETTEAL.GOV>
Subject: SE-23001, TPQ LLC- Duplex

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If you have any questions or comments, please let me know.

Thank you,

Jessica Peed
Planning Coordinator

City of Bay Minette
Planning & Development Services Department
[301 D'Olive Street](#)
[Bay Minette, AL 36507](#)
(251) 580-1650, Ext. 7065
cityofbayminetteal.gov
[Planning & Development Services Department Site](#)



From: [Shane Bergin](#)
To: [Jessica Peed](#); [AL Tolbert](#); [Jason Padgett](#); [Steven W. Stewart](#); [Mike Minchew](#); [Rob Madison](#); [Tammy S. Smith](#)
Cc: [Clair Dorough](#)
Subject: RE: SE-23001, TPQ LLC- Duplex
Date: Wednesday, March 15, 2023 11:25:02 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

I don't have any comments.

SHANE BERGIN, PE, PTOE, PTP, RSP₁

Senior Project Manager



CELEBRATING FORTY YEARS 1983-2023

Neel-Schaffer, Inc.

851 East I-65 Service Road, Suite 1000

Mobile, AL 36606

Office: 251.471.2000

Fax: 251.471.5997

Mobile: 251.545.1219

www.neel-schaffer.com



From: Jessica Peed <Jessica.Peed@CITYOFBAYMINETTEAL.GOV>

Sent: Wednesday, March 15, 2023 9:23 AM

To: AL Tolbert <AL.Tolbert@CITYOFBAYMINETTEAL.GOV>; Jason Padgett <JPadgett@NBUMAIL.COM>; Steven W. Stewart <SWStewart@CITYOFBAYMINETTEAL.GOV>; Mike Minchew <MMINCHEW@CITYOFBAYMINETTEAL.GOV>; Rob Madison <Rob.Madison@CITYOFBAYMINETTEAL.GOV>; Tammy S. Smith <TSmith@CITYOFBAYMINETTEAL.GOV>; Shane Bergin <shane.bergin@neel-schaffer.com>

Cc: Clair Dorough <Clair.Dorough@CITYOFBAYMINETTEAL.GOV>

Subject: SE-23001, TPQ LLC- Duplex

Good morning,

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Family Residential zoning designation, per the Zoning Ordinance Table of Permitted Uses.

If you have any questions or comments, please let me know.

Thank you,

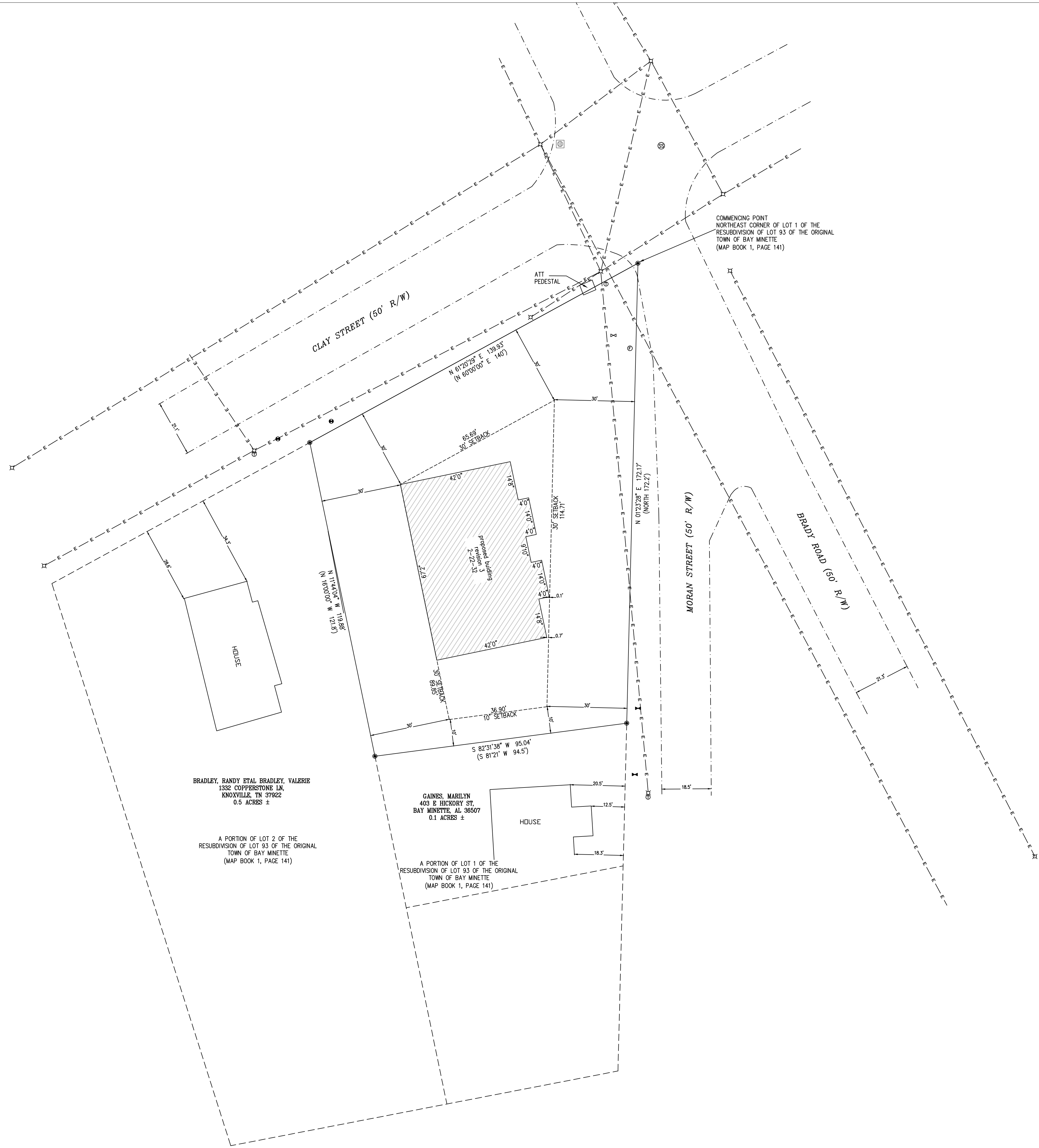
Jessica Peed
Planning Coordinator

City of Bay Minette
Planning & Development Services Department
301 D'Olive Street
Bay Minette, AL 36507
(251) 580-1650, Ext. 7065
cityofbayminetteal.gov
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COMMENCING POINT
 NORTHEAST CORNER OF LOT 1 OF THE
 RESUBDIVISION OF LOT 93 OF THE ORIGINAL
 TOWN OF BAY MINETTE
 (MAP BOOK 1, PAGE 141)

CLAY STREET (50' R/W)

MORAN STREET (50' R/W)

BRADY ROAD (50' R/W)

BRADLEY, RANDY ETAL, BRADLEY, VALERIE
 1332 COPPERSTONE LN,
 KNOXVILLE, TN 37922
 0.5 ACRES ±

A PORTION OF LOT 2 OF THE
 RESUBDIVISION OF LOT 93 OF THE ORIGINAL
 TOWN OF BAY MINETTE
 (MAP BOOK 1, PAGE 141)

GAINES, MARILYN
 403 E. HICKORY ST.
 BAY MINETTE, AL 36507
 0.1 ACRES ±

A PORTION OF LOT 1 OF THE
 RESUBDIVISION OF LOT 93 OF THE ORIGINAL
 TOWN OF BAY MINETTE
 (MAP BOOK 1, PAGE 141)

HOUSE

HOUSE

ATT
 PEDESTAL



City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Planning Commission Meeting Date: April 13, 2023

Case Number: Z-23002

APPLICATION SUMMARY

Project Name: Kleinatland Property Rezoning
Property Location: SW Corner of Clay Street and Elm Street
Property PID/PPIN: 05-23-05-16-1-003-007.000 // 48274
Property Size: .30± acres // 12,800 ± sq ft

Requested Action: Rezoning from R-3, Higher Density Single Family Residential District to R-5, Manufactured/Mobile Home Residential District
Applicant & Owner: Pamela Kleinatland

| Subject Property | Zoning | Existing Land Use |
|-------------------|--------|--|
| Z-23002 | R-3 | Vacant Residential |
| Adjacent Property | Zoning | Existing Land Use |
| North | R-3 | Clay Street, Residential |
| South | R-3 | Undeveloped/Vacant Residential, Residential |
| East | R-3 | Undeveloped/Vacant Residential, Byrne Street, Residential |
| West | R-3 | Elm Street, Residential and undeveloped/vacant residential |

SITE AND REQUEST SYNOPSIS

The subject property, which consists of one parcel containing .30± acres, is located on the South East side of the intersection of Elm Street and Clay Street. The applicant is the property owner: Pamela Kleinatland, who is requesting to rezone the parcel from R-3, Higher Density Single Family Residential District to R-5, Manufactured/Mobile Home Residential District “in order to have a single resident mobile home per request of potential buyer of property.” The property is vacant/undeveloped, with 50 feet of frontage on Clay Street and 256 feet of frontage on Elm Street, approximately 12,800 ± sq ft.

ZONING DISTRICTS AND TABLE OF PERMITTED USES

CURRENT ZONING DISTRICT

6.2.4 R-3, Higher Density Single Family Residential District. This district is intended to provide for a higher density of single-family structures on smaller lots than those allowed in the R-1 and R-2 districts. Duplexes will be allowed as a special exception.

PROPOSED ZONING DISTRICT

6.2.6 R-5, Manufactured/ Mobile Home Residential District. The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of permanent manufactured/mobile homes and for the amenities conducive to an adequate living environment. Public or private community water and sewer facilities are required except where lots are equal to Health Department requirements for private wells and septic systems.

TABLE OF PERMITTED USES

The current and proposed uses from Section 8.10 Table of Permitted Uses are listed below. Opposite each land use, in the appropriate district column or columns, the letter “R” identifies those districts in which a particular land use is permitted by right and the letters “S” identifies those districts in which a particular land use is permitted only by special exception. The letter “P”, identifies those uses that must be reviewed and approved by the Planning Commission.

| Table of Permitted Uses and Conditions | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | B-1 | B-2 | M-1 | M-2 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Dwelling, one-family. | R | R | R | R | R | R | S | S | S | S |
| Dwelling, two-family. | | | | S | R | R | P | P | | |
| Manufactured home. | | | | | | R | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|----|----|----|----|
| Manufactured home park. | | | | | | R | | | | |
| Manufactured home subdivision. | | | | | | R | | | | |
| Accessory buildings and uses, home swimming pools, when located on the same lot or parcel as the principal residential structure or use and customarily incidental thereto, allowed by right provided the requirements in all pertinent sections of this ordinance are met. Accessory buildings and uses, swimming pools, when located on the same lot or parcel as the principal commercial structure or use and customarily incidental thereto, allowed with Planning Commission approval provided the requirements in all pertinent sections of this ordinance are met. | R | R | R | R | R | R | PR | PR | PR | PR |

RELATED COMPREHENSIVE PLAN STATEMENTS & STRATEGIES

The City's Comprehensive Plan is a policy document that functions as the long-range plan for future growth and development. It identifies the goals, objectives, and strategies of the community, determined by its residents and property owners. City officials can use the document to make policies that effectively provide a coordinated approach for future growth. Though adopted by the City Planning Commission, the Plan is intended to provide guidance for future legal and policy decisions as determined by City Council and through analysis of existing and predicted conditions. The Plan also serves as the statutory basis for many of the City's land use and subdivision regulations as well as the application of zoning districts, as zoning and future land use must be in accordance with the Comprehensive Plan. The Goals, Objectives, Statements and Strategies below are pulled from the Plan as they are deemed relevant to this specific application by Planning Staff.

Introduction

Challenges of Growth: An important challenge facing the City of Bay Minette is to determine how to effectively and equitably accommodate growth and development without adversely affecting the small town, rural character of the community. To aid in accomplishing this, development should be not only more compact and contiguous the closer to the center of the City, but it should also maximize the use of existing infrastructure and resources through redevelopment of the existing community whenever possible. This will help preserve the larger tracts of agricultural land that have been part of the City's history and are associated with Bay Minette's beauty.

Housing

Goal: Provide a wide variety of safe and attractive living environments for all socioeconomic groups.

Statements: "City requires a diversity of housing types and densities to accommodate all socioeconomic groups of a community. The housing supply of a community must support existing and forecasted housing demands to ensure the resident's quality of life and the vitality and growth of the City. A community must foster continued maintenance, rehabilitation, and new construction of their housing stock to maintain the City's sustainability."

"Future residential growth should utilize infill development techniques where possible to prevent residential sprawl away from the community's core of commercial areas, schools, and pedestrian/public transit access. Creating isolated residential neighborhoods only adds stress to the public infrastructure including roads, water and sewer, and City services."

Housing – Affordable Housing - Manufactured Homes

"Manufactured homes are considered a housing option for some low to moderate income households. Within Bay Minette's municipal limits, manufactured homes are allowed in Residential Districts R-3 and R-4 by Special Exception and R-5 by Right according to the City of Bay Minette's Zoning Ordinance. The City should continue to allocate sites for manufactured homes, as they are one type of affordable home for low to moderate income residents. The City should also consider design standards associated with the installation of manufactured homes to encourage their compatibility with stick-built homes in the area."

Housing – Recommendations and Strategies

#1 Promote a choice of rural, suburban, and urban living environments and housing types to accommodate all household incomes. This includes anticipating and planning for future land requirements associated with future population projections and projected housing types.

#3 Protect the quality of life in existing and new neighborhoods by implementing subdivision regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas; promote the connectivity of roads, schools, parks, and open

spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#5 Require, through the adopted current building codes and inspection, a high quality of construction for residential structures that meets all flood and hurricane specifications. This includes issuing code violations for existing properties that are not in compliance. Encourage developers to locate new utilities underground to prevent damage during tropical storms and hurricanes.

#9 Prevent, through subdivision regulation enforcement, the development of land that is topographically not suitable for residential development such as floodplains and wetlands.

#10 Maintain the public infrastructure at a level needed to continue adequate service to existing and new residential dwellings. This includes correcting existing deficiencies in infrastructure and upgrading or constructing new infrastructure to accommodate new developments. Deny new development if the infrastructure is not in place to support it without compromising the service to existing housing. Require that all new development be connected to the City's existing public water and sewer lines at the developer's expense.

#12 Identify undeveloped lots within existing residential neighborhoods that would be suitable for residential infill of single family and multifamily developments. Encourage developers to consider these target areas for future residential development.

Land Use

Statements: "The single-family residential land use category is the second largest category totaling 10,291 acres, or 14.33% of the total developed area. Bay Minette's small town character, designation as the county seat, and convenient location to great public schools and areas of employment has stimulated single-family residential growth within the City and planning area. Duplex residential and multi-family residential land uses constitute less than 1% combined of the total developed planning area. The manufactured home category totals 1,696 acres, or 2.36% of the planning area."

"Undeveloped land comprises over 12.51% of the total developed area. This totals 8,989 acres currently available for land development and new construction. Some of these lots are located within residential neighborhoods while others are located in commercial areas. These vacant lots should be developed with uses that are the same or compatible with adjacent uses."

#1 Promote a choice of rural, suburban, and urban living environments through density regulations associated with residential land uses. Encourage conservation of large tracts of land through subdivision regulations. This includes anticipating and planning for future land requirements associated with future population projections, projected housing types, and the need for additional commercial land uses.

#3 Protect the quality of life of existing and new developments by implementing land use regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas with each new development; promote the connectivity of roads, schools, parks, and open spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#4 Encourage through land use regulations infill development of undeveloped lots as opposed to urban sprawl to support the conservation of rural lands within Bay Minette's planning area.

#6 Ensure, through site plan review and/or subdivision plat review, that all types of land use developments have a design and scale compatible to adjoining properties and are buffered from different incompatible land uses and adverse impact due to encroachment.

DEPARTMENT AND AGENCY COMMENTS

Due to the nature of the rezoning, additional department/agency review may be required if developed.

North Baldwin Utilities – No comments received.

City Engineering Consultants

Bay Minette Public Works – No comments received.

Civil: Tensaw Engineering, Benjamin White, P.E. – No comments received.

Bay Minette Police Department - No comments received.

Transportation: Neel-Schaffer, Shane Bergin, PE, PTOE, PTP, RSP1 – No comments received.

Bay Minette Fire Department – No comments received.

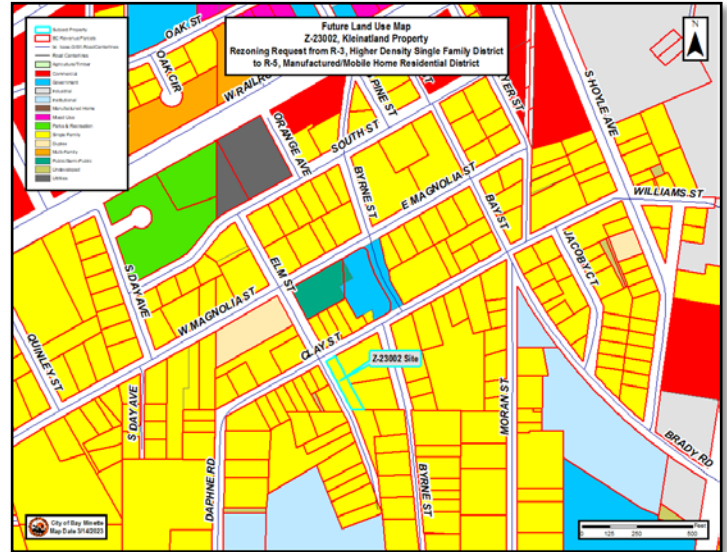
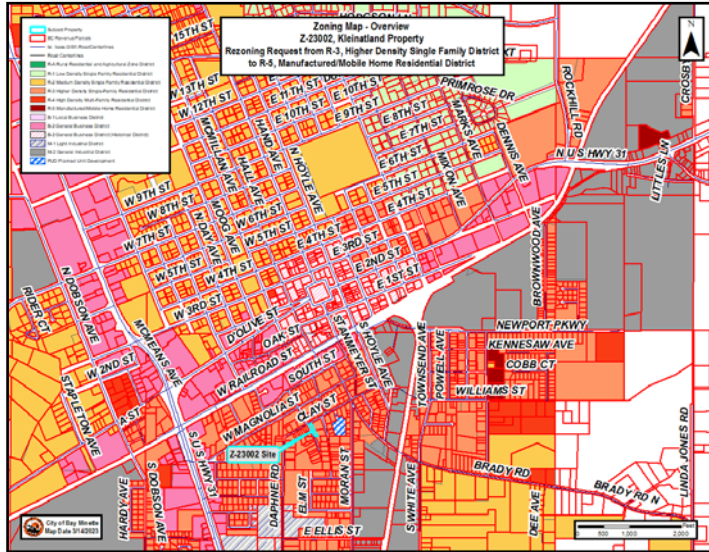
Baldwin County E-911 – N/A

ALDOT – N/A

MAPPING

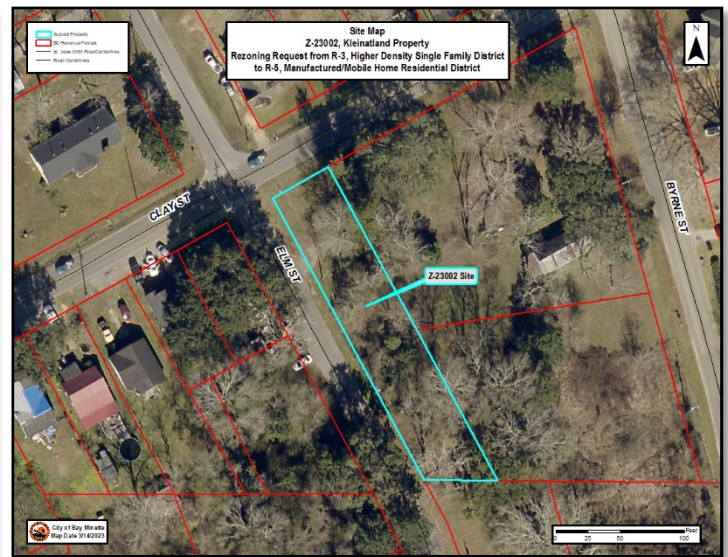
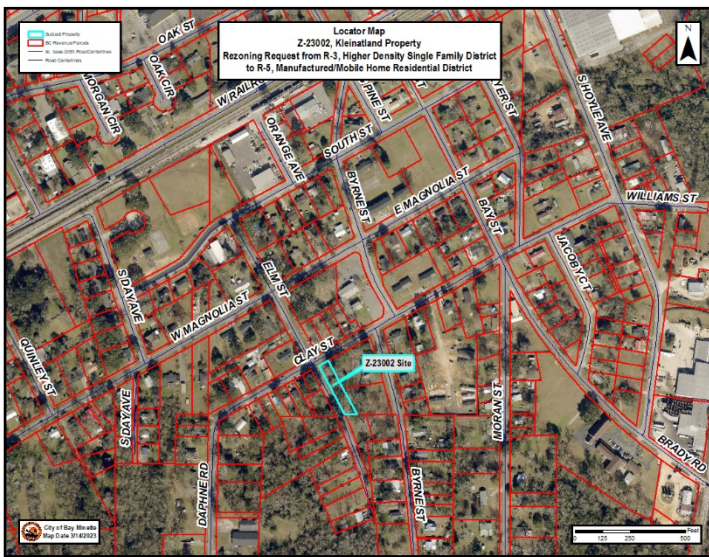
Zoning Map

Future Land Use Map



Locator Map

Site Map



STAFF ANALYSIS

The following guidelines for reviewing zoning amendments are found in **Article 15 – Amendment** in the *Zoning Ordinance of the City of Bay Minette*. These factors are to be considered when an application is being reviewed for rezoning.

1.) Compliance with the Comprehensive Plan **NON-COMPLIANT**

The subject property is designated as Single Family on the Future Land Use Map in the Comprehensive Plan and is surrounded entirely by Single Family designated areas with some nearby areas to the North along Byrne Street designated as Government (Baldwin County Commission facilities, Alabama Cooperative Extension Office); along E Magnolia designated Public/Semi-Public (cemetery) and along W Magnolia designated as Duplex (Housing Authority). Farther out, has several properties designated Institutional (various churches), with a few properties designated Government (City-Owned Property). There's also a few designated as "Undeveloped" likely due to extremely small size, lack of access or presence of potential wetlands. The closest properties designated for Manufactured

Home are a half mile or more to the East on Taylor Street and Abernathy Ave. None of those properties are also zoned as R-5, Manufactured/Mobile Home district.

The Comprehensive Plan goals, recommendations and strategies listed above include providing a wide variety of safe and attractive living environments for all socioeconomic groups with diversity of housing types and densities, but the property and the immediate and surrounding general vicinity are not designated as Manufactured Home.

2.) Compliance with the standards, goals and intent of this ordinance *NON-COMPLIANT*

The Zoning Ordinance was intended to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the comprehensive plan, and other public requirements.

Single family residential use would be compatible with the surrounding property and as the property is currently vacant, development would be beneficial to the area. However, the requested zoning change would not comply with or be consistent with several aspects of the standards, goals and intent of the Zoning Ordinance.

- a.) The rezoning would not be compatible with the Zoning Ordinance - There are only five parcels in the City zoned as R-5, Manufactured/Mobile Home Residential district. The parcels total 11.8± acres and only one parcel (4.6± acres) is currently used as a Manufactured/Mobile Home Park. It is also the farthest from the subject property at 1.58 miles away. The remaining parcels are all adjacent to each other on the East side of Abernathy Avenue between Newport Parkway and Williams Street. Those properties are .68 miles away and currently used for Single Family Residential or are vacant/undeveloped. Rezoning the subject property would constitute "Spot Zoning," which is defined as "The zoning of a 'spot' or small area (individual lot or several contiguous lots) within the limits of an existing zoning district, and in which are permitted uses other than those permitted in the larger existing zoning district surrounding the 'spot'. Spot zoning is not authorized by law as it is not an amendment to the zoning map that is consistent with the amendment criteria and compatible with the Zoning Ordinance or Comprehensive Plan.
- b.) The resultant development would not be able to meet the regulations of the R-5 district - The minimum setbacks and dimensional requirements for the R-5 district are located in Sec 9.1 for Manufactured/Mobile Home Parks. It requires a minimum area of three acres, immediate availability of 15 MH spaces and 4,000 square feet of area for each MH. It also requires 25ft front/rear/side setbacks with each MH having 40ft spacing width, minimum 10ft front yard, 20ft between each MH and 2 off-street parking spaces per home. The subject property is 256'x50', approximately 12,800 ± sq ft. Approving a zoning amendment for a district with such specific requirements that the subject parcel absolutely cannot meet is inconsistent with the standards of the Zoning Ordinance.
- c.) The proposed development would not be consistent with the City Code - Chapter 13 – Mobile Homes and Trailers. This section of the City Code specifically prohibits the occupancy of a manufactured/mobile home in any area other than a manufactured/mobile home park (MHP). As the proposal is not intended for the establishment of a MHP and the subject property would not meet the minimum standards required for an MHP, the request would be inconsistent with City Code and the Zoning Ordinance.
- d.) The proposed rezoning is not compatible with the Comprehensive Plan – The intent of the Zoning Ordinance is to facilitate the progression of the Comprehensive Plan. Since the property's Future Land Use Designation is not consistent with the proposed rezoning, the request is incompatible with the Comp Plan and therefore not compliant with the intent of the Zoning Ordinance.

3.) The character of the surrounding property, including any pending development activity *NON-COMPLIANT*

The surrounding property is primarily single-family residential or vacant/undeveloped. The parcels are either narrow, oddly shaped or land locked. There are ten narrow lots in the immediate vicinity along the north side of Byrne St and south side of Clay Street with similar characteristics of the subject property. Five are 45ft wide, five are 50ft wide and eight contain structures.

Nearby to the East, between the subject property and the intersection of Moran Street, is the 2.28± acre development that was rezoned from the R-5, Manufactured/Mobile Home Residential District and approved for a PUD in 2019 to construct single family homes similar in size to 'typical' manufactured homes (*See Figure 3.1*). To date, four have been constructed.

Two blocks to the East of the subject property, there is an active Special Exception request proposed, Case SE-23001, for the construction of a duplex. As stated previously, the closest R-5 zoned property currently used as MHP is 1.58 miles away. Staff is unaware of any other pending development in the immediate vicinity.

Public comments received were from a citizen that received a certified letter but stated they no longer owned the adjacent property and questions from Councilman Phillips inquiring about the purpose of the rezoning and dimensional requirements for manufactured home parks.

4.) Adequacy of public infrastructure to support the proposed development *COMPLIANT*

No comments were received in regards to the rezoning request. As a single-family dwelling would be allowed by right, coupled with the lack of intensity of surrounding existing uses, no major impacts are anticipated.

5.) Impacts on natural resources, including existing conditions and ongoing post-development conditions *COMPLIANT*

As a single-family dwelling would be allowed by right, coupled with the lack of intensity of surrounding existing uses, no major impacts are anticipated for the development of a single residential dwelling. However, a MHP that meets the minimum area standards would have a significant impact on the surrounding area to increase from one to a minimum of 15 units, but the likelihood of that development occurring is extremely low.



Figure 3.1: Aerial imagery from December 2022 for Clay Street PUD Development

6.) Compliance with other laws and regulations of the city *NON-COMPLIANT*

As stated previously, the proposed development would not be consistent with the City Code - Chapter 13 – Mobile Homes and Trailers. This section of the City Code specifically prohibits the occupancy of a manufactured/mobile home in any area other than a manufactured/mobile home park (MHP). As the proposal is not intended for the establishment of a MHP and the subject property would not meet the minimum standards required for an MHP, the request would be inconsistent with City Code.

7.) Compliance with other applicable laws and regulations of other jurisdictions *COMPLIANT*

The subject property sits within the city limits of Bay Minette and falls under the city's jurisdiction.

8.) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values *NON-COMPLIANT*

Manufactured housing can offer affordable residential options. As a single-family dwelling would be allowed by right, coupled with the lack of intensity of surrounding existing uses, no major impacts would be anticipated for the development of one residential dwelling. However, since MHs are only allowed to be located in a MHP per City Code, this rezoning request has to be considered at its full capacity and developing a MHP at this location would have a detrimental effect on the surrounding properties. There are no properties in the general vicinity that would have a density similar to a MHP. This portion of Elm Street South of Clay Street serves three existing dwellings and dead ends approximately 700 feet from Clay Street. The roadway only has a 40-ft right-of-way, pavement width of approximately 20 feet and no striping. At a minimum, a MHP that meets the minimum area standards, could conceivably produce 30 vehicles (minimum 15 units x required parking for 2 vehicles per unit) That additional traffic accessing Clay (Major Collector) at Elm Street, which is 300ft west of the Byrne St intersection and 475 feet from the high crash curve where Clay Street and Daphne Road intersection. While the likelihood of that development occurring is extremely low due to the site constraints, approving a rezoning to the R-5 district effectively implies consent of the R-5/MHP use and drastically increases the probability of development.

9.) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values *NON-COMPLIANT*

Manufactured housing can offer affordable residential options. As a single-family dwelling would be allowed by right, coupled with the lack of intensity of surrounding existing uses, no major impacts would be anticipated for the development of one residential dwelling. However, since MHs are only allowed to be located in a MHP per City Code, this rezoning request has to be considered at its full capacity and developing a MHP at this location would have a detrimental effect on the surrounding properties. There are no properties in the general vicinity that would have a density similar to a MHP. This portion of Elm Street South of Clay Street serves three existing dwellings and dead ends approximately 700 feet from Clay Street. The roadway only has a 40-ft right-of-way, pavement width of approximately 20 feet and no striping. At a minimum, a MHP that meets the minimum area standards, could conceivably produce 30 vehicles (minimum 15 units x required parking for 2 vehicles per unit) That additional traffic accessing Clay (Major Collector) at Elm Street, which is 300ft west of the Byrne St intersection and 475 feet from the high crash curve where Clay Street and Daphne Road intersection. While the likelihood of that development occurring is extremely low due to the site constraints, approving a rezoning to the R-5 district effectively implies consent of the R-5/MHP use and drastically increases the probability of development.

10.) Other matters which may be appropriate *NOT APPLICABLE*

N/A

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff's recommendation for the Rezoning Request from the R-3, Higher Density Single Family Residential District to R-5, Manufactured/ Mobile Home Residential District is for the Planning Commission to submit:

A recommendation of DENIAL to the City Council for the rezoning request based on the following factors:



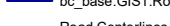

1. Failure to comply with the Comprehensive Plan
2. Failure to comply with the standards, goals and intent of the Zoning Ordinance
3. Failure to comply with other laws and regulations of the City; and
4. Other factors as stated in the staff analysis.

PLANNING COMMISSION ACTION

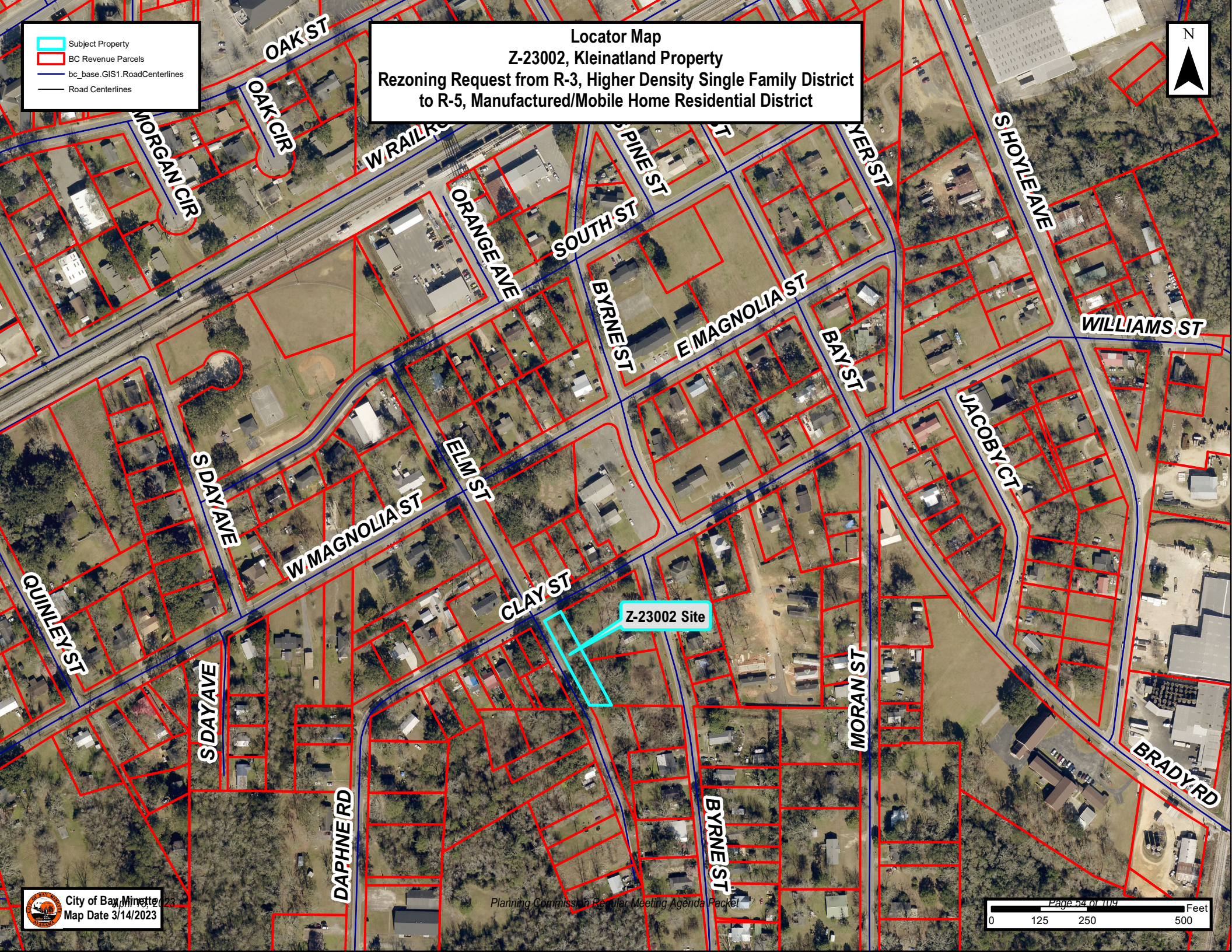
For rezoning applications, the Planning Commission holds a public hearing and sends an advisory recommendation to the City Council, who makes the final decision. The Planning Commission has the option to:

- Make a recommendation for approval of the request to the City Council as presented
- Make a recommendation for approval of the request with conditions to the City Council
- Make a recommendation for denial to the City Council, with stated factors for the denial.
- Table the request due to a lack of information.

















15.2.6 Limitation on resubmittal. No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being open by the city council. A request to withdraw an application shall be made in writing.

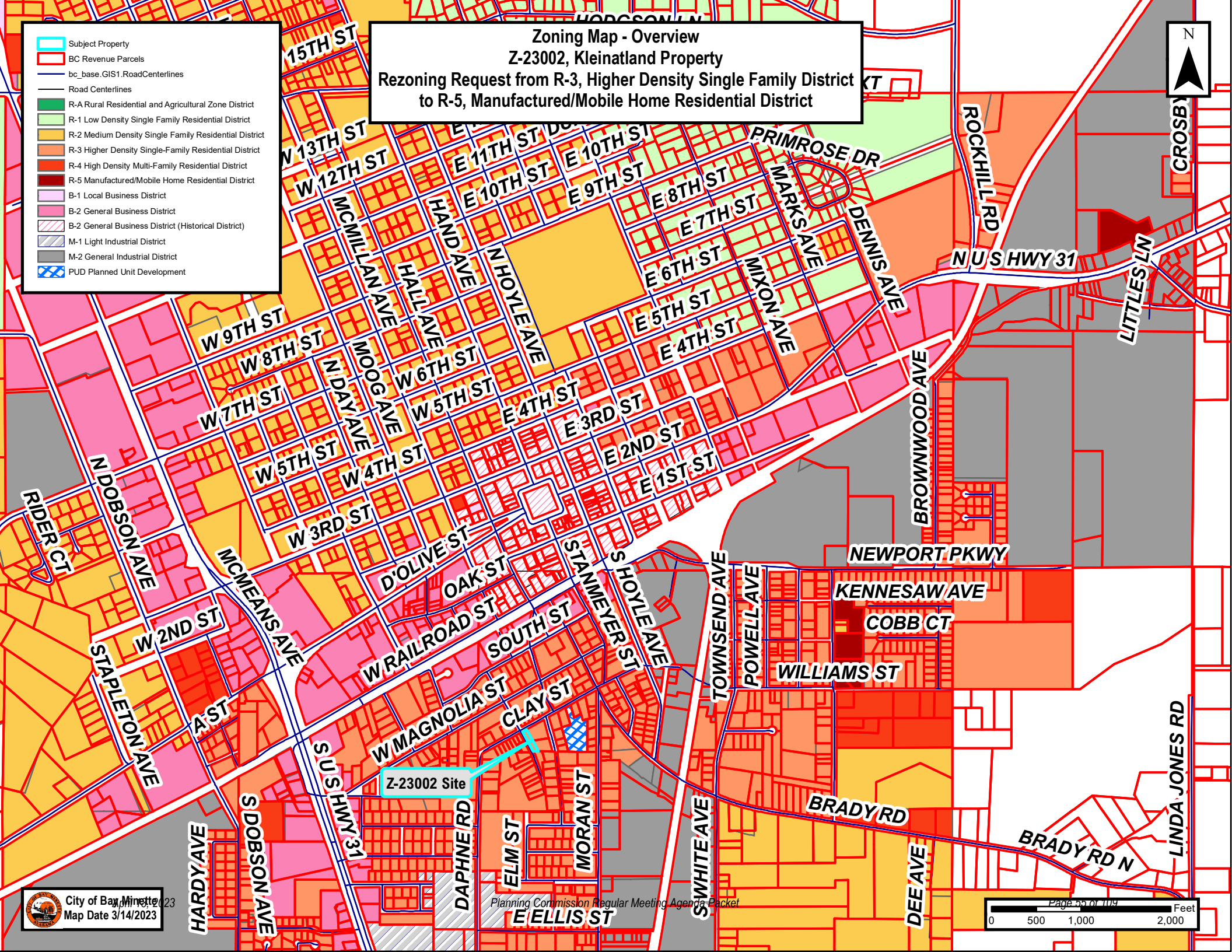
-  Subject Property
-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines

Locator Map
Z-23002, Kleinatland Property
Rezoning Request from R-3, Higher Density Single Family District
to R-5, Manufactured/Mobile Home Residential District



















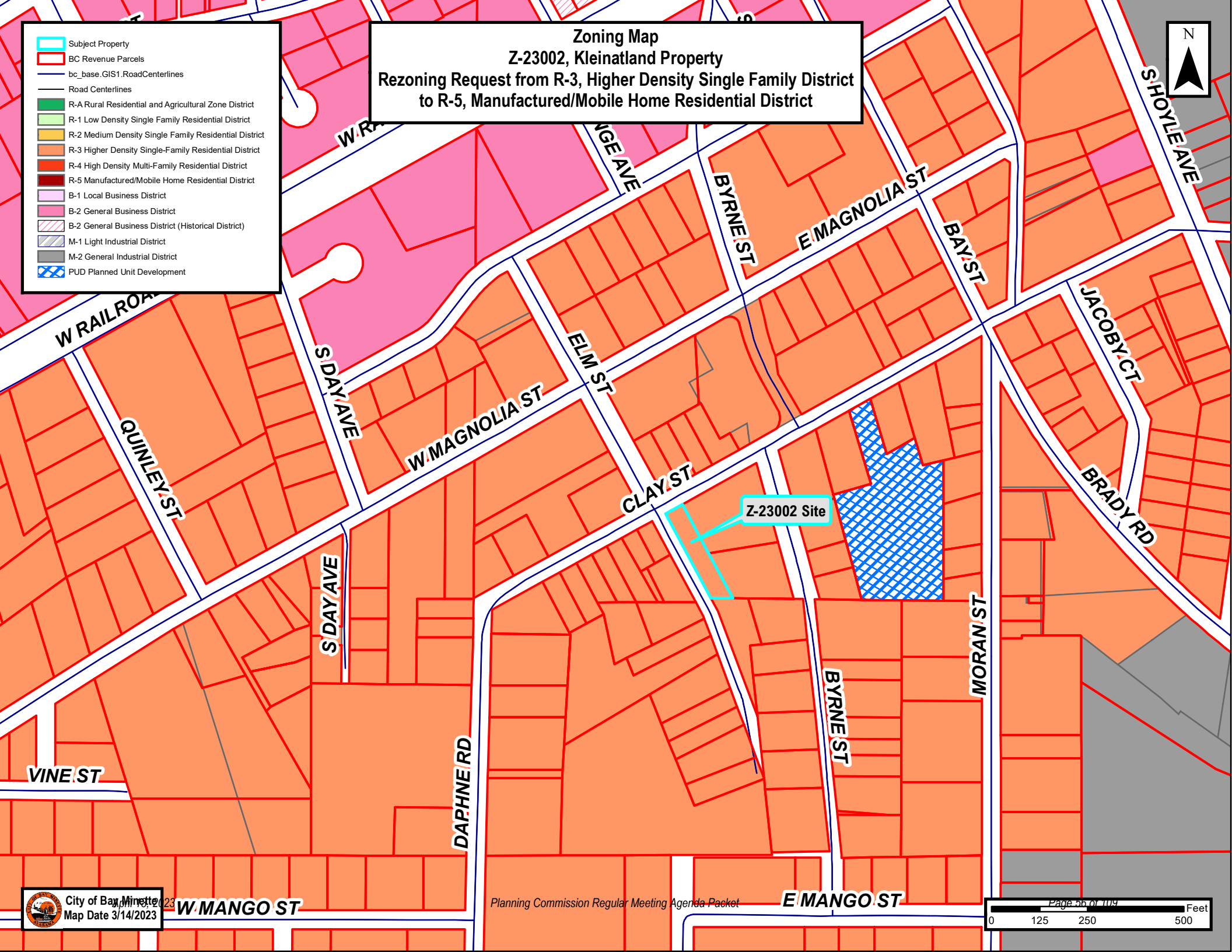
Zoning Map - Overview
Z-23002, Kleinatland Property
Rezoning Request from R-3, Higher Density Single Family District
to R-5, Manufactured/Mobile Home Residential District



















-  Subject Property
-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines
-  R-A Rural Residential and Agricultural Zone District
-  R-1 Low Density Single Family Residential District
-  R-2 Medium Density Single Family Residential District
-  R-3 Higher Density Single-Family Residential District
-  R-4 High Density Multi-Family Residential District
-  R-5 Manufactured/Mobile Home Residential District
-  B-1 Local Business District
-  B-2 General Business District
-  B-2 General Business District (Historical District)
-  M-1 Light Industrial District
-  M-2 General Industrial District
-  PUD Planned Unit Development



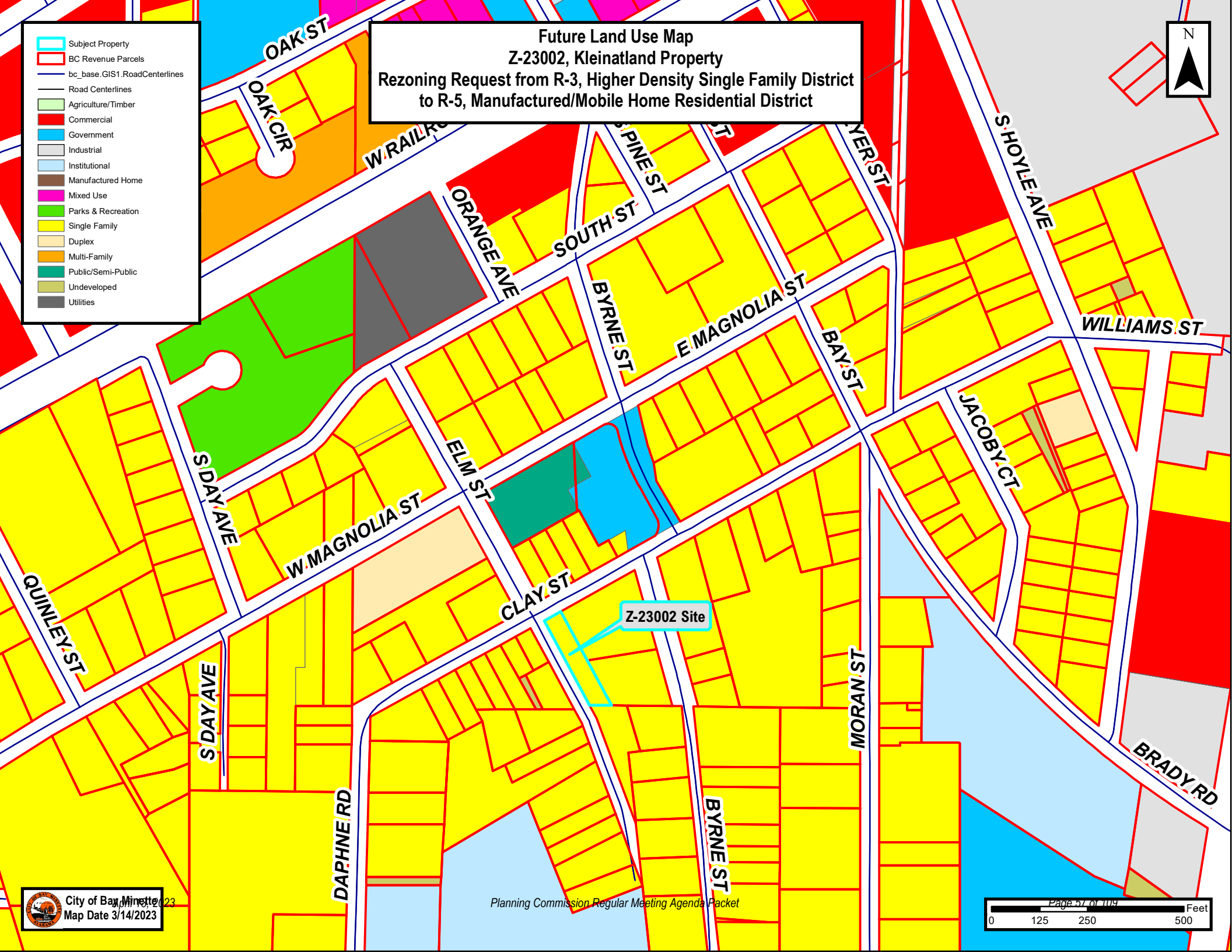
Zoning Map
Z-23002, Kleinatland Property
Rezoning Request from R-3, Higher Density Single Family District
to R-5, Manufactured/Mobile Home Residential District





-  Subject Property
-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines
-  R-A Rural Residential and Agricultural Zone District
-  R-1 Low Density Single Family Residential District
-  R-2 Medium Density Single Family Residential District
-  R-3 Higher Density Single-Family Residential District
-  R-4 High Density Multi-Family Residential District
-  R-5 Manufactured/Mobile Home Residential District
-  B-1 Local Business District
-  B-2 General Business District
-  B-2 General Business District (Historical District)
-  M-1 Light Industrial District
-  M-2 General Industrial District
-  PUD Planned Unit Development



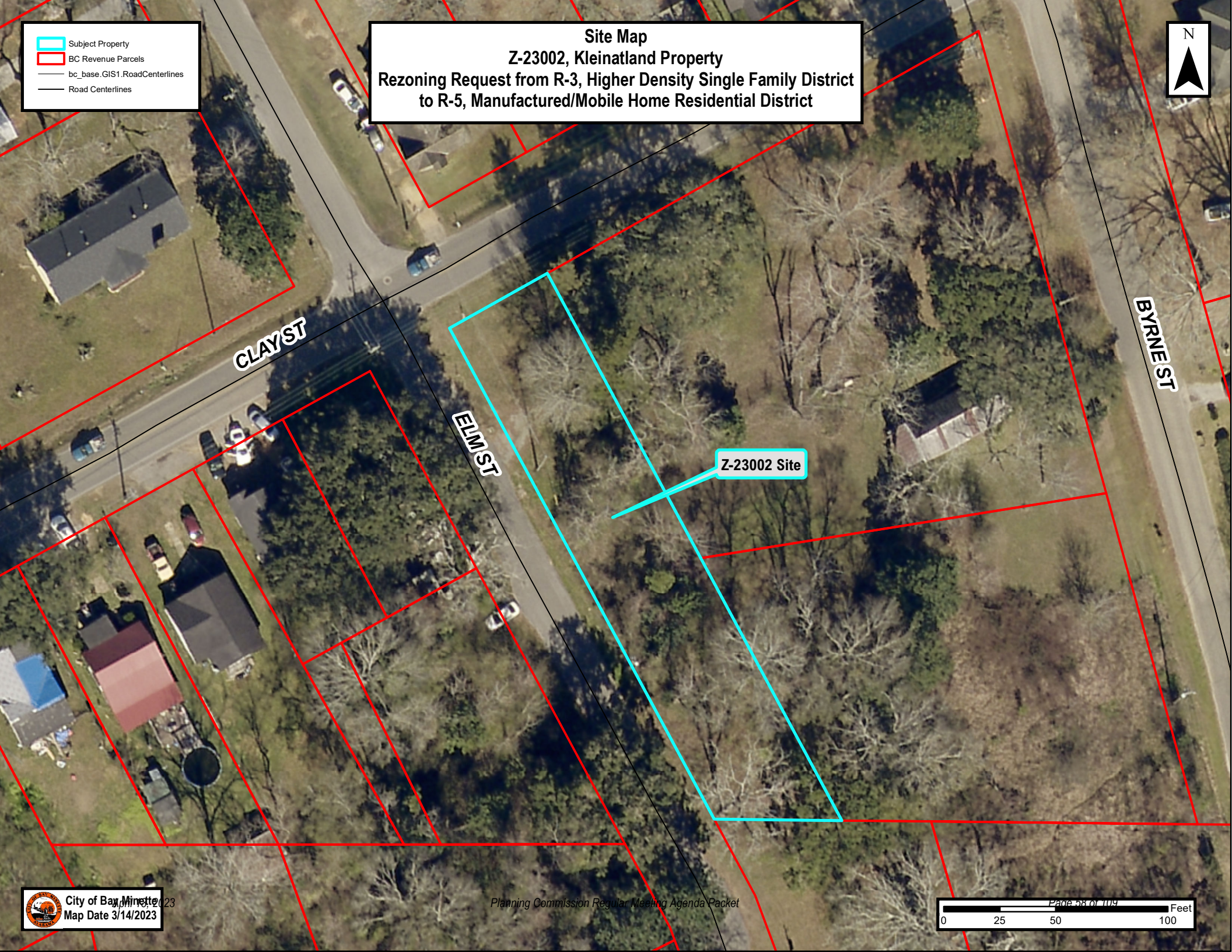
-  Subject Property
-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines
-  Agriculture/Timber
-  Commercial
-  Government
-  Industrial
-  Institutional
-  Manufactured Home
-  Mixed Use
-  Parks & Recreation
-  Single Family
-  Duplex
-  Multi-Family
-  Public/Semi-Public
-  Undeveloped
-  Utilities

Future Land Use Map
Z-23002, Kleinatland Property
Rezoning Request from R-3, Higher Density Single Family District
to R-5, Manufactured/Mobile Home Residential District



-  Subject Property
-  BC Revenue Parcels
-  bc_base.GIS1.RoadCenterlines
-  Road Centerlines

Site Map
Z-23002, Kleinatland Property
Rezoning Request from R-3, Higher Density Single Family District
to R-5, Manufactured/Mobile Home Residential District



CLAY ST

ELM ST

BYRNE ST

Z-23002 Site



City of Bay Minette

Re-zoning Application

| | |
|--|-------|
| Case No.: | _____ |
| Fee- \$300.00 | |
| Date Paid: | _____ |
| Paid: <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash | |
| <input type="checkbox"/> Check- No. | _____ |

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Are you the property owner? YES NO

**If you are not the property owner, you must submit an Owner Authorization Form signed by the property owner*

Applicant Name: PAM Kleinattland Date: 2-13-23

Mailing Address: 24948 Wolf Bay Terrace

City: Orange Beach State: AL Zip Code: 36561

Telephone Number: 251-978-9784 cell Email: info@LuxuryLimolLC.com

Property Owner Name: Carl & Florence Kleinattland ^{Site Information} Phone Number: 251-978-9784 (PAM)

Property Address: CLAY ST

Parcel/PPIN #: 48274

Area of Property, Sq. Ft., or Acres: 50 x 270 .33 Acres

Present Zoning: Multi-Family Requested Zoning: Single-Family

Reason for Request/ Intended use of property: - Allowing Mobile Home

Rezoning in order to have a single resident mobile home per request of potential buyer of property.
- Change from Multi-family to Single-Family.

I, the undersigned applicant, understand that payment of these fees does not entitle me to approval of this rezoning and that no refund of these fees will be made. I have reviewed a copy of the applicable zoning regulations and understand that I must be present on the date of the meeting.

Signature: [Signature] - Executor Date: 2-13-23

- Submittal Requirements**
- _____ Application
 - _____ Fee
 - _____ Agent Authorization Form (if applicant is not the owner)
 - _____ Survey or boundary map showing exact dimensions of the property to be rezoned
 - _____ Legal description of property

OK # 1157
2-13-23



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Case #: Z-23002 Date: 3/29/2023

Name: Brenda Barnes

Address: _____

Phone Number: 251-239-8275 Email: _____

Inquiring on what the letter was meaning- Jessie explained the rezoning request.



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@ci.bay-minette.al.us

Case #: Z-23002 Date: _____

Name: Hudson Gilliand

Address: PIN 22560

Phone Number: _____ Email: _____

Stated he moved and doesn't own the property anymore.

Footnotes:

--- (1) ---

Cross reference— *Flood damage prevention, Ch. 11; land use and development ordinance, App. A.*

Sec. 13-1. - Occupancy in other than mobile home park—Prohibited generally.

The use, occupancy or lease of a house trailer or mobile home, whether the same be equipped with wheels, or on a foundation, within the city by any person for human living quarters, is hereby prohibited, unless such house trailer or mobile home is located within the confines of a regular trailer or mobile home park or camp, legally established and existing in the city in conformity with the ordinances of the city.

(Ord. No. 595, § 1, 4-24-64; Ord. No. 667, § 1, 1-16-73; Code 1980, § 13-1)

Sec. 13-2. - Same—Parking time limit.

No person shall knowingly and willingly permit any house trailer or mobile home to be parked or left upon any property which he owns, or over which he has control, within the city, for a period of time in excess of five hours; except in a duly licensed trailer or mobile home park or camp; provided however, this section shall not apply to any house trailer or mobile home which is not being used for living quarters or sleeping quarters, and which is being kept solely for sale in the usual course of, and the regular permanent place of business of any person, duly licensed by the city to engage in the business of selling house trailers or mobile homes.

(Ord. No. 595, § 2, 4-24-68; Ord. No. 667, § 2, 1-16-73; Code 1980, § 13-2)

Sec. 13-3. - Same—Variances.

Provided, however, the city council shall retain, and have the authority, at its discretion, to grant a variance to section 13-1 or section 13-2 so as to permit the locating of a trailer or mobile home in areas other than established trailer or mobile home parks or camps, for a period not to exceed six months, no renewals to be granted to such variance. Said variance shall be granted only in hardship or emergency situations, determined as such by the city council.

(Ord. No. 667, § 3, 1-16-73; Code 1980, § 13-3)



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

NOTICE OF PUBLIC HEARINGS

Case No. Z-23002, Kleinatland Property Rezoning Request from the R-3, Higher Density Single Family Residential District to the R-5, Manufactured/Mobile Home Residential District

Notice is hereby given that the City of Bay Minette Planning Commission and City Council will each conduct a public hearing for Case No. Z-23002, the Kleinatland property, related to a request to rezone .30± acres from the R-3, Higher Density Single Family Residential District to the R-5, Manufactured/Mobile Home Residential District. The property is identified as Parcel I.D. 05-23-05-16-1-003-007.000, PIN# 48274. A map can be found on the back of this notice.

The Bay Minette **Planning Commission** will conduct the first public hearing during its regularly scheduled meeting on **Thursday, April 13, 2023** beginning at 8:00 a.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The Bay Minette **City Council** will conduct a second public hearing during its regularly scheduled meeting on **Monday, May 1, 2023** beginning at 6:00 p.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The application materials will be available for public review at Bay Minette City Hall. If you desire to speak with someone by telephone about this application, please contact Planning & Development Services at (251) 580-1650. If you desire to submit comments, please email to COBM_Planning@cityofbayminetteal.gov or address your correspondence to:

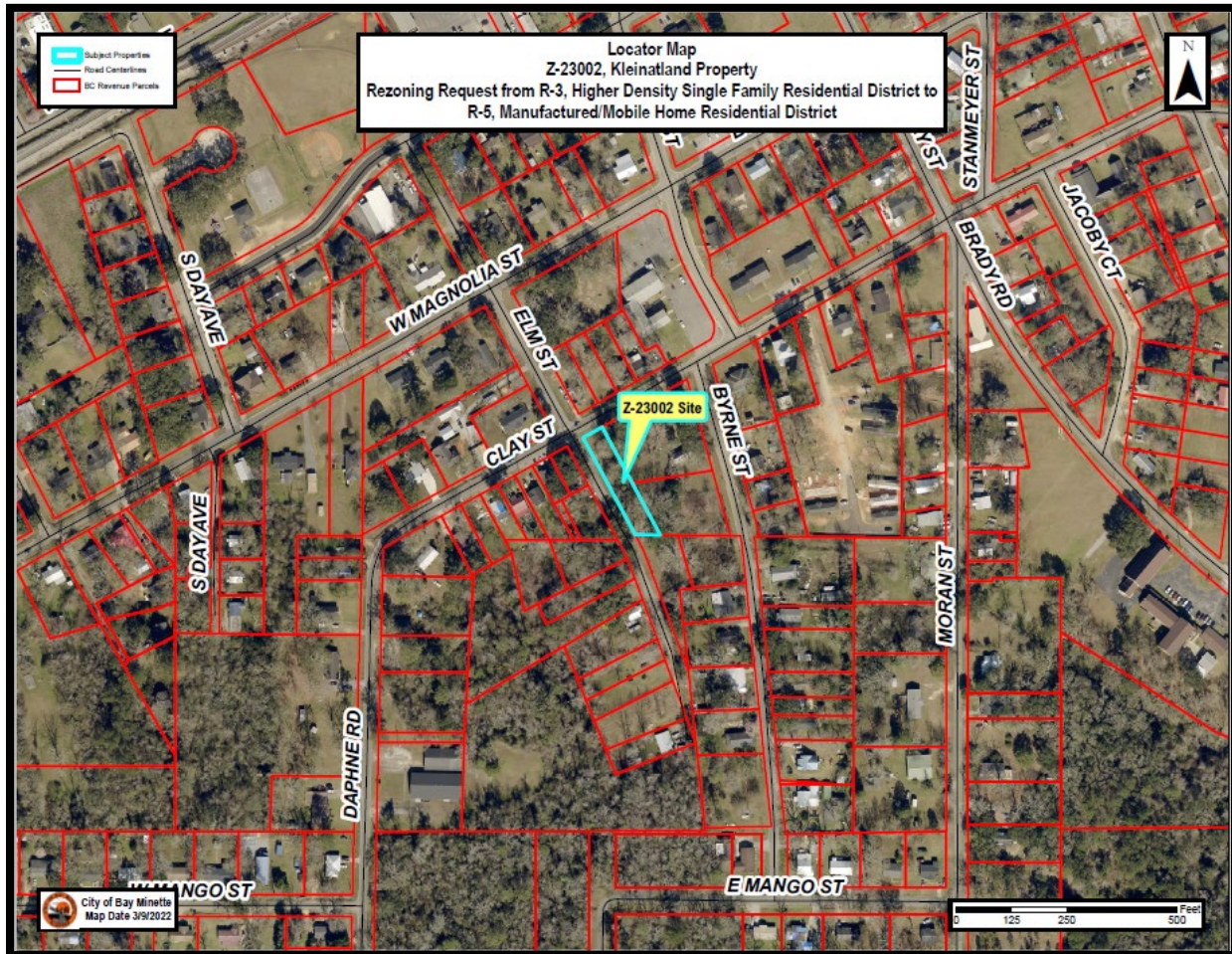
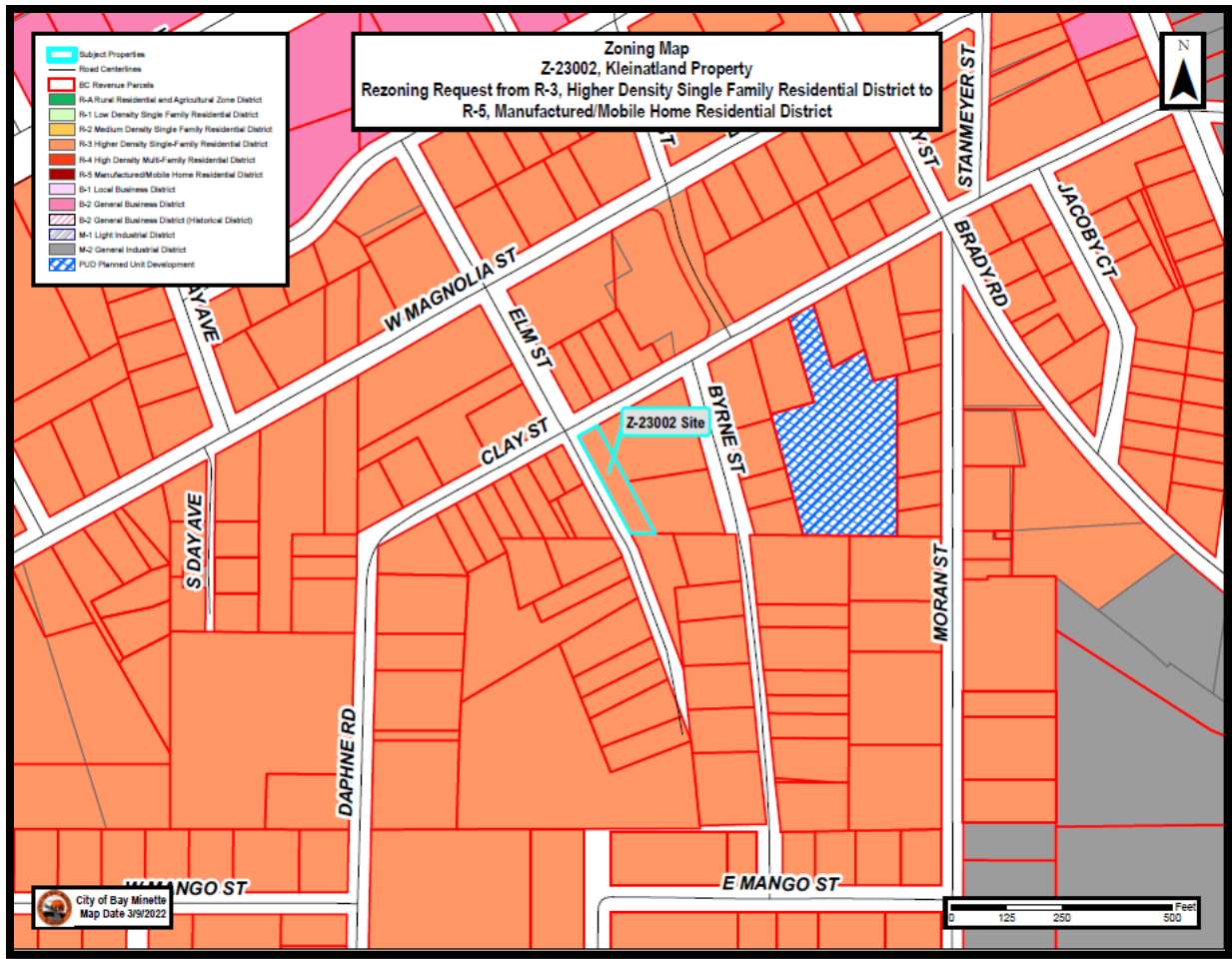
City of Bay Minette Planning & Development Services
301 D'Olive Street
Bay Minette, AL 36507

Please include the case number noted above in all correspondence. If you desire to address the Planning Commission or City Council in person about this application, please attend the public hearings at the time and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact Planning & Development Services.

** See Reverse for Map

Notice Date – March 27, 2023





City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Planning Commission Meeting Date: April 13, 2023

Case Number: Z-23003

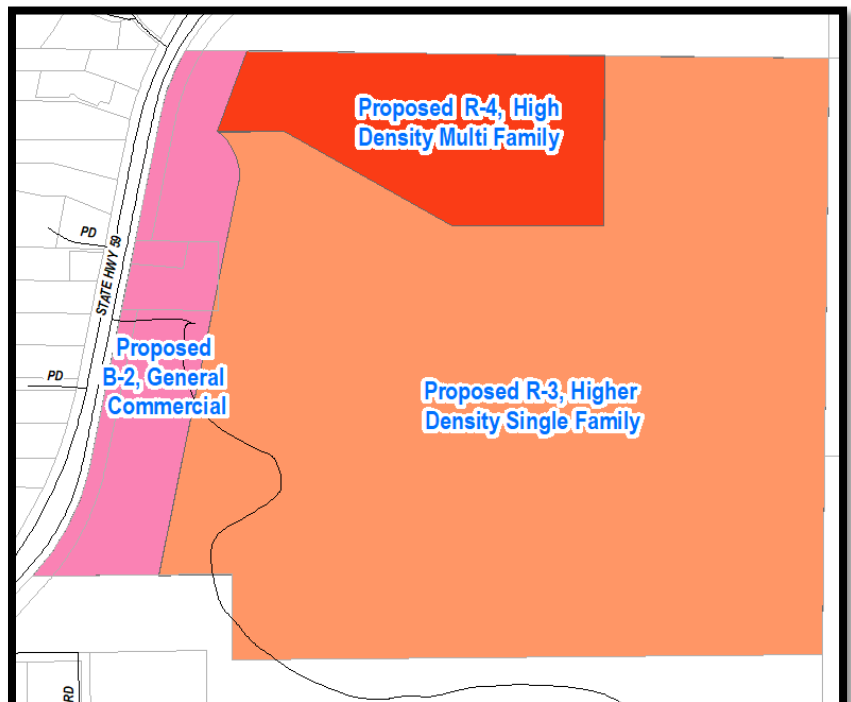
APPLICATION SUMMARY

| | |
|---|--|
| <p>Project Name: Baldwin Ventures, LLC Property Pre-Zoning Property Location: State Hwy 31, Appx .75 miles south of Holly Hills Property PID/PPIN: 05-28-05-21-0-000-009.001 // 92518 Property PID/PPIN: 05-28-05-21-0-000-002.001 // 222473 Property PID/PPIN: 05-28-05-21-0-000-002.000 // 31532 Property PID/PPIN: 05-28-05-21-0-000-009.000 // 83618 Property PID/PPIN: 05-28-05-21-0-000-001.000 // 62828</p> | <p>Property Size: 413.40± acres Proposed Action: Pre-zoning from unzoned to: R-3, Higher Density Single Family Residential District 316.8± acres R-4, High Density Multi-Family Residential District 50.2± acres B-2, General Business District 46.4± acres Applicant: City of Bay Minette Property Owner: Baldwin Ventures, LLC</p> |
|---|--|

| Subject Property | Zoning | Existing Land Use |
|-------------------|-------------------------------------|-----------------------------|
| Z-23003 | Unzoned, County Planning District 7 | Undeveloped and Residential |
| Adjacent Property | Zoning | Existing Land Use |
| North | Unzoned, County Planning District 7 | Undeveloped |
| South | Unzoned, County Planning District 7 | Undeveloped |
| East | Unzoned, County Planning District 7 | Undeveloped |
| West | Unzoned, County Planning District 7 | Residential and Undeveloped |

SITE AND REQUEST SYNOPSIS

The subject property, which consists of five parcels containing 413.40± acres, is located on the East side of State Highway 59, approximately .75 miles south of the northern entrance of Country Club Drive and Holly Hills Municipal Golf Course. The property is currently unzoned as part of the County's Planning District 7 and has an estimated .68 miles of frontage on Highway 59. Three of the parcels are undeveloped with the exception of a power transmission line and internal, dirt roadways; and two parcels contain residential dwellings that front Highway 59. The property is currently awaiting consideration and approval by the State Legislature as Senate Bill SB3 for Legislative Annexation. It was pre-filed on January 25, 2023 and First Reading was scheduled for March 7, 2023. This is one of two annexation requests being considered at this time. This property is owned by Baldwin Ventures, LLC, which requested the annexation by the City and proposed the configuration of the pre-zoning designations, for future development as a Planned Unit Development (PUD) with single-family housing, multi-family housing and commercial development along Highway 59. The pre-zoning request, which would be contingent upon a finalized annexation, proposes the zoning designations and acreage amounts listed below and shown on the inset map:



| Proposed Zoning Designation | Acreage |
|---|---------------------|
| R-3, Higher Density Single Family Residential | 316.8± acres |
| R-4, High Density Multi-Family Residential | 50.2± acres |
| B-2, General Business | 46.4± acres |
| TOTAL ACREAGE | 413.4± acres |

ZONING DISTRICTS AND TABLE OF PERMITTED USES

ANNEXATION AUTOMATIC ZONING DISTRICT

6.2.2 *R-1, Low Density Single Family Residential District.* This district is provided to afford opportunity for choice of low density suburban residential environment consisting of single-family homes on large parcels of land.

PROPOSED PRE- ZONING DISTRICTS

6.2.4 *R-3, Higher Density Single Family Residential District.* This district is intended to provide for a higher density of single-family structures on smaller lots than those allowed in the R-1 and R-2 districts. Duplexes will be allowed as a special exception.

6.2.5 *R-4, High Density Multi-Family Residential District.* The intent of this district is to provide opportunity for high density single-family, duplex, and multi-family residential development in specified areas. Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good high-density living environment by providing for needed community services. Public or community water and sewer facilities are required.

6.3.2 *B-2, General Business District.* This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

TABLE OF PERMITTED USES

The current and proposed uses from Section 8.10 Table of Permitted Uses are listed below. Opposite each land use, in the appropriate district column or columns, the letter "R" identifies those districts in which a particular land use is permitted by right and the letters "S" identifies those districts in which a particular land use is permitted only by special exception. The letter "P", identifies those uses that must be reviewed and approved by the Planning Commission.

The property is proposed for a Planned Unit Development (PUD) with single-family, multi-family and commercial uses. No specific commercial uses have been proposed for the site.

| Table of Permitted Uses and Conditions | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | B-1 | B-2 | M-1 | M-2 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Planned Unit Development, fixed dwelling. | P | P | P | P | P | P | P | P | | |
| Dwelling, one-family. | R | R | R | R | R | R | S | S | S | S |
| Dwelling, two-family. | | | | S | R | R | P | P | | |
| Dwelling, multi-family. | | | | | R | R | P | P | | |
| Clinic, dental, medical or psychiatric for humans. | | | | | | | R | R | | |
| Convenience store | | | | | | | R | R | | |
| Department store. | | | | | | | | R | | |
| Discount/Variety store, not to exceed 8,000 sq ft | | | | | | | P | R | R | P |
| Drive-in restaurant. | | | | | | | P | R | | |
| Drug store. | | | | | | | R | R | | |
| Grocery store, neighborhood | | | | | | | R | R | P | P |
| Grocery store, supermarket, where retail floor area exceeds 10,000 sq ft. | | | | | | | P | P | P | P |
| Hardware store, wholesale, storage and sale. | P | | | | | | | R | | |
| Restaurant (not as an entertainment venue). | | | | | | | R | R | | |

RELATED COMPREHENSIVE PLAN STATEMENTS & STRATEGIES

The City's Comprehensive Plan is a policy document that functions as the long-range plan for future growth and development. It identifies the goals, objectives, and strategies of the community, determined by its residents and property owners. City officials can use the document to make policies that effectively provide a coordinated approach for future growth. Though adopted by the City Planning Commission, the Plan is intended to provide guidance for future legal and policy decisions as determined by City Council and through analysis of existing and predicted conditions. The Plan also serves as the statutory basis for many of the City's land use and subdivision regulations as well as the application of zoning districts, as zoning and future land use must be in accordance with the Comprehensive Plan. The Goals, Objectives, Statements and Strategies below are pulled from the Plan as they are deemed relevant to this specific application by Planning Staff.

Population and Economy

Goal: Create an atmosphere that will foster educational attainment to attract new industries and encourage the retention and expansion of existing industries.

Objective: Preserve the quality of life established to ensure that Bay Minette remains an attractive residential community and promote sound commercial development.

Economic Analysis: The City of Bay Minette has a strong and diversified economy. The City's favorable economy derives largely from its strategic location and accessibility from the I-65 corridor and its geographical location along the State's busiest tourist transportation corridor, Highway 59, the main route to the Gulf Coast beaches of Alabama. The City is the County Seat and this provides many employment opportunities through local government. The City is also host to numerous industrial and manufacturing employers, including Standard Furniture, Quincy Compressors, and Dental EZ, Inc. The following sections provide an overview of local economic indicators that guide future economic development.

Objective: Create an atmosphere in Bay Minette that fosters new industries and encourages the retention and expansion of existing industries.

#2 City leaders and officials should partner and coordinate with other regional agencies and governments to foster an increase in commercial and industrial development in Bay Minette that will create a diversified local economy to bring more jobs to the community.

#4 The City of Bay Minette should define and clarify desired areas of industrial development and establish an Industrial Park. This will attract and hold industrial development potential and associated future land use in the designated area. The Highway 59 corridor north of the City has access to I-65 and would be a desirable location for an industrial park. However, Highway 59 south of the City currently has industrial land uses. The City should establish areas to focus future industrial development to prevent this land use from being scattered throughout the community. The same should also be done for areas of the City with high concentrations of business and commercial land uses to implement appropriate future developments in type and scale. With commercial land uses, traditional clustered development with multiple types of land uses should be encouraged over more recent strip/sprawl patterns. As funds become available, efforts should also be taken by the City to ensure parcels zoned for business and industrial development possess all necessary infrastructure to attract potential developers.

Housing

Goal: Provide a wide variety of safe and attractive living environments for all socioeconomic groups.

Statements: "City requires a diversity of housing types and densities to accommodate all socioeconomic groups of a community. The housing supply of a community must support existing and forecasted housing demands to ensure the resident's quality of life and the vitality and growth of the City. A community must foster continued maintenance, rehabilitation, and new construction of their housing stock to maintain the City's sustainability."

"With new growth and development comes the additional responsibility of protecting existing residential areas from encroachment of incompatible land uses, increased traffic congestion, and increased stress and damage to utility and storm water drainage systems. This Chapter emphasizes the importance of planning for future growth and development without compromising the character that makes Bay Minette unique."

"Around 50 percent of Bay Minette's housing stock was constructed between 1960 and 1989 (20 to 49 years old). Typically, this group of housing begins to show signs of deterioration and needs rehabilitation."

#1 Promote a choice of rural, suburban, and urban living environments and housing types to accommodate all household incomes. This includes anticipating and planning for future land requirements associated with future population projections and projected housing types.

#2 Preserve and maintain the rural, small town character of Bay Minette by implementing subdivision regulations that will not: result in environmental degradation; adversely affect rural/semi-rural areas; impair working agricultural and timberland operations.

#3 Protect the quality of life in existing and new neighborhoods by implementing subdivision regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas; promote the connectivity of roads, schools, parks, and open spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#10 Maintain the public infrastructure at a level needed to continue adequate service to existing and new residential dwellings. This includes correcting existing deficiencies in infrastructure and upgrading or constructing new infrastructure to accommodate new developments. Deny new development if the infrastructure is not in place to support it without compromising the service to existing housing. Require that all new development be connected to the City's existing public water and sewer lines at the developer's expense.

Land Use

Statement: "To accommodate future population and housing projections, duplex and multi-family development acreage went from 0.43% of the total planning area in 2010 to 0.65% by 2030. The mixed-use category was increased from nearly 0% of the total planning area in 2010 to 0.05% in 2030. This will also increase the future residential land use availability of the City.

#3 Protect the quality of life of existing and new developments by implementing land use regulations that will: ensure the separation of incompatible land uses; preserve and/or create open spaces and landscaped areas with each new development; promote the connectivity of roads, schools, parks, and open spaces; require, where feasible, the installation of sidewalks throughout the development; and prevent stress on the existing public infrastructure and public services.

#6 Ensure, through site plan review and/or subdivision plat review, that all types of land use developments have a design and scale compatible to adjoining properties and are buffered from different incompatible land uses and adverse impact due to encroachment.

DEPARTMENT AND AGENCY COMMENTS

Due to the nature of the annexation process and variable nature of rezoning/rezoning details, additional department/agency review will be required as the project progresses.

North Baldwin Utilities – N/A

Bay Minette Public Works – N/A

Bay Minette Police Department - N/A

Bay Minette Fire Department – N/A

Baldwin County E-911 – N/A

ALDOT – N/A

City Engineering Consultants

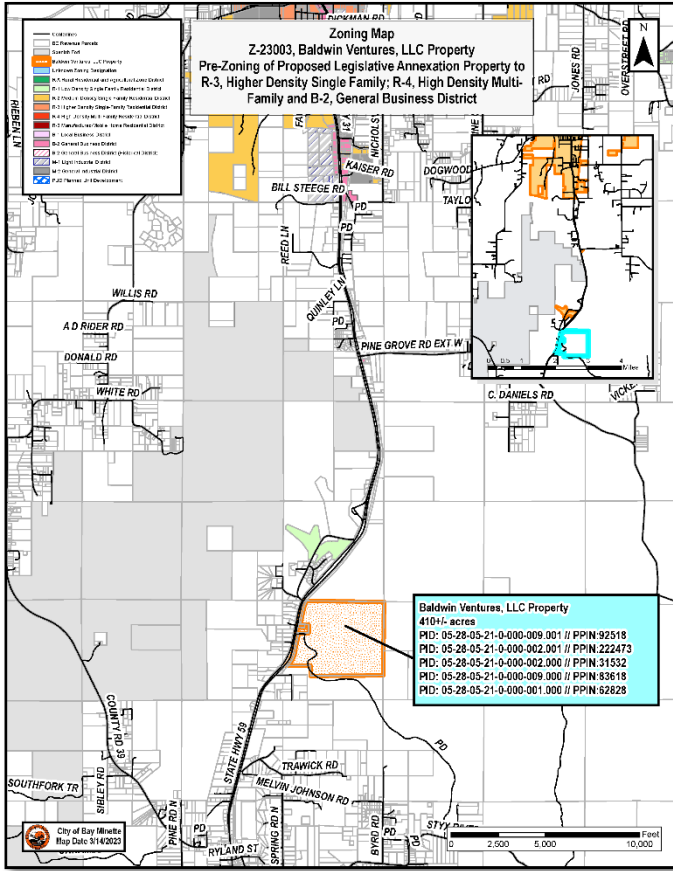
Civil: Tensaw Engineering, Benjamin White, P.E. – N/A

Transportation: Neel-Schaffer, Shane Bergin, PE, PTOE, PTP,

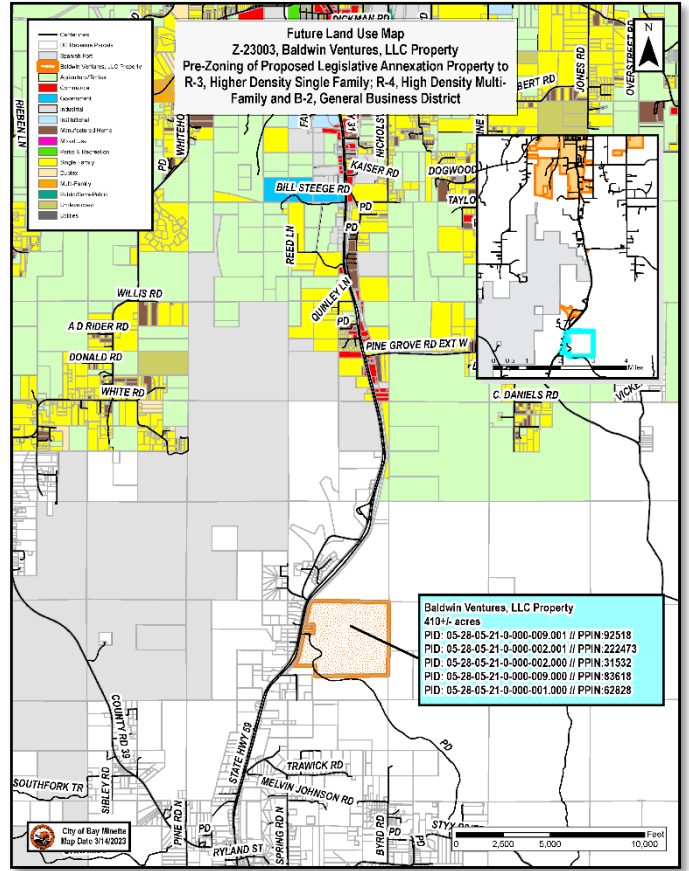
RSP1 – N/A

MAPPING

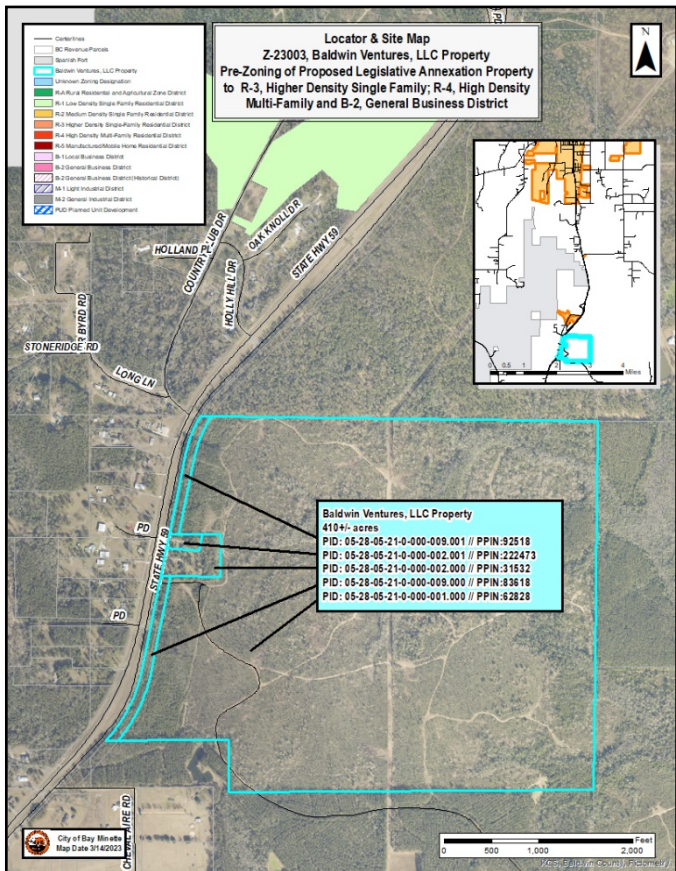
Existing Zoning Map



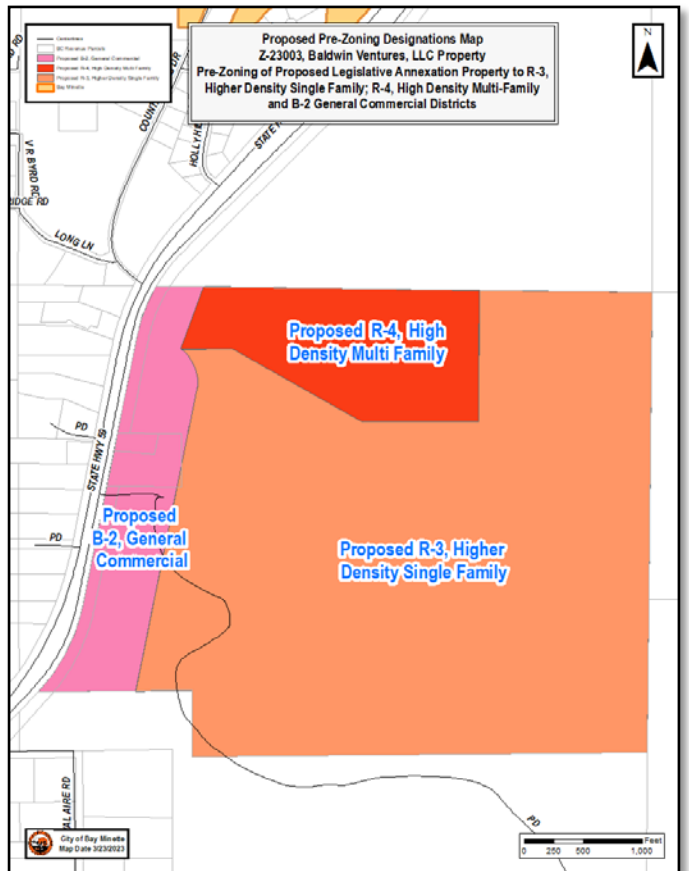
Future Land Use Map



Locator & Site Map



Proposed Zoning Districts Map



STAFF ANALYSIS

The following guidelines for reviewing zoning amendments are found in **Article 15 – Amendment** in the *Zoning Ordinance of the City of Bay Minette*. These factors are to be considered when an application is being reviewed for rezoning.

1.) Compliance with the Comprehensive Plan *COMPLIANT*

The subject property is outside of the scope of the Future Land Use Map in the Comprehensive Plan. However, the Comprehensive Plan goals, recommendations and strategies listed above include the promotion of sound commercial development and fostering an increase in commercial development. The Comprehensive Plan goals, recommendations and strategies also include providing a wide variety of safe and attractive living environments for all socioeconomic groups with diversity of housing types and densities, specifically stating that:

“The housing supply of a community must support existing and forecasted housing demands to ensure the resident’s quality of life and the vitality and growth of the City. A community must foster continued maintenance, rehabilitation, and new construction of their housing stock to maintain the City’s sustainability.”

The Comprehensive Plan is the master plan required by state law, for the purpose of guiding the future growth of the municipality both inside and outside the current municipal limits. The Planning Commission is required to conduct careful and comprehensive surveys and studies of the present conditions and future growth of the municipality and with due regard to its relation to neighboring territory. The current Comprehensive Plan was researched and written in 2010, prior to the establishment of the County’s Mega-Site and while considering the expansive extraterritorial jurisdiction that has since significantly diminished. Specifically in light of the recent developments at the County’s Mega-Site, the existing plan does not consider actual significant development occurring in the North Baldwin area. The intent of the plan is for guiding and accomplishing...

“a coordinated, adjusted, and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.”

The proposed Pre-Zoning to a commercial district is compatible with recommendations and strategies from the Plan that are listed above.

2.) Compliance with the standards, goals and intent of this ordinance *COMPLIANT*

The Zoning Ordinance was intended to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the comprehensive plan, and other public requirements.

Zoning Ordinance Section 14.2.4 (c) states that the Planning Commission shall hear and recommend to the City Council on all matters of zoning of newly annexed land when R-1 is determined not to be the proper zone. Zoning Ordinance 15.4 states that any unzoned land annexed into the City shall be automatically classified as R-1, Low Density Single Family, except that the City Council may consider, after publication and hearing process required by law, specific applications to zone newly annexed land into other zoning categories.

Due to the property’s location on Highway 59, especially in light of the ongoing construction at the Novelis Mega-Site, and critical need for housing, the potential for residential and commercial development in the area has increased significantly. The property owner’s proposal for a Master Planned, mixed-use development would offer a diverse housing stock and provide a significant increase in the availability of commercial, single-family and multi-family uses to alleviate a critical need. By developing the 413± acres under a unified master plan, it allows for a concentration of resources to serve the proposed development and contain similar intensity of uses together to prevent any potential incompatibilities.

3.) The character of the surrounding property, including any pending development activity *COMPLIANT*

The subject property, which consists of five parcels containing 413.40± acres, is located on the East side of State Highway 59, approximately .75 miles south of the northern entrance of Country Club Drive and Holly Hills Municipal Golf Course. The property is currently unzoned as part of the County's Planning District 7 and has an estimated .68 miles of frontage on Highway 59. Three of the parcels are undeveloped with the exception of a power transmission line and internal, dirt roadways; and two parcels contain residential dwellings that front Highway 59. There is single family residential dwellings scattered along Hwy 59, especially on the western side, with an occasional commercial use and a church. Other than Holly Hills Municipal Golf Course, the surrounding property is County Unzoned in the Planning District 7 jurisdiction. As previously stated, the Novelis Mega-Site is a leading factor prompting the increase in potential development and need for housing, especially as construction begins on the \$2.5B facility. As a County Unzoned area, there would be no guide for growth beyond the County's Subdivision Regulations, which does not regulate property use.

4.) Adequacy of public infrastructure to support the proposed development *COMPLIANT*

The Bay Minette Police Department did not have any comments on the application and no comments were received from Bay Minette Fire Department or North Baldwin Utilities in regards to the pre-zoning request. With the location on the heavily travelled Highway 59, and surrounding unzoned property, no major impacts are anticipated. Bay Minette Police Department and Bay Minette Fire Department will service these properties if the annexation is finalized. The City is not proposing annexation of the roadways, therefore, ALDOT would be the roadway authority for Hwy 59. Any development proposed for surrounding areas will not fall within the City's jurisdiction as they are located in County Planning districts and along State or County-maintained roadways. If any property in the surrounding area is proposed for division, the County's Subdivision Regulations will apply.

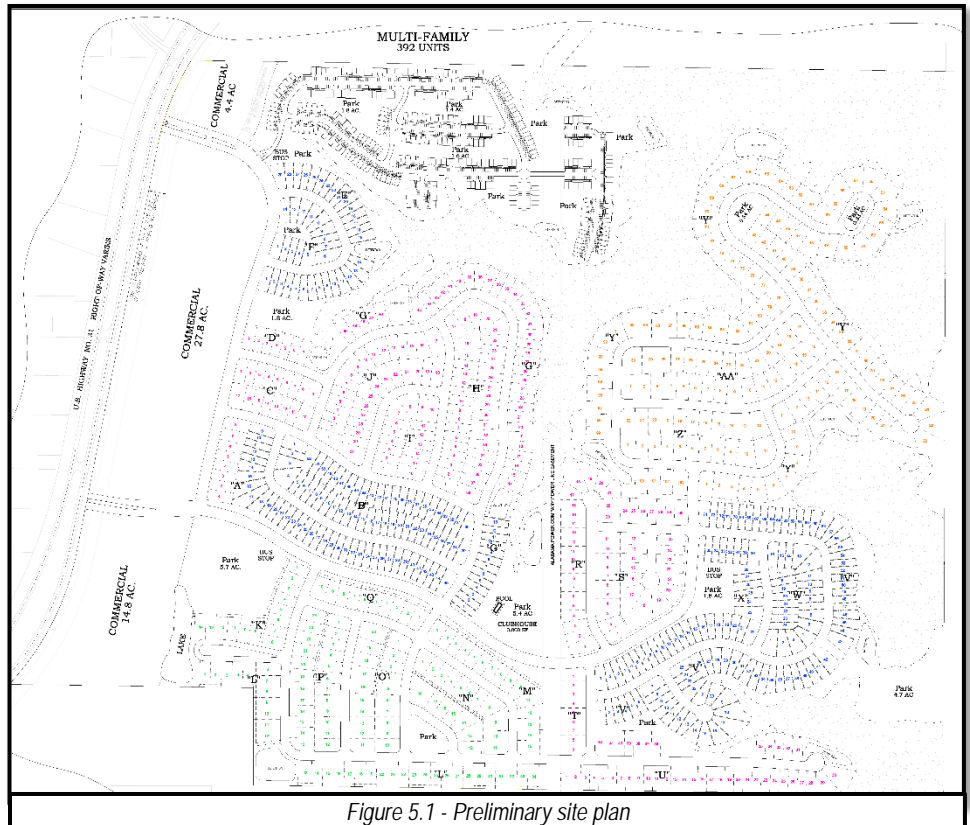


Figure 5.1 - Preliminary site plan

5.) Impacts on natural resources, including existing conditions and ongoing post-development conditions *COMPLIANT*

With the location on the County's heavily travelled principal arterial, no major impacts are anticipated. Based on the proposal for a PUD, the development would require Master Plan review/approval of the entire site by the Planning Commission first prior to any construction phasing. Post-development conditions would be reviewed for compliance during the Master Plan and Phasing process.

The property is not located in a Flood Hazard area (Zone X) but GIS indicates the presence of hydric soils/potential wetlands. Any future development would be required to meet Federal, State and local regulations regarding construction in and fill of environmentally sensitive areas. The developer has already made concessions for those natural areas in a preliminary/conceptual master plan (See Figure 5.1) Preliminary plans show approximately 80 acres of wetlands maintained as open space, approximately 45 acres of uplands maintained as open space with multiple parks throughout the development. (See Figure 5.2) The proposed plan's site calculations approximate 47 acres of commercial property, 50 acres of multi-family residential and 316 acres of single-family. For the residential component, the

| SITE SUMMARY | |
|-----------------------|-----------------|
| TOTAL AREA | 413.4 AC. |
| TOTAL UNITS | 1,219 |
| DENSITY | 2.9 |
| COMMERCIAL | 46.8 AC. (11%) |
| OPEN SPACE | 126.2 AC. (31%) |
| *IMPERVIOUS | 82 AC. (20%) |
| STREET LENGTH | 38,835 L.F. |
| * EXCLUDES COMMERCIAL | |
| OPEN SPACE SUMMARY | |
| UPLANDS | 45.9 AC. (11%) |
| WETLANDS | 80.3 AC. (19%) |
| LOT SUMMARY | |
| 40 FT. LOTS | = 278 |
| 50 FT. LOTS | = 260 |
| 60 FT. LOTS | = 135 |
| 70 FT. LOTS | = 154 |
| TOTAL | = 827 |

Figure 5.2 - Preliminary site summary

largest segment of the development, early estimates show a total impervious surface area of only 82 acres.

6.) Compliance with other laws and regulations of the city *NOT APPLICABLE*

Not Applicable at this point of the development process.

7.) Compliance with other applicable laws and regulations of other jurisdictions *COMPLIANT*

If a successful annexation occurs, the subject property will fall within the municipal limits of Bay Minette and under the City's jurisdiction. As for development of surrounding property, any future businesses or entities will be required to work with ALDOT or the County Highway Department on access concurrence/approval and follow the County's Subdivision Regulations and requirements. The area was previously under the Building Permitting and Business Licensing jurisdiction of the City but due to recent legislation, the area is in the County's Building Permit jurisdiction. (See Figure 7.1)

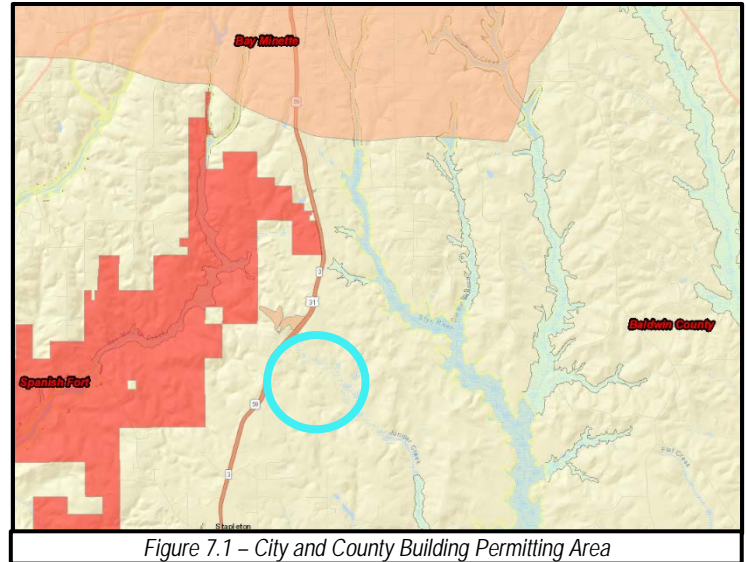


Figure 7.1 – City and County Building Permitting Area

8.) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values *COMPLIANT*

No major negative impacts are anticipated. The annexation and zoning designations will not affect nor change the current use of the property or the surrounding properties. The zoning designations will only come into play once development, construction or a change in use is proposed in the future. As previously stated, the location on the County's heavily travelled principal arterial would accommodate any impact that may occur. Based on the proposal for a PUD, the development would require Master Plan review/approval of the entire site by the Planning Commission first prior to any construction phasing. Post-development conditions would be reviewed for compliance during the Master Plan and Phasing process. Any development, use and improvement to the subject property would likely increase surrounding property values and/or generate additional development.

9.) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values *COMPLIANT*

No major negative impacts are anticipated. The annexation and zoning designations will not affect nor change the current use of the property or the surrounding properties. The zoning designations will only come into play once development, construction or a change in use is proposed in the future. As previously stated, the location on the County's heavily travelled principal arterial would accommodate any impact that may occur. Based on the proposal for a PUD, the development would require Master Plan review/approval of the entire site by the Planning Commission first prior to any construction phasing. Post-development conditions would be reviewed for compliance during the Master Plan and Phasing process. Any development, use and improvement to the subject property would likely increase surrounding property values and/or generate additional development.

10.) Other matters which may be appropriate *COMPLIANT*

The annexation procedures for the subject property began in 2022, and the request was presented in the 2023 Regular Legislative Session for approval. The annexation proposal was prefiled January 25, 2023, and was scheduled for First Reading on March 7, 2023. The bill will have to pass through the House and Senate then obtain final signature from the Governor. If approved, the zoning designations will become effective upon the date the territory is annexed or the date the zoning process is completed, whichever is later.

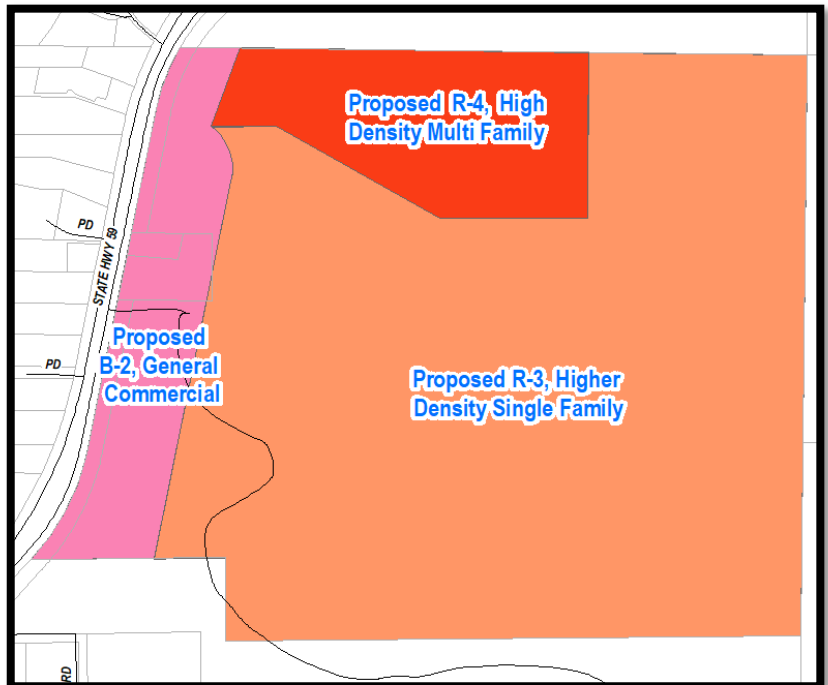
The City's ability to 'pre-zone' property stems from specific authority in the Code of Alabama 1975 (Section 11-52-85) and from the City of Bay Minette Zoning Ordinance (Section 15.4). State Code 11-52-85 authorizes the City to zone property in the process of being annexed prior to the effective date of the annexation with proper public notification as required by law. Pre-Zoning public notice is the same as required for Rezoning applications - State Code requires that notice of the public hearing be posted in three public places within the City. The City Zoning Ordinance requires that the notice be posted in four conspicuous places in the City and notices mailed to surrounding property owners at least 15 days prior to the public hearing, which was set for April 13th at Planning Commission and May 1st for City Council. Signage must also be posted on the subject property.

- Public Hearing Notices and Property Maps were posted March 28, 2023, at City Hall on the 1st and 2nd Floors, North Baldwin Utilities, the Chamber of Commerce, and the Bay Minette Public Library. The Public Hearing Notice and Map was also made available on the department's website.
- Public Hearing Notices and Property Maps were sent by certified mailings on March 28, 2023, to the owners of record for 27 surrounding properties and to the owner of the subject property.
- Public Hearing Notice Signs were posted on the properties on March 29, 2023

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff recommends that the *Planning Commission submit a recommendation of approval to the City Council for the Pre-Zoning request to R-3, Higher Density Single Family Residential District, R-4, High Density Multi-Family Residential District and B-2, General Business District as detailed in the table and map below.*

| Proposed Zoning Designation | Acreage |
|---|--------------|
| R-3, Higher Density Single Family Residential | 316.8± acres |
| R-4, High Density Multi-Family Residential | 50.2± acres |
| B-2, General Business | 46.4± acres |
| TOTAL ACREAGE | 413.4± acres |



PLANNING COMMISSION ACTION

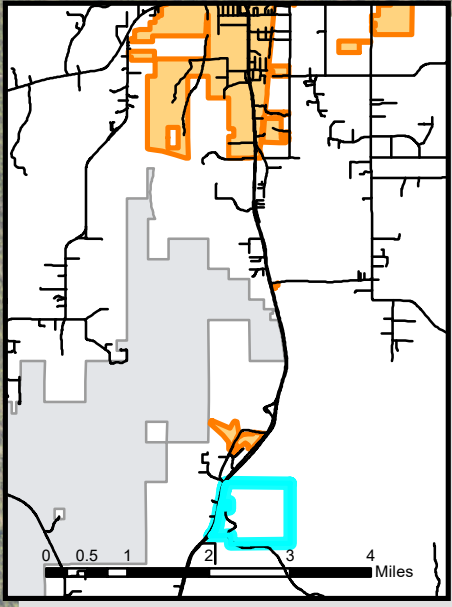
For Pre-Zoning applications, the Planning Commission holds a public hearing and sends an advisory recommendation to the City Council, who makes the final decision. The Planning Commission has the option to:

- Make a recommendation for approval of the request to the City Council as presented
- Make a recommendation for approval of the request with conditions to the City Council
- Make a recommendation for denial to the City Council, with stated factors for the denial.
- Table the request due to a lack of information.

15.2.6 Limitation on resubmittal. No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being open by the city council. A request to withdraw an application shall be made in writing.

- Centerlines
- BC Revenue Parcels
- Spanish Fort
- Baldwin Ventures, LLC Property
- Unknown Zoning Designation
- R-A Rural Residential and Agricultural Zone District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Single Family Residential District
- R-3 Higher Density Single-Family Residential District
- R-4 High Density Multi-Family Residential District
- R-5 Manufactured/Mobile Home Residential District
- B-1 Local Business District
- B-2 General Business District
- B-2 General Business District (Historical District)
- M-1 Light Industrial District
- M-2 General Industrial District
- PUD Planned Unit Development

Locator & Site Map
Z-23003, Baldwin Ventures, LLC Property
Pre-Zoning of Proposed Legislative Annexation Property
to R-3, Higher Density Single Family; R-4, High Density
Multi-Family and B-2, General Business District



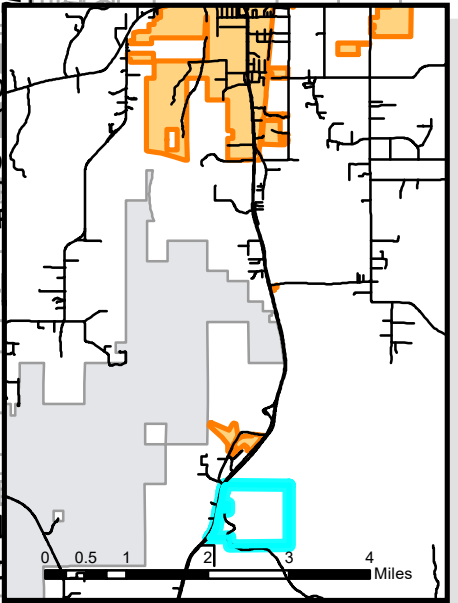
STONERIDGE RD
 R BYRD RD
 LONG LN

HOLLAND PL
 COUNTRY CLUB DR
 HOLLY HILL DR
 OAK KNOLL DR
 STATE HWY 59

Baldwin Ventures, LLC Property
 410+/- acres
 PID: 05-28-05-21-0-000-009.001 // PPIN:92518
 PID: 05-28-05-21-0-000-002.001 // PPIN:222473
 PID: 05-28-05-21-0-000-002.000 // PPIN:31532
 PID: 05-28-05-21-0-000-009.000 // PPIN:83618
 PID: 05-28-05-21-0-000-001.000 // PPIN:62828

Zoning Map
Z-23003, Baldwin Ventures, LLC Property
Pre-Zoning of Proposed Legislative Annexation Property to
R-3, Higher Density Single Family; R-4, High Density Multi-
Family and B-2, General Business District

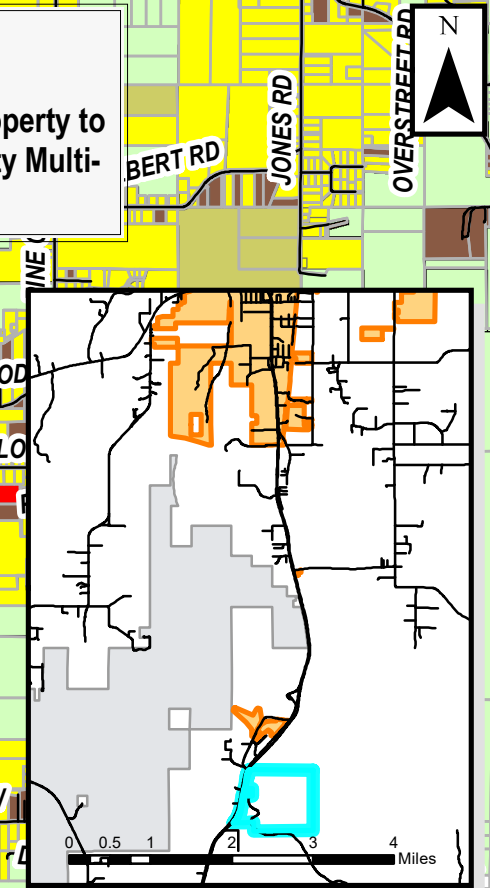
- Centerlines
- BC Revenue Parcels
- Spanish Fort
- Baldwin Ventures, LLC Property
- Unknown Zoning Designation
- R-A Rural Residential and Agricultural Zone District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Single Family Residential District
- R-3 Higher Density Single-Family Residential District
- R-4 High Density Multi-Family Residential District
- R-5 Manufacture/Mobile Home Residential District
- B-1 Local Business District
- B-2 General Business District
- B-2 General Business District (Historical District)
- M-1 Light Industrial District
- M-2 General Industrial District
- PUD Planned Unit Development



Baldwin Ventures, LLC Property
 410+/- acres
 PID: 05-28-05-21-0-000-009.001 // PPIN:92518
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 PID: 05-28-05-21-0-000-002.000 // PPIN:31532
 PID: 05-28-05-21-0-000-009.000 // PPIN:83618
 PID: 05-28-05-21-0-000-001.000 // PPIN:62828

Future Land Use Map
Z-23003, Baldwin Ventures, LLC Property
Pre-Zoning of Proposed Legislative Annexation Property to
R-3, Higher Density Single Family; R-4, High Density Multi-
Family and B-2, General Business District

- Centerlines
- BC Revenue Parcels
- Spanish Fort
- Baldwin Ventures, LLC Property
- Agriculture/Timber
- Commercial
- Government
- Industrial
- Institutional
- Manufactured Home
- Mixed Use
- Parks & Recreation
- Single Family
- Duplex
- Multi-Family
- Public/Semi-Public
- Undeveloped
- Utilities

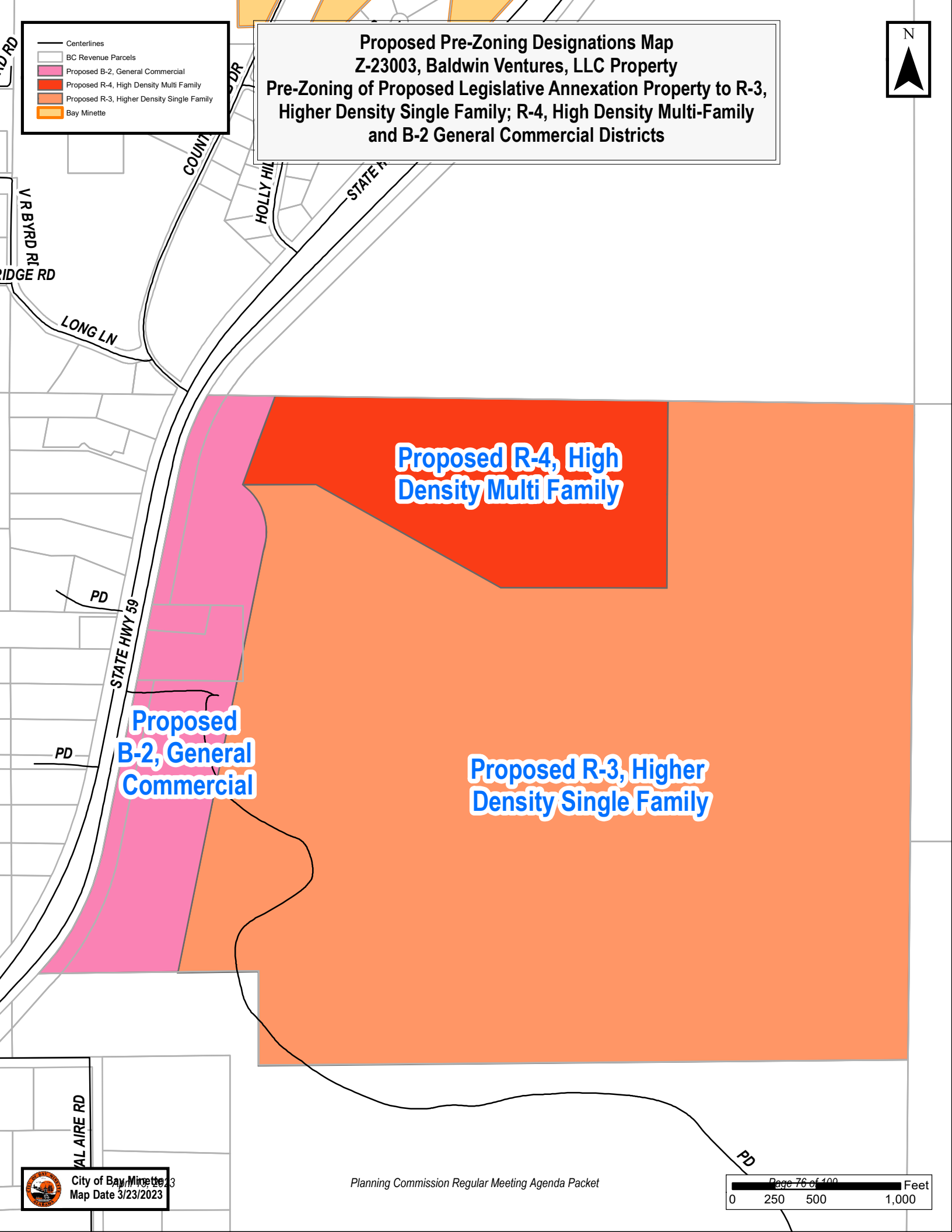


Baldwin Ventures, LLC Property
 410+/- acres
 PID: 05-28-05-21-0-000-009.001 // PPIN:92518
 PID: 05-28-05-21-0-000-002.001 // PPIN:222473
 PID: 05-28-05-21-0-000-002.000 // PPIN:31532
 PID: 05-28-05-21-0-000-009.000 // PPIN:83618
 PID: 05-28-05-21-0-000-001.000 // PPIN:62828



**Proposed Pre-Zoning Designations Map
Z-23003, Baldwin Ventures, LLC Property
Pre-Zoning of Proposed Legislative Annexation Property to R-3,
Higher Density Single Family; R-4, High Density Multi-Family
and B-2 General Commercial Districts**

- Centerlines
- BC Revenue Parcels
- Proposed B-2, General Commercial
- Proposed R-4, High Density Multi Family
- Proposed R-3, Higher Density Single Family
- Bay Minette



Proposed R-4, High Density Multi Family

Proposed B-2, General Commercial

Proposed R-3, Higher Density Single Family

BALDWIN VENTURES PROPERTY

BEGIN AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH $01^{\circ} 40' 31''$ WEST, ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 3980.61 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFORESAID SECTION 21; THENCE DEPARTING SAID EAST LINE OF SECTION 21, RUN NORTH $87^{\circ} 39' 11''$ WEST, ALONG THE NORTH LINE OF THE SOUTH ONE HALF OF THE SOUTH ONE HALF OF SAID SECTION 21, A DISTANCE OF 3832.87 FEET; THENCE DEPARTING SAID NORTH LINE RUN NORTH $01^{\circ} 32' 45''$ EAST, A DISTANCE OF 535.00 FEET; THENCE RUN NORTH $87^{\circ} 39' 11''$ WEST, A DISTANCE OF 1355.92 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 (RIGHT-OF-WAY WIDTH VARIES), THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1472.39 FEET FOR AN ARC LENGTH OF 822.10 FEET, (DELTA = $31^{\circ} 59' 26''$, CHORD DISTANCE = 811.46 FEET, CHORD BEARING = NORTH $28^{\circ} 53' 07''$ EAST); THENCE RUN NORTH $12^{\circ} 53' 24''$ EAST, A DISTANCE OF 980.14 FEET; THENCE RUN NORTH $12^{\circ} 53' 24''$ EAST, A DISTANCE OF 457.97 FEET TO A POINT ON THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 31; THENCE RUN ALONG SAID RIGHT-OF-WAY LINE NORTH $12^{\circ} 53' 24''$ EAST, A DISTANCE OF 849.55 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1392.69 FEET FOR AN ARC LENGTH OF 504.47 FEET, (DELTA ANGLE = $20^{\circ} 45' 15''$, CHORD DISTANCE = 501.72 FEET, CHORD BEARING = NORTH $23^{\circ} 16' 01''$ EAST), TO A POINT ON THE NORTH LINE OF THE AFORESAID SECTION 21; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN SOUTH $87^{\circ} 40' 10''$ EAST, ALONG SAID NORTH LINE OF SECTION 21, A DISTANCE OF 4189.23 FEET TO THE POINT OF BEGINNING.

EXHIBIT 1

B-2, GENERAL BUSINESS DISTRICT

COMMENCE AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 87° 40' 10" WEST, ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 3804 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY, 544 FEET, MORE OR LESS; THENCE RUN ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 350 FEET, AN ARC DISTANCE OF 444.12 FEET, (CHORD BEARS SOUTH 17°02'22" EAST, CHORD DISTANCE 141.92 FEET); THENCE RUN SOUTHWESTERLY 2582 FEET, MORE OR LESS; THENCE RUN NORTH 87°39'11" WEST, A DISTANCE OF 824 FEET, MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 (RIGHT-OF-WAY WIDTH VARIES), THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1472.39 FEET FOR AN ARC LENGTH OF 822.10 FEET, (DELTA = 31° 59' 26", CHORD DISTANCE = 811.46 FEET, CHORD BEARING = NORTH 28° 53' 07" EAST); THENCE RUN NORTH 12° 53' 24" EAST, A DISTANCE OF 980.14 FEET; THENCE RUN NORTH 12° 53' 24" EAST, A DISTANCE OF 457.97 FEET TO A POINT ON THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 31; THENCE RUN ALONG SAID RIGHT-OF-WAY LINE NORTH 12° 53' 24" EAST, A DISTANCE OF 849.55 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1392.69 FEET FOR AN ARC LENGTH OF 504.47 FEET, (DELTA ANGLE = 20°45'15", CHORD DISTANCE = 501.72 FEET, CHORD BEARING = NORTH 23°16'01" EAST), TO A POINT ON THE NORTH LINE OF THE AFORESAID SECTION 21; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN SOUTH 87°40'10" EAST, ALONG SAID NORTH LINE OF SECTION 21, A DISTANCE OF 382 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXHIBIT 2

R-4, HIGH DENSITY MULTI-FAMILY DISTRICT

COMMENCE AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 87° 40' 10" WEST, ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 1483 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87° 40' 10" WEST, ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 2321 FEET, MORE OR LESS; THENCE RUN SOUTHWESTERLY, 544 FEET, MORE OR LESS; THENCE RUN EAST, 437 FEET, MORE OR LESS; THENCE RUN SOUTHEASTERLY 1279 FEET, MORE OR LESS; THENCE RUN EAST, 995 FEET, MORE OR LESS; THENCE RUN NORTH 1111 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXHIBIT 3



HERE IS AN ENCUMBRANCE
THE LOCALITY ACCEPTED
SECTION 21, TOWNSHIP 3
SOUTH, RANGE 3 EAST

16 15

POINT OF BEGINNING
N 87°40'10" W 1483' ±

N 87°40'10" W 2231' ±

544' ±

EAST 437' ±

SOUTHWESTERLY 1239' ±

EAST 985' ±

NORTH 1111' ±

21 22

ANNEXATION PARCEL:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, HAZEN COUNTY, KANSAS, THENCE RUN NORTH 87° 40' 10" WEST, ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 1483 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE COURSE NORTH 87° 40' 10" WEST, ALONG THE NORTH LINE OF SAID SECTION 21, A DISTANCE OF 2231 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY 1239 FEET, MORE OR LESS, THENCE RUN NORTH 1111 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

**ANNEXATION PARCEL
"MULTI-FAMILY RESIDENTIAL"**

PROPOSED ANNEXATION

| | |
|---|--------------------|
| SECTION FOR ANNEXATION | DATE: 11/20/2022 |
| CITY OF HAY MINETTE, AL | SCALE: 1" = 200' |
|  Dawberry | DRAWN BY: [Name] |
| | CHECKED BY: [Name] |
| | DATE: [Date] |
| | BY: [Name] |
| | DATE: [Date] |

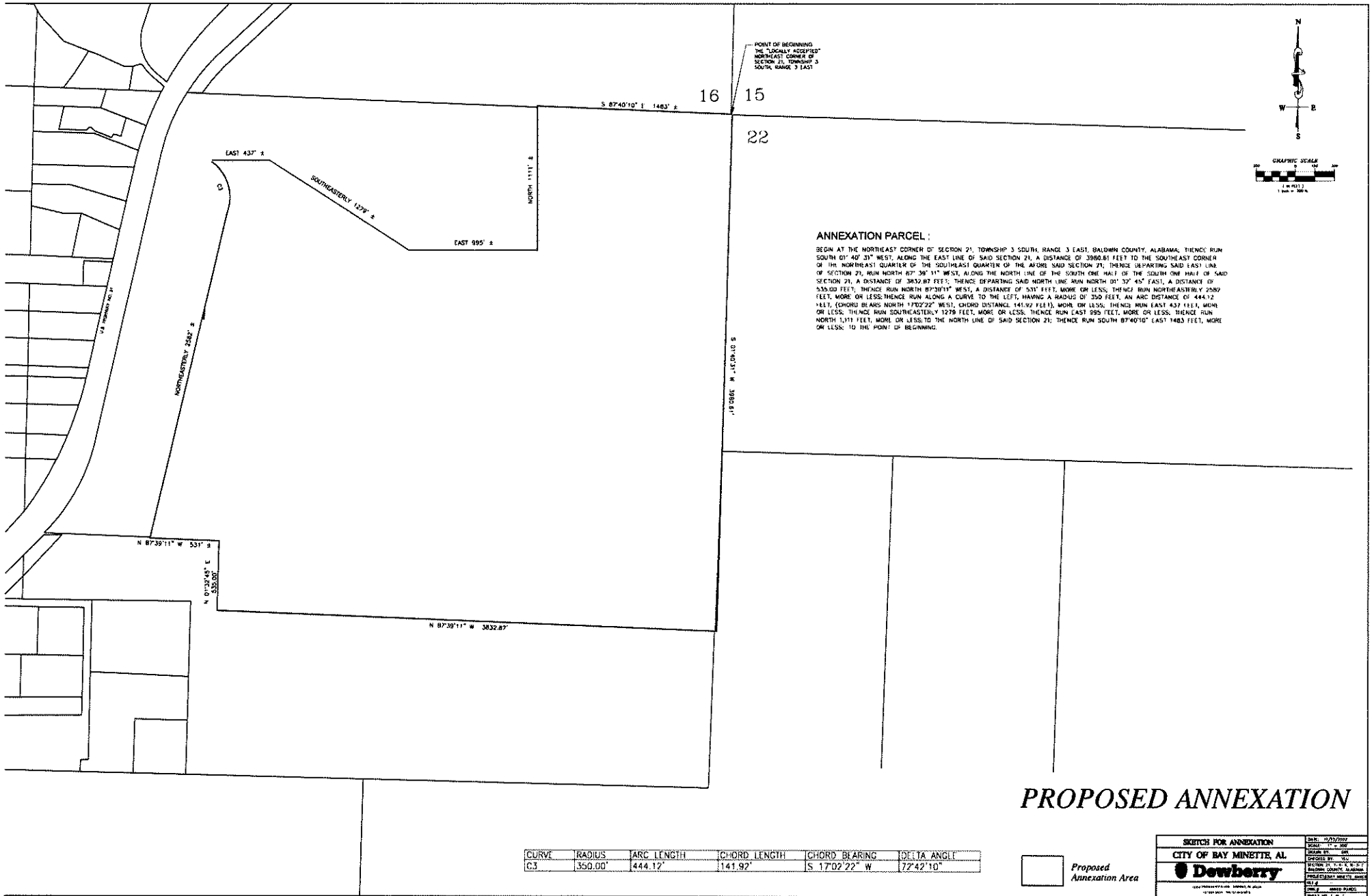
Proposed Annexation Area



R-3, HIGHER DENSITY SINGLE FAMILY DISTRICT

BEGIN AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 01° 40' 31" WEST, ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 3980.61 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFORE SAID SECTION 21; THENCE DEPARTING SAID EAST LINE OF SECTION 21, RUN NORTH 87° 39' 11" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE HALF OF THE SOUTH ONE HALF OF SAID SECTION 21, A DISTANCE OF 3832.87 FEET; THENCE DEPARTING SAID NORTH LINE RUN NORTH 01° 32' 45" EAST, A DISTANCE OF 535.00 FEET; THENCE RUN NORTH 87°39'11" WEST, A DISTANCE OF 531' FEET, MORE OR LESS; THENCE RUN NORTHEASTERLY 2582 FEET, MORE OR LESS; THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350 FEET, AN ARC DISTANCE OF 444.12 FEET, (CHORD BEARS NORTH 17°02'22" WEST, CHORD DISTANCE 141.92 FEET), MORE OR LESS; THENCE RUN EAST 437 FEET, MORE OR LESS; THENCE RUN SOUTHEASTERLY 1279 FEET, MORE OR LESS; THENCE RUN EAST 995 FEET, MORE OR LESS; THENCE RUN NORTH 1,111 FEET, MORE OR LESS; TO THE NORTH LINE OF SAID SECTION 21; THENCE RUN SOUTH 87°40'10" EAST 1483 FEET, MORE OR LESS; TO THE POINT OF BEGINNING.

EXHIBIT 4



ANNEXATION PARCEL :

BEGAN AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, THENCE RUN SOUTH 01° 40' 31" WEST, ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 3980.81 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE ABOVE SAID SECTION 21; THENCE DEPARTING SAID EAST LINE OF SECTION 21, RUN NORTH 87° 30' 11" WEST, ALONG THE NORTH LINE OF THE SOUTH ONE HALF OF THE SOUTH ONE HALF OF SAID SECTION 21, A DISTANCE OF 3832.87 FEET; THENCE DEPARTING SAID NORTH LINE RUN NORTH 01° 37' 45" EAST, A DISTANCE OF 535.00 FEET; THENCE RUN NORTH 87°30'11" WEST, A DISTANCE OF 531 FEET, MORE OR LESS; THENCE RUN NORTHEASTERLY 2589 FEET, MORE OR LESS; THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 350 FEET, AN ARC DISTANCE OF 444.12 FEET, (CHORD BEARS NORTH 17°02'22" WEST, CHORD DISTANCE 141.92 FEET), MORE OR LESS; THENCE RUN EAST 437 FEET, MORE OR LESS; THENCE RUN SOUTHEASTERLY 1279 FEET, MORE OR LESS; THENCE RUN EAST 395 FEET, MORE OR LESS; THENCE RUN NORTH 1°11 FEET, MORE OR LESS; TO THE NORTH LINE OF SAID SECTION 21; THENCE RUN SOUTH 87°40'10" EAST 1463 FEET, MORE OR LESS; TO THE POINT OF BEGINNING.

PROPOSED ANNEXATION

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C3 | 350.00' | 444.12' | 141.92' | S 17°02'22" W | 72°42'10" |

Proposed Annexation Area

| | | |
|---|--|--|
| SKETCH FOR ANNEXATION CITY OF BAY MINETTE, AL. | | DATE: 4/23/2023 SCALE: 1" = 100' DRAWN BY: JAC CHECKED BY: JAC TITLE: CITY OF BAY MINETTE, AL. BALDWIN COUNTY, ALABAMA PREPARED BY: JAC DATE: 4/23/2023 |
| | | 1000 HUNTERS BLVD., SUITE 100 BAY MINETTE, AL 36507 TEL: 205.681.1000 |

RESOLUTION NUMBER 1122-10

RESOLUTION REQUESTING LEGISLATIVE ANNEXATION OF PROPERTIES IDENTIFIED BY THE BALDWIN COUNTY REVENUE COMMISSIONER AS PPIN 62828, PPIN 222473, PPIN 31532, PPIN 92518, AND PPIN 83618

WHEREAS, the City of Bay Minette, Alabama ("City") is a municipal organized and existing under the laws of the State of Alabama;

WHEREAS, the City has historically taken action to promote the City and surrounding communities by providing services and providing for the future development of the City;

WHEREAS, the City finds that the annexation of properties identified by the Baldwin County Revenue Commissioner as PPIN 62828, PPIN 222473, PPIN 31532, PPIN 92518 and PPIN 83618 ("Territory") will serve a public purpose and will advance the interests of the citizens of Bay Minette and promote business and industry in the City;

WHEREAS, the public health and good will be served by the annexation of the Territory;

WHEREAS, it is wise, expedient and economical for the annexation to be accomplished by the passage of a local law;

WHEREAS, the City hereby requests that, a bill to incorporate the Territory into the municipal limits be drafted to legislatively annex the Territory depicted on Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, the Mayor is directed to case notice of the proposed local legislation be published in accordance with Alabama law and pay all costs associated therewith.

NOW THEREFORE, BE IT RESOLVED that the Mayor is authorized and directed to take all actions necessary to pursue annexation of the Territory into the Bay Minette municipal limits.

DONE, this the 21st day of November 2022

Robert A. "Bob" Wills, Mayor
City of Bay Minette, Alabama

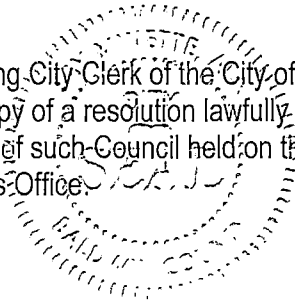
ATTEST:

Rita Diedtrich, City Clerk

2035152
BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 11/22/2022 11:58 AM
TOTAL \$ 16.00
2 Pages

I, the undersigned qualified and acting City Clerk of the City of Bay Minette, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council held on the 21st day of November 2022, and that such resolution is on file in the City Clerk's Office.

Rita Diedtrich, City Clerk

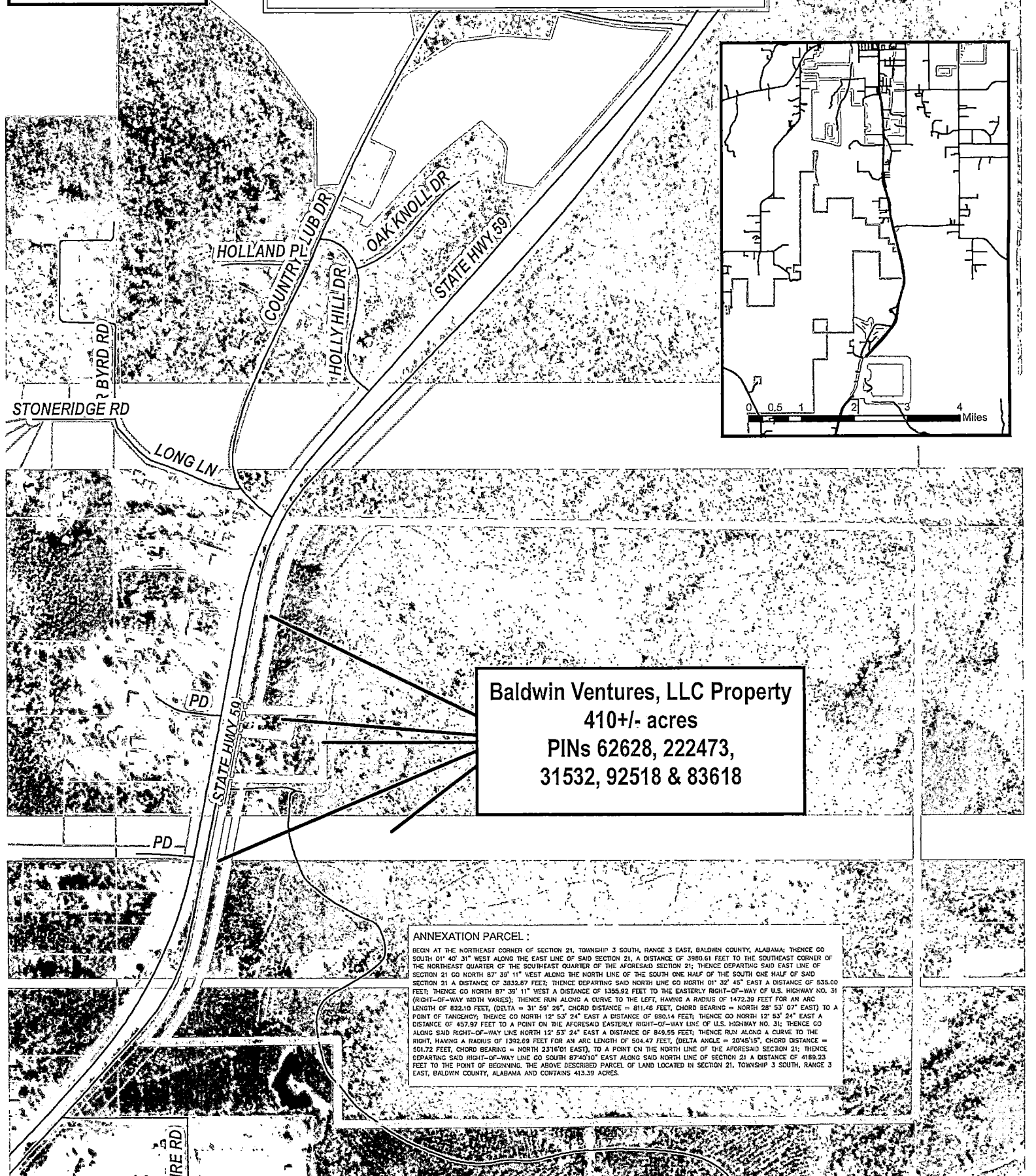
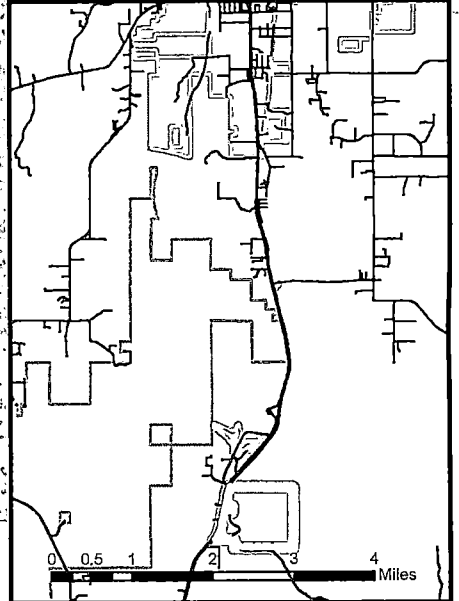


PREPARED BY:
RITA DIEDTRICH, CITY CLERK
CITY OF BAY MINETTE

Resolution 1122-10 Legislative Annexation Request Exhibit A: Baldwin Ventures, LLC Property



- Centerlines
- BC Revenue Parcels
- Bay Minette
- Spanish Fort
- Baldwin Ventures, LLC Property



Baldwin Ventures, LLC Property
 410+/- acres
 PINs 62628, 222473,
 31532, 92518 & 83618

ANNEXATION PARCEL :
 BEGIN AT THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE GO SOUTH 01° 40' 31" WEST ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 3980.61 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE AFORESAID SECTION 21; THENCE DEPARTING SAID EAST LINE OF SECTION 21 GO NORTH 87° 39' 11" WEST ALONG THE NORTH LINE OF THE SOUTH ONE HALF OF THE SOUTH ONE HALF OF SAID SECTION 21 A DISTANCE OF 3832.87 FEET; THENCE DEPARTING SAID NORTH LINE GO NORTH 01° 32' 45" EAST A DISTANCE OF 535.00 FEET; THENCE GO NORTH 87° 39' 11" WEST A DISTANCE OF 1355.92 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 (RIGHT-OF-WAY WIDTH VARIES); THENCE RUN ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1472.39 FEET FOR AN ARC LENGTH OF 822.10 FEET, (DELTA = 31° 59' 25", CHORD DISTANCE = 811.45 FEET, CHORD BEARING = NORTH 28° 53' 07" EAST) TO A POINT OF TANGENCY; THENCE GO NORTH 12° 53' 24" EAST A DISTANCE OF 880.14 FEET; THENCE GO NORTH 12° 53' 24" EAST A DISTANCE OF 457.97 FEET TO A POINT ON THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 31; THENCE GO ALONG SAID RIGHT-OF-WAY LINE NORTH 12° 53' 24" EAST A DISTANCE OF 849.55 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1392.89 FEET FOR AN ARC LENGTH OF 504.47 FEET, (DELTA ANGLE = 20°45'15", CHORD DISTANCE = 501.72 FEET, CHORD BEARING = NORTH 23°16'01" EAST), TO A POINT ON THE NORTH LINE OF THE AFORESAID SECTION 21; THENCE DEPARTING SAID RIGHT-OF-WAY LINE GO SOUTH 87°40'10" EAST ALONG SAID NORTH LINE OF SECTION 21 A DISTANCE OF 4189.23 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND LOCATED IN SECTION 21, TOWNSHIP 3 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA AND CONTAINS 413.39 ACRES.

From: [AL Tolbert](#)
To: [Jessica Peed](#)
Cc: [Jason Padgett](#); [Steven W. Stewart](#); [Mike Minchew](#); [Rob Madison](#); [Tammy S. Smith](#); [Clair Dorough](#)
Subject: Re: Pre-Zoning for Annexations
Date: Wednesday, March 15, 2023 10:31:05 AM
Attachments: [image001.png](#)

BMPD have no issues.

Chief Al Tolbert
Bay Minette Police Department
300 North Hoyle Ave
Bay Minette, AL 36507
Office: 251-580-1682/ 251-580-2559
Cell Phone: 251-239-0554
Email:al.tolbert@cityofbayminetteal.gov



This message is confidential and is intended only for the named recipients, and may contain information that is privileged, or exempt from disclosure under applicable law. If you are not the intended recipients of the email, you are hereby notified that the dissemination, distribution, or copying of this email or its contents is strictly prohibited. If you receive this email in error, please notify the sender at either the email address or the phone number above and delete this email from your computer.

On Mar 15, 2023, at 9:45 AM, Jessica Peed
<Jessica.Peed@cityofbayminetteal.gov> wrote:

Good morning,

Please see the Pre-Zoning Locator/Site Maps for 2 (two) proposed Legislative Annexation properties:

- Z-23003, Baldwin Ventures LLC Property- Proposed to be pre-zoned to a Planned Unit Development (PUD). This property is located approximately .52 miles south and across from Holly Hills on St Hwy 59.
- Z-23004, Pierce & English Property- Proposed to be pre-zoned to B-2, General Business District. This property is located at the corner of I-65 and St Hwy 225.

If you have any questions or comments, please let me know.

Thank you,

Jessica Peed
Planning Coordinator

City of Bay Minette
Planning & Development Services Department

[301 D'Olive Street](#)

[Bay Minette, AL 36507](#)

(251) 580-1650, Ext. 7065

cityofbayminetteal.gov

[Planning & Development Services Department Site](#)

<image001.png>

<Z-23003 LocatorMap.pdf>

<Z-23004 Locator and Site Map.pdf>



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

NOTICE OF PUBLIC HEARINGS

Case No. Z-23003, Baldwin Ventures, LLC Property Pre-Zoning of Property Proposed for Legislative Annexation To R-3, Higher Density Single Family; R-4, High Density Multi-Family and B-2, General Business District.

Notice is hereby given that the City of Bay Minette Planning Commission and City Council will each conduct a public hearing for Case No. Z-23003, Baldwin Ventures, LLC property, related to a request to pre-zone five (5) parcels totaling 413.4± acres that are proposed for legislative annexation into the City limits of Bay Minette, from Baldwin County Unincorporated, Unzoned Planning District 7 to R-3, Higher Density Single Family (316.8± acres); R-4, High Density Multi-Family (50.2± acres) and B-2, General Business District (46.4± acres) upon official annexation. A map can be found on the back of this notice.

The Bay Minette **Planning Commission** will conduct the first public hearing during its regularly scheduled meeting on **Thursday, April 13, 2023** beginning at 8:00 a.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The Bay Minette **City Council** will conduct a second public hearing during its regularly scheduled meeting on **Monday, May 1, 2023** beginning at 6:00 p.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The application materials will be available for public review at Bay Minette City Hall. If you desire to speak with someone by telephone about this application, please contact Planning & Development Services at (251) 580-1650. If you desire to submit comments, please email to COBM_Planning@cityofbayminetteal.gov or address your correspondence to:

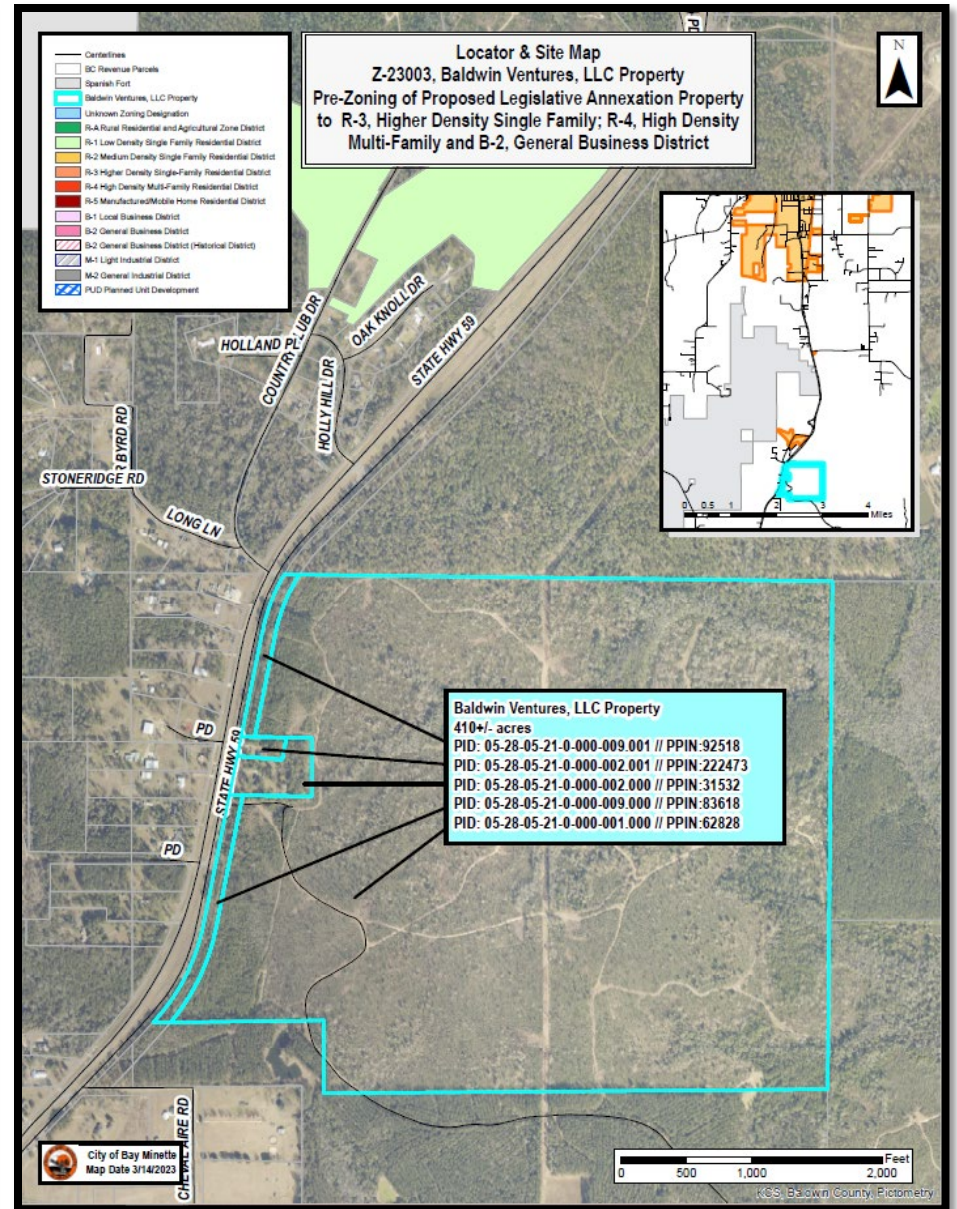
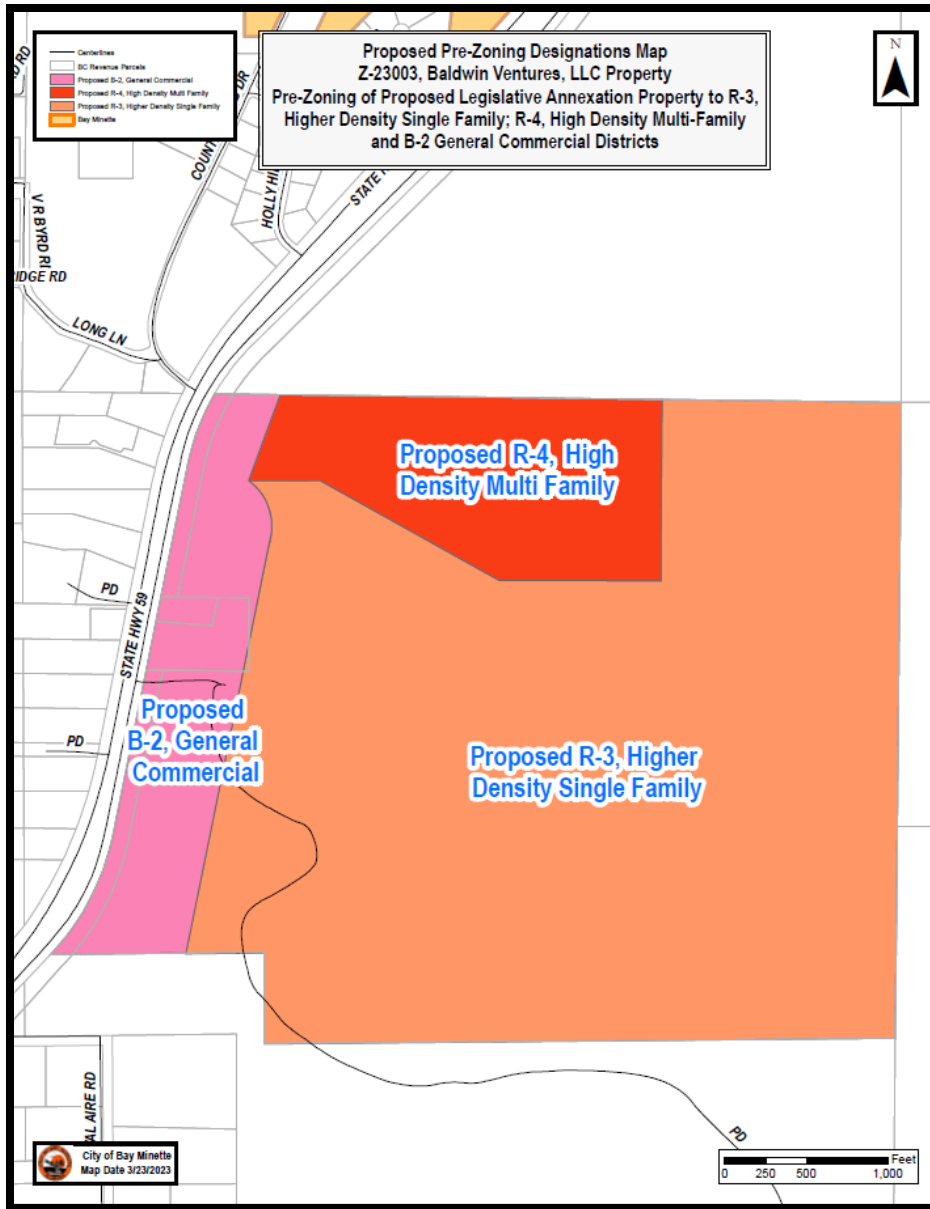
City of Bay Minette Planning & Development Services
301 D'Olive Street
Bay Minette, AL 36507

Please include the case number noted above in all correspondence. If you desire to address the Planning Commission or City Council in person about this application, please attend the public hearings at the time and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact Planning & Development Services.

** See Reverse for Map

Notice Date – March 28, 2023



**MULTI-FAMILY
392 UNITS**

OWNER \ DEVELOPER
BALDWIN VENTURES, L.L.C.
530 E. CENTRAL BLVD., #1601
ORLANDO FL, 32801

SITE SUMMARY

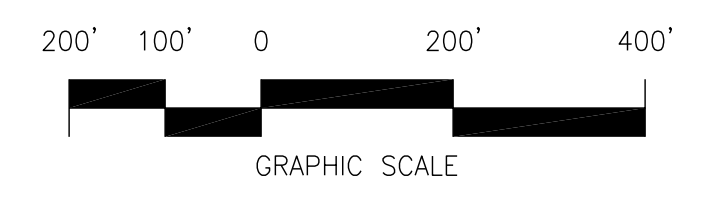
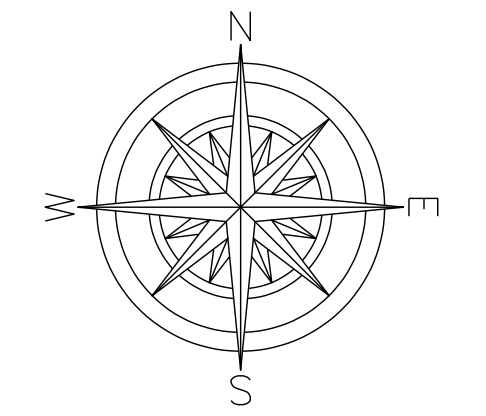
| | |
|---------------|-----------------|
| TOTAL AREA | 413.4 AC. |
| TOTAL UNITS | 1,219 |
| DENSITY | 2.9 |
| COMMERCIAL | 46.8 AC. (11%) |
| OPEN SPACE | 126.2 AC. (31%) |
| *IMPERVIOUS | 82 AC. (20%) |
| STREET LENGTH | 38,835 L.F. |

OPEN SPACE SUMMARY

| | |
|----------|----------------|
| UPLANDS | 45.9 AC. (11%) |
| WETLANDS | 80.3 AC. (19%) |

LOT SUMMARY

| | |
|--------------|--------------|
| 40 FT. LOTS | = 278 |
| 50 FT. LOTS | = 260 |
| 60 FT. LOTS | = 135 |
| 70 FT. LOTS | = 154 |
| TOTAL | = 827 |



**OLD TOWNE
COMMONS**

A PLANNED RESIDENTIAL DEVELOPMENT

SEPTEMBER 27, 2022



NEED NOT BE BUILT



City of Bay Minette

Planning & Development Services

PLANNING COMMISSION STAFF ANALYSIS

Planning Commission Meeting Date: April 13, 2023

Case Number: Z-23004

APPLICATION SUMMARY

Project Name: English & Pierce Property Pre-Zoning
Property Location: SE corner of I-65 and St Hwy 225 Exit
Property Size: 58± acres
Property PID/PPIN: 05-19-07-43-0-000-015.000 // 43467
Property PID/PPIN: 05-19-08-47-0-001-012.001 // 72091

Requested Action: Pre-Zoning of Proposed Legislative Annexation Property to B-2, General Business District
Applicant: City of Bay Minette
Property Owners: Beth Anne Pierce & Leroy T. English

| Subject Property | Zoning | Existing Land Use |
|-------------------|---|---|
| Z-23004 | M-1 Light Industrial, County Planning District 4 | Undeveloped |
| Adjacent Property | Zoning | Existing Land Use |
| North | Unzoned, County Planning District 3 | Scarborough Ln, I-65/Hwy 225 Exit, Convenience Store |
| South | M-1, Light Industrial & RR, Rural District, County Planning District 4 | Power Transmission Line, Undeveloped, Large Acreage Residential |
| East | RR, Rural District & RA, Rural Agriculture, County Planning District 4 | Large Acreage Residential, Undeveloped, Pasture |
| West | M-1, Light Industrial & RA, Rural Agriculture, County Planning District 4 | Proposed Commercial Park, Power Transmission Line, Undeveloped |

SITE AND REQUEST SYNOPSIS

The property is currently zoned M-1, Light Industrial as part of the County's Planning District 4 and has an estimated 725± feet of frontage on Highway 225 and appx 2,384± feet of frontage on Scarborough Ln. The subject property consists of two parcels totaling 58± acres and are undeveloped with the exception of a power transmission line. The property is currently awaiting consideration and approval by the State Legislature as Senate Bill SB4 for Legislative Annexation. It was pre-filed on January 25, 2023 and First Reading was scheduled for March 7, 2023. This is one of two annexation requests being considered at this time. This property is owned by Beth Anne Pierce & Leroy T. English, who requested the annexation by the City for future commercial development. No specific development plans have been proposed at this time. The pre-zoning request to B-2, General Business District, was initiated by the City in order to facilitate any future development and establish the most compatible zoning designation for the property. The property owner concurs with the proposed zoning designation. Contingent upon a finalized Legislative Annexation, the City is proposing both parcels be pre-zoned with a B-2, General Business District, zoning designation.

ZONING DISTRICTS AND TABLE OF PERMITTED USES

ANNEXATION AUTOMATIC ZONING DISTRICT

6.2.2 R-1, Low Density Single Family Residential District. This district is provided to afford opportunity for choice of low density suburban residential environment consisting of single-family homes on large parcels of land.

PROPOSED PRE- ZONING DISTRICT

6.3.2 B-2, General Business District. This district is intended to provide opportunity for activities causing noise and heavy traffic, not considered compatible in the more restrictive business district. These uses also serve a regional as well as a local market and require location in proximity to major transportation routes. Recreational vehicle parks, very light production and processing activities are included.

TABLE OF PERMITTED USES

The current and proposed uses from Section 8.10 Table of Permitted Uses are listed below. Opposite each land use, in the appropriate district column or columns, the letter "R" identifies those districts in which a particular land use is permitted by right and the letters "S"

identifies those districts in which a particular land use is permitted only by special exception. The letter “P”, identifies those uses that must be reviewed and approved by the Planning Commission.

No specific uses have been proposed for the site. The uses below are typical of properties located around Interstate exits and/or uses existing in the surrounding area. The full Table in the Zoning Ordinance details all uses and their permissions within the B-2 district.

| Table of Permitted Uses and Conditions | R-A | R-1 | R-2 | R-3 | R-4 | R-5 | B-1 | B-2 | M-1 | M-2 |
|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Convenience store | | | | | | | R | R | | |
| Discount/Variety store, not to exceed 8,000 sq ft | | | | | | | P | R | R | P |
| Discount/Variety store, exceeding 8,000 sq ft | | | | | | | P | P | P | R |
| Drive-in restaurant. | | | | | | | P | R | | |
| Drug store. | | | | | | | R | R | | |
| Dwelling, one-family. | R | R | R | R | R | R | S | S | S | S |
| General retail | | | | | | | R | R | P | P |
| Hardware store, retail. | | | | | | | R | R | | |
| Hotel or motel | | | | | | | P | P | | |
| Industrial Park | | | | | | | | S | R | R |
| Office buildings, general. | | | | | | | R | R | | |
| Recreational vehicle parks. | | | | | | P | | P | P | |
| Restaurant (not as an entertainment venue). | | | | | | | R | R | | |
| Warehouse and storage facilities, major. | | | | | | | | P | R | P |
| Warehouse and storage facilities, minor: mini-type do-it-yourself storage facilities. | | | | | | | | P | P | |

RELATED COMPREHENSIVE PLAN STATEMENTS & STRATEGIES

The City's Comprehensive Plan is a policy document that functions as the long-range plan for future growth and development. It identifies the goals, objectives, and strategies of the community, determined by its residents and property owners. City officials can use the document to make policies that effectively provide a coordinated approach for future growth. Though adopted by the City Planning Commission, the Plan is intended to provide guidance for future legal and policy decisions as determined by City Council and through analysis of existing and predicted conditions. The Plan also serves as the statutory basis for many of the City's land use and subdivision regulations as well as the application of zoning districts, as zoning and future land use must be in accordance with the Comprehensive Plan. The Goals, Objectives, Statements and Strategies below are pulled from the Plan as they are deemed relevant to this specific application by Planning Staff.

Population and Economy

Goal: Create an atmosphere that will foster educational attainment to attract new industries and encourage the retention and expansion of existing industries.

Objective: Preserve the quality of life established to ensure that Bay Minette remains an attractive residential community and promote sound commercial development.

Economic Analysis: The City of Bay Minette has a strong and diversified economy. The City's favorable economy derives largely from its strategic location and accessibility from the I-65 corridor and its geographical location along the State's busiest tourist transportation corridor, Highway 59, the main route to the Gulf Coast beaches of Alabama. The City is the County Seat and this provides many employment opportunities through local government. The City is also host to numerous industrial and manufacturing employers, including Standard Furniture, Quincy Compressors, and Dental EZ, Inc. The following sections provide an overview of local economic indicators that guide future economic development.

Objective: Create an atmosphere in Bay Minette that fosters new industries and encourages the retention and expansion of existing industries.

#2 City leaders and officials should partner and coordinate with other regional agencies and governments to foster an increase in commercial and industrial development in Bay Minette that will create a diversified local economy to bring more jobs to the community.

#4 The City of Bay Minette should define and clarify desired areas of industrial development and establish an Industrial Park. This will attract and hold industrial development potential and associated future land use in the designated area. The Highway 59 corridor north of the City has access to I-65 and would be a desirable location for an industrial park. However, Highway 59 south of the City currently has industrial land uses. The City should establish areas to focus future industrial development to prevent this land use from being scattered throughout the community. The same should also be done for areas of the City with high concentrations of business and commercial land uses to implement appropriate future developments in type and scale. With commercial land uses, traditional clustered development with multiple types of land uses should be encouraged over more recent strip/sprawl patterns. As funds become available, efforts should also be taken by the City to ensure parcels zoned for business and industrial development possess all necessary infrastructure to attract potential developers.

Housing

Goal: Provide a wide variety of safe and attractive living environments for all socioeconomic groups.

Statements: "With new growth and development comes the additional responsibility of protecting existing residential areas from encroachment of incompatible land uses, increased traffic congestion, and increased stress and damage to utility and storm water drainage systems. This Chapter emphasizes the importance of planning for future growth and development without compromising the character that makes Bay Minette unique."

“Future residential growth should utilize infill development techniques where possible to prevent residential sprawl away from the community's core of commercial areas, schools, and pedestrian/public transit access. Creating isolated residential neighborhoods only adds stress to the public infrastructure including roads, water and sewer, and City services.”

“In order to maintain the rural, small-town character, new housing should be directed toward the center, more dense part of the City. The City should also try to avoid further subdivision of large agricultural/forested parcels on the outskirts and fringe area. These parcels should be reserved for very low density agricultural and timber uses.”

Land Use

Statements: “Based on the projected future land use inventory of Bay Minette illustrated on Map 5.3 and Map 5.4, the City of Bay Minette can accomplish all desired future growth and development needs within their current municipal and planning area boundaries. This includes expanding residential land uses to accommodate future population needs, increasing commercial and industrial development, and preserving the rural character of the community all without increasing the cost of public services provided by the City that are typically associated with annexations of properties into municipal limits.”

#6 Ensure, through site plan review and/or subdivision plat review, that all types of land use developments have a design and scale compatible to adjoining properties and are buffered from different incompatible land uses and adverse impact due to encroachment.

DEPARTMENT AND AGENCY COMMENTS

Due to the nature of the annexation process and variable nature of pre-zoning/rezoning details, additional department/agency review will be required as the project progresses.

North Baldwin Utilities – N/A

Bay Minette Public Works – N/A

Bay Minette Police Department - N/A

Bay Minette Fire Department – N/A

Baldwin County E-911 – N/A

ALDOT – N/A

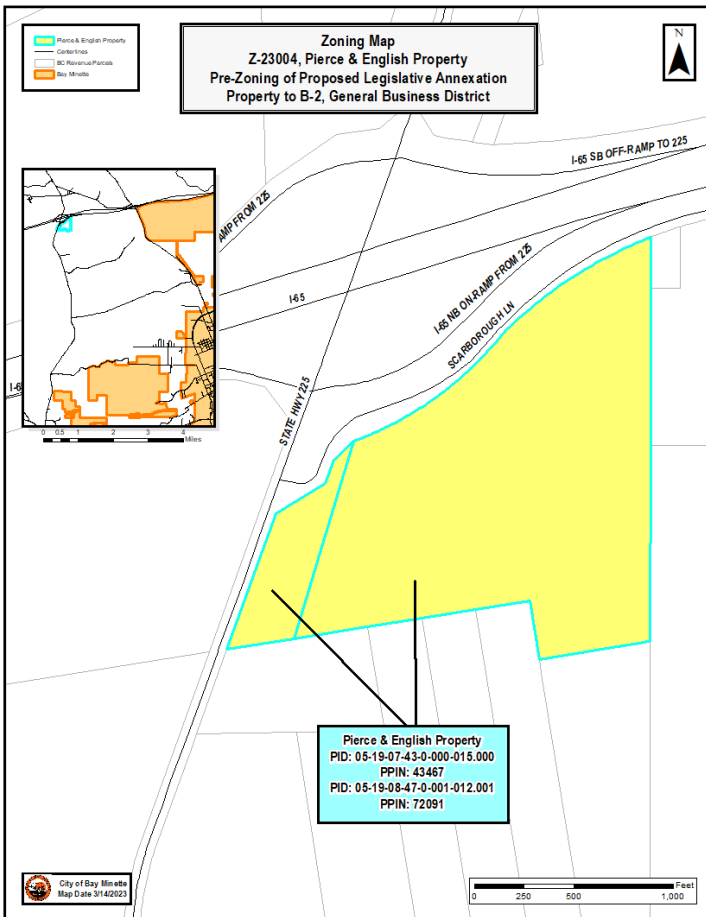
City Engineering Consultants

Civil: Tensaw Engineering, Benjamin White, P.E. – N/A

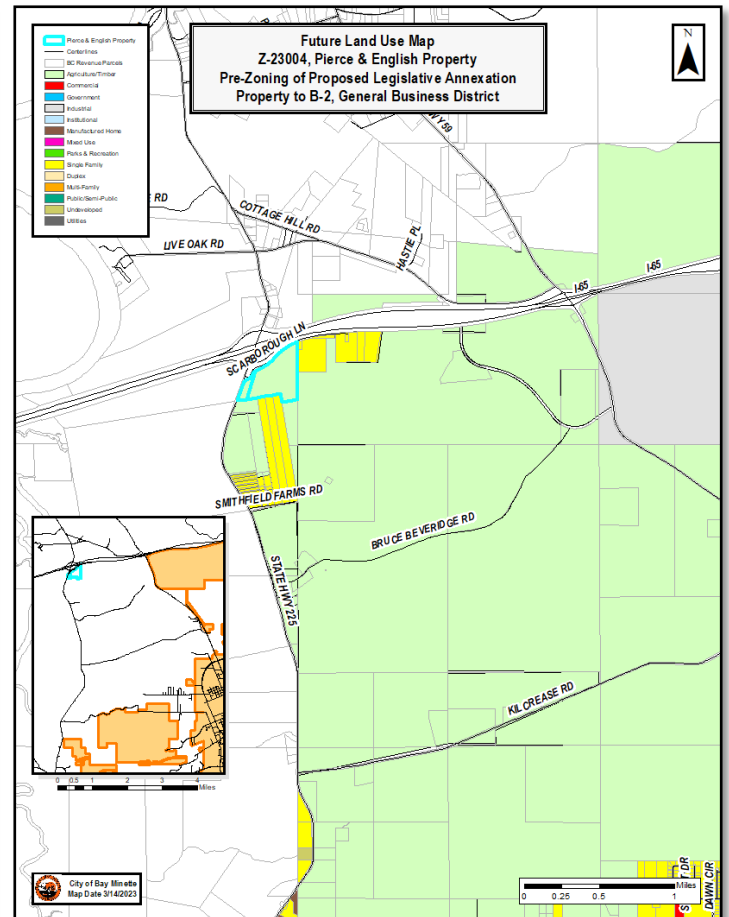
Transportation: Neel-Schaffer, Shane Bergin, PE, PTOE, PTP,
RSP1 – N/A

MAPPING

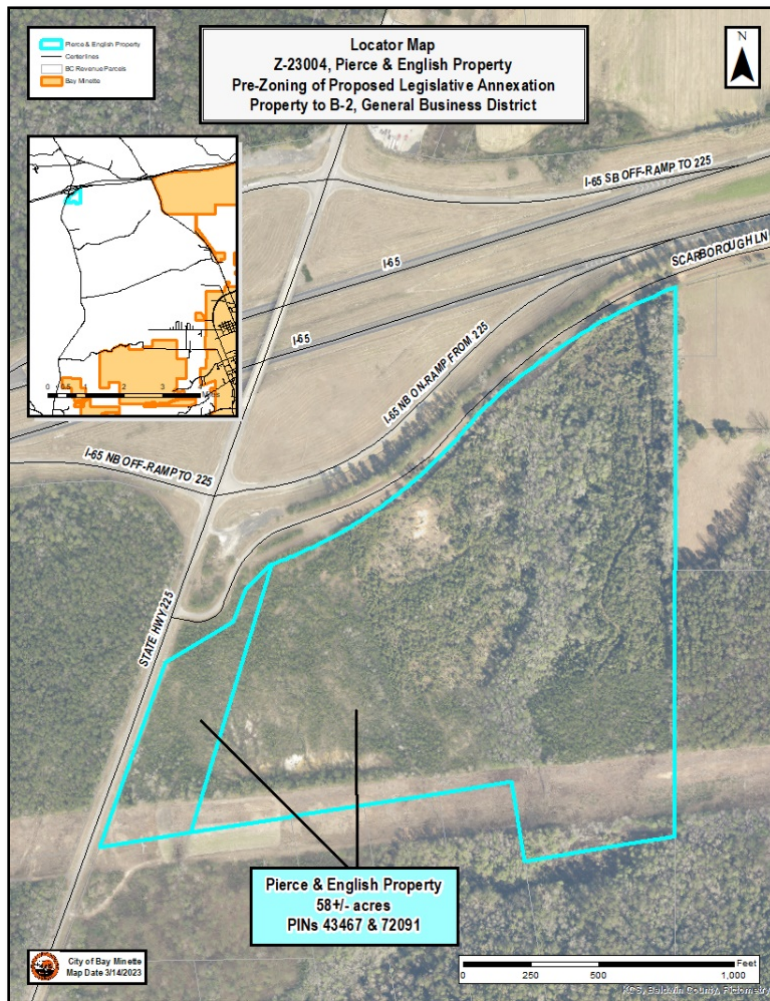
Existing Zoning Map



Future Land Use Map



Locator & Site Map



STAFF ANALYSIS

The following guidelines for reviewing zoning amendments are found in **Article 15 – Amendment** in the *Zoning Ordinance of the City of Bay Minette*. These factors are to be considered when an application is being reviewed for rezoning.

1.) Compliance with the Comprehensive Plan *COMPLIANT*

The subject property is designated as Agriculture/Timber on the Future Land Use Map in the Comprehensive Plan. It is adjacent to other Agriculture/Timber designated areas as well as Single Family designations, with areas to the West and North beyond the consideration of the Comprehensive Plan. This property appears to be used as a more passive timber use since it is undeveloped, with naturally forested areas that do not appear to be actively planted for agricultural or timber uses. The location of the property at the I-65 Exit 31 interchange at State Road 225, will be more appropriate for future development as commercial rather than timber. In particular, the property on the southwest side of I-65 directly across State Road 225 from the subject property, is currently being developed as a logistics park with access to Hwy 225 recently

cut. The 135-acre property is being marketed as the North Baldwin Logistics Park, specifically promoting the availability of water/sewer, ability to subdivide, proximity to the Port and being located only 7 miles from Novelis. On the NE side of the interchange is the Circle K convenience store/gas station that was built around 1990. Appx 420 acres on the NW side of the interchange is held by State Lands all the way to the river. With the exception of two residences/agriculture use and a church about .25 miles from the interchange, the remainder of the NE and NW portions of the interchange are vacant/undeveloped. However, 120± acres of the property on the north side of the interchange is held by commercial owners, including property on the NE side being held as a business park.

The Comprehensive Plan is the master plan required by state law, for the purpose of guiding the future growth of the municipality both inside and outside the current municipal limits. The Planning Commission is required to conduct careful and comprehensive surveys and studies of the present conditions and future growth of the municipality and with due regard to its relation to neighboring territory. The current Comprehensive Plan was researched and written in 2010, prior to the establishment of the County's Mega-Site which is approximately 7 miles from this site. Specifically in light of the recent developments at the County's Mega-Site, the existing plan does not consider actual significant development occurring in the area. The intent of the plan is for guiding and accomplishing...

"a coordinated, adjusted, and harmonious development of the municipality and its environs which will, in accordance with present and future needs, best promote health, safety, morals, order, convenience, prosperity, and general welfare as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements."

This progression from Agricultural/Timber to more intense uses is a natural transition that is guiding the establishment/development of uses that are more compatible with the existing commercial and future industrial uses. The Comprehensive Plan goals, recommendations and strategies listed above include the promotion of sound commercial development and foster an increase in commercial development. The automatic R-1, Low Density Single Family Residential zoning designation at this location would be incompatible with the intensity of the interstate exit, the existing commercial uses, and the in-progress/future development in the area. The proposed Pre-Zoning to a commercial district is compatible with recommendations and strategies from the Plan that are listed above.

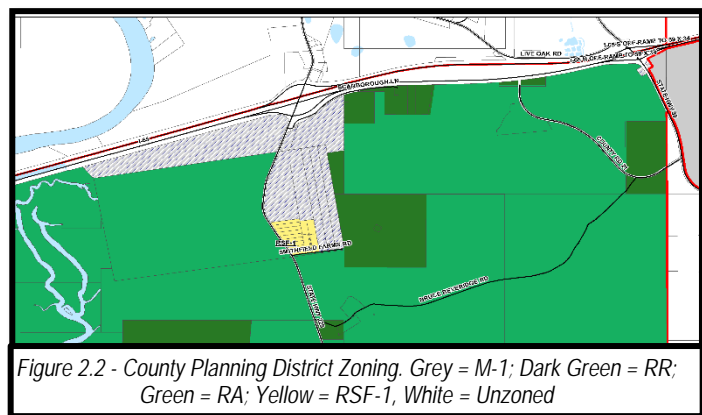
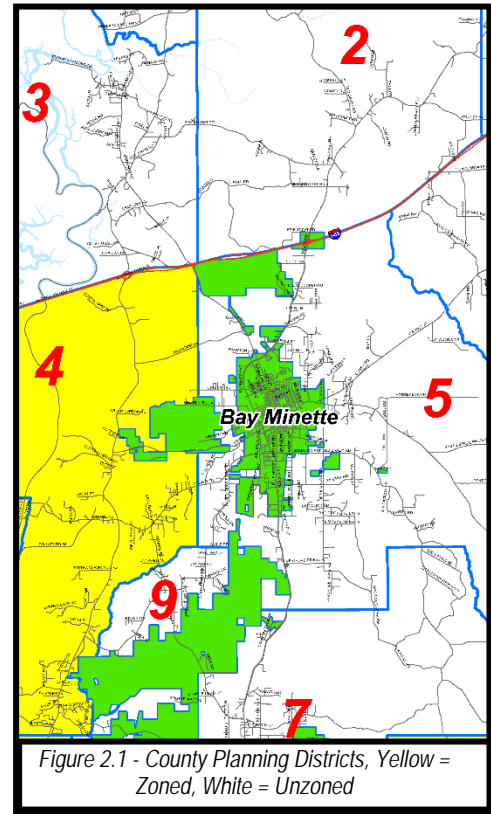
2.) Compliance with the standards, goals and intent of this ordinance *COMPLIANT*

The Zoning Ordinance was intended to promote the health, safety, convenience, order, prosperity, and general welfare of the residents; to lessen congestion in the street; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, and parks; to facilitate initiation of the comprehensive plan, and other public requirements.

Due to the property's location at the I-65 Exit 31 interchange at State Road 225, together with the proximity of existing and planned commercial & industrial facilities, the potential for successful commercial development at this site is significantly greater than the benefit and compatibility of low-density single-family development district that is intended to be located in a "low density suburban residential environment." This area is located in the County's Planning District 4, which is one of the only zoned Planning Districts in the North Baldwin area (See Figure 2.1). The subject property is currently designated as M-1, Light Industrial District by the County as is the majority of property to the South and West. To the East, adjacent properties are zoned RR, Rural District and RA, Rural Agriculture District. North of the Interstate is Planning District 3, which is unzoned. (See Figure 2.2)

The B-2 district is intended for uses that cause noise and heavy traffic, typically serving a regional as well as a local market, that also requires proximity to major transportation routes. While the R-1 automatic zoning is intended for more suburban environments, locating single family residential uses on minimum 15,000sf lots at this interstate interchange would not be conducive to a safe or desirable living conditions. The majority of residentially occupied parcels are 20+ acres or single ownership of multiple parcels for even larger properties. There are a few smaller parcels occupied by single-family residential to the South near Smithfield Farms Road, but even those are around 2-3 acres, which is 2-3 times larger than the City's largest residential lot area minimum (15,000sq ft for R-1).

To account for the highest and best use of the property, the single-family designation is not compatible with the location, existing commercial use and future development of the area.



3.) The character of the surrounding property, including any pending development activity *COMPLIANT*

This property appears to be used as a more passive timber use since it is undeveloped, with naturally forested areas that do not appear to be actively planted for agricultural or timber uses. The location of the property at the I-65 Exit 31 interchange at State Road 225, will be more appropriate for future development as commercial rather than timber. In particular, the property on the southwest side of I-65 directly across State Road 225 from the subject property, is currently being developed as a logistics park with access to Hwy 225 recently cut. The 135-acre property is being marketed as the North Baldwin Logistics Park, specifically

promoting the availability of water/sewer, ability to subdivide, proximity to the Port and being located only 7 miles from Novelis. On the NE side of the interchange is the Circle K convenience store/gas station that was built around 1990. Appx 420 acres on the NW side of the interchange is held by State Lands all the way to the river. With the exception of two residences/agriculture use and a church about .25 miles from the interchange, the remainder of the NE and NW portions of the interchange are vacant/undeveloped. However, 120± acres of the property on the north side of the interchange is held by commercial owners, including property on the NE side being held as a business park.

Much of the property in the general vicinity is large tracts of land held by the same owner. A family trust owns more than 2,000 acres of property stretching from Hwy 59 to the delta and South around Kilcrease Road. Some of the smaller residential uses are similar, with single ownership of multiple adjacent parcels.

4.) Adequacy of public infrastructure to support the proposed development *COMPLIANT*

The Bay Minette Police Department did not have any comments on the application and no comments were received from Bay Minette Fire Department or North Baldwin Utilities in regard to the pre-zoning request. With the location at the I-65 Exit 31 interchange at State Road 225 and intensity of existing uses and future development in the area, no major impacts are anticipated. Bay Minette Police Department and Bay Minette Fire Department will service these properties if the annexation is finalized. The City is not proposing annexation of the roadways, therefore, ALDOT would be the roadway authority for Hwy 225 and the Baldwin County Highway Department would be the authority for Scarborough Lane. Any development proposed for surrounding areas will not fall within the City's jurisdiction as they are located in County Planning districts and along State or County-maintained roadways. If any property in the surrounding area is proposed for division, the County's Subdivision Regulations will apply.

5.) Impacts on natural resources, including existing conditions and ongoing post-development conditions *COMPLIANT*

With the location at the I-65 Exit 31 interchange at State Road 225 and intensity of existing & future development, no major impacts are anticipated. The property is undeveloped with no specific development proposals at this time. If a new structure is planned, post-development conditions would be reviewed for compliance at that time.

The property is not located in a Flood Hazard area (Zone X) but GIS indicates the presence of hydric soils/potential wetlands. Any future development would be required to meet Federal, State, and local regulations regarding construction in and fill of environmentally sensitive areas. In fact, commercial/non-residential development would allow for a greater level of oversight. Any development proposed for surrounding areas will not fall within the City's jurisdiction as they are located in County Planning Districts and along State or County-maintained roadways. If any property in the surrounding area is proposed for division, the County's Subdivision Regulations will apply.

6.) Compliance with other laws and regulations of the city *NOT APPLICABLE*

Not Applicable, there is no development currently proposed for the subject property.

7.) Compliance with other applicable laws and regulations of other jurisdictions

COMPLIANT

If a successful annexation occurs, the subject property will fall within the municipal limits of Bay Minette and under the City's jurisdiction. As for development, any future businesses or entities will be required to work with ALDOT or the County Highway Department on access concurrence/approval and follow Bay Minette's Zoning Ordinance and Subdivision Regulations and requirements. The area was previously under the Building Permitting and Business Licensing jurisdiction of the City but due to recent legislation, the area is in the County's Building Permit jurisdiction. (See Figure 7.1)

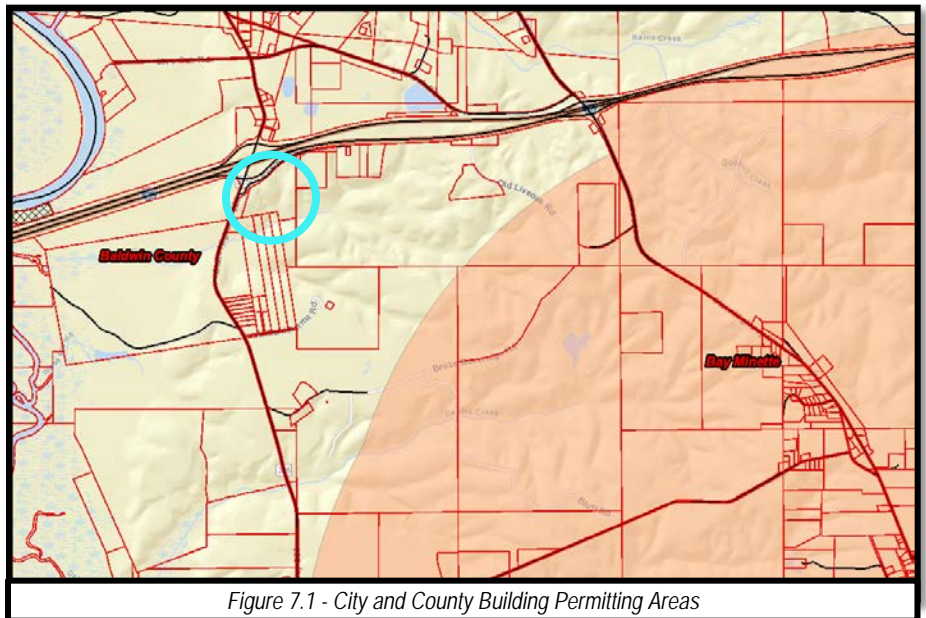


Figure 7.1 - City and County Building Permitting Areas

8.) Impacts on adjacent property including noise, traffic, visible intrusions, potential physical impacts, and property values

COMPLIANT

There is no specific development proposed at this time, but no major negative impacts are anticipated. The annexation and zoning designation as commercial will not affect nor change the current use of the property. The designation as commercial zoning will only come into play once development, construction or a change in use is proposed in the future. As previously stated, the location at the I-65 Exit 31 interchange at State Road 225 and intensity of the existing & future development in the surrounding area would accommodate any impact that may occur. Any development, use and improvement to the subject property would likely increase surrounding property values and/or generate additional development.

9.) Impacts on the surrounding neighborhood including noise, traffic, visible intrusions, potential physical impacts, and property values

COMPLIANT

There is no specific development proposed at this time, but no major negative impacts are anticipated. The annexation and zoning designation as commercial will not affect nor change the current use of the property. The designation as commercial zoning will only come into play once development, construction or a change in use is proposed in the future. As previously stated, the location at the I-65 Exit 31 interchange at State Road 225 and intensity of the existing & future development in the surrounding area would accommodate any impact that may occur. Any development, use and improvement to the subject property would likely increase surrounding property values and/or generate additional development.

10.) Other matters which may be appropriate **COMPLIANT**

The annexation procedures for the subject property began in 2022, and the request was presented in the 2023 Regular Legislative Session for approval. The annexation proposal was prefiled January 25, 2023 and was scheduled for First Reading on March 7, 2023. The bill will have to pass through the House and Senate, and obtain final signature from the Governor. If approved, the zoning designation will become effective on the date the territory is annexed or the date the zoning process is completed, whichever is later. The City's ability to 'pre-zone' property stems from specific authority in the Code of Alabama 1975 (Section 11-52-85) and from the City of Bay Minette Zoning Ordinance (Section 15.4). State Code 11-52-85 authorizes the City to zone property in the process of being annexed prior to the effective date of the annexation with proper public notification as required by law. Pre-Zoning public notice is the same as required for Rezoning applications - State Code requires that notice of the public hearing be posted in three public places within the City. The City Zoning Ordinance requires that the notice be posted in four conspicuous places in the City and notices mailed to surrounding property owners at least 15 days prior to the public hearing, which was set for April 13th at Planning Commission and May 1st for City Council. Signage must also be posted on the subject property.

- Public Hearing Notices and Property Maps were posted March 27, 2023 at City Hall on the 1st and 2nd Floors, North Baldwin Utilities, the Chamber of Commerce and the Bay Minette Public Library. The Public Hearing Notice and Map was also made available on the department's website.
- Public Hearing Notices and Property Maps were sent by certified mailings on March 27, 2023 to the owners of record for 18 surrounding properties and to the owners of the subject property.
- Public Hearing Notice Signs were posted on the properties on March 29, 2023

STAFF RECOMMENDATION

Based on the information submitted by the applicant, City Staff and Consultant input and the analysis above, staff recommends that the ***Planning Commission submit a recommendation of approval to the City Council for the Pre-Zoning request to B-2, General Business District.***

PLANNING COMMISSION ACTION

For Pre-Zoning applications, the Planning Commission holds a public hearing and sends an advisory recommendation to the City Council, who makes the final decision. The Planning Commission has the option to:

- Make a recommendation for approval of the request to the City Council as presented
- Make a recommendation for approval of the request with conditions to the City Council
- Make a recommendation for denial to the City Council, with stated factors for the denial.
- Table the request due to a lack of information.

15.2.6 *Limitation on resubmittal. No application for a zoning map amendment shall be considered within 365 days from a final decision on a previous application for the same or similar parcel of land. An application may be withdrawn without prejudice prior to the public hearing being open by the city council. A request to withdraw an application shall be made in writing.*

Resolution Number 1122-11

RESOLUTION REQUESTING LEGISLATIVE ANNEXATION OF PROPERTIES IDENTIFIED BY THE BALDWIN COUNTY REVENUE COMMISSIONER AS PPIN 43467 AND PPIN 72091

WHEREAS, the City of Bay Minette, Alabama ("City") is a municipal organized and existing under the laws of the State of Alabama;

WHEREAS, the City has historically taken action to promote the City and surrounding communities by providing services and providing for the future development of the City;

WHEREAS, the City finds that the annexation of properties identified by the Baldwin County Revenue Commissioner as PPIN 43467 and PPIN 72091 ("Territory") will serve a public purpose and will advance the interests of the citizens of Bay Minette and promote business and industry in the City;

WHEREAS, the public health and good will be served by the annexation of the Territory;

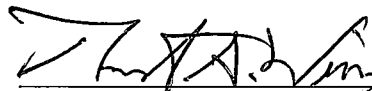
WHEREAS, it is wise, expedient and economical for the annexation to be accomplished by the passage of a local law;

WHEREAS, the City hereby requests that, a bill to incorporate the Territory into the municipal limits be drafted to legislatively annex the Territory depicted on Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, the Mayor is directed to cause notice of proposed local legislation be published in accordance with Alabama law and pay all cost associated therein.

NOW THEREFORE, BE IT RESOLVED that the Mayor is authorized and directed to take all actions necessary to pursue annexation of the Territory into the Bay Minette municipal limits.

DONE, this the 21st day of November 2022


Robert A. "Bob" Wills, Mayor
City of Bay Minette, Alabama

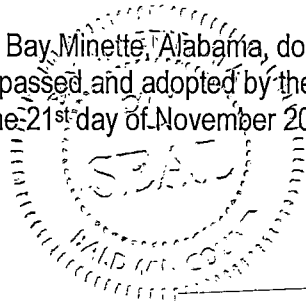
ATTEST:

Rita Diedtrich, City Clerk





2035153
BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 11/22/2022 11:59 AM
TOTAL \$ 16.00
2 Pages

I, the undersigned qualified and acting City Clerk of the City of Bay Minette, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council held on the 21st day of November 2022, and that such resolution is on file in the City Clerk's Office.


Rita Diedtrich, City Clerk



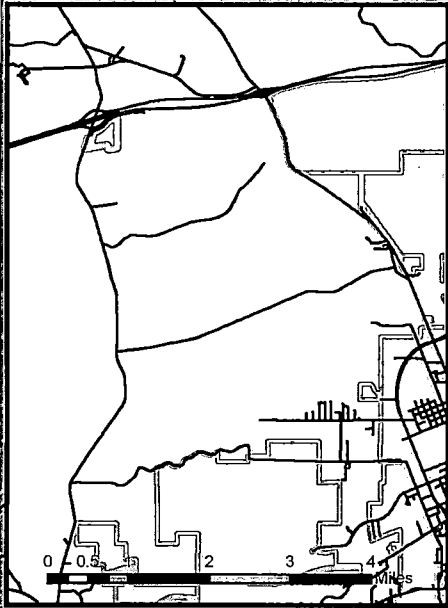
PREPARED BY:
RITA DIEDTRICH, CITY CLERK
CITY OF BAY MINETTE

-  Pierce & English Property
-  Centerlines
-  BC Revenue Parcels
-  Bay Minette

Resolution 1122-11

Legislative Annexation Request

Exhibit A - Pierce & English Property Map



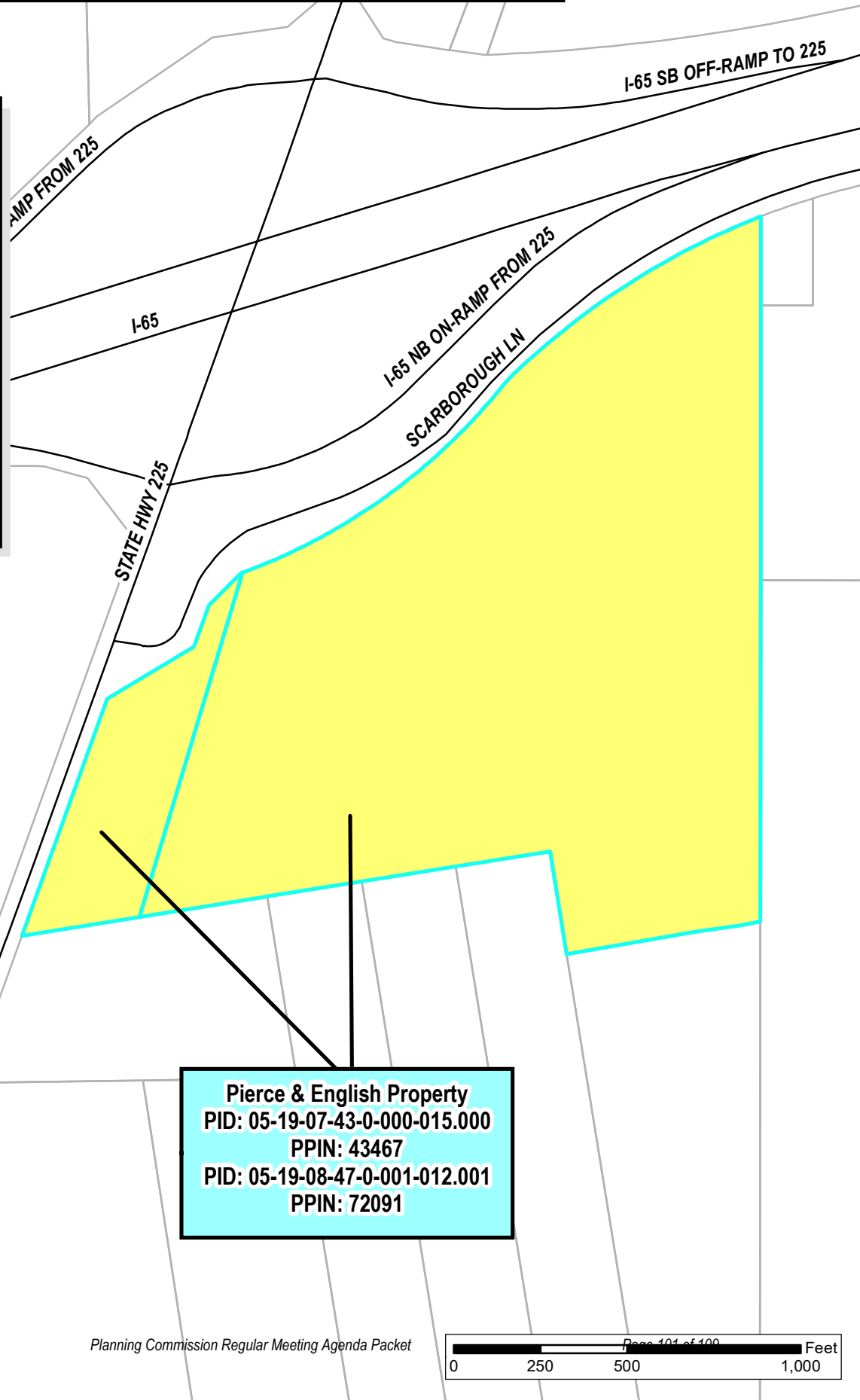
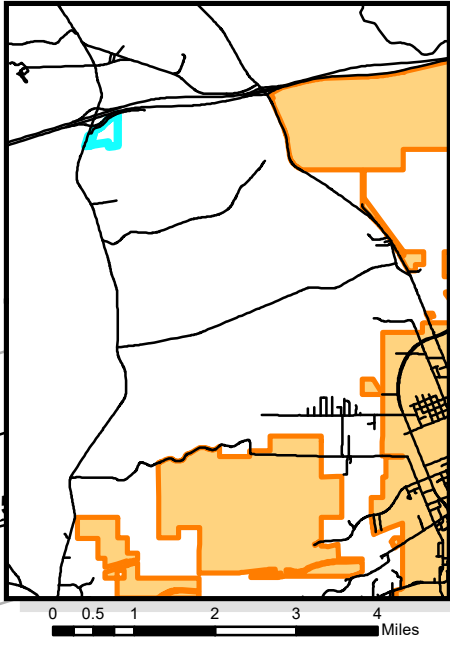
Beginning at the Southeast corner of regular Section 22, Township 1 South, Range 2 East, run thence South 89 degrees 26 minutes, 40 seconds West 297.00 Feet; thence run North 09 degrees, 18 minutes, 16 seconds West, 1457.27 Feet, more or less, to a point in the center of Griffin Creek for the point of beginning; thence continue North 09 Degrees, 18 minutes, 16 seconds West 394.00 feet, more or less to a concrete monument; thence run South 80 degrees 34 minutes 10 seconds West, 1545.64 feet to the East right of way of Alabama State Highway No. 225; thence run North 19 degrees 33 minutes, 08 seconds East along said East right of way 748.8 feet; thence run along the South right of way of Interstate Highway No. 65 as follows: North 62 degrees 09 minutes 08 seconds East 272.27 feet; north 23 degrees 47 minutes 38 seconds East 130.38 feet; North 47 degrees 57 minutes 24 seconds East 230.00 Feet; North 72 degrees 42 minutes 20 seconds East, 150.00 feet; North 62 degrees 44 minutes 57 seconds East 305.08 feet; North 43 degrees 39 minutes 48 seconds East, 441.60 feet; Thence along the arc of a curve to the right having a radius of 1984.35 feet, a distance of 789.63 feet; thence run South 00 degrees 33 minutes 20 seconds East along the East line of said Section 22, 1952 feet, more or less, to a point in the center of Griffin Creek; thence run Southwestwardly along the meanders of the center of said Creek, 650.00 feet, more or less, to the point of beginning.

Pierce & English Property
58+/- acres
PINs 43467 & 72091

Zoning Map
Z-23004, Pierce & English Property
Pre-Zoning of Proposed Legislative Annexation
Property to B-2, General Business District



Pierce & English Property
 Centerlines
 BC Revenue Parcels
 Bay Minette



Pierce & English Property
PID: 05-19-07-43-0-000-015.000
PPIN: 43467
PID: 05-19-08-47-0-001-012.001
PPIN: 72091

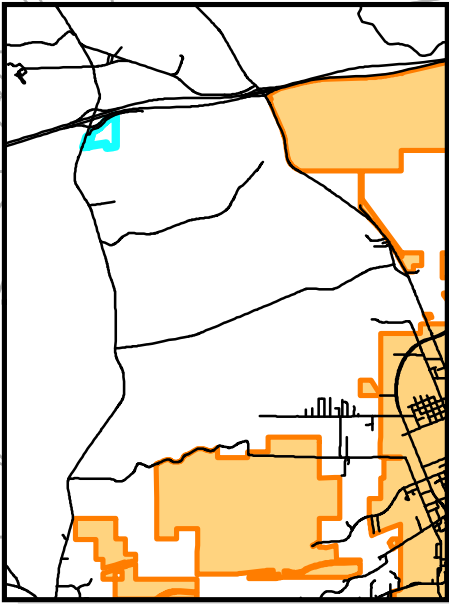
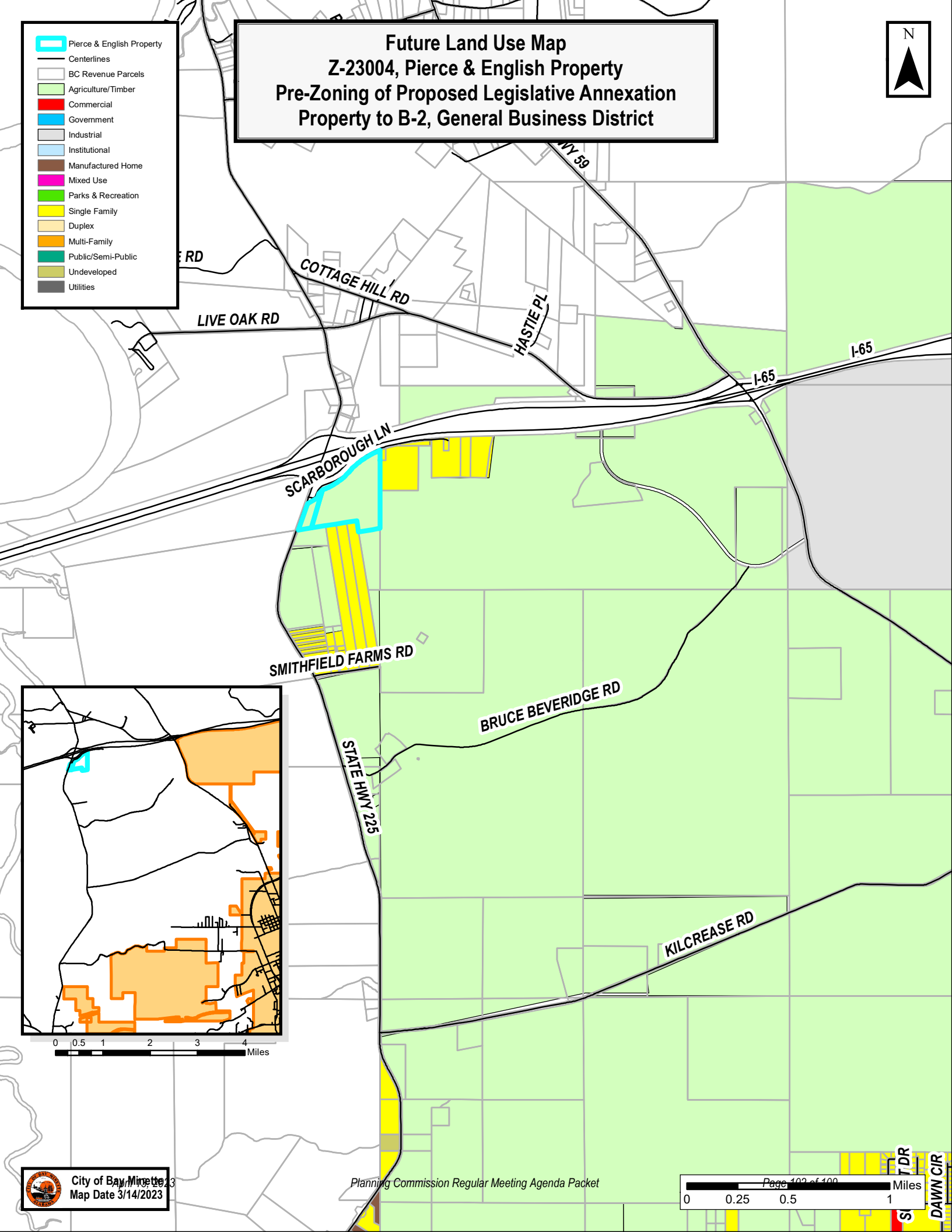
Future Land Use Map

Z-23004, Pierce & English Property



Pre-Zoning of Proposed Legislative Annexation Property to B-2, General Business District



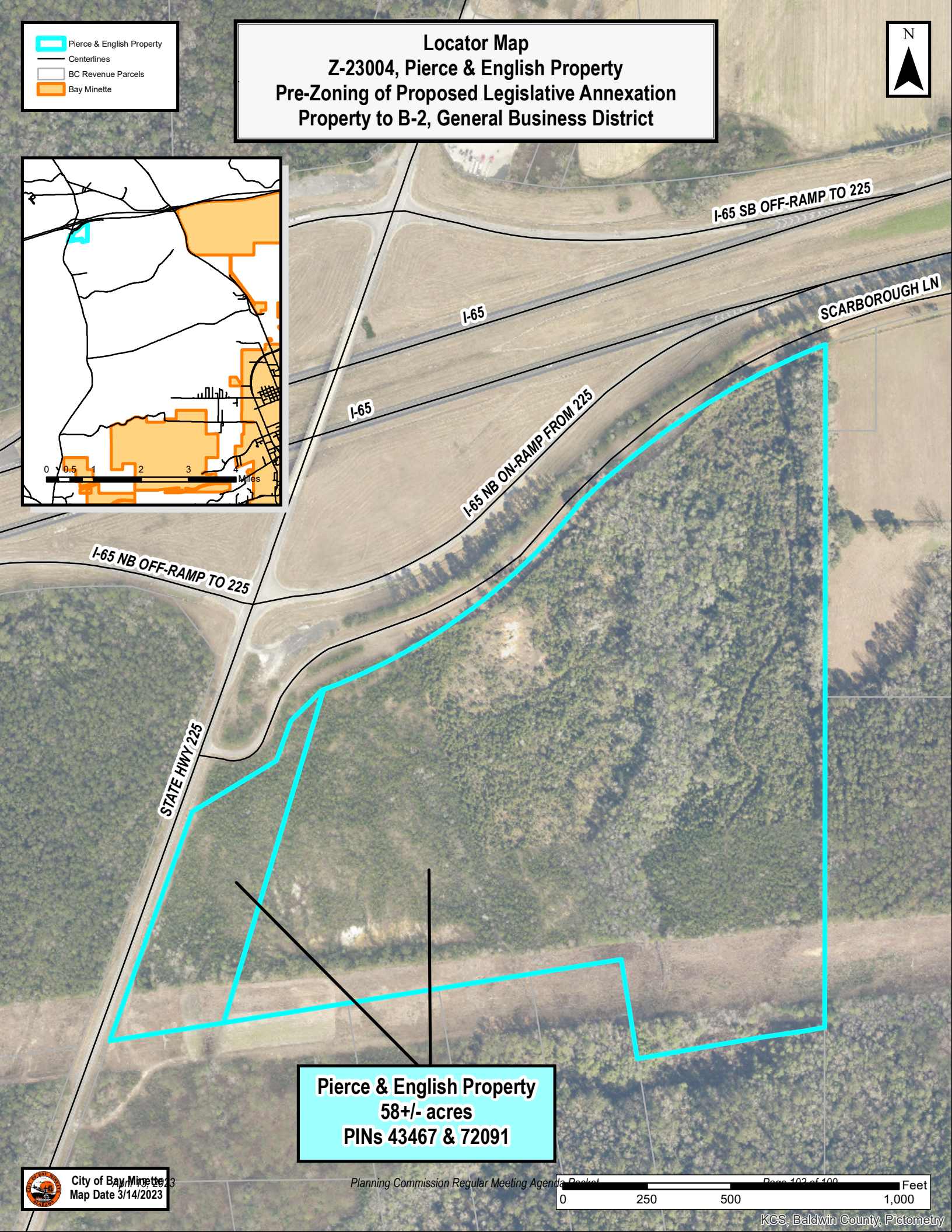
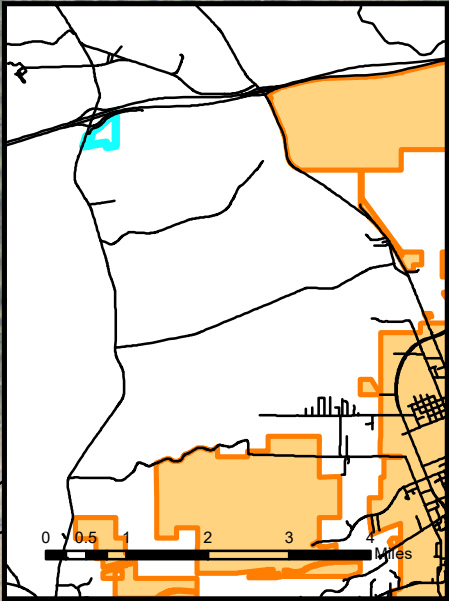
- Pierce & English Property
- Centerlines
- BC Revenue Parcels
- Agriculture/Timber
- Commercial
- Government
- Industrial
- Institutional
- Manufactured Home
- Mixed Use
- Parks & Recreation
- Single Family
- Duplex
- Multi-Family
- Public/Semi-Public
- Undeveloped
- Utilities



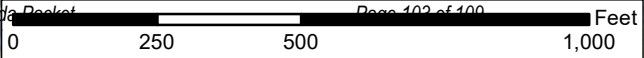
0 0.5 1 2 3 4 Miles

-  Pierce & English Property
-  Centerlines
-  BC Revenue Parcels
-  Bay Minette

Locator Map
Z-23004, Pierce & English Property
Pre-Zoning of Proposed Legislative Annexation
Property to B-2, General Business District



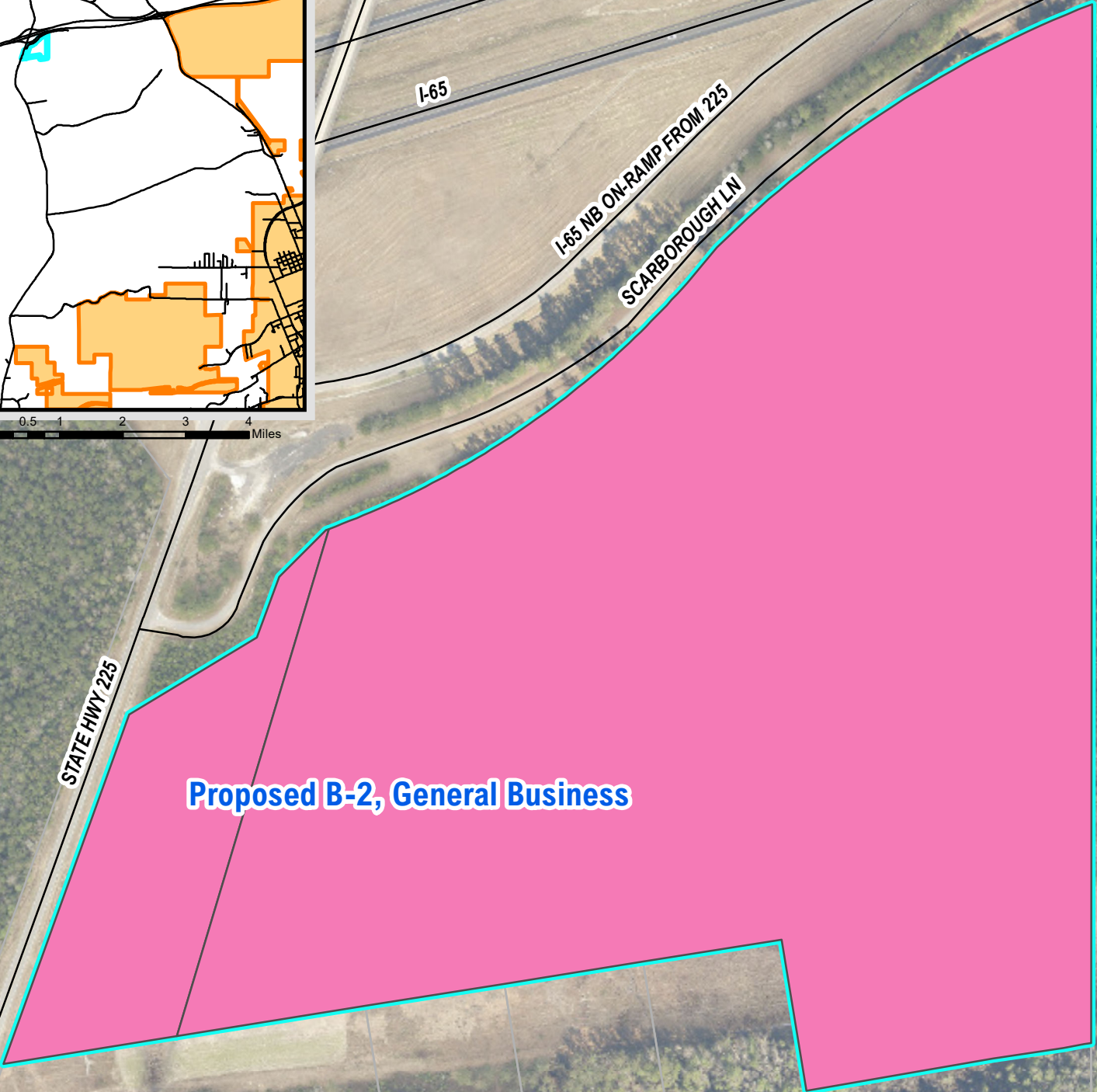
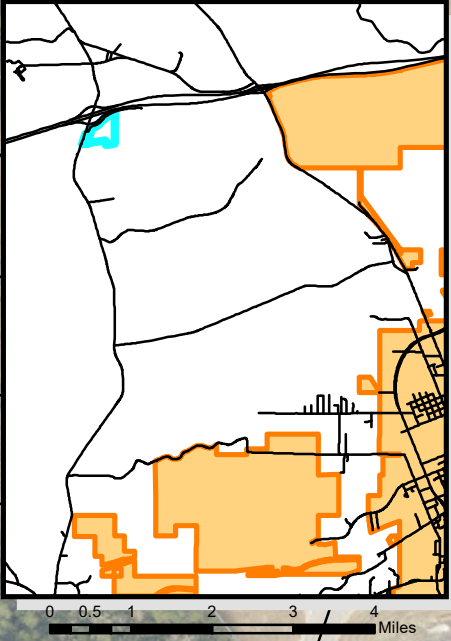
Pierce & English Property
58+/- acres
PINs 43467 & 72091



- Proposed B-2 Zoning
- Pierce & English Property
- Centerlines
- BC Revenue Parcels
- Bay Minette

Proposed Zoning Map
Z-23004, Pierce & English Property
Pre-Zoning of Proposed Legislative Annexation
Property to B-2, General Business District

I-65 SB OFF-RAMP TO 225



Proposed B-2, General Business

Pierce & English Property
PID: 05-19-07-43-0-000-015.000
PPIN: 43467
PID: 05-19-08-47-0-001-012.001
PPIN: 72091

From: [AL Tolbert](#)
To: [Jessica Peed](#)
Cc: [Jason Padgett](#); [Steven W. Stewart](#); [Mike Minchew](#); [Rob Madison](#); [Tammy S. Smith](#); [Clair Dorough](#)
Subject: Re: Pre-Zoning for Annexations
Date: Wednesday, March 15, 2023 10:31:05 AM
Attachments: [image001.png](#)

BMPD have no issues.

Chief Al Tolbert
Bay Minette Police Department
300 North Hoyle Ave
Bay Minette, AL 36507
Office: 251-580-1682/ 251-580-2559
Cell Phone: 251-239-0554
Email:al.tolbert@cityofbayminetteal.gov



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On Mar 15, 2023, at 9:45 AM, Jessica Peed
<Jessica.Peed@cityofbayminetteal.gov> wrote:

Good morning,

Please see the Pre-Zoning Locator/Site Maps for 2 (two) proposed Legislative Annexation properties:

- Z-23003, Baldwin Ventures LLC Property- Proposed to be pre-zoned to a Planned Unit Development (PUD). This property is located approximately .52 miles south and across from Holly Hills on St Hwy 59.
- Z-23004, Pierce & English Property- Proposed to be pre-zoned to B-2, General Business District. This property is located at the corner of I-65 and St Hwy 225.

If you have any questions or comments, please let me know.

Thank you,

Jessica Peed
Planning Coordinator

City of Bay Minette
Planning & Development Services Department

[301 D'Olive Street](#)

[Bay Minette, AL 36507](#)

(251) 580-1650, Ext. 7065

cityofbayminetteal.gov

[Planning & Development Services Department Site](#)

<image001.png>

<Z-23003 LocatorMap.pdf>

<Z-23004 Locator and Site Map.pdf>



City of Bay Minette

Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

NOTICE OF PUBLIC HEARINGS

Case No. Z-23004, Pierce & English Property Pre-Zoning of Property Proposed for Legislative Annexation To B-2, General Business District

Notice is hereby given that the City of Bay Minette Planning Commission and City Council will each conduct a public hearing for Case No. Z-23004, the Pierce & English property, related to a request to pre-zone two parcels that are proposed for legislative annexation into the City limits of Bay Minette, from Baldwin County Unincorporated, Unzoned Planning District 4 to the B-2, General Business District. Parcel A, identified as Parcel I.D. 05-19-07-43-0-000-015.000, PIN 43467, approximately 5.43± acres and Parcel B, identified as Parcel I.D. 05-19-08-47-0-001-012.001, PIN 72091, approximately 53.24± acres, are located at the Southeast corner of Interstate 65 and State Hwy 225, along Scarborough Ln. A map can be found on the back of this notice.

The Bay Minette **Planning Commission** will conduct the first public hearing during its regularly scheduled meeting on **Thursday, April 13, 2023** beginning at 8:00 a.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The Bay Minette **City Council** will conduct a second public hearing during its regularly scheduled meeting on **Monday, May 1, 2023** beginning at 6:00 p.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The application materials will be available for public review at Bay Minette City Hall. If you desire to speak with someone by telephone about this application, please contact Planning & Development Services at (251) 580-1650. If you desire to submit comments, please email to COBM_Planning@cityofbayminetteal.gov or address your correspondence to:

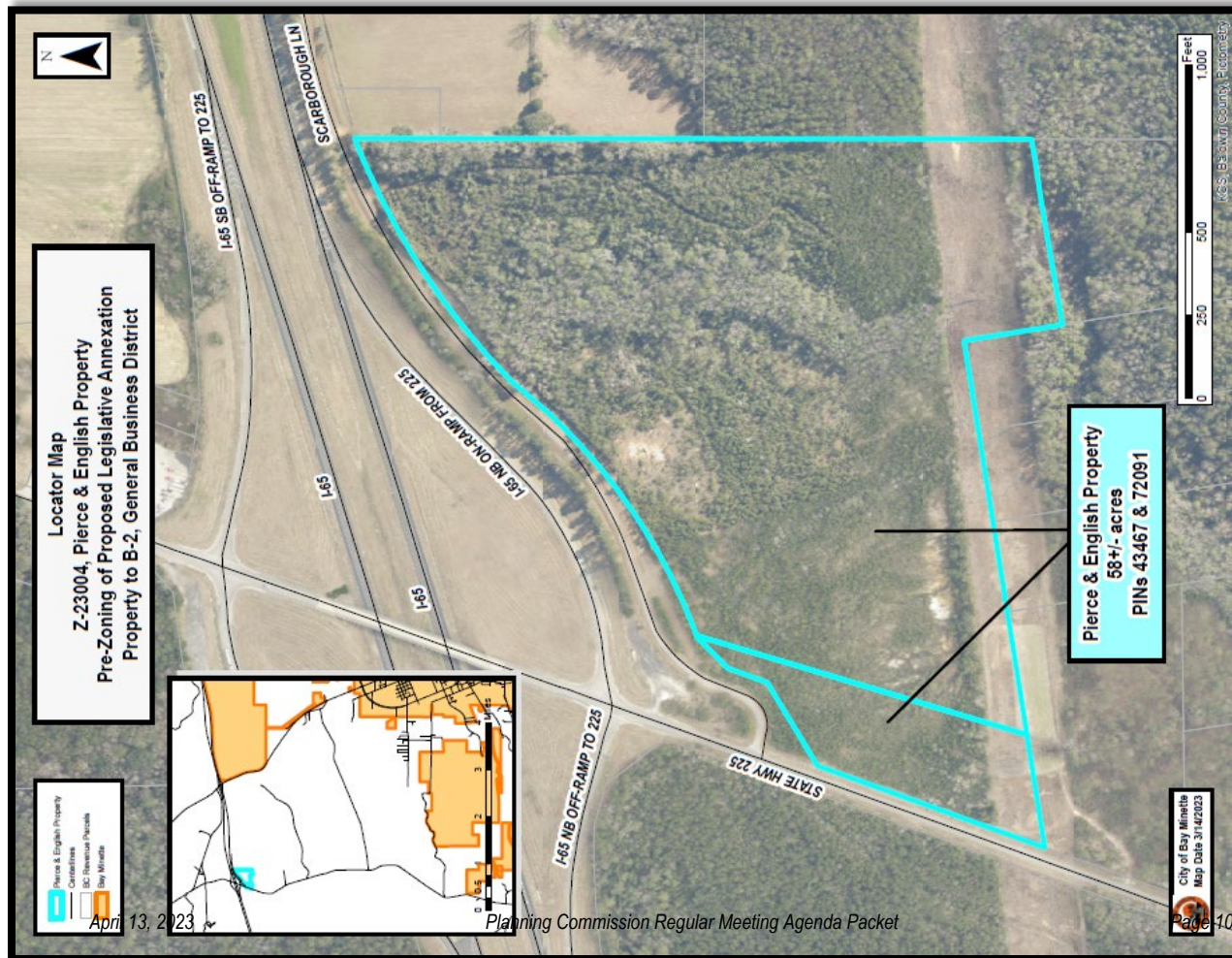
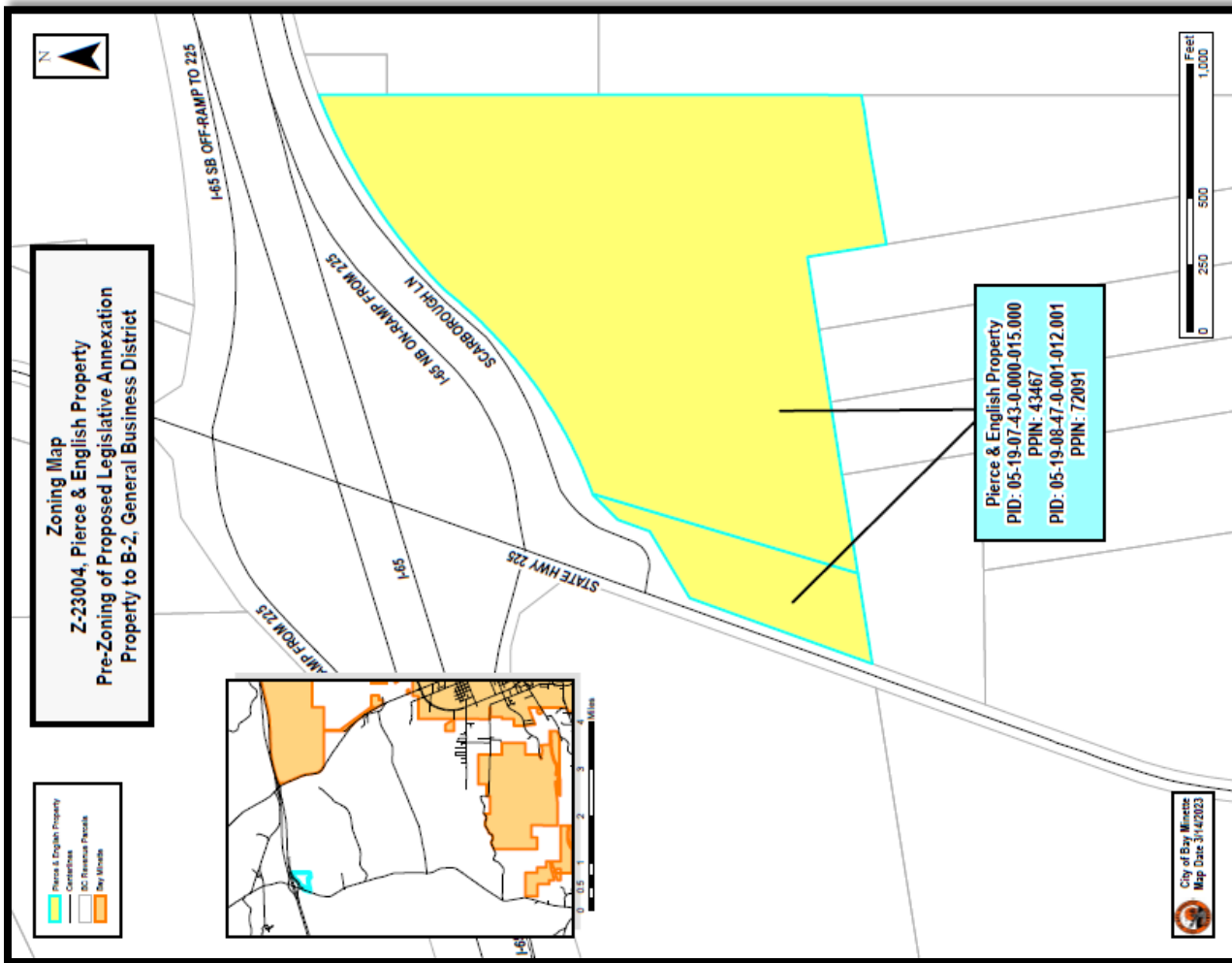
City of Bay Minette Planning & Development Services
301 D'Olive Street
Bay Minette, AL 36507

Please include the case number noted above in all correspondence. If you desire to address the Planning Commission or City Council in person about this application, please attend the public hearings at the time and location listed above.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact Planning & Development Services.

** See Reverse for Map

Notice Date – March 27, 2023





City of Bay Minette

Planning & Zoning Commission

301 D'Olive Street · Bay Minette, Alabama 36507
 Phone (251) 580-1650 · COBM_Planning@cityofbayminetteal.gov

Planning Commission 2023 Regular Meeting and Application Deadline Schedule

The City of Bay Minette Planning Commission's regularly scheduled meetings are held on the second Thursday of each month unless otherwise specified below. Applications must be submitted 6 weeks prior to the agenda publication and are due by 12:00PM on the specified date.

MEETING LOCATION: City Hall Council Chambers MEETING TIME: 8:00AM
 301 D'Olive Street
 Bay Minette, AL 36507 APPLICATION DUE: 12:00PM

| REGULAR MEETING DATE | APPLICATION DEADLINE DATE |
|----------------------|---------------------------|
| June 8, 2023 | April 27, 2023 |
| July 13, 2023 | May 25, 2023 |
| August 10, 2023 | June 22, 2023 |
| September 14, 2023 | July 27, 2023 |
| October 12, 2023 | August 24, 2023 |
| November 9, 2023 | September 28, 2023 |
| December 14, 2023 | October 26, 2023 |
| January 11, 2024 | November 23, 2023 |
| February 8, 2024 | December 28, 2023 |
| March 14, 2024 | January 25, 2024 |
| April 11, 2024 | February 22, 2024 |
| May 9, 2024 | March 28, 2024 |
| June 13, 2024 | April 25, 2024 |
| July 11, 2024 | May 23, 2024 |
| August 8, 2024 | June 27, 2024 |
| September 12, 2024 | July 25, 2024 |
| October 10, 2024 | August 22, 2024 |
| November 14, 2024 | September 26, 2024 |
| December 12, 2024 | October 24, 2024 |