ORDINANCE NO. <u>1631</u>

AN ORDINANCE OF THE CITY OF FAIRHOPE, ALABAMA, TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE PEOPLE RELATING TO DEVELOPMENT ALONG THE GREENO ROAD CORRIDOR AND THE FILING OF REZONING, SITE PLAN APPROVAL AND MULTIPLE OCCUPANCY PROJECT APPLICATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF FAIRHOPE

WHEREAS, the Greeno Road Corridor is the primary gateway into and through the City of Fairhope.

WHEREAS, the Greeno Road Corridor provides a sense of place and entry into the City Fairhope which has created a distinctive character and identity for the City. This distinctive character and identity is a source of pride for citizens and appeals to the many visitors to our City which contributes to the health, safety and welfare of the City.

WHEREAS, the City of Fairhope continues to review and revise our planning efforts to continue to enhance the small-town charm and quality of life considering unprecedented growth the City is experiencing.

WHEREAS, the City of Fairhope has contracted with a firm to conduct a Visual Preference Survey (VPS). A VPS is a planning tool by which community stake holders and decisionmakers, through public engagement and imaging, determine what types of community design i.e. streetscapes, landscapes, architecture and overall built environment, contribute positively or negatively to the community's design, function, character and image. These images allow for a "common language" for both technical and non-technical participants to articulate likes and dislikes relating to development that impact community character and image. Participants react to a series of images, rather than words, of various alternatives of community design. The results create an enhanced vision of future development along the Greeno Road Corridor.

WHEREAS, the City Council has determined that the VPS is a critical component in the City's efforts to properly plan and manage the Greeno Road Corridor, including, without limitation, by amendments to the City's Zoning Ordinance and/or Subdivision Regulations, or the enactment of new ordinances. Due to the ongoing and expected continued growth along this critical corridor, together with the need for the VPS to be fully executed and implemented, a temporary, limited moratorium is needed to achieve this goal.

THEREFORE, the City Council of the City of Fairhope, Alabama, does ordains as follows:
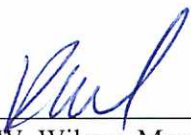
1. A temporary moratorium is established. Except as hereafter set forth, a moratorium is imposed on the acceptance of rezoning applications, site plan applications, and Multiple Occupancy Project applications for all areas along the Greeno Road Corridor. For purposes of this ordinance, the Greeno Road Corridor (U.S. 98) extends the northernmost extent of the City of Fairhope corporate limits to the southernmost corporate limits and includes all properties abutting Greeno Road (U.S. 98) and properties any potion portion of which is within 400' of the right-of way of said roadway (see attached map).

2. Exemption of current projects. Applications which were submitted and accepted as complete applications prior to the effective date of this ordinance, applications now under review, and applications already approved are exempted from this moratorium.

3. Effective period. The moratorium shall be effective immediately upon passage and publication as required by law; and shall continue for a period of 270 days unless terminated sooner by action of the City Council.
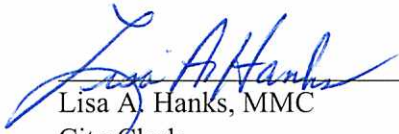
4. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any provision of this Ordinance be pre-empted by State or Federal law or regulation, such decision or pre-emption, shall not affect the validity of the remaining provisions of this Ordinance or its application to other person or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULARLY SCHEDULED MEETING THEREOF ON THE 20, DECEMBER, 2018.

_____
Karin W. Wilson, Mayor

ATTEST:

_____
Lisa A. Hanks, MMC
City Clerk

400' Buffer Greeno Corridor

City of Fairhope Greeno Buffer

- 400' Buffer
- Unzoned Parcels
- B-1 - Local Shopping District
- B-2 - General Business District
- B-3a - Tourist Resort Lodging District
- B-3b - Tourist Resort Commercial Service District
- B-4 - Business and Professional District
- M-1 - Light Industrial District
- P-1 - Parking
- PUD - Planned Unit Development
- R-1 - Low Density Single-Family
- R1(a) - Residential Uncertain
- R1(b) - Residential Uncertain
- R1(c) - Residential Uncertain
- R-2 - Medium Density Single-Family
- R-3 - High Density Single-Family
- R-3PGH - Patio/Garden Single-Family
- R-3TH - Townhouse Single Family
- R-4 - Low Density Multi-Family
- R-5 - High Density Dwelling Residential
- R-6 - Mobile Home Park District
- R-A - Residential/Agriculture District
- TR - Tourist Resort
- CL17

MOBILE BAY

City of Fairhope
Planning and Zoning Department
Mike Jeffries
10-22-18

Disclaimer:
The City of Fairhope makes no claims as to the reliability of this data and shall not be held liable for inaccuracies that may exist. Any user of this map product accepts faults and assumes all responsibility for the use thereof, and further agrees to hold the City of Fairhope harmless from and against any damage, loss, or liability arising from any use of the map product. Do not make business decisions based on this data before validating you decision with the appropriate city office.

N